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## KAZAKHSTAN: 168 administrative prosecutions in 2019

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*In 168 known administrative prosecutions in 2019, 141 individuals (1 twice), 2 religious communities and 1 company were punished for worship meetings, offering religious literature and items (including online), sharing or teaching faith, posting religious material online, praying in mosques, inviting a child to meetings, or inadequate security measures. Yet an official claimed "We have no problems in the area of freedom of conscience".*

Kazakhstan's authorities are known to have brought at least 168 administrative prosecutions in 2019 to punish individuals, three religious communities and two companies for their exercise of freedom of religion or belief. Of these, 145 ended with convictions, with 141 individuals (1 twice), 2 religious communities and 1 company being punished, almost all of them with fines. However, the true number of such administrative cases is likely to be higher.

The 168 known administrative cases in 2019 represent a slight fall in the rate of prosecutions. In 2018, 171 such prosecutions are known to have been brought. ([http://www.forum18.org/archive.php?article\\_id=2448](http://www.forum18.org/archive.php?article_id=2448)) In 2017, 284 such prosecutions are known to have been brought. ([http://www.forum18.org/archive.php?article\\_id=2347](http://www.forum18.org/archive.php?article_id=2347))

Punishments included not only fines but temporary bans on activity, a permanent ban on a meeting place for worship, and seizures and destruction of religious literature, according to a review of the known 2019 cases compiled by Forum 18 (see full list below).

An official of the government's Religious Affairs Committee department that monitors legal cases punishing the exercise of freedom of religion or belief refused to discuss the prosecutions with Forum 18. "We have no problems in the area of freedom of conscience," Yerzhan Omar claimed (see below).

Muslims, Protestants (especially Council of Churches Baptists), Jehovah's Witnesses, and commercial and private sellers were many of the targets of these prosecutions. Council of Churches Baptists refuse to seek state permission to exercise their right to freedom of religion or belief.

Fines were the equivalent of between three weeks' and four months' average wages for those in formal work (35 to 200 Monthly Financial Indicators, MFIs, 88,375 Tenge to 505,000 Tenge in 2019).

Many of the prosecutions were to punish meetings for worship without state permission. Bolat Isabayev was fined for leading a home worship meeting in Kandyagash on the most sacred day annually for Jehovah's Witnesses. A court fined two ethnic Azeri imams in Zhambyl Region for maintaining funeral prayer rooms without state approval. Police fined or tried to fine up to 20 members of Karaganda's Revival Protestant Church after raiding a birthday party. ([http://www.forum18.org/archive.php?article\\_id=2492](http://www.forum18.org/archive.php?article_id=2492))

In six cases, courts ordered seized religious literature to be destroyed: 29 Muslim books seized from a commercial seller in Kyzylorda ([http://www.forum18.org/archive.php?article\\_id=2488](http://www.forum18.org/archive.php?article_id=2488)); 18 Islamic books seized from another commercial seller also in Kyzylorda; 2 Islamic books a visitor from Kyrgyzstan had in her luggage; 4 Muslim leaflets seized from a Muslim in Aktobe; one Kyrgyz-language Islamic book seized from a visitor from Kyrgyzstan; ([http://www.forum18.org/archive.php?article\\_id=2442](http://www.forum18.org/archive.php?article_id=2442)) and 2 Christian booklets (one of them co-written by a Russian Orthodox priest) seized from a Protestant in Aktobe.

In the first known such cases related to the exercise of freedom of religion or belief, police in January handed two Jehovah's Witnesses summary fines for sharing their faith under the Administrative Code Article which punishes "Harassment in public places" with small fines. Both fines were overturned on appeal. Similarly, in October a court overturned another police fine on a Jehovah's Witness accused under the same Article (see below).

In addition to the administrative cases actually brought, police and prosecutors often use the threat of such cases to intimidate individuals who have been exercising their right to freedom of religion or belief.

In 2019, Jehovah's Witnesses note 38 incidents where 46 individuals were detained and taken to the police station "while peacefully

speaking to others about their religious beliefs. Although the authorities did not pursue administrative or criminal charges, they warned some of those detained that they would be fined for "Carrying out missionary activity without state registration" under Administrative Code Article 490, Part 3."

#### Known 2019 cases

Administrative prosecutions are known to have been brought in 2019 (with comparisons to the 2018 ([http://www.forum18.org/archive.php?article\\_id=2448](http://www.forum18.org/archive.php?article_id=2448)) and 2017 ([http://www.forum18.org/archive.php?article\\_id=2348](http://www.forum18.org/archive.php?article_id=2348)) calendar years) to punish:

- 37 (35 individuals, 1 community and 1 company) for meeting for worship, hosting such meetings or maintaining places for such meetings (40 in 2018, 88 in 2017).
- 15 individuals for offering religious materials to others for free (10 in 2018, 39 in 2017).
- 30 (29 individuals and 1 company) for offering religious literature, icons or other items for sale (34 in 2018, 58 in 2017).
- 24 individuals for offering religious items for sale online (18 in 2018, 10 in 2017).
- 33 individuals for posting religious materials online (23 in 2018, 12 in 2017).
- 4 individuals for trying to import religious literature (0 in 2018, 4 in 2017).
- 8 individuals for sharing faith with others (17 in 2018, 31 in 2017).
- 9 Muslims (1 twice) for praying in mosques in ways that the state-controlled Muslim Board has banned, for example by using the word "Amen" (21 in 2018, 22 in 2017, the first year such punishments were imposed).
- 4 individuals for teaching their faith to children (3 in 2018, 2 in 2017).
- 1 individual for allowing children to be present or conducting religious rites against the wishes of one parent (1 in 2018, 9 in 2017).
- 2 religious communities for "inadequate" security or security measures for their places of worship, for example not having enough video cameras (2 in 2018, 5 in 2017).

