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KAZAKHSTAN: 171 administrative prosecutions in 2018 - list

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

Full list of 171 known administrative prosecutions in 2018 to punish exercising freedom of religion or belief. Of these, 143 ended up with punishments, including fines, worship bans, seizures and destruction of religious literature, short-term jail terms and one deportation.

Kazakhstan's authorities are known to have brought at least 171 administrative prosecutions in 2018 to punish individuals, religious communities, charities and companies for their exercise of freedom of religion or belief. Of these, 143 ended up with punishments.

Punishments included fines, temporary bans on activity (including bans on meeting for worship), seizures and destruction of religious literature, two short-term jail terms and one deportation, according to a review of the known 2018 cases compiled by Forum 18 (see full list below).

Muslims, Protestants (especially Council of Churches Baptists), Jehovah's Witnesses, and commercial and private sellers were many of the targets of these prosecutions. (http://www.forum18.org/archive.php?article_id=2447)

Fines were mostly the equivalent of between three weeks' and four months' average wages for those in formal work (35 to 200 Monthly Financial Indicators, MFIs, 84,175 Tenge to 481,000 Tenge in 2018).

In two cases, courts ordered seized religious literature to be destroyed, 85 Islamic booklets in one case and one Christian book, "Bible Stories", in the other. (http://www.forum18.org/archive.php?article_id=2442)

One foreign citizen (a Kyrgyz-born Russian Muslim) was ordered deported.

Two individuals (both Council of Churches Baptists) were jailed (for 1 and 5 days) for refusing to pay earlier fines to punish them for exercising freedom of religion or belief. Council of Churches Baptists have a policy of not paying such fines.

Administrative prosecutions are known to have been brought in 2018 (with comparisons to 2017) to punish:

- 40 individuals, charities and companies for meeting for worship, hosting such meetings or maintaining places for such meetings (88 in 2017).
- 10 individuals and charities for offering religious literature to others for free (39 in 2017).
- 34 individuals and companies for offering religious literature, icons or other items for sale (58 in 2017).
- 18 individuals for offering religious items for sale online (10 in 2017).
- 23 individuals for posting religious materials online (12 in 2017).
- 17 individuals for sharing faith with others (31 in 2017).
- 21 Muslims for praying in mosques in ways that the state-controlled Muslim Board has banned, for example by using the word "Amen" (22 in 2017, the first year such punishments were imposed).
- 3 individuals for teaching their faith to children (2 in 2017).
- 1 religious leader for allowing children to be present or conducting religious rites against the wishes of one parent (9 in 2017).
- 2 religious communities for "inadequate" security or security measures for their places of worship, for example not having enough video cameras (5 in 2017).

- 2 individuals for failing to pay earlier fines to punish them for exercising the right to freedom of religion or belief (2 in 2017).

A total of 163 of these cases were heard in court, but 8 fines (7 of them later annulled) are known to have been summarily handed down by police (the total number could be higher).

Of the 159 administrative cases known to have been brought against individuals in 2018, 119 were against men and 40 against women. Women represented more than half of individuals prosecuted to punish offering religious literature and other items for sale, both in shops and online.

Of the 159 known administrative prosecutions against individuals in 2018, at least 11 began as cases under Criminal Code Article 174 ("Incitement of social, national, clan, racial, or religious discord, insult to the national honour and dignity or religious feelings of citizens, as well as propaganda of exclusivity, superiority or inferiority of citizens on grounds of their religion, class, national, generic or racial identity, committed publicly or with the use of mass media or information and communication networks, as well as by production or distribution of literature or other information media, promoting social, national, clan, racial, or religious discord").

The administrative cases were launched when prosecutors decided not to pursue the Article 174 criminal cases except in one case, where the court sent the administrative case for further investigation as a possible criminal case.

Full list of known 2018 administrative prosecutions

The list of known 2018 administrative prosecutions below is based on court decisions and other information reaching Forum 18. It includes the date of initial decision by lower court/police, name of defendant, affiliation, court/police issuing decision, Administrative Code Article, reason for prosecution, outcome:

- Punishing meetings, rituals, held without state permission

Known administrative cases: 40

Known convictions: 30

200 MFI fines: 1

140 MFI fines: 3

50 MFI fines: 10

35 MFI fines: 15

unknown fine: 1

3-month bans: 9

Literature retention: 1

Muslims: 26

Protestants: 9 (7 Council of Churches Baptists)

Jehovah's Witnesses: 1

Companies: 3

Charity: 1

Article 489, Part 9 punishes "Leadership of an unregistered, halted, or banned religious community or social organisation" with a fine of 100 MFIs.

Article 489, Part 10 punishes "Participation in an unregistered, halted, or banned religious community or social organisation" with a fine of 50 MFIs.

Article 490, Part 1, Point 1 punishes "violation of procedures established in law for conducting rites, ceremonies and meetings". Punishment for individuals is a fine of 50 MFIs, and for organisations a fine of 200 MFIs and a three-month ban on activity.

Article 490, Part 1, Point 4 punishes: "Violating the requirements of the Religion Law for .. building places of worship (facilities), or changing the usage (altering the functional designation) of buildings (facilities) into ritual buildings (facilities)". The punishment for individuals is a fine of 50 MFIs.

Article 490, Part 8 punishes repeat violations of the Religion Law within one year, with fines on individuals of 200 MFIs.

