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KAZAKHSTAN: Growing threats to religious property

By Mushfig Bayram, Forum 18 (<https://www.forum18.org>)

A building used for worship by the Protestant New Life Church in Alga, north-west Kazakhstan, is under threat of confiscation by the authorities, Forum 18 News Service has learnt. Although the building, which was a disused kindergarten when the church acquired it ten years ago, has been extensively renovated by the church, the authorities are not offering either compensation or another building. Sangazy Kurmanalin, Deputy Head of the local state Economic Department, insisted that recovering the former kindergarten was in line with a decree of President Nursultan Nazarbaev in 2000. "The church officially does not own the building now, so they must vacate it". The church's lawyer, Vasili Kim, told Forum 18 that confiscation of the building will leave the church without a legal address. Similarly, the remaining buildings of the Hare Krishna commune outside Almaty remain under threat of demolition by Kazakh authorities. Religious communities fear that these threats are part of a wider state campaign to target their property, also citing the 2007 confiscation of a mosque from independent Muslims.

Ten years after acquiring a disused kindergarten, in the small town of Alga near the north-western city of Aktobe [Aqtobe], a New Life Protestant congregation is about to lose its building. A local official told Forum 18 News Service that the authorities have lodged a second legal case to have the church evicted. "If a miracle does not happen the authorities will confiscate the building," a church member told Forum 18 from Alga on 16 April. He added that the pastor of the church, Zholaman Nurmanov, was summoned by the local police who demanded that he produce evidence concerning which organisation has sent him and what his title is. "He was ordered to do this very quickly," the church member reported.

Members of religious communities have expressed fears to Forum 18 that the moves against the property of the New Life Church is part of a wider state campaign to seize back property acquired by communities in good faith in the last 15 years. The authorities have been running a long campaign to seize the property of the Hare Krishna commune near the southern city of Almaty. And a Muslim community independent of the Muftiate (Spiritual Administration) lost its building in the western city of Atyrau in summer 2007 (see F18News 12 December 2007 http://www.forum18.org/Archive.php?article_id=1060).

Aleksandr Klyushev of the Association of Religious Organisations of Kazakhstan said he was not sure whether there was a targeted state campaign to expropriate property from religious communities, but saw a definite tightening of state control over religious organisations. "The authorities are scrutinising all the details, including over the property of religious organisations," he told Forum 18 from the capital Astana on 25 April.

The New Life Church and Hare Krishna commune may not have followed all the legal procedures correctly while legalising ownership of their property, Klyushev said. But he also pointed to the Salem Protestant Church of Almaty, which is facing official questioning of its property ownership although, he insisted, everything is in order with its documents. "Even in the case of New Life and Hare Krishna, the state should still make a step towards its citizens," Klyushev maintained. "The authorities do make steps towards former officials, their colleagues in regards to property."

New Life's Pastor Nurmanov played down the police check-up to Forum 18 on 22 April saying that the police usually check up on organisations, and it was nothing serious. But he said his major concern was their building. "We are pressured by the local Akimat (Executive Authority) to give up the building," he said, "but we are not being offered a new place."

Vasili Kim, the lawyer hired by the church, pointed out that the church has invested in the renovation of the whole building and has put in a heating system. "If calculated in today's prices the money spent improving the building would come up to 1.2 million Tenges [51,235 Norwegian Kroner, 6,385 Euros or 9,960 US dollars]," he told Forum 18 on 22 April. The church has gained many followers from the area, and it would be very difficult for the members if the church was moved away, he said. "Three years ago the Akimat offered a new place to the church, but wanted the church to buy the new building," said Kim. "But the church could not afford buying a new building then let alone now."

If the church loses its current building, it will be left with no legal address, Kim complained. Without a legal address they could lose state registration as Kazakhstan's Religion Law demands that organisations function at the legal address indicated in the registration. Once the legal address is lost organisations are required to re-register at the new address if they have one, Kim said. "The major concern now is that without a building, the church activity would be considered as unregistered, which is punishable by Law," he

said.

Kazakhstan continues to punish unregistered religious activity in defiance of international human rights norms and standards. Members of the religious communities have been put under administrative arrest and fined (see F18News 13 March 2007 http://www.forum18.org/Archive.php?article_id=931). Recently a court in East Kazakhstan region suspended the activity of a Baptist congregation for six months (see F18News 23 April 2008 http://www.forum18.org/Archive.php?article_id=1117).

Nurkhan Agniyazov, the deputy Akim (Head of Executive Authority) of Aktobe region, defended the state moves to reclaim the building from New Life church. He told Forum 18 on 17 April because the building was derelict, the Akim of the region handed it to the church in 1998. "It had earlier been a kindergarten, and the kindergarten system lost a lot of buildings because of poor management," said Agniyazov.

He reported that three years ago a court overruled the Akim's decision and made a new decision to restore the kindergarten. Asked why the church or the kindergarten was not offered a new place, he said they tried to find solutions but could not. He referred Forum 18 to Sangazy Kurmanalin, the Deputy Head of the local state Economic Department.