No individuals are known to have been prosecuted for failing to pay earlier fines to punish them for exercising the right to freedom of religion or belief (2 in 2018, 2 in 2017).

No foreign citizens are known to have been ordered deported (1 in 2018, 2 in 2017).

A total of 148 of the 168 known 2019 cases were heard in court, but 20 fines are known to have been summarily handed down by police (the total number could be higher). All the known police fines were in Karaganda, Kyzylorda, Shymkent, Taraz or Maktaaral.

Of the 163 administrative cases known to have been brought against individuals in 2019, 113 were against men and 50 against women. Women represented more than half of individuals prosecuted to punish offering religious literature and other items for sale in shops and online.

Of the 163 known administrative prosecutions against individuals in 2019, at least 3 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 in these 3 cases were launched when prosecutors decided not to pursue the Criminal Code Article 174 cases.

"We have no problems in the area of freedom of conscience," official claims

The Chair of the Information and Social Development Ministry's Religious Affairs Committee Yerzhan Nukezhanov was unavailable when Forum 18 called, his assistant told Forum 18 from the capital Nur-Sultan on 8 January.

Reached the same day, Yerzhan Omar, an expert of the Committee department that monitors legal cases punishing the exercise of freedom of religion or belief, refused to give Forum 18 details of the full number of such administrative prosecutions in 2019, saying

the information is for "official use only". He also refused to explain why individuals, communities and a company are known to have faced such prosecutions in 2019.

Asked why an individual was punished for bringing three personal religious books into Kazakhstan while driving from Kyrgyzstan to Russia (see below), Omar responded: "Everyone has to respect the law. Bringing in religious books is banned."

Omar similarly refused to explain why 25 prisoners of conscience are serving sentences for exercising freedom of religion or belief ([http://www.forum18.org/archive.php?article\\_id=2529](http://www.forum18.org/archive.php?article_id=2529)). The most recent to be jailed was Zhuldzybek Taurbekov, jailed for seven years by an Almaty court on 6 January for joining an Islamic discussion group on WhatsApp.

"We have no problems in the area of freedom of conscience," Omar claimed to Forum 18.

Full list of known 2019 administrative prosecutions

The list of 168 known 2019 administrative prosecutions below is based on court decisions and other information known to Forum 18.

- Punishing meetings, rituals, held without state permission

Known administrative cases: 37

Known convictions: 28

200 MFI fines (4 months' average wages): 1 fine

140 MFI fines (3 months' average wages): 1 fine

100 MFI fines (2 months' average wages): 4 fines

70 MFI fines (6 weeks' average wages): 1 fine

50 MFI fines (1 month's average wage): 14 fines

35 MFI fines (3 weeks' average wages): 6 fines

Verbal warning: 1 warning

3-month bans: 5 bans

Permanent bans: 1 ban

Muslims: 11

Protestants: 19 (including 11 Council of Churches Baptists)

Jehovah's Witnesses: 3

Hare Krishna community: 1

Business figures: 2

Companies: 1

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

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

Administrative Code 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.

Administrative Code 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.

Administrative Code 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.

Administrative Code 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.

The list below gives the date of initial decision by lower court or police, name of defendant, affiliation, court or police issuing decision, Administrative Code article, reason for prosecution, and outcome.

