

23 December 2009

KAZAKHSTAN: "There is no persecution in Kazakhstan"

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

As Kazakhstan is about to begin the role of 2010 Chairperson-in-Office for the Organisation for Security and Co-operation in Europe (OSCE), the country continues to violate its OSCE human rights commitments. One Protestant pastor is facing criminal charges for "causing severe damage to health due to negligence" because he prayed with a woman about her health, at her request. The KNB secret police declined to explain why a pastor praying for people attending his church should be a matter for criminal charges. Asked whether Pastor Kim is being targeted for his faith, a KNB officer told Forum 18 News Service that: "There is no persecution in Kazakhstan". The authorities also continue to throughout Kazakhstan close Christian-run rehabilitation centres for people suffering from drug and alcohol addiction. And a Muslim secondary school teacher has been warned not to wear a hijab to school, although she continues to be able to do this. The cases are part of a pattern of systematic violations of freedom of religion or belief and other fundamental freedoms in Kazakhstan.

As Kazakhstan is about to begin the role of 2010 Chairperson-in-Office for the Organisation for Security and Co-operation in Europe (OSCE), the country continues to violate its OSCE human rights commitments. One Protestant pastor is facing criminal charges for "causing severe damage to health due to negligence" because he prayed with a woman about her health, at her request. The authorities continue to move to close Christian-run rehabilitation centres for people suffering from drug and alcohol addiction. And a Muslim secondary school teacher has been warned not to wear a hijab to school, although she continues to be able to do this.

Kazakhstan's State Committee for Religious Affairs, which is part of the Justice Ministry, declined to comment on any of those cases. The woman who answered the phone of Ardak Doszhan, Chair of the State Committee, told Forum 18 on 22 December: "We will respond only if you write us an official letter."

Criminal prosecution for praying

Pastor Vissa Kim of Taraz's Grace Light of Love Protestant Church, in Jambyl [Zhambyl] Region in southern Kazakhstan, is facing criminal charges brought by the Jambyl Regional Department of the National Security Committee (KNB) secret police. The charges under the Criminal Code's Article 111 ("causing severe damage to health due to negligence") state that Pastor Kim allegedly inflicted harm to the health of a woman by praying for her, church members told Forum 18.

The woman concerned attended the church from October 2007 to March 2008, and in 2008 approached Pastor Kim to ask for prayer and laying on of hands for her poor health. The KNB secret police then used a hidden camera to film Pastor Kim praying with the woman. She subsequently stopped coming to the church and complained to the KNB that her health had deteriorated after the prayer. Church members have told Forum 18 that they find it strange that the KNB apparently knew when they would be able to film Pastor Kim praying with the woman. They also note that the KNB itself claims that the Regional Prosecutor's Office had approved the secret filming, but that this is not recorded in the court documents.

The first hearing on the case took place on 1 December. "The second hearing was postponed a few times, and the last time it was postponed on 20 December," church members told Forum 18. "Now, probably the trial will resume after New Year."

Asked why Pastor Kim was facing criminal charges for praying with an individual at her request, Judge Nurmakhammat Abidov, Chair of Taraz Criminal Court, said that it is the Court's duty to consider cases brought before the court. "The court needs to see whether the charges brought against Kim are well-founded," he told Forum 18 on 22 December. He said he could not tell when the next hearing would take place. He referred enquiries to Judge Azamat Tlepov, who is leading the case. Judge Tlepov's phone went unanswered on 22 December.

The KNB's "expert opinion" on their film, provided to the court, claimed that laying of hands on persons was "hypnotising", and that singing of psalms and hymns is "neuro-linguistic programming". Church members strongly deny the accuracy of these claims.

Jambyl Regional Department of the KNB secret police declined to tell Forum 18 why they brought criminal charges against Pastor Kim. "We have referred the case to the court, please talk to the court," the chief duty officer told Forum 18 on 22 December. "The court will decide whether or not Kim is guilty of the crime." He declined to explain why a pastor praying for people attending his

church should be a matter for criminal charges. Asked whether Pastor Kim is being targeted for his faith, the KNB officer responded: "There is no persecution in Kazakhstan".

Jambyl Regional Prosecutor's Office said the Prosecutor was away, and referred Forum 18 to Kydyrali Ospanov, Deputy Prosecutor of the Region. Ospanov's assistant, who did not give her name, several times asked Forum 18 on 22 December to call back later. Later that day the phone was switched off. On 23 December Ospanov's assistant told Forum 18 to call back, which Forum 18 did without success.