- 1) 21 January 2018, Sergei Krasnov, Council of Churches Baptist, Oral police, Article 489, Part 9, worship meetings in location without state permission for prayer, 100 MFI fine (Oral police annulled fine on 17 May)
- 2) 21 January 2018, Kenzhetai Baytinov, Council of Churches Baptist, Oral police, Article 489, Part 10, worship meetings in location without state permission for prayer, 50 MFI fine (Oral police annulled fine on 17 May)
- 3) 21 January 2018, Serkali Kumargaliyev, Council of Churches Baptist, Oral police, Article 489, Part 10, worship meetings in location without state permission for prayer, 50 MFI fine (Oral police annulled fine on 17 May)
- 4) 21 January 2018, Dmitry Isayev, Council of Churches Baptist, Oral police, Article 489, Part 10, worship meetings in location without state permission for prayer, 50 MFI fine (Oral police annulled fine on 17 May)
- 5) 21 January 2018, Ivan Isayev, Council of Churches Baptist, Oral police, Article 489, Part 10, worship meetings in location without state permission for prayer, 50 MFI fine (Oral police annulled fine on 17 May)
- 6) 21 January 2018, I Novikov, Council of Churches Baptist, Oral police, Article 489, Part 10, worship meetings in location without state permission for prayer, 50 MFI fine (Oral police annulled fine on 17 May)
- 7) 13 February 2018, Taisiya Yezhova, JW, Sarykol District Court, Article 490, Part 1, Point 1, worship meetings in location without state permission for prayer, 35 MFI fine
- 8) 5 March 2018, Pavel Leonov, Council of Churches Baptist, Almaty Specialised Administrative Court, Article 490, Part 1, Point 1, worship meetings in location without state permission for prayer, 50 MFI fine and 3-month ban
- 9) 27 March 2018, Nuriddin Basharov, Muslim, Almaty Specialised Administrative Court, Article 490, Part 1, Point 1, prayers in location without state permission for prayer, 50 MFI fine
- 10) 3 April 2018, Tursinali Kambarov, Muslim, Aktau Specialised Administrative Court, Article 490, Part 1, Point 1, praying in location without state permission for prayer, 50 MFI fine and 3-month ban
- 11) 10 April 2018, Abdizhalil Bakhiyev, Muslim, Maktaaral District Court No. 2, Article 490, Part 1, Point 1, prayers in a mosque run without state permission, 35 MFI fine and 3-month ban and confiscation of 20 Arabic books and 1 DVD
- 12) 17 April 2018, Bagdat Dauletyar, Muslim, Aktau Specialised Administrative Court, Article 490, Part 1, Point 1, praying in location without state permission for prayer, 50 MFI fine
- 13) 26 April 2018, Sarsengali Yakhshibayev, Muslim, Zhiloi District Court, Article 490, Part 1, Point 1, prayers in location without state permission for prayer, 35 MFI fine
- 14) 10 May 2018, Zhanar Darmenova, Muslim, Aktobe Specialised Administrative Court, Article 490, Part 1, praying in location without state permission for prayer, dismissed because not filed within 2 months
- 15) 10 May 2018, Sharbanu Kairzhanova, Muslim, Aktobe Specialised Administrative Court, Article 490, Part 1, praying in location without state permission for prayer, dismissed because not filed within 2 months
- 16) 18 May 2018, Rauan Galimov, Muslim, Zhaksy District Court, Article 490, Part 1, Point 1, prayers in location without state permission for prayer, 35 MFI fine
- 17) 18 May 2018, Suyeu Kystaubayev, Muslim, Zhiloi District Court, Article 490, Part 1, Point 1, prayers in location without state permission for prayer, 35 MFI fine
- 18) 7 June 2018, Rakhmatulla Sadikov, Muslim, Zhiloi District Court, Article 490, Part 1, Point 1, prayers in location without state permission for prayer, 50 MFI fine
- 19) 12 June 2018, Umarbek Butayev, Muslim, Zhiloi District Court, Article 490, Part 1, Point 1, prayers in location without state permission for prayer, 50 MFI fine

- 20) 21 June 2018, Sultan Karimov, Muslim, Kokshetau Specialised Administrative Court, Article 490, Part 1, Point 1, hospital doctor allowed prayers in location (room in hospital) without state permission for prayer, acquitted
- 21) 11 July 2018, Turkaz Caspyi, company, Atyrau Specialised Administrative Court, Article 490, Part 1, Point 4, established prayer room during Ramadan in location (canteen) without state permission for prayer, 140 MFI fine and 3-month ban on canteen
- 22) 18 July 2018, Sembai Abilkhasanov, Muslim, Zhiloi District Court, Article 490, Part 1, Point 1, prayers in location without state permission for prayer, 35 MFI fine
- 23) 18 July 2018, Karim Imanat, Muslim, Zhiloi District Court, Article 490, Part 1, Point 1, prayers in location (tea house) without state permission for prayer, 35 MFI fine
- 24) 18 July 2018, Meirambek Sakhanov, Muslim, Zhiloi District Court, Article 490, Part 1, Point 1, prayers in location (work tea room) without state permission for prayer, 35 MFI fine
- 25) 18 July 2018, Estai Mutishev, Muslim, Zhiloi District Court, Article 490, Part 1, Point 1, prayers in location (work tea room) without state permission for prayer, 35 MFI fine
- 26) 18 July 2018, Sagitzhan Muratkhonov, Muslim, Zhiloi District Court, Article 490, Part 1, Point 1, prayers in location (work room) without state permission for prayer, 35 MFI fine
- 27) 18 July 2018, Mukhit Parakhatov, Muslim, Zhiloi District Court, Article 490, Part 1, Point 1, prayers in location (work room) without state permission for prayer, 35 MFI fine
- 28) 18 July 2018, Nurtas Shameshov, Muslim, Zhiloi District Court, Article 490, Part 1, Point 1, prayers in location (work room) without state permission for prayer, 35 MFI fine
- 29) 18 July 2018, Yermek Yusupov, Muslim, Zhiloi District Court, Article 490, Part 1, Point 1, prayers in location (work room) without state permission for prayer, 35 MFI fine
- 30) 28 September 2018, Yerzhan Kiyuazarov, Muslim, Zhiloi District Court, Article 490, Part 1, Point 4, established prayer room in location (canteen) without state permission for prayer, 50 MFI fine and 3-month ban on canteen
- 31) 22 October 2018, Akan Alemseitov, Muslim, Astana Specialised Inter-District Administrative Court, Article 490, Part 1, Point 1, had Muslim prayer room without state permission in shopping centre, 35 MFI fine and 3-month ban on meetings
- 32) 29 October 2018, Grand Sport-T, company, Astana Specialised Inter-District Administrative Court, Article 490, Part 1, Point 1, had Muslim prayer room without state permission in business centre, 140 MFI fine and 3-month ban on prayer room
- 33) 11 November 2018, Bakyt Sattarova, Protestant, Karaganda Police, Article 489, Part 10, prayers without state permission at home before birthday meal, unknown fine
- 34) 13 November 2018, Nabi, company, Astana Specialised Inter-District Administrative Court, Article 490, Part 1, Point 1, employees without state permission prayed namaz in staff room (company claimed 2 employees signed statements they had not read out of fear of police), 140 MFI fine and 3-month ban on prayer room
- 35) 13 November 2018, Nazar Kozhabai, Muslim, Aktau Specialised Administrative Court, Article 490, Part 1, prayers in location without state permission, 50 MFI fine
- 36) 15 November 2018, Svetlana Demina, Protestant, Karaganda Police, Article 489, Part 9, prayers at home without state permission before husband's birthday meal, unknown fine (overturned on appeal)
- 37) 26 November 2018, Murager, charity, Pavlodar Specialised Administrative Court, Article 490, Part 1, Point 1, prayers in location without state permission, 200 MFI fine and 3-month ban
- 38) 28 November 2018, Makhkambai Matvafayev, Muslim, Aktau Specialised Administrative Court, Article 490, Part 1, Point 1, prayers in location without state permission, 50 MFI fine
- 39) 6 December 2018, Bolat Khisin, Muslim, Akzhai District Court No. 2, Article 490, Part 1, Point 1, conducted religious marriage in mosque without state permission, 35 MFI fine
- 40) 26 December 2018, Ruslan Yelemesov, Muslim, Aktobe Specialised Administrative Court, Article 490, Part 1, Point 1, prayers