- 1) 5 January 2019, Bakyt Sattarova, Protestant, Karaganda Police, Article 489, Part 10, meeting in home ([http://www.forum18.org/archive.php?article\\_id=2492](http://www.forum18.org/archive.php?article_id=2492)), 50 MFI fine (reduced to 35 MFI fine on second appeal)
- 2) 5 January 2019, Aleksandr Shartner, Protestant, Karaganda Police, Article 489, Part 10, meeting in home ([http://www.forum18.org/archive.php?article\\_id=2492](http://www.forum18.org/archive.php?article_id=2492)), 50 MFI fine
- 3) 5 January 2019, Sergei Bogovenko, Protestant, Karaganda Police, Article 489, Part 10, meeting in home ([http://www.forum18.org/archive.php?article\\_id=2492](http://www.forum18.org/archive.php?article_id=2492)), 50 MFI fine
- 4) 5 January 2019, Aleksei Bykov, Protestant, Karaganda Police, Article 489, Part 10, meeting in home ([http://www.forum18.org/archive.php?article\\_id=2492](http://www.forum18.org/archive.php?article_id=2492)), 50 MFI fine
- 5) 5 January 2019, Olga Shartner, Protestant, Karaganda Police, Article 489, Part 10, meeting in home ([http://www.forum18.org/archive.php?article\\_id=2492](http://www.forum18.org/archive.php?article_id=2492)), 50 MFI fine (overturned on appeal)
- 6) 5 January 2019, Nadezhda Bogovenko, Protestant, Karaganda Police, Article 489, Part 10, meeting in home ([http://www.forum18.org/archive.php?article\\_id=2492](http://www.forum18.org/archive.php?article_id=2492)), 50 MFI fine (overturned on appeal)
- 7) 5 January 2019, Larisa Chachanidze, Protestant, Karaganda Police, Article 489, Part 10, meeting in home ([http://www.forum18.org/archive.php?article\\_id=2492](http://www.forum18.org/archive.php?article_id=2492)), 50 MFI fine (overturned on appeal)
- 8) 30 January 2019, Vera Pastukhova, Council of Churches Baptist, Kyzylorda police, Article 489, Part 10, participating in meeting for worship without state permission, 50 MFI fine
- 9) 30 January 2019, Aleksandr Belyayev, Council of Churches Baptist, Kyzylorda police, Article 489, Part 9, leading meeting for worship without state permission, 100 MFI fine
- 10) 31 January 2019, Aleksei Li, Council of Churches Baptist, Kyzylorda police, Article 489, Part 10, participating in meeting for worship without state permission, 50 MFI fine
- 11) 15 February 2019, Yakov Fot, Council of Churches Baptist, Taraz police, Article 489, Part 9, leading meeting for worship without state permission ([https://www.forum18.org/archive.php?article\\_id=2458](https://www.forum18.org/archive.php?article_id=2458)), 100 MFI fine
- 12) 15 February 2019, Viktor Fot, Council of Churches Baptist, Taraz police, Article 489, Part 10, participating in meeting for worship without state permission ([https://www.forum18.org/archive.php?article\\_id=2458](https://www.forum18.org/archive.php?article_id=2458)), 50 MFI fine (changed on appeal to verbal warning)
- 13) 16 February 2019, Valery Skorobogaty, Council of Churches Baptist, Kyzylorda police, Article 489, Part 10, participating in meeting for worship without state permission, 50 MFI fine
- 14) 28 February 2019, Eduard Neifeld, Council of Churches Baptist, Almaty Specialised Inter-District Administrative Court, Article 490, Part 3 (Article 490, Part 1, Point 1 excluded), participating in meeting for worship without state permission ([https://www.forum18.org/archive.php?article\\_id=2458](https://www.forum18.org/archive.php?article_id=2458)), 100 MFI fine
- 15) 3 March 2019, Vitaly Ryzhkov, Council of Churches Baptist, Taraz police, Article 489, Part 10, participating in meeting for worship without state permission ([http://www.forum18.org/archive.php?article\\_id=2458](http://www.forum18.org/archive.php?article_id=2458)), 50 MFI fine

- 16) 3 March 2019, Yuliya Ivanova, Council of Churches Baptist, Taraz police, Article 489, Part 10, participating in meeting for worship without state permission ([http://www.forum18.org/archive.php?article\\_id=2464](http://www.forum18.org/archive.php?article_id=2464)), 50 MFI fine
- 17) 3 March 2019, Petr Skorniyakov, Council of Churches Baptist, Taraz police, Article 489, Part 9, leading meeting for worship without state permission ([https://www.forum18.org/archive.php?article\\_id=2464](https://www.forum18.org/archive.php?article_id=2464)), 100 MFI fine
- 18) 3 March 2019, Bekzat Nurtazin, Council of Churches Baptist, Taraz police, Article 489, Part 10, participating in meeting for worship without state permission ([https://www.forum18.org/archive.php?article\\_id=2464](https://www.forum18.org/archive.php?article_id=2464)), 50 MFI fine
- 19) 7 March 2019, Atyrau Hare Krishna Community, Atyrau Specialised Administrative Court, Article 490, Part 1, Point 1, meeting for worship without state permission, case sent back
- 20) 18 March 2019, Otabek Khaldarov, Muslim, Turkistan Specialised Administrative Court, Article 490, Part 1, Point 3, opening prayer room in cafeteria without state permission, 50 MFI fine
- 21) 15 April 2019, Sanzharbek Abuvakhidov, Muslim, Sairam District Court, Article 490, Part 1, operating a prayer room without state permission, 50 MFI fine plus 3-month ban
- 22) 19 April 2019, Sergei Merkulov, Jehovah's Witness, Glubokoe District Court, Article 490, Part 1, Point 1, hosting meetings for worship without state permission, 50 MFI fine (overturned on appeal)
- 23) 24 April 2019, Svetlana Demina, Protestant, Karaganda Specialised Administrative Court, Article 490, Part 3, praying without state permission before husband's birthday meal at home ([https://www.forum18.org/archive.php?article\\_id=2492](https://www.forum18.org/archive.php?article_id=2492)), case closed because time limit for launching case had expired (fined in November 2018 for same event, but fine annulled on appeal)
- 24) 2 May 2019, Sergei Nurmanov, Jehovah's Witness, Taranovsky District Court, Article 490, Part 1, Point 1, participating in meeting for worship without state permission, 35 MFI fine
- 25) 14 May 2019, Sarvaz Dzhamalov, Muslim, Merke District Court, Article 490, Part 3, operating a funeral prayer room without state permission ([https://www.forum18.org/archive.php?article\\_id=2492](https://www.forum18.org/archive.php?article_id=2492)), 70 MFI fine
- 26) 16 May 2019, Fakhradin Ismailov, Muslim, Merke District Court, Article 490, Part 1, Point 1, operating a funeral prayer room without state permission (registration application rejected) ([https://www.forum18.org/archive.php?article\\_id=2492](https://www.forum18.org/archive.php?article_id=2492)), 50 MFI fine
- 27) 16 May 2019, Mak Group Shopping Centre, company, Nur-Sultan [Astana] Specialised Inter-District Administrative Court, Article 490, Part 1, Point 1, operating a prayer room without state permission, 200 MFI fine plus ban on prayer room
- 28) 6 June 2019, Bolat Isabayev, Jehovah's Witness, Mugalzhar District Court, Article 490, Part 1, Point 1, participating in meeting for worship without state permission on Memorial of Christ's Death ([https://www.forum18.org/archive.php?article\\_id=2492](https://www.forum18.org/archive.php?article_id=2492)), 35 MFI fine
- 29) 11 June 2019, Gulammakhambet Taumanuly, Muslim, Zhetysai District Court, Article 490, Part 1, Point 4, opening prayer room without state permission, 50 MFI fine plus 3-month ban
- 30) 4 July 2019, Serik Karymsak, Muslim, Taraz Specialised Administrative Court, Article 490, Part 1, operating prayer room without state permission, 35 MFI fine plus 3-month ban on prayer room
- 31) 4 September 2019, Daniyar Sandybayev, Muslim, Turar Ryskulov District Court, Article 490, Part 1, Point 1, giving sermon in mosque, 35 MFI fine
- 32) 19 September 2019, Aslan Berkimbayev, Muslim, Khromtau District Court, Article 490, Part 1, Point 1, running prayer room without state permission at railway station, 35 MFI fine plus 3-month ban on prayer room
- 33) 23 September 2019, Nurzhan Kopbosynov, Muslim, Taraz Specialised Administrative Court, Article 490, Part 1, Point 1, praying in flat without state permission, acquitted for lack of proof
- 34) 24 September 2019, Farkhat Mullakhimov, Muslim, Taraz Specialised Administrative Court, Article 490, Part 1, Point 1, praying in flat without state permission, acquitted for lack of proof
- 35) 4 November 2019, Bekarys Mirasov, Muslim, Kurmangazy District Court, Article 490, Part 1, Point 1, praying evening prayers in school sports hall without state permission, 35 MFI fine
- 36) 11 November 2019, Fyodor Kogai, business centre director, Nur-Sultan Specialised Inter-District Administrative Court, Article

