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KAZAKHSTAN: Freedom of religion and belief to suffer in "anti-extremism" programme?

By Felix Corley, Forum 18 (<https://www.forum18.org>)

"Uncover and halt the activity of illegally functioning places of worship"; "Uncover and halt the distribution of religious literature and informational materials of religious content in non-approved locations"; "Uncover and halt the carrying out on the territory of the country of illegal missionary activity." These are three of 74 measures in a draft Plan to implement Kazakhstan's proposed new State Programme to Counter Religious Extremism and Terrorism for 2013-2017, in its final stages of preparation and seen by Forum 18 News Service. The State Programme with its Implementation Plan would require video-cameras in all places of worship and teaching on so-called "traditional religions" to become a compulsory school subject. The General Prosecutor's Office in the capital Astana – which is preparing the State Programme – refused to discuss it with Forum 18. "Freedom of religion and belief across the board will be more and more restricted," one member of a smaller vulnerable religious group told Forum 18.

Publication and distribution of all religious works, sharing beliefs, foreign religious study, and meeting for worship are targeted in a proposed new State Programme to Counter Religious Extremism and Terrorism for 2013-2017, Forum 18 News Service notes. The State Programme also says all places of worship – among other public venues – would require "contemporary security systems" (presumably security cameras) by 2017. If adopted in its current form, it would also require teaching on "traditional religions" to become a compulsory subject in all state schools from 2014.

The Programme also involves extensive state involvement in teaching religion and controlling theological institutions. State-controlled Islam appears to be the main or only faith to be promoted.

"Freedom of religion and belief across the board will be more and more restricted," one member of a smaller vulnerable religious group told Forum 18 in early May. Kazakhstan already imposes extensive restrictions on freedom of religion and belief (see Forum 18's Kazakhstan religious freedom survey http://www.forum18.org/Archive.php?article_id=1352).

The 21-page draft State Programme, prepared by the General Prosecutor's Office and seen by Forum 18, is apparently in the final stages of preparation. It is due to be presented for approval to President Nursultan Nazarbaev later in May and adopted by Presidential Decree by June.

State concerns

The State Programme claims that religious "extremism" and terrorism pose a threat to the state and its population. It cites apparent greater radicalisation of the population, especially the young and prisoners, greater global terror threats, the withdrawal of international troops from Afghanistan, drug-trafficking and illegal migration.

In response, it proposes wide-ranging measures, including: increasing the numbers of personnel and resources available to police and security agencies; increased surveillance of society and public areas; close monitoring of all media; heightened border controls; increased state "propaganda" against religious "extremism"; teaching to ensure increased "religious literacy"; increased "patriotic" education; and greater non-religious leisure pursuits for young people.

Existing state denigration of specific beliefs is widespread. Pentecostal Christians, Ahmadi Muslims, other non-Hanafi Muslims and Jehovah's Witnesses have been among those vilified in state publications and films (see eg F18News 16 April 2013 http://www.forum18.org/Archive.php?article_id=1825). Given this, many members of smaller vulnerable religious groups have told Forum 18 of their concern that these proposed measures might also be targeted at them, even though they insist they have nothing to do with "extremism" or terrorism. The freedom of religion and belief of people of all beliefs and none is already seriously restricted (see Forum 18's Kazakhstan religious freedom survey http://www.forum18.org/Archive.php?article_id=1352).

Although ostensibly targeted at "religious extremism and terrorism", some of the measures are openly targeted at all forms of specified manifestations of freedom of religion and belief, especially publication and distribution of religious literature, sharing beliefs, and meeting for worship. The State Programme attempts to justify restrictions on freedom of religion and belief by arguing

that they are needed to identify people committing crimes (as the government defines this) among those exercising freedom of religion and belief.

The only cautious note in the State Programme comes in the analysis of "weaknesses" in the way the state currently deals with the issue: "in some instances, some state officials and civil society institutions identify religion with extremist and terrorist activity". However, the State Programme does not develop this point, nor does it identify ways to avoid this "weakness".

Implementation plan

Accompanying the draft Programme is a draft Plan to implement its measures, made public on 26 March on Pavlodar Regional Education Administration website. The 29-page Implementation Plan contains 74 measures, a number of which directly target practising the right to freedom of religion or belief.