in location (cafe) without state permission, 50 MFI fine and 3-month ban on cafe

- Punishing offering free religious literature

Known administrative cases: 10

Known convictions: 8

140 MFI fines: 1

50 MFI fines: 3

35 MFI fines: 3

Warning: 1

3-month bans: 3

Protestants: 5 (including 4 Council of Churches Baptists)

Muslims: 3 (including 1 unconfirmed)

Charity: 1

Organisation: 1

Article 490, Part 1, Point 3 punishes: "Violating the requirements of the Religion Law for .. import, manufacturing, production, publication and/or distribution of religious literature and other religious materials, and items for religious use". The punishment for individuals is a fine of 50 MFIs.

Article 490, Part 3 punishes: "Carrying out missionary activity without state registration (or re-registration), as well as the use by missionaries of religious literature, information materials with religious content or religious items without a positive assessment from a religious studies expert analysis, and spreading the teachings of a religious group which is not registered in Kazakhstan". The punishment is a fine of 100 MFIs, with deportation if the individual is a foreign citizen.

1) 23 January 2018, Nikolai Popov, Council of Churches Baptist, Balkhash Specialised Administrative Court, Article 490, Part 3, offering religious literature, 100 MFI fine (fine changed to verbal warning on appeal)

2) 20 February 2018, Shukhrat Khakimov, Muslim, Munaili District Court, Article 490, Part 1, Point 3, offering religious literature, 35 MFI fine

3) 22 February 2018, Aleksandr Turusov, Council of Churches Baptist, Zyryanovsk District Court No. 2, Article 490, Part 1, Point 3, offering religious literature, 50 MFI fine (and 3-month ban added on appeal)

4) 20 March 2018, Erlan Kurbanov, ?Muslim, Burabai District Court, Article 490, Part 1, Point 3, offering religious literature, 35 MFI fine

5) 5 April 2018, Vyacheslav Poptsov, Baptist, Aktobe Specialised Administrative Court, Article 490, Part 3, Point 1, offering 8 religious books which have not undergone state censorship inside registered church premises, acquitted

6) 21 May 2018, Pavel Chernov, Council of Churches Baptist, Zhaksy District Court, Article 490, Part 1, Point 3, offering religious literature, 50 MFI fine

7) 15 June 2018, Aleksandr Bekarev, Council of Churches Baptist, Sarkan District Court, Article 490, Part 1, Point 3, offering religious literature, 50 MFI fine and 3-month ban

8) 11 July 2018, Azamat Temirbekov, Muslim, Zhanaozen City Court, Article 490, Part 1, Point 3, offering 26 copies of the Koran at 2 mosques, 35 MFI fine

9) 7 September 2018, Miras charity, Pavlodar Specialised Administrative Court, Article 490, Part 1, Point 3, offering religious literature, case closed as filed too late

10) 1 October 2018, Ashyk Alakan (Open Palm) organisation, Muslim, Atyrau Specialised Administrative Court, Article 490, Part 1,

Point 3, offering one-page hadith leaflets in shopping centre, 140 MFI fine and 3-month ban

- Punishing offering religious literature, items for sale

Known administrative cases: 34

Known convictions: 32

Initial criminal cases (Article 174): 3 (possibly 4)

200 MFI fines: 2

140 MFI fines: 1

50 MFI fines: 9

35 MFI fines: 20

3-month bans: 24

Literature destruction orders: 1

Literature retention: 2

Commercial traders: 30

Companies: 4

Article 490, Part 1, Point 3 punishes: "Violating the requirements of the Religion Law for .. import, manufacturing, production, publication and/or distribution of religious literature and other religious materials, and items for religious use". The punishment for individuals is a fine of 50 MFIs.