490, Part 1, Point 1, maintaining a prayer room without state permission in business centre, 140 MFI fine plus 3-month ban on prayer room

37) 9 December 2019, Kanat Torebekov, shopping centre manager, Saryagash Specialised Administrative Court, Article 490, Part 1, Point 4, maintaining a prayer room without state permission in shopping centre, acquitted

- Punishing offering free religious materials

Known administrative cases: 15

Known convictions: 14

50 MFI fines (1 month's average wage): 8 fines

35 MFI fines (3 weeks' average wages): 6 fines

3-month bans: 4 bans

Literature destruction orders: 2 orders

Protestants: 12 (including 7 Council of Churches Baptists)

Muslims: 1

Jehovah's Witnesses: 1

Unknown: 1

Administrative Code 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.

The list below gives the date of initial decision by lower court or police, name of defendant, affiliation, court or police issuing decision, Administrative Code article, reason for prosecution, and outcome.

1) 6 February 2019, Gulnar Rakhimzhanova, Baptist, Zhezkazgan City Court, Article 490, Part 1, Point 3, offering Baptist magazines to fellow resident of old people's home, 35 MFI fine (allowed to pay in instalments because of low income)

2) 7 February 2019, Feruza Akynbekova, Council of Churches Baptist, Taraz Specialised Administrative Court, Article 490, Part 1, offering New Testament on the street, 50 MFI fine (reduced to 35 MFIs on appeal)

3) 26 March 2019, Pavlo Omelich, Council of Churches Baptist, Baizak District Court, Article 490, Part 3, offering Christian literature, 100 MFI fine, changed on appeal to Article 490, Part 1, Point 3, 50 MFI fine

4) 29 March 2019, Yury Kiryushkin, Council of Churches Baptist, Magzhan Zhumabayev District Court, Article 490, Part 1, Point 3, offering Christian literature, 50 MFI fine plus 3-month ban on distributing religious literature

5) 1 April 2019, Viktor Gizbrecht, Christian, Pavlodar Specialised Administrative Court, Article 490, Part 1, Point 3, offering Bible and other Christian books for free online, 50 MFI fine

6) 15 April 2019, Dmitry Mankov (aged 20), Council of Churches Baptist, Nur-Sultan [Astana] Specialised Inter-District Administrative Court, Article 490, Part 1, Point 3, offering Christian books for free, 35 MFI fine

7) 17 April 2019, Valentina Rakhmanova, Protestant, Zyryanovsk District Court, Article 490, Part 1, Point 3, offering Bible and other Christian books for free, 50 MFI fine

8) 3 May 2019, Dmitry Isayev, Council of Churches Baptist, Berli District Court, Article 490, Part 1, Point 3, offering Christian books on the street, 50 MFI fine plus 3-month ban on distributing religious literature

9) 7 August 2019, Gennady Sheleg, Protestant, Shal Akyn District Court, Article 490, Part 1, Point 3, offering Christian books on the street, 50 MFI fine

10) 8 August 2019, Murat Dosmagambetov, Muslim, Aktobe Specialised Administrative Court, Article 490, Part 1, Point 3, offering 4 Muslim leaflets at railway station, 35 MFI fine (because of disability allowed to pay in instalments) plus 3-month ban on activity plus literature destruction

11) 17 October 2019, Yury Dimitrienko, Council of Churches Baptist, Ualikhan District Court, Article 490, Part 1, Point 3, offering Christian books on the street, 50 MFI fine