Targeting of Christian-run addiction rehabilitation centres continues

The criminal case against Sergei Mironov, a Protestant Christian who founded a rehabilitation centre for people suffering from drug and alcohol addiction, is continuing. On 22 December, Eastern Kazakhstan Regional Court referred the case to Semey City Court No. 2. Semey Court Chancellery told Forum 18 on 22 December that they had not received the case. It remains unclear when the trial will take place.

The criminal case was originally brought before the Beskaragai District Court by the District Prosecutor's Office. The District Court then sent the case to the Regional Court as Mironov challenged the Beskaragai District Court. "We challenged the District Court because we believed it was not impartial in its earlier dealings with us," Mironov told Forum 18 on 22 December. "We want the case the case be tried elsewhere."

Mironov said that the centre has stopped its rehabilitation work but many residents are still staying in the building of the centre because they have "no place" to go. "We could not just dump people out on the street," he stated. The centre was ordered to be permanently closed in September 2009 and its founder was earlier fined after a raid by 25 officials carrying sub-machine guns from the ordinary police, KNB secret police, and the Sanitary-Epidemiological Service (see F18News 6 October 2009 http://www.forum18.org/Archive.php?article_id=1359).

Several Christian-run addiction rehabilitation centres which are independent of Mironov's centre are also being targeted by the authorities. In one of these cases the leader of the centre also faces criminal charges. Protestant Christians associated with the centre, who wish to be anonymous, are hoping for a "positive outcome" of a court case soon to take place. They suspect that discussing the charges in public may "jeopardize" the result of the case.

The authorities in several of Kazakhstan's regions have moved to close other Protestant-run rehabilitation centres. Another Protestant associated with the care of people suffering from addictions, who asked not to be identified for fear of state reprisals, told Forum 18 that three other such drug rehabilitation centres have been closed recently.

Teacher warned for wearing hijab

A geography teacher has been told not to wear a hijab to her school. Aida Dekebayeva, a geography teacher at Makarenko Secondary School in Taldy-korgan [Taldyquorghan] near Almaty, was warned by Gulnara Muratbekova, the school's Headteacher, Aliya Akhmediyeva of the Kazakhstan International Bureau for Human Rights and the Rule of Law, told Forum 18 on 22 December.

Akhmediyeva said that Dekebayeva continued to work in the school and she continued wearing her hijab. "Dekebayeva promised she would let us know if she is dismissed from the school or she gets any other punishment," Akhmediyeva told Forum 18. "For now she is doing fine in the school."

Headteacher Muratbekova was not available to talk to Forum 18. The woman who answered the phone told Forum 18 on 22 December that Muratbekova "had already left for today." She referred Forum 18 to the Deputy Headteacher of the School.

The Deputy Headteacher, who did not give her name, told Forum 18 on 22 December that Dekebayeva "continues her work" in the school and is "wearing a hijab as she used to". She declined to say why Dekebayeva was warned not to wear a hijab. "Only Headteacher Muratbekova can answer questions on that issue," she responded.

[The head of the Kazakhstan International Bureau for Human Rights and the Rule of Law, human rights defender Yevgeni Zhovtis, was sentenced to a 4 year jail term in September 2009. The trial and subsequent appeal have been condemned by many, including the governments of the European Union, as showing a lack of respect for Kazakhstan's international human rights commitments.]

The wider context

Kazakhstan continues raids, fines and other harassment of peaceful religious activity (see eg. F18News 1 December 2009 http://www.forum18.org/Archive.php?article_id=1380). The country is also drafting a new Administrative Code continuing existing punishments for exercising freedom of religion or belief. This is now expected to be considered by parliament at some point in 2010. Also, the National Human Rights Action Plan has revealed the authorities' intent to introduce in 2011 a Law "on the introduction of amendments and additions to legislation on the guarantee of freedom of thought, conscience and religion". This is a similar title to a

highly restrictive 2008-9 draft Law condemned by many Kazakh and international human rights defenders, and an OSCE Legal Opinion (see F18News 8 October 2009 http://www.forum18.org/Archive.php?article_id=1360). (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=1352.

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 compilation of Organisation for Security and Co-operation in Europe (OSCE) freedom of religion or belief commitments can be found at http://www.forum18.org/Archive.php?article_id=1351.

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

If you need to contact F18News, please email us at:
[f18news @ editor.forum18.org](mailto:f18news@editor.forum18.org)

Forum 18
Postboks 6603
Rodeløkka
N-0502 Oslo
NORWAY