A wide range of state agencies are tasked with implementing the new controls, including the Interior Ministry (police), the National Security Committee (KNB) secret police, the Syrbar Foreign Intelligence Service, the Agency of Religious Affairs (ARA), the Foreign Ministry, the Education Ministry, the Culture Ministry, the General Prosecutor's Office and local Akims (administration chiefs).

Neither the draft State Programme nor the draft Implementation Plan have proposed costings of the measures filled in.

Compulsory school classes

The State Programme notes that the compulsory secondary school classes on religious knowledge to be introduced by 2014 will be "dedicated to the bases of traditional religions".

Point 36, Part 2 of the Implementation Plan requires "the introduction of a course of religious studies as a compulsory subject for the nine classes of secondary school, as well as for the first years of middle/specialist and higher educational institutions". A significant part of the course will be "prevention of manifestations of extremism and terrorism". New textbooks and new trained teachers are also required. Older school-children will be shown more films countering religious "extremism". The deadline for all these measures is 1 September 2014.

Nowhere do the State Programme or the Implementation Plan identify what are or are not "traditional religions", a concept not defined in Kazakh law. Nor do the State Programme or Implementation Plan identify if the courses are designed to give students information about various beliefs, their ideas and practices or to teach them that some are better or more true than others.

Religion is not currently taught in schools. However, human rights defenders and members of a wide variety of religious communities condemned a textbook - "Introduction to Religious Studies" - which, in the words of one local specialist, contains "aggressive, sometimes insulting and even offensive" language about some Kazakh religious communities. Introduced into schools in January 2010, it was at the time the only textbook available to teach a Religious Studies course introduced for the 9th class (for children aged about 14) by the Education and Science Ministry in September 2009 (see F18News 18 June 2010 http://www.forum18.org/Archive.php?article_id=1458).

Point 37 of the Implementation Plan requires: "The appointment of foreign scholars/theologians to Kazakhstan's educational institutions." These scholars would arrive between 2013 and 2017. The Implementation Plan does not explain of what faith these theologians would be, which institutions they would be appointed to, nor what tasks they would have once they arrive.

A press officer at the Education Ministry told Forum 18 from the capital Astana on 6 May that she could not answer questions by telephone. Forum 18 sent its written questions on the afternoon of 6 May, but had not received a response by the end of the working day in Astana.

State-controlled theological education

Both the State Programme and the Implementation Plan specify intrusive state measures into religious education, apparently of adults. The State Programme calls for increased theological provision in Kazakhstan so that individuals do not go abroad to study in "dubious" religious educational institutions.

Point 38 of the Implementation Plan requires: "Ensure conditions for citizens to receive theological education in Kazakhstan by creating its own competitive system of theological education accessible to low-income sections of the population." This measure is to be enacted by 1 September 2015. The Implementation Plan does not specify which faith or faiths are involved. It remains unclear why providing theological education is the role of the state, given the separation between the state and religion proclaimed in Article 3, Part 1 of the 2011 Religion Law.

The State Programme states that "in 2014 in religious educational organisations, equal weight will be secured for the receipt by

students of both religious and secular subjects". It remains unclear whether this means that adults studying religion, for example, will have to study geography and history as well. It remains unclear if the state will force religious communities' educational institutions to amend their curricula to include non-religious subjects.

Point 39 of the Implementation Plan requires state bodies to organise foreign study for Kazakhstan's theological students, to be achieved by the third quarter of 2014. Again, no indication is given as to which faith is involved and whether this means private arrangements to study religion abroad are banned.

Once abroad, under Point 15 of the Implementation Plan, theological students from Kazakhstan would be subject to scrutiny from "special and law-enforcement agencies, as well as leading experts of state bodies (Foreign Ministry, Justice Ministry, ARA, Culture Ministry, Transport Ministry)", embedded in foreign theological establishments with the task of countering "religious extremism and terrorism". It remains unclear what the government will do in cases where the foreign theological establishments refuse to accept state officials in them.

Although no faiths are specified in these new requirements on theological education, they appear to be focused primarily, or possibly exclusively, on Islamic education.

Religious literature controls

Religious literature is already censored in Kazakhstan, with state permission required to publish, import or sell it. In two cases, religious literature – including Bibles – confiscated from individuals was ordered destroyed by the courts. In both cases the decisions were overturned after protests (see F18News 26 April 2013 http://www.forum18.org/Archive.php?article_id=1828).