12) 25 October 2019, Denis Yenko, Council of Churches Baptist, Shal Akyn District Court, Article 490, Part 1, Point 3, offering Christian books on the street, 35 MFI fine plus 3-month ban on distributing religious literature

13) 10 December 2019, Kanaot Asimdzhoi, unknown, Osakarovka District Court, Article 490, Part 1, Point 3, sharing religious video with friend via WhatsApp, 35 MFI fine

14) 20 December 2019, Amangali Shabakov, Protestant, Aktobe Specialised Administrative Court, Article 490, Part 1, Point 3, sharing religious books including two which had not undergone state censorship, 50 MFI fine plus literature destruction (case closed under Article 490, Part 1, Point 1 because filed too late)

15) 31 December 2019, Bekali Akhunbekov, Jehovah's Witness, Saryagash Specialised Administrative Court, Article 490, Part 3, showing religious film to residents on tablet computer, acquitted

- Punishing offering religious literature, items for sale

Known administrative cases: 30

Known convictions: 24

Initial criminal cases (Article 174): 1 case

70 MFI fines (6 weeks' average wage): 2 fines

50 MFI fines (1 month's average wage): 4 fines

35 MFI fines (3 weeks' average wages): 17 fines

Verbal warnings: 2 warnings

3-month bans: 16 bans

Literature destruction orders: 2 orders

Commercial traders: 26

Companies: 1

Muslims: 3

Administrative Code 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.

Administrative Code 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.

The list below gives the date of initial decision by lower court or police, name of defendant, affiliation, court or police issuing decision, Administrative Code article, reason for prosecution, and outcome.

1) 22 January 2019, Sergei Belov, commercial seller, Aktobe Specialised Administrative Court, Article 490, Part 1, Point 3, offering

religious items (including icons, Buddha figures) for sale, 35 MFI fine plus 3-month ban on activity

- 2) 24 January 2019, Yelena Makhracheva, commercial seller, Aktobe Specialised Administrative Court, Article 490, Part 1, Point 3, offering religious books and items for sale, 50 MFI fine plus 3-month ban on activity
- 3) 19 February 2019, Kairbek Tolegenuly, commercial seller, Almaty Specialised Inter-District Administrative Court, Article 490, Part 1, Point 3 (initial Criminal Code Article 174, Part 1 investigation), offering Sunni and Sufi Islamic books and items for sale in shop, 35 MFI fine plus 3-month ban on activity
- 4) 20 February 2019, Svetlana Titova, commercial seller, Almaty Specialised Inter-District Administrative Court, Article 490, Part 1, Point 3, offering Christian prayer books, icons and candles for sale in shop, 35 MFI fine
- 5) 13 March 2019, Farkhad Zhapparkulov, commercial seller, Turkistan Specialised Administrative Court, Article 490, Part 1, Point 3, offering Muslim books for sale on street, 50 MFI fine plus 3-month ban
- 6) 15 March 2019, Zhenisbek Baitabynov, Muslim, Munaily District Court, Article 490, Part 1, Point 3, offering religious books for sale, 50 MFI fine
- 7) 28 March 2019, Murat Zhumaguliyev, commercial seller, Beineu District Court, Article 490, Part 1, Point 3, offering religious books for sale at market, 35 MFI fine plus 3-month ban
- 8) 1 April 2019, Murat Kabdullin, commercial seller, Nur-Sultan [Astana] Specialised Inter-District Administrative Court, Article 490, Part 1, Point 3, offering religious books for sale in shop, 35 MFI fine plus 3-month ban on selling religious literature
- 9) 12 April 2019, Begzod Ismaildzhhanov, Muslim, Turkistan Specialised Administrative Court, Article 490, Part 1, Point 3, offering religious books for sale at railway station, 50 MFI fine
- 10) 15 April 2019, Almaz Holding, company, Nur-Sultan [Astana] Specialised Inter-District Administrative Court, Article 490, Part 1, Point 3, offering religious jewellery for sale in shop, acquitted
- 11) 17 April 2019, Andrei Shelestov, commercial seller, Nur-Sultan [Astana] Specialised Inter-District Administrative Court, Article 490, Part 1, Point 3, offering religious books for sale in shop, 35 MFI fine plus 3-month ban on functioning of section of shop
- 12) 24 April 2019, Sabit Kenzhegulov, Muslim, Zhiloi District Court, Article 490, Part 1, Point 3, offering religious books for sale at railway station, 35 MFI fine
- 13) 2 May 2019, Nursultan Rakhimgozhin, commercial seller, Nur-Sultan [Astana] Specialised Inter-District Administrative Court, Article 490, Part 1, Point 3, offering religious books for sale in shop, 35 MFI fine plus 3-month ban on functioning of shop
- 14) 3 May 2019, Zauresh Kasymova, commercial seller, Nur-Sultan [Astana] Specialised Inter-District Administrative Court, Article 490, Part 1, Point 3, offering religious books for sale in shop, 35 MFI fine plus 3-month ban on selling religious literature
- 15) 8 May 2019, Aruzhan Omirbai, commercial seller, Kyzylorda Specialised Administrative Court, Article 490, Part 1, Point 3, offering religious books for sale in shop, 35 MFI fine plus 3-month ban plus destruction of 29 Muslim books ([http://www.forum18.org/archive.php?article\\_id=2488](http://www.forum18.org/archive.php?article_id=2488))
- 16) 29 May 2019, Togzhan Boken, commercial seller, Kyzylorda Specialised Administrative Court, Article 490, Part 1, Point 3, offering religious literature and discs for sale, case closed because time limit for launching case had expired
- 17) 29 May 2019, Viktoriya Sizukhina, commercial seller, Nur-Sultan [Astana] Specialised Inter-District Administrative Court, Article 490, Part 1, Point 3, offering 1 Bible for sale, 35 MFI fine plus 3-month ban on selling religious literature
- 18) 31 May 2019, Baurzhan Kudabayev, commercial seller, Kyzylorda Specialised Administrative Court, Article 490, Part 1, Point 3, offering religious items for sale, acquitted
- 19) 6 June 2019, Talgatbek Nazarov, commercial seller, Kyzylorda Specialised Administrative Court, Article 490, Part 1, Point 3, offering items with Arabic inscriptions for sale, acquitted
- 20) 6 June 2019, Saltanat Zhakipova, commercial seller, Kyzylorda Specialised Administrative Court, Article 490, Part 1, Point 3, offering religious literature, prayer mats and other items for sale, case closed because time limit for launching case had expired
- 21) 11 June 2019, Saltanat Koszhanova, commercial seller, Kyzylorda Specialised Administrative Court, Article 490, Part 1, Point 3, offering religious items for sale, verbal warning