1) 17 January 2018, Kuat Makhmetov, commercial seller, Astana Specialised Administrative Court, Article 490, Part 1, Point 3, offering religious literature for sale, 140 MFI fine and 3-month ban

2) 1 February 2018, Ulzhan Tsoi, commercial seller, Almaty Specialised Administrative Court, Article 490, Part 1, Point 3 (after criminal investigation – possibly under Article 174 - closed), offering religious literature and items for sale, 35 MFI fine and 3-month ban

3) 29 March 2018, Academician Sharmanov Book Shop, company, Satpayev Town Court, Article 490, Part 1, Point 3, offering religious literature for sale, 200 MFI fine and 3-month ban

4) 5 April 2018, Zulfiya Kudaibergenova, commercial seller, Astana Specialised Administrative Court, Article 490, Part 1, Point 3, offering religious literature and items for sale, 35 MFI fine and 3-month ban

5) 14 May 2018, Sergei Tsarev, commercial seller, Astana Specialised Administrative Court, Article 490, Part 1, Point 3, offering one Koran for sale, 50 MFI fine and 3-month ban

6) 14 May 2018, Rakhima Usipbayeva, commercial seller, Astana Specialised Administrative Court, Article 490, Part 1, Point 3, offering one Koran for sale, 35 MFI fine and 3-month ban

7) 21 May 2018, Asel Nurlanova, commercial seller, Astana Specialised Administrative Court, Article 490, Part 1, Point 3, offering one Koran for sale, 35 MFI fine and 3-month ban

8) 1 June 2018, Retail Trade, company, Semei Specialised Administrative Court, Article 490, Part 1, Point 3, offering 18 icons for sale, 200 MFI fine and 3-month ban

9) 4 June 2018, Saltanat Keulimzhayeva, commercial seller, Almaty Specialised Administrative Court, Article 490, Part 1, Point 3, offered 54 religious books for sale, 35 MFI fine

10) 6 June 2018, Kuralai Terlikbayeva, commercial seller, Astana Specialised Administrative Court, Article 490, Part 1, Point 3, offering one Koran for sale, 140 MFI fine (reduced to 35 MFI fine on appeal) and 3-month ban on selling religious literature

- 11) 11 June 2018, Zhasulan Bazarbayev, commercial seller, Atyrau Specialised Administrative Court, Article 490, Part 1, Point 3, offering religious literature for sale, 35 MFI fine and 3-month ban
- 12) 12 June 2018, Dauren Shyntemirov, commercial seller, Atyrau Specialised Administrative Court, Article 490, Part 1, Point 3, offering religious literature for sale, 35 MFI fine
- 13) 21 June 2018, Gulsara Erzhigitova, commercial seller, Semei Specialised Administrative Court, Article 490, Part 1, Point 3, offering an icon for sale, 35 MFI fine
- 14) 22 June 2018, Aliya Abdykarimova, commercial seller, Almaty Specialised Administrative Court, Article 490, Part 1, Point 3, offering 4 Orthodox icons for sale, 35 MFI fine
- 15) 10 July 2018, Aisulu Tleuzhanova, commercial seller, Semei Specialised Administrative Court, Article 490, Part 1, Point 3, offering 7 neck crosses and 2 pendants for sale, 50 MFI fine
- 16) 20 July 2018, Sergei Shutov, commercial seller, Semei Specialised Administrative Court, Article 490, Part 1, Point 3, offering 3 Orthodox neck crosses and 4 amulets for sale, 35 MFI fine
- 17) 1 August 2018, Svetlana Dorskach, commercial seller, Astana Specialised Administrative Court, Article 490, Part 1, Point 3, offering Islamic books and 4 Orthodox icons in stone for sale, 35 MFI fine and 3-month ban on selling religious literature
- 18) 1 August 2018, Gulnar Sagitova, commercial seller, Astana Specialised Administrative Court, Article 490, Part 1, Point 3, offering 47 religious books for sale, 35 MFI fine and 3-month ban on selling religious literature
- 19) 7 August 2018, Nurbek Myrzakulov, commercial seller, Shieli District Court, Article 490, Part 1, Point 3 (Criminal Code Article 174, Part 1 case closed after state "expert analysis" found no incitement in books), offering Islamic books for sale, 50 MFI fine and 3-month ban on selling religious literature
- 20) 24 August 2018, Zolotoi Stil, company, Astana Specialised Administrative Court, Article 490, Part 1, offering 9 Christian icons for sale, acquitted (only 1 was deemed an icon and was owner's property)
- 21) 24 August 2018, Almagul Esbatyrova, commercial seller, Astana Specialised Administrative Court, Article 490, Part 1, offering 2 Christian icons for sale, acquitted (deemed to be owner's property)
- 22) 17 September 2018, Kirill Beskrovny, commercial seller, Oskemen Specialised Administrative Court, Article 490, Part 1, Point 3, offering a necklace with cross for sale in car parts shop, 35 MFI fine and 3-month ban
- 23) 19 September 2018, Kulyaikhan Tulengutova, commercial seller, Almaty Specialised Administrative Court, Article 490, Part 1, Point 3, offering Islamic literature for sale at station stall, 50 MFI fine and 3-month ban
- 24) 19 September 2018, Askarbek Sarsenov, commercial seller, Kyzylorda Specialised Administrative Court, Article 490, Part 1, Point 3 (Criminal Code Article 174 case closed for lack of a crime), offering 85 Islamic booklets for sale, 35 MFI fine and 3-month ban and destruction of booklets
- 25) 10 October 2018, Dinara Tashchanova, commercial seller, Atyrau Specialised Inter-District Administrative Court, Article 490, Part 1, Point 3, offering religious literature and items for sale, 35 MFI fine
- 26) 15 October 2018, Nina Agalakova, commercial seller, Astana Specialised Inter-District Administrative Court, Article 490, Part 1, Point 3, offering necklaces with crosses for sale, 50 MFI fine and 3-month ban
- 27) 17 October 2018, Orynbasar Khanapina, commercial seller, Astana Specialised Inter-District Administrative Court, Article 490, Part 1, Point 3, offering religious items for sale, 50 MFI fine and 3-month ban on selling religious items
- 28) 17 October 2018, Kurmanbek Uteuliyev, commercial seller, Almaty Specialised Inter-District Administrative Court, Article 490, Part 1, Point 3 (initial Criminal Code Article 174, Part 1 investigation), offering religious items for sale, 50 MFI fine
- 29) 22 October 2018, Leonard Syritsa, commercial seller, Astana Specialised Inter-District Administrative Court, Article 490, Part 1, Point 3, offering 3 neck crosses for sale, 35 MFI fine and 3-month ban on selling religious items
- 30) 24 October 2018, Damezhan Salimbetova, commercial seller, Astana Specialised Inter-District Administrative Court, Article 490, Part 1, Point 3, offering 5 necklaces with crosses for sale, 50 MFI fine and 3-month ban on shop
- 31) 20 November 2018, Almaz Shaiken on behalf of Ummastore bookshop, company, Almaty Specialised Inter-District