The State Programme and the Implementation Plan stress the importance of these controls. The State Programme laments that at present "publishing organisations printing religious publications within the country remain outside the necessary control".

The State Programme expresses apparent concern at the rise of interest in religious literature, without explaining why this is a cause for concern. It notes an August 2012 sociological survey that "25 per cent of the believing population of Kazakhstan adopted their specific faith through independent study of religious literature". The State Programme said that this made publication and distribution of religious literature a "first-ranking question" for the state. It insisted that "the establishment of an effective mechanism of state control over the distribution of religious literature is important, including for the prevention of religious radicalism".

Point 70 of the Implementation Plan declares: "Uncover and halt the distribution of religious literature and informational materials of religious content in non-approved locations." This task is to be carried out "continuously", with the Interior Ministry (police), the ARA and the General Prosecutor's Office responsible.

Point 34 of the Implementation Plan requires at least some of the new staff to be appointed to the Justice Ministry's Judicial Expert Analysis Centres to know Arabic.

Controls on places of worship

Registered places of worship are already subject to surveillance and intermittent raids, while unregistered places of worship are frequently raided and those leading or participating in worship subject to punishment (see eg F18News 22 April 2013 http://www.forum18.org/Archive.php?article_id=1827).

The State Programme and the Implementation Plan reinforce this approach. Point 71 of the Implementation Plan specifies: "Uncover and halt the activity of illegally functioning places of worship." This task is to be carried out "continuously", with the Interior Ministry (police), the ARA, the General Prosecutor's Office, the Justice Ministry (the body that currently registers religious communities) responsible.

The State Programme specifies that "100 per cent" of places where the public gathers – including places of worship – will be fitted with "contemporary security systems" by 2017.

The Implementation Plan prescribes in Point 61 video-surveillance in publicly-populated places (without specifically mentioning places of worship) by 1 February 2014. Local akims and the Interior Ministry (police) are responsible for this.

Security cameras have already been installed in many places of worship. Local television company TV7 reported on 14 September 2012 that 14 of Almaty's 30 mosques had already installed them, as well as the city's Catholic cathedral, other Christian churches and synagogue.

Andrei Grishin of the Kazakhstan International Bureau for Human Rights and the Rule of Law expressed concern to Radio Free Europe's Kazakh Service on 21 September 2012, pointing to the role of the state in the surveillance and citing concerns over

individuals' freedom. But an official of Almaty's Internal Policy Department denied to the broadcaster that the police had ordered the cameras' installation. Spokesperson Saltanet Azirbek claimed it had been the initiative of each mosque.

"These cameras will spy on everyone," one religious believer who asked not to be identified complained to Forum 18 in early May 2013. "Surveillance – currently intermittent – will become permanent. For communities the government doesn't trust, these cameras could be used to find things to punish them with."

Sharing beliefs banned

Sharing beliefs with others publicly without state permission is already banned, with those who continue to do so regularly subjected to administrative punishment. Criminal penalties for this are also planned (see F18News 26 April 2013 http://www.forum18.org/Archive.php?article_id=1828).

The State Programme expresses apparent concern at the "active measures by missionaries of various religious organisations". It notes that the majority of those punished for sharing beliefs are members of the Islamic missionary movement Tabligh Jamaat Punishments on Protestant Christians and Jehovah's Witnesses go unmentioned (see Forum 18's Kazakhstan religious freedom survey http://www.forum18.org/Archive.php?article_id=1352).

The State Programme notes with apparent approval the ban on Tabligh Jamaat handed down by a District Court in Astana on 26 February.

Point 72 of the Implementation Plan declares: "Uncover and halt the carrying out on the territory of the country of illegal missionary activity." This task is to be carried out "continuously", with the Interior Ministry (police), the ARA and the General Prosecutor's Office responsible.

"Not authorised to discuss it"

The State Programme is being prepared under the authority of Deputy General Prosecutor Andrei Kravchenko, whose responsibilities include overseeing the law in the social and economic sphere. However, his assistant Sayan Abdikhairanov, who has been working on the State Programme, refused absolutely to discuss it. "I'm not authorised to discuss it," he told Forum 18 from Astana on 6 May. He referred Forum 18 to the Press Office.