- 22) 12 June 2019, Gulmira Kulumbetova, commercial seller, Kyzylorda Specialised Administrative Court, Article 490, Part 1, Point 3, offering 18 Islamic books, a prayer mat and other items for sale, 35 MFI fine plus 3-month ban plus destruction of books
- 23) 12 June 2019, Shin Raisa Du-Se, commercial seller, Nur-Sultan [Astana] Specialised Inter-District Administrative Court, Article 490, Part 1, Point 3, offering one cross and one crescent jewellery items for sale in shop, 35 MFI fine plus 3-month ban on functioning of shop
- 24) 20 June 2019, Bekezhan Kurulbayev, commercial seller, Shu District Court, Article 490, Part 1, Point 3, offering religious books for sale on trains, verbal warning
- 25) 24 June 2019, Salman Gutsariyev, commercial seller, Nur-Sultan Specialised Inter-District Administrative Court, Article 490, Part 1, Point 3, offering Christian items for sale in shop, 35 MFI fine plus 3-month ban on offering Christian items for sale
- 26) 26 June 2019, Marina Shirokova, commercial seller, Aktobe Specialised Administrative Court, Article 490, Part 1, Point 3, offering religious books for sale in shop, 35 MFI fine plus 3-month ban
- 27) 31 October 2019, Tolkin Khairullina, commercial seller, Semei Specialised Administrative Court, Article 490, Part 1, Point 3, offering 2 golden and 1 silver religious pendants for sale in shop, 35 MFI fine
- 28) 11 November 2019, Dinara Sergeyeva, commercial seller, Nur-Sultan Specialised Inter-District Administrative Court, Article 490, Part 1, Point 3, offering 11 icons for sale in shop, 35 MFI fine plus 3-month ban on selling religious literature
- 29) 5 December 2019, Lyudmila Lisitsyna, commercial seller, Karaganda Specialised Administrative Court, Article 490, Part 3, offering religious literature and objects for sale in shop, 70 MFI fine
- 30) 10 December 2019, Tamara Kornienko, commercial seller, Pavlodar Specialised Administrative Court, Article 490, Part 3, offering Russian Orthodox books for sale in shop, 70 MFI fine

- Punishing offering religious literature, items for sale online

Known administrative cases: 24

Known convictions: 24

50 MFI fines (1 month's average wage): 2 fines

35 MFI fines (3 weeks' average wages): 19 fines

Verbal warnings: 3 warnings

3-month bans: 6 or 7 bans

1-month bans: 3 or 4 bans

Literature retention orders: 2 orders

Private sellers: 23

Administrative Code 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.

The list below gives the date of initial decision by lower court or police, name of defendant, affiliation, court or police issuing decision, Administrative Code article, reason for prosecution, and outcome.

- 1) 11 January 2019, Dana Rakhimzhanova, seller, Pavlodar Specialised Administrative Court, Article 490, Part 1, Point 3, offering religious book for sale online, 35 MFI
- 2) 25 January 2019, Nurbergen Kunchekeyev, seller, Atyrau Specialised Administrative Court, Article 490, Part 1, Point 3, offering Muslim book by Elmir Kuliyeu for sale online, 35 MFI fine plus 3-month ban
- 3) 25 January 2019, Yelena Maslova, seller, Petropavl Specialised Administrative Court, Article 490, Part 1, Point 3, offering Bible

inherited from grandmother for sale online ("expert" analysis showed Bible did not violate Constitution), 35 MFI fine plus 1-month ban on distributing religious literature and items