Administrative Court, Article 490, Part 1, Point 3, offering religious literature and items for sale, 200 MFI fine and 3-month ban (fine reduced to 50 MFIs on appeal)

32) 7 December 2018, Aidos Tanbyshov, commercial seller, Kazaly District Court, Article 490, Part 1, Point 3, offering Islamic books for sale at market, 35 MFI fine and 3-month ban on shop and confiscation of books

33) 21 December 2018, Albina Khabesova, commercial seller, Atyrau Specialised Administrative Court, Article 490, Part 1, Point 3, offering Muslim books for sale, 35 MFI fine and 3-month ban

34) 26 December 2018, Anuar Almagambetov, commercial seller, Semei Specialised Administrative Court, Article 490, Part 1, Point 3, offering 4 "pendants in the form of a cross" for sale, 35 MFI fine and 3-month ban

- Punishing offering religious literature, items for sale online

Known administrative cases: 18

Known convictions: 18

50 MFI fines: 6

35 MFI fines: 11

3-month bans: 5

1-month bans: 1

Literature destruction: 1

Private sellers: 16

Commercial sellers: 2

Article 490, Part 1, Point 3 punishes: "Violating the requirements of the Religion Law for .. import, manufacturing, production, publication and/or distribution of religious literature and other religious materials, and items for religious use". The punishment for individuals is a fine of 50 MFIs.

1) 27 March 2018, Natalya Pivovarova, seller, Pavlodar Specialised Administrative Court, Article 490, Part 1, Point 3, offering 3 Bibles for sale online, 50 MFI fine

2) 24 April 2018, Anastasiya Krivoruchenko, commercial seller, Oskemen Specialised Administrative Court, Article 490, Part 1, Point 3, offering one icon for sale online, 35 MFI fine and 3-month ban

3) 24 April 2018, Natalya Orekhova, seller, Oskemen Specialised Administrative Court, Article 490, Part 1, Point 3, offering one children's Bible for sale online, 35 MFI fine

4) 5 June 2018, Ayzhan Ayazbayeva, commercial seller, Atyrau Specialised Administrative Court, Article 490, Part 1, Point 3, offering dolls dressed in hijabs online, 35 MFI fine

5) 13 June 2018, Pavel Larionov, seller, Semei Specialised Administrative Court, Article 490, Part 1, Point 3, offering 3 icons for sale online, 35 MFI fine

6) 20 June 2018, Akmaral Sydykova, seller, Semei Specialised Administrative Court, Article 490, Part 1, Point 3, offering one Russian-language Koran for sale online, 35 MFI fine

7) 6 August 2018, Konstantin Burkov, seller, Petropavl Specialised Administrative Court, Article 490, Part 1, Point 3, offering one Bible for sale online, 50 MFI fine and 3-month ban

8) 19 September 2018, Dmitry Peremykin, seller, Semei Specialised Administrative Court, Article 490, Part 1, Point 3, offering one icon of Jesus and 3 "unidentified saints" for sale online, 35 MFI fine and 3-month ban

9) 20 September 2018, Zaur Kerimov, seller, Glubokoe District Court, Article 490, Part 1, Point 3, offering icons for sale online, 50 MFI fine

10) 26 September 2018, Mikhail Syzdykov, seller, Petropavl Specialised Administrative Court, Article 490, Part 1, Point 3, offering German-language Bible for sale online (for 5,000 Tenge), 50 MFI fine and 1-month ban on distributing religious literature

11) 28 September 2018, Azamat Tokanov, seller, Yesil District Court, Article 490, Part 1, Point 3, offering German-language Bible published 1872 for sale online, 50 MFI fine and 3-month ban on distributing religious literature and items

12) 27 September 2018, Roman Akhmetvaliyev, seller, Oskemen Specialised Administrative Court, Article 490, Part 1, Point 3, offering Bible and Bible reference book for sale online, 35 MFI fine and 3-month ban

13) 11 October 2018, Natalya Matyusha, seller, Sharbakt District Court, Article 490, Part 1, Point 3, offering 3 Muslim books for sale online (state religious "expert" analysis found they were not against the Constitution), 50 MFI fine

14) 15 October 2018, Saule Mamedova, seller, Oskemen Specialised Administrative Court, Article 490, Part 1, Point 3, offering one Bible for sale online (for 5,000 Tenge), 35 MFI fine

15) 23 October 2018, Alina Zhanabilova, seller, Oskemen Specialised Administrative Court, Article 490, Part 1, Point 3, offering 2 Muslim books for sale online, 35 MFI fine

16) 6 November 2018, Natalya Palyanova, seller, Oskemen Specialised Administrative Court, Article 490, Part 1, Point 3, offering one metal icon of Virgin Mary for sale online, 35 MFI fine

17) 25 December 2018, Olga Kondakova, seller, Semei Specialised Administrative Court, Article 490, Part 1, Point 3, offering one metal icon of Virgin Mary for sale online, 50 MFI fine (fine annulled on appeal because "offence" insignificant)

18) 29 December 2018, Zairash Amanova, seller, Zharma District Court, Article 490, Part 3, offering 2 religious books for sale online (one for 500 Tenge), 35 MFI fine and one book "Biblical Stories" ordered destroyed

- Punishing posting religious materials online

Known administrative cases: 23

Known convictions: 22

Initial criminal cases (Article 174): 8 (possibly 9)

70 MFI fines: 3

50 MFI fines: 10

35 MFI fines: 9

3-month bans: 7

1-month bans: 2

Disc confiscation orders: 1

Muslims: 19

Unknown religious affiliation: 4

Article 490, Part 1, Point 3 punishes: "Violating the requirements of the Religion Law for .. import, manufacturing, production, publication and/or distribution of religious literature and other religious materials, and items for religious use". The punishment for individuals is a fine of 50 MFIs.

