

1 April 2010

KAZAKHSTAN: Criminal records for religious activity

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Two Protestants have been given criminal convictions to punish them for their activity, Forum 18 News Service has learnt. Vissa Kim, pastor of Grace Light of Love Church in Taraz in southern Kazakhstan, was fined 100 months' minimum wages today (1 April) for allegedly harming a woman's health by praying for her. Sergei Mironov was given one year's restrictions on his free movement after being found guilty of depriving a client of his drug rehabilitation centre of his freedom. The authorities have closed the centre. Both Kim and Mironov deny any wrongdoing. A criminal case has been opened against the leader of another Christian-run rehabilitation centre in Almaty. "Religious communities can do social work but only if they do it in accordance with the Religion Law," an official told Forum 18 about Mironov's case. "Now it looks like pastors will get fines for praying for the sick in churches," a member of Kim's church told Forum 18.

Vissa Kim, pastor of a Protestant Church in Jambyl [Zhambyl] Region in southern Kazakhstan, was today (1 April) fined 100 times the minimum monthly wage for praying for a member of his church, a church member who wished to remain unnamed for fear of reprisals from authorities told Forum 18 News Service. As well as having a criminal record, he has also been told to pay large court fees which Forum 18 has been unable to clarify. Meanwhile, Sergei Mironov, leader of a Protestant drug rehabilitation centre in East Kazakhstan Region closed down by the local authorities, continues his attempts to overturn the closure of the centre and his criminal conviction.

Forum 18 is also aware of a criminal case opened against the leader of another Christian-run drug rehabilitation centre in Kazakhstan's commercial centre Almaty.

Officials at the Justice Ministry's Religious Affairs Committee were reluctant to talk about any of the cases on 1 April. They referred Forum 18 to Zhanna Onlasheva, the legal expert at the Committee, but she said she needed time to study the cases.

Asked whether the State authorities in Kazakhstan put any barriers against religious communities conducting social work among the population, Onlasheva without clarifying said that "Sometimes we receive complaints from the communities, and we have been able for instance, to help them to get a plot of land to build their buildings." When Forum 18 asked whether there have been any concrete cases where the State Committee facilitated the religious communities' social work, Onlasheva said, "I will think about your questions and you can call later next week."

Sentenced for praying

Judge Azamat Tlepov of Taraz City Court No. 2 in Jambyl Region, fined Pastor Kim of Taraz's Grace Light of Love Protestant Church on 1 April, four months to the day after the trial began. Kim was found guilty of violating Criminal Code Article 111 Part 1 ("causing severe damage to health due to negligence").

Kim was fined 141,300 Tenge (5,723 Norwegian Kroner, 711 Euros or 961 US Dollars), plus 5,000 Tenge (202 Norwegian Kroner, 25 Euros or 34 US Dollars) court costs. "Now it looks like pastors will get fines for praying for the sick in churches", a church member complained to Forum 18.

Taraz Court No. 2's Chancellery referred Forum 18 to Judge Tlepov saying that it had not received the verdict from the Judge yet. Judge Tlepov answered his phone twice on 1 April, but as soon as Forum 18 identified itself put the phone down both times. Forum 18 was thus unable to clarify the nature of the court expenses.

Church members told Forum 18 earlier that the case was raised several times by the Taraz city Police in 2009, but was later dropped because there was no evidence of a crime. Later the case was taken up by the National Security Committee (KNB) secret police. The KNB alleged that Pastor Kim inflicted harm to the health of a woman attending his church by praying for her. Taraz City Court No. 2 started hearing the case on 1 December 2009 but subsequent hearings were postponed several times (see F18News 23 December 2009 http://www.forum18.org/Archive.php?article_id=1391).

When called earlier on 19 March, Judge Tlepov told Forum 18 that Pastor Kim was "not guilty of a crime." Asked why Kim was

being prosecuted for having prayed for the sick, and told that it is not unusual for some Christians to pray for healing by laying on of hands, Judge Tlepov said: "You need to tell this to the agencies which began the prosecution against him."

Rehabilitation centre leader to challenge criminal conviction

Sergei Mironov, the Head of a Christian-run Spiritual Centre for the Rehabilitation of Drug Addicts and Alcoholics in Steklyanka village in East Kazakhstan Region, has failed in his attempt to have his criminal conviction overturned, as he told Forum 18 on 30 March. East Kazakhstan Regional Court in Oskemen heard his appeal on 19 March but upheld the previous court decision.

On 9 February, Judge Ernar Berekbulov of Semei District Court No. 2 had found Mironov guilty of violating Criminal Code Article 126 Part 1 ("illegal deprivation of freedom not connected to kidnapping"). In the verdict, seen by Forum 18, Mironov was sentenced to limitation on his freedom for one year. The decision says that Mironov may not change his permanent workplace and residence, as well as travel to other places from his home town without first getting permission from an authorised state agency.

Mironov told Forum 18 that he intends to appeal to the Supreme Court.

The prosecutor alleged that Mironov had illegally detained a client at the Centre, but he insists the accusations were fabricated. He points out that the prosecution came after a series of moves against the Centre, including an armed raid by the police and KNB secret police, two fines and a permanent ban on its activity (see F18News 6 October 2009 http://www.forum18.org/Archive.php?article_id=1359).

Aleksandr Artamasov, Deputy Head of East Kazakhstan Regional Administration's Internal Policy Department, refused to comment on Mironov's case. "Religious communities can do social work but only if they do it in accordance with the Religion Law," he told Forum 18 on 1 April and put the phone down.

Raid on church service was a "violation"

Meanwhile, the Ayagoz District Prosecutor's Office in East Kazakhstan Region has written to members of the Grace Church to say that the officials involved in the check-up of a Sunday service on 24 January in the village of Ayagoz violated the law, church members told Forum 18. The Prosecutor's Office said some of the officials involved would be reprimanded.

The congregation – registered with the local authorities as a "religious group" within the Grace Church - had gathered in the home of Nurken Askarov and his family for the Sunday service when the raid took place, church members told Forum 18. Two members of the local Akimat (administration), Roza Kairbaeva and Aydarzhan Iklasov, were accompanied by four police officers. No search warrant was shown. They claimed that they had received a report that needed to be checked up on. While Iklasov filmed those present, Kairbaeva insisted that the service be halted and demanded to know "why are more than 10 people present in the house?" Police demanded that all those present give their names, addresses and places of work. Attendees were asked why they had come to the service.

Later that Sunday, officials of the Akimat's Internal Policy Department drew up a report about Askarov and demanded that he sign a statement saying why more than 10 people were present in his home. When he refused to sign anything, one police officer threatened that he would face prosecution under the Code of Administrative Offences.

In the wake of the raid, church members wrote a complaint to the Prosecutor's Office.

Defending the raid to Forum 18 on 17 February was Dametken Sagyndykova, head of the Ayagoz District Internal Policy Department. "There was a report from a resident – we had to check it up."

Church members told Forum 18 that they believe the Prosecutor's Office only responded to their complaint because of calls from the Almaty Helsinki Committee, which has long worked for religious freedom in Kazakhstan, and Forum 18. (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>.

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