- 4) 13 February 2019, Gennady Vasilyev, seller, Semei Specialised Administrative Court, Article 490, Part 1, Point 3, offering Bible and Christian booklet for sale online ("expert" analysis showed their content did not violate Constitution), 35 MFI fine
- 5) 20 February 2019, Yekaterina Kislitsyna, seller, Almaty Specialised Inter-District Administrative Court, Article 490, Part 1, Point 3, offering icon of Jesus Christ for sale online ("expert" analysis showed icon's content did not violate Constitution), 35 MFI fine
- 6) 6 March 2019, Oleg Lobanov, seller, Petropavl Specialised Administrative Court, Article 490, Part 1, Point 3, offering Christian children's book for sale online ("expert" analysis showed it did not violate Constitution), 35 MFI fine plus 1-month ban on distributing religious literature and items
- 7) 12 March 2019, Natalya Alekseyeva, seller, Petropavl Specialised Administrative Court, Article 490, Part 1, Point 3, offering for sale online 1913 German-language Bible inherited from grandmother, 50 MFI fine plus Bible to be retained by Anti-Extremism Police
- 8) 18 March 2019, Yelena Glushchenko, seller, Petropavl Specialised Administrative Court, Article 490, Part 1, Point 3, offering for sale online 1905 issue of Russian Orthodox "Church News", 35 MFI fine plus 3-month ban on distributing religious literature
- 9) 27 March 2019, Dmitry Molozhenko, seller, Petropavl Specialised Administrative Court, Article 490, Part 1, Point 3, offering Bible for sale online for 1,000 Tenge ("expert" analysis showed Bible did not violate Constitution), 35 MFI fine plus 1-month ban on distributing religious literature and items
- 10) 28 March 2019, Yelizaveta Volzhinina, seller, Oskemen Specialised Administrative Court, Article 490, Part 1, Point 3, offering embroidered picture of mother and child for sale online, 35 MFI fine
- 11) 1 April 2019, Oksana Malkova, seller, Pavlodar Specialised Administrative Court, Article 490, Part 1, Point 3, offering Koran for sale online, 35 MFI
- 12) 19 April 2019, Bayan Tusupova, seller, Pavlodar Specialised Administrative Court, Article 490, Part 1, Point 3, offering children's Bible in Russian and German for sale online, 35 MFI
- 13) 23 April 2019, Olga Savoskina, seller, Semei Specialised Administrative Court, Article 490, Part 1, Point 3, offering icon for sale online, verbal warning
- 14) 25 April 2019, Nadezhda Borovskikh, seller, Semei Specialised Administrative Court, Article 490, Part 1, Point 3, offering Bible for sale online for 10,000 Tenge (5 days' pension equivalent) to supplement pension (invalid husband), verbal warning
- 15) 30 April 2019, Galina Smirnykh, seller, Aksu City Court, Article 490, Part 1, Point 3, offering Bible for sale online, 35 MFI fine
- 16) 13 May 2019, Zarina Kazbekova, seller, Shal Akyn District Court, Article 490, Part 1, Point 3, offering Koran for sale online, 35 MFI fine plus 3-month ban on distributing religious literature
- 17) 16 May 2019, Madina Koisariyeva, seller, Atyrau Specialised Administrative Court, Article 490, Part 1, Point 3, offering 4 Korans for sale online, 35 MFI fine plus 3-month ban
- 18) 21 May 2019, Irina Buravinskaya, seller, Semei Specialised Administrative Court, Article 490, Part 1, Point 3, offering 2 icons for sale online for 8,000 Tenge (10 days' invalid pension equivalent) ("expert" analysis showed icons' content did not violate Constitution), verbal warning
- 19) 21 May 2019, Daniyar Murzabayev, seller, Petropavl Specialised Administrative Court, Article 490, Part 1, Point 3, offering 1907 Arabic-language Koran inherited from grandmother for sale online for 5 million Tenge ("expert" analysis was unable to review the Koran because they did not know Arabic), 35 MFI fine plus 1- or 3-month ban on distributing religious literature and items
- 20) 12 June 2019, Rano Tuzelova, seller, Nur-Sultan [Astana] Specialised Inter-District Administrative Court, Article 490, Part 1, Point 3, offering 3 Korans in Arabic for sale online, 35 MFI fine plus 3-month ban plus retention of 3 Korans
- 21) 23 July 2019, Lyudmila Dvinyanina, seller, Pavlodar Specialised Administrative Court, Article 490, Part 1, Point 3, offering children's Bible for sale online, 35 MFI fine
- 22) 7 October 2019, Yevgevy Parfenov, seller, Petropavl Specialised Administrative Court, Article 490, Part 1, Point 3, offering 1850 Russian Orthodox book for sale online, 50 MFI fine

23) 14 November 2019, Samal Mukhtarova, seller, Atyrau Specialised Administrative Court, Article 490, Part 1, Point 3, offering 6 religious books for sale online, 35 MFI fine plus 3-month ban

24) 24 December 2019, Natalya Sharipova, seller, Oskemen Specialised Administrative Court, Article 490, Part 1, Point 3, offering 1 icon of the Trinity for sale online, 35 MFI fine

- Punishing posting religious materials online

Known administrative cases: 33

Known convictions: 31

Initial criminal cases (Article 174): 2 cases

200 MFI fines (4 months' average wages): 1 fine

100 MFI fines (2 months' average wages): 3 fines

70 MFI fines (6 weeks' average wages): 2 fines

50 MFI fines (1 month's average wage): 9 fines

35 MFI fines (3 weeks' average wages): 16 fines

3-month bans: 9 bans

Bans of unspecified duration: 1 ban

Muslims: 29

Unknown faith: 3

Administrative Code 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.

Administrative Code 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.

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

The list below gives the date of initial decision by lower court or police, name of defendant, affiliation, court or police issuing decision, Administrative Code article, reason for prosecution, and outcome.