Article 490, Part 3 punishes: "Carrying out missionary activity without state registration (or re-registration), as well as the use by missionaries of religious literature, information materials with religious content or religious items without a positive assessment from a religious studies expert analysis, and spreading the teachings of a religious group which is not registered in Kazakhstan". The punishment is a fine of 100 MFIs, with deportation if the individual is a foreign citizen.

1) 16 January 2018, Ersai Saylaubayev, Muslim, Karaganda Specialised Administrative Court, Article 490, Part 3, posting religious materials online, 70 MFI fine

- 2) 21 February 2018, Ruslan Avezbayev, Muslim, Zyryanov District Court, Article 490, Part 1, Point 3 (initial Criminal Code Article 174, Part 2 investigation), posting religious materials online, 35 MFI fine
- 3) 1 March 2018, Lors Kusiyeu, Muslim, Bulandy District Court, Article 490, Part 1, Point 3 (initial Criminal Code investigation, probably Article 174), posting religious materials online, 50 MFI fine
- 4) 11 April 2018, Kazbek Bekeyev, Muslim, Petropavl Specialised Administrative Court, Article 490, Part 1, Point 3, posting religious materials online, 35 MFI fine and 3-month ban on distributing religious literature
- 5) 15 May 2018, Chingiz Kapsalyamov, Muslim, Karaganda Specialised Administrative Court, Article 490, Part 3, posting religious materials online, 70 MFI fine
- 6) 22 May 2018, Tolegen Adamov, Muslim, Ekibastuz Specialised Administrative Court, Article 490, Part 1, Point 3 (initial Criminal Code Article 174, Part 1 investigation), posting religious materials online, 35 MFI fine
- 7) 23 May 2018, Bakuzhan Kozhakhmetuli, Muslim, Atyrau Specialised Administrative Court, Article 490, Part 1, Point 3, posting religious materials online, 35 MFI fine, and 3-month ban and seizure of disc
- 8) 5 June 2018, Zhandos Kaliyev, Muslim, Karaganda Specialised Administrative Court, Article 490, Part 3 (initial Criminal Code Article 174 investigation), posting religious materials online, case closed (sent for possible consideration under Criminal Code)
- 9) 14 June 2018, Yerken Akanov, Muslim, Petropavl Specialised Administrative Court, Article 490, Part 1, Point 3 (initial Criminal Code Article 174, Part 1 investigation), sharing religious materials on WhatsApp, 50 MFI fine and 3-month ban on distributing religious literature
- 10) 14 June 2018, Yerlan Aubakirov, Muslim, Petropavl Specialised Administrative Court, Article 490, Part 1, Point 3 (initial Criminal Code Article 174, Part 1 investigation), sharing religious materials on WhatsApp, 50 MFI fine and 3-month ban on distributing religious literature
- 11) 25 June 2018, Airat Imanbayev, Muslim, Zhezkazgan City Court, Article 490, Part 1, Point 3, posting religious materials online, 50 MFI fine
- 12) 25 June 2018, Azamat Baimaganbetov, Muslim, Zhezkazgan City Court, Article 490, Part 1, Point 3, posting religious materials online, 50 MFI fine
- 13) 28 June 2018, Anar Faradzhev, Muslim, Zhezkazgan City Court, Article 490, Part 1, Point 3, posting religious materials online, 35 MFI fine
- 14) 11 July 2018, Rakhymzhan Aitmukhanov, Muslim, Atyrau Specialised Administrative Court, Article 490, Part 1, Point 3, posting religious materials online, 35 MFI fine and 3-month ban
- 15) 23 July 2018, Bolat Esmagambetov, unknown faith, Bulandy District Court, Article 490, Part 1, Point 3, posting religious materials online, 35 MFI fine
- 16) 20 August 2018, Anuar Yesimseitov, Muslim, Petropavl Specialised Administrative Court, Article 490, Part 1, Point 3 (Criminal Code Article 174, Part 1 case closed), posting religious materials online, 50 MFI fine and 1-month ban on distributing religious literature
- 17) 23 August 2018, Rasul Akhmet, Muslim, Shal Akyn District Court, Article 490, Part 1, Point 3 (initial Criminal Code Article 174, Part 1 investigation), posting religious materials online, 50 MFI fine
- 18) 3 September 2018, Auelbek Ramazanov, Muslim, Petropavl Specialised Administrative Court, Article 490, Part 1, Point 3 (initial Criminal Code Article 174, Part 1 investigation), sharing religious materials on WhatsApp, 50 MFI fine and 1-month ban on distributing religious literature
- 19) 29 October 2018, Berik Kanagatov, faith unknown, Almaty Specialised Administrative Court, Article 490, Part 1, Point 3, posting religious materials online, 50 MFI fine and 3-month ban
- 20) 29 October 2018, Sakhakazak Kulbekov, faith unknown, Almaty Specialised Administrative Court, Article 490, Part 1, Point 3, posting religious materials online, 50 MFI fine and 3-month ban
- 21) 20 November 2018, Sakhrat Akzhigitov, Muslim, Temirtau Specialised Administrative Court, Article 490, Part 1, Point 3, sharing religious materials on Telegram, 35 MFI fine

22) 5 December 2018, Murat Nurguzhinov, Muslim, Temirtau Specialised Administrative Court, Article 490, Part 1, Point 3, sharing religious materials on Telegram, 35 MFI fine

23) 24 December 2018, Anastasiya Rabek, unknown faith, Satpayev District Court, Article 490, Part 3, sharing faith, 100 MFI fine (reduced to 70 MFI on appeal)

- Punishing sharing faith

Known administrative cases: 17

Known convictions: 10

Initial criminal cases (Article 174): 1

100 MFI fines: 3

70 MFI fines: 7

Literature retention order: 1

Deportation order: 1

Jehovah's Witnesses: 9

Muslims: 6

Protestants: 2 (including 1 Council of Churches Baptist)

Article 490, Part 3 punishes: "Carrying out missionary activity without state registration (or re-registration), as well as the use by missionaries of religious literature, information materials with religious content or religious items without a positive assessment from a religious studies expert analysis, and spreading the teachings of a religious group which is not registered in Kazakhstan". The punishment is a fine of 100 MFIs, with deportation if the individual is a foreign citizen.