Kurmanalin insisted that recovering the former kindergarten was in line with a decree of President Nursultan Nazarbaev from 2000. "By that decree the President demanded regional governments to restore the old kindergarten system", he told Forum 18 on 21 April. One of the issues in front of us is the buildings that used to belong to that system, he said. "The decision to give the building away was made by the incumbent Akim back in 1998 but overruled by the court three years ago," said Kurmanalin. "The church officially does not own the building now, so they must vacate it."

Kurmanalin told Forum 18 he was not aware whether the Akimat was taking back other former kindergarten buildings from the new owners. Asked why no charges were brought against the Akim if his decision was illegal, Kurmanalin said he was not competent to answer the question. "I cannot answer your detailed questions right now, and we have brought the case to court already a second time," he said. Kurmanalin told Forum 18 to wait until after the court decides the matter.

Another major case elsewhere in Kazakhstan relating to the religious communities' property is the land dispute initiated by the Almaty region Akimat against the Hare Krishna Commune in Karasai district. In attempts to intimidate the Hare Krishna devotees to give up the land, the local authorities have in the past demolished some of the houses on the land where the devotees used to live (see F18News 15 June 2007 http://www.forum18.org/Archive.php?article_id=975).

Maxim Varfolomeev of the Hare Krishna Community told Forum 18 on 18 April that the Regional Akimat has given them an ultimatum to vacate the place as soon as possible. "Otherwise the authorities pledge to pull down our temple and other buildings including living residences in our presence," Varfolomeev told Forum 18.

Serik Umbetov, the Akim of the region, gathered officials of Akimats of local districts around Karasai region, and the leaders of the Hare Krishna commune on 25 March to offer an alternative site for the commune. "The authorities through the court stripped our property rights to 49 hectares of fertile lands next to a beautiful lake which is also within an hour of Almaty city," complained Varfolomeev. "But now they won't give us a minimum of two hectares needed for building of the temple, the housing of the devotees and the shed for the cows."

At the meeting the Hare Krishna community was offered four places in different districts but found none of them appropriate, Varfolomeev reported. "One site is next to a rubbish dump, another is next to a cemetery, and the best is on a hill that would need to be levelled out," he said. All these sites are too remote and cannot be reached by public transport, which would make it very difficult for members to attend the meetings, he complained.

The new head of the Justice Ministry's Religious Affairs Committee, Ardak Doszhan, received the leaders of the Hare Krishna commune at his office in Astana on 28 March and promised to give his support to the commune, Varfolomeev told Forum 18. The authorities have not taken steps to demolish the buildings yet. "This shows us that the Akimat is trying to talk us into signing papers that we agree to the plans to move us out of the current location, so they can have a legal basis for the demolition," he said. The Commune is resolute in its decision not to give in to pressure and sign any papers. "We just want two hectares of land on even ground in an appropriate surrounding not far from the city," reiterated Varfolomeev.

Gazizat Shtabaeva of Karasai Akimat, who now oversees the land dispute, was reached by Forum 18 on 25 April but she declined to talk about the issue. "Ryskul Zhunisbaeva who used to oversee this dispute has now resigned from her position, and I have just taken over this issue," she said. "I don't know much about it at the moment."

Ardak Zholtaev, the Assistant to the Akim, declined to talk about the issue over the phone to Forum 18 on 25 April. The telephone of the deputy Akim, Edil Kaliev, went unanswered. Kayrat Tulesov, the deputy chairman of the Religious Affairs Committee, also declined to discuss the case with Forum 18 by telephone on 25 April.

Among other religious communities, Jehovah's Witnesses, independent Muslims and Protestant churches continue to suffer in

Kazakhstan. Recently a group of 15 independent Muslims were given heavy prison sentences for belonging to a terrorist organisation. 14 of the 15 Muslims were given prison sentences of between 14 and 19 and a half years at a closed trial. The fifteenth received a three-year corrective labour sentence. The terrorist allegations by the authorities were not proven, according to independent legal experts in Kazakhstan (see F18News 8 April 2008 http://www.forum18.org/Archive.php?article_id=1110). (END)

For a personal commentary on how attacking religious freedom damages national security in Kazakhstan, see F18News http://www.forum18.org/Archive.php?article_id=564.

For more background, see Forum 18's Kazakhstan religious freedom survey at http://www.forum18.org/Archive.php?article_id=701.

More reports on freedom of thought, conscience and belief in Kazakhstan can be found at <http://www.forum18.org/Archive.php?query=&religion=all&country=29>.

A survey of the religious freedom decline in the eastern part of the Organisation for Security and Co-operation in Europe (OSCE) area is at http://www.forum18.org/Archive.php?article_id=806 and a survey of religious intolerance in Central Asia is at http://www.forum18.org/Archive.php?article_id=815.

A printer-friendly map of Kazakhstan is available at <http://www.nationalgeographic.com/xpeditions/atlas/index.html?Parent=asia&Rootmap=kazakh>.

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