However, Press Office head, Serikkali Mukashev, similarly refused to discuss the State Programme. "It is not yet ready – work on it is still proceeding," he told Forum 18 the same day. He said he had not read the document and asked Forum 18 to send its questions in writing.

An official of the General Prosecutor's Office International Co-operation Department, who did not give his name, told Forum 18 he had read the draft State Programme. But he too refused to discuss it.

The Press Office at the government's Agency of Religious Affairs (ARA) in Astana went unanswered each time Forum 18 called on 6 May.

"No such thing as unlimited freedom"

The State Programme to Counter Religious Extremism and Terrorism was first ordered by President Nazarbaev on 14 December 2012 in a speech entitled "Strategy: Kazakhstan 2050", published on the presidential website. Despite claiming that citizens of different ethnic and religious backgrounds have equal rights, Nazarbaev claimed that "Today the question is urgent of religious and pseudo-religious movements not traditional for our people." He did not identify these groups.

"Our Constitution guarantees freedom of religious confession, that's a fact. However, as is well known, there is no such thing as unlimited freedom – this is chaos. Everything must be within the framework of the Constitution and the laws." While insisting on individuals' right to choose their faith, Nazarbaev expressed concern over young people adopting unspecified "pseudo-religious" beliefs. He insisted that an "internal filter" was needed in each individual.

Expressing pride that Kazakhstan was, in his view, part of the "Muslim umma [worldwide community]", he rejected Muslims who demand that their womenfolk wear headscarves, do not drive and do not eat at the same table as men. "We should not allow for true faith in the Almighty to be turned into aggressive and destructive fanaticism," Nazarbaev claimed. "This contradicts the Hanafi school, to which the faithful of Kazakhstan belong."

Nazarbaev did not explain why – given that he acknowledged that individuals have a free choice in the area of religion, that citizens of different faiths have equal rights, and that the state is secular - he expects ethnic Kazakhs to be Hanafi Muslims.

Only Hanafi mosques are allowed to apply to join the Muslim Board and gain state registration (the Muslim Board has a

state-backed monopoly over Islam). All non-Hanafi Muslim literature is already banned (see F18News 21 February 2013 http://www.forum18.org/Archive.php?article_id=1804).

Nazarbaev ordered the State Programme to be drawn up. "It is necessary harshly to halt the activity of non-traditional sects and dubious pseudo-religious movements," he insisted, without identifying them. "At the same time I want to warn the nation. The fight against extremism must not turn into a witch-hunt and develop into a fight with religion."

"To neutralise these negative manifestations"

An 18 December 2012 Presidential Decree ordered the adoption of the State Programme by June 2013, as well as a separate law by September 2013. Neither the title nor the content of the law was revealed, but its preparation was assigned to Presidential Advisor and Secretary of the Security Council, Marat Tazhin.

The General Prosecutor's Office announced on 10 January 2013 that work had already begun on the State Programme to Counter Religious Extremism and Terrorism in line with the President's speech "as well as on draft laws for perfecting the current legislation to neutralise these negative manifestations". It did not specify which draft laws it had in mind.

The General Prosecutor's Office Plan of how the speech should be implemented – published on its website on 15 January – gives a deadline of 25 May for completing work on the Programme and preparation of a draft Presidential Decree.

Speaking on 30 January, President Nazarbaev noted that the Programme was being prepared on his instructions, but insisted it was "to counter extremism and terrorism". "I consider it wrong to focus it on the problem of the danger exclusively of religious extremism and terrorism," the presidential website quoted him as telling a meeting of senior police and security officers.

Further "anti-extremism" amendments

The Implementation Plan identifies in Point 1 the proposed legal changes as amendments to various laws "to counter extremism", which are to be enacted by September 2013. However, the specific laws which might be amended are not identified.

The Implementation Plan also requires official regulations in this area to be reviewed for possible amendments, by January 2014. In addition, each September between 2013 and 2017 a complete review of the entire legal framework in the area of countering "extremism" and terrorism is to be undertaken to see if its "further perfection is necessary".

Members of a variety of religious communities expressed concern to Forum 18 when President Nazarbaev signed into law the new Extremism Law and other legal amendments in February 2005 (see F18News 25 February 2005 http://www.forum18.org/Archive.php?article_id=520). (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.

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If you need to contact F18News, please email us at:
f18news @ editor.forum18.org

Forum 18
Postboks 6603
Rodeløkka
N-0502 Oslo
NORWAY