1) 17 January 2018, Viktor Shtrek, JW, Aiyrtau District Court, Article 490, Part 3, sharing faith, 100 MFI fine

2) 7 February 2018, Maksim Ivakhnik, JW, Sarykol District Court, Article 490, Part 3, sharing faith, 70 MFI fine

3) 8 February 2018, Estai Asainov, JW, Sarykol District Court, Article 490, Part 3, sharing faith, 70 MFI fine

4) 8 February 2018, Timur Koshkunbayev, JW, Sarykol District Court, Article 490, Part 3, sharing faith, 70 MFI fine

5) 27 February 2018, Yerpolat Duisengaliyev, Council of Churches Baptist, Karasai Specialised Administrative Court, Article 490, Part 3, shared faith at home meeting, 70 MFI fine (acquitted on appeal)

6) 28 February 2018, Eldar Kenzhetayev, Muslim, Karaganda Specialised Administrative Court, Article 490, Part 3, sharing faith, 70 MFI fine (investigated in Karaganda Tabligh Jamaat criminal case (http://www.forum18.org/archive.php?article_id=2379))

7) 12 March 2018, Maksat Ergeshov, JW, Kentau District Court, Article 490, Part 3, sharing faith, acquitted

8) 13 March 2018, Dilobarkhon Sultanova, New Life Pentecostal, Shymkent Specialised Administrative Court, Article 490, Part 3, helping download online Bible (http://www.forum18.org/archive.php?article_id=2360), acquitted

9) 29 March 2018, Akilbek Kasen, Muslim, Karaganda Specialised Administrative Court, Article 490, Part 3, sharing faith, 70 MFI fine (investigated in Karaganda Tabligh Jamaat criminal case)

10) 29 March 2018, Valeriya Gerdt, JW, Karaganda Specialised Administrative Court, Article 490, Part 3, sharing faith, acquitted

11) 2 April 2018, Taskali Naurzgaliyev, Muslim, Karaganda Specialised Administrative Court, Article 490, Part 3, sharing faith, 100 MFI fine (jailed in Karaganda Tabligh Jamaat criminal case)

12) 16 April 2018, Beket Saryev, JW, Maktaaral District Court, Article 490, Part 3, sharing faith, acquitted

13) 24 April 2018, Zhasulan Karabayev, Muslim, Abai District Court, Article 490, Part 3, sharing faith, 100 MFI fine (reduced to 70 MFI fine on appeal) (investigated in Karaganda Tabligh Jamaat criminal case)

14) 6 June 2018, Fariza Dairabina, JW, Zhezkazgan City Court, Article 490, Part 3, sharing faith, acquitted

15) 6 June 2018, Arailym Turebekova, JW, Zhezkazgan City Court, Article 490, Part 3, sharing faith, acquitted

16) 3 August 2018, Nurzhan Turapov, Muslim, Saryagash Specialised Administrative Court, Article 490, Part 3, sharing faith with taxi driver, 70 MFI fine and confiscation of book

17) 22 August 2018, Ulanbek Zhumashov, Muslim, Maktaaral District Court, Article 490, Part 3, sharing faith, 100 MFI fine and deportation (Kyrgyz-born Russian citizen)

- Punishing violating mosques' internal rules

Known administrative cases: 21

Known convictions: 21

200 MFI fines: 1

50 MFI fines: 6

35 MFI fines: 13

No punishment: 1

Muslims: 21

Article 490, Part 2 punishes: "Impeding lawful religious activity as well as violation of the civil rights of physical persons on grounds of their religious views or insulting their feelings or profanation of items, buildings and places revered by followers of any religion, unless there are signs of criminally punishable actions". The punishment for individuals is 50 Monthly Financial Indicators (MFIs), and for legal entities 200 MFIs.

1) 10 January 2018, Yerbolat Gazimov, Muslim, Zhiloi District Court, Article 490, Part 2, Amen in mosque, 50 MFI fine

2) 14 February 2018, Asauturlan Talpakov, Muslim, Zhiloi District Court, Article 490, Part 2, Amen in mosque, 35 MFI fine

3) 12 April 2018, Nurlan Turebekov, Muslim, Zhiloi District Court, Article 490, Part 2, Amen in mosque, 50 MFI fine

4) 16 May 2018, Azamat Sarsenov, Muslim, Kurmangazy District Court, Article 490, Part 2, Amen in mosque, 35 MFI fine

5) 24 July 2018, Iztai Omirtai, Muslim, Kyzylkoga District Court, Article 490, Part 2, Amen in mosque, 35 MFI fine

6) 15 August 2018, Sandibek Kalapov, Muslim, Taraz Specialised Administrative Court, Article 490, Part 2, Amen in mosque, 35 MFI fine

7) 15 August 2018, Kairat Makhanov, Muslim, Taraz Specialised Administrative Court, Article 490, Part 2, Amen in mosque, 50 MFI fine

8) 17 August 2018, Dzhambul Zhapelov, Muslim, Taraz Specialised Administrative Court, Article 490, Part 2, Amen in mosque, 35 MFI fine

9) 24 August 2018, Nursultan Tushmayev, Muslim, Taraz Specialised Administrative Court, Article 490, Part 2, Amen in mosque, 35 MFI fine