1) 9 January 2019, Erlan Mukanov, Muslim, Taiynsha District Court, Article 490, Part 1, Point 3 (initial investigation under Criminal Code Article 174, Part 1), posting religious materials online, 50 MFI fine plus 3-month ban on distributing religious literature

2) 15 January 2019, Azamat Orazly, Muslim, Satbayev District Court, Article 490, Part 3, posting religious materials online, 100 MFI fine

3) 24 January 2019, Ruslan Nurulin, unknown faith, Satbayev District Court, Article 490, Part 3, posting religious materials online, 100 MFI fine

4) 30 January 2019, Duman Suleimenov, Muslim, Satbayev District Court, Article 490, Part 3, posting religious materials online, 100 MFI fine (reduced to 70 MFIs on appeal)

5) 4 February 2019, Gani Ayranbayev, unknown faith, Satbayev District Court, Article 490, Part 3, posting religious materials online, 100 MFI fine

- 6) 11 February 2019, Zhalgas Nazyrbekov, Muslim, Zhezkazgan City Court, Article 490, Part 1, Point 3, posting religious materials online, 35 MFI fine
- 7) 12 February 2019, Ardak Aubakirov, Muslim, Karkaraly District Court, Article 490, Part 1, posting religious materials online, 35 MFI fine
- 8) 12 February 2019, Nurbol Baigenzhinov, Muslim, Karkaraly District Court, Article 490, Part 1 or 3, posting religious materials online, 35 MFI fine
- 9) 18 February 2019, Nurbol Ibraimov, Muslim, Zhezkazgan City Court, Article 490, Part 1, Point 3, posting religious materials online, 35 MFI fine
- 10) 4 April 2019, Azat Komutov, Muslim, Abai District Court, Article 490, Part 3, posting religious materials online, 70 MFI fine
- 11) 10 April 2019, Shingis Sabitov, Muslim, Karkaraly District Court, Article 490, Part 1, Point 3, posting religious materials online, 50 MFI fine plus 3-month ban
- 12) 2 May 2019, Ernur Toleubekov, Muslim, Temirtau Specialised Administrative Court, Article 490, Part 1, Point 3, posting religious materials online, 35 MFI fine
- 13) 8 May 2019, Sairan Abdugaliyev, Muslim, Karkaraly District Court, Article 490, Part 1, Point 3 (initial Criminal Code Article 174 investigation), posting religious materials online, 50 MFI fine plus 3-month ban
- 14) 15 May 2019, Yerken Akanov, Muslim, Petropavl Specialised Administrative Court, Article 490, Part 8 (second "offence" within one year ([http://www.forum18.org/archive.php?article\\_id=2448](http://www.forum18.org/archive.php?article_id=2448))), sharing religious materials on WhatsApp, 200 MFI fine and ban on distributing religious literature
- 15) 27 May 2019, Abdurrakhim Termaliyev, Muslim, Mamlyut District Court, Article 490, Part 1, Point 3, posting religious materials online, 50 MFI fine plus 3-month ban on distributing religious literature
- 16) 30 May 2019, Kaisar Serik, Muslim, Karkaraly District Court, Article 490, Part 1, posting religious materials online, 35 MFI fine
- 17) 4 June 2019, Akhmet Zhangeldi, Muslim, Almaty Specialised Inter-District Administrative Court, Article 490, Part 1, Point 3, posting religious materials online, 35 MFI fine
- 18) 11 June 2019, Adil Mendygaliyev, Muslim, Almaty Specialised Inter-District Administrative Court, Article 490, Part 1, Point 3, posting religious materials online, sent back for reclassification under different Article
- 19) 21 June 2019, Farkhad Zhauyrbekov, Muslim, Almaty Specialised Inter-District Administrative Court, Article 490, Part 1, Point 3, posting religious materials online, 50 MFI fine plus 3-month ban on social media account
- 20) 12 August 2019, Talgat Madenov, Muslim, Zheskazgan District Administrative Court, Article 490, Part 1, Point 3, posting religious materials online, 35 MFI fine
- 21) 14 August 2019, Murat Ulykpan, Muslim, Atyrau Specialised Administrative Court, Article 490, Part 1, Point 3, posting religious materials online, 50 MFI fine plus 3-month ban on activity
- 22) 16 September 2019, Nursultan Akkoshkarov, Muslim, Zheskazgan District Administrative Court, Article 490, Part 1, Point 3, posting religious materials online, 50 MFI fine
- 23) 22 October 2019, Askar Kakimov, Muslim, Kyzylzhar District Court, Article 490, Part 1, Point 3, posting religious materials online, 35 MFI fine plus 3-month ban on distributing religious literature
- 24) 25 October 2019, Arman Zhamauov, unknown faith, Satbayev District Court, Article 490, Part 3, posting religious materials online, acquitted
- 25) 6 November 2019, Margulan Tashenov, Muslim, Zheskazgan District Administrative Court, Article 490, Part 1, Point 3, posting religious materials online, 35 MFI fine
- 26) 27 November 2019, Kuralai Zhilkaidarova, Muslim, Abai District Court, Article 490, Part 1, Point 3, posting suras from Koran, hadiths and sermons online, 35 MFI fine

27) 10 December 2019, Zhanat Umbetov, Muslim, Ekibastuz Specialised Administrative Court, Article 490, Part 1, Point 3, posting religious materials online, 35 MFI fine

28) 10 December 2019, Anuar Atygayev, Muslim, Ekibastuz Specialised Administrative Court, Article 490, Part 1, Point 3, posting religious materials online, 35 MFI fine

29) 10 December 2019, Aspandiyar Tasybayev, Muslim, Ekibastuz Specialised Administrative