10) 24 September 2018, Abdimalal Abdullayev, Muslim, Taraz Specialised Administrative Court, Article 490, Part 2, Amen in mosque, 35 MFI fine

11) 26 September 2018, Aslan Seitkaliyev, Muslim, Atyrau Specialised Administrative Court, Article 490, Part 2, Amen in mosque, 50 MFI fine

12) 1 October 2018, Kairat Makhanov, Muslim, Taraz Specialised Administrative Court, Article 490, Part 8, Amen in mosque

(second prosecution in same year – see above), 200 MFI fine

13) 1 October 2018, Kurmangazy Makulov, Muslim, Isitai District Court, Article 490, Part 2, Amen in mosque, 35 MFI fine

14) 2 October 2018, Zhasulan Shomanov, Muslim, Isatai District Court, Article 490, Part 2, Amen in mosque, 35 MFI fine

15) 2 October 2018, Adilbek Serzhanov, Muslim, Isatai District Court, Article 490, Part 2, Amen in mosque, 35 MFI fine

16) 2 October 2018, Yerlan Yerbatyrov, Muslim, Atyrau Specialised Administrative Court, Article 490, Part 2, Amen in mosque, 50 MFI fine

17) 11 October 2018, Rinat Zibirov, Muslim, Taraz Specialised Administrative Court, Article 490, Part 2, Amen in mosque, convicted but released from any punishment because of "insignificance" of "offence"

18) 23 October 2018, Rustem Adaibayev, Muslim, Atyrau Specialised Administrative Court, Article 490, Part 2, Amen in mosque, 50 MFI fine

19) 19 November 2018, Azat Komutov, Muslim, Abai District Court, Article 490, Part 2, Amen in mosque, 35 MFI fine

20) 27 November 2018, Serikbek Sydykov, Muslim, Ayagoz District Court, Article 490, Part 2, Amen in mosque, 35 MFI fine

21) 12 December 2018, Erkebulan Kubayev, Muslim, Makat District Court, Article 490, Part 2, Amen in mosque, 35 MFI fine

- Punishing religious teaching of children

Known administrative cases: 3

Known convictions: 3

150 MFI fines: 1

50 MFI fines: 1

35 MFI fines: 1

Permanent ban on activity: 2

Muslims : 3

Article 490, Part 3 punishes: "Carrying out missionary activity without state registration (or re-registration), as well as the use by missionaries of religious literature, information materials with religious content or religious items without a positive assessment from a religious studies expert analysis, and spreading the teachings of a religious group which is not registered in Kazakhstan". The punishment is a fine of 100 MFIs, with deportation if the individual is a foreign citizen.

1) 20 February 2018, Dastan Abdrakhmanov, Muslim, Karkarali District Court, teaching religion to school-age children (http://www.forum18.org/archive.php?article_id=2368), Article 490, Part 1, Point 1, 35 MFI fine

2) 6 August 2018, Aidir Kharsanov, Muslim, Kordai District Court, teaching Koran to school-age girls (http://www.forum18.org/archive.php?article_id=2407), Article 490, Part 1, Point 1, and Article 490, Part 3, 150 MFI total fine and a ban on activity

3) 6 August 2018, Zarina Manu, Muslim, Kordai District Court, teaching Koran to school-age girls (http://www.forum18.org/archive.php?article_id=2407), Article 490, Part 1, Point 1, and Article 490, Part 3, 50 MFI total fine and a ban on activity

- Punishing involvement of children

Known administrative cases: 1

Known convictions: 1

50 MFI fines: 1

Protestants: 1

Article 490, Part 7 punishes leaders of registered religious organisations who fail to abide by the 2011 Religion Law's requirement "to take measures not to allow the involvement and/or participation of under age children in the activity of the religious association when one of the parents or their other legal representatives objects". Punishment is a fine of 50 MFI and deportation from the country.

1) 7 February 2018, Vyacheslav Poptsov, Baptist, Aktobe Specialised Administrative Court, Article 490, Part 7, children present at church event, 50 MFI fine

- Punishing inadequate security measures

Known administrative cases: 2

Known convictions: 2

70 MFI fines: 1

Warning: 1

Protestant churches: 2

Article 462, Part 3 punishes "Non-fulfilment or inadequate fulfilment of legal orders" with a fine for organisations of 100 MFIs and a possible ban on all or some activity.

1) 22 February 2018, New Life Church, Pentecostal, Shymkent Specialised Administrative Court, Article 462, Part 3, having three not five fire detectors in a storage building (http://www.forum18.org/archive.php?article_id=2360), 100 MFI fine and 1-month ban (punishment cancelled on appeal and verbal warning issued)

2) 15 March 2018, Harvest Church, Pentecostal, Kostanai Specialised Administrative Court, Article 462, Part 3, technical fault on state-required video surveillance system did not store recordings for required 30-day minimum, 70 MFI fine

- Punishing failing to pay earlier fines

Known administrative cases: 2

Known convictions: 2

3-day jail term: 1

1-day jail term: 1

Council of Churches Baptists: 2

Article 669 punishes "Failure to fulfil a court decision" with a fine for individuals of 5 MFIs (10 MFIs until early 2018) or up to five days' jail.

1) 9 July 2018, Vitaly Yashchenko, Council of Churches Baptist, Bulandy District Court, Article 669, failing to pay earlier fine, 5-day jail term

2) 9 July 2018, Dmitry Isayev, Council of Churches Baptist, Bulandy District Court, Article 669, failing to pay earlier fine, 1-day jail term

(END)

Full reports on freedom of thought, conscience and belief in Kazakhstan
(<http://www.forum18.org/archive.php?query=&religion=all&country=29>)

For more background, see Forum 18's Kazakhstan religious freedom survey (http://www.forum18.org/archive.php?article_id=2409)

Forum 18's compilation of Organisation for Security and Co-operation in Europe (OSCE) freedom of religion or belief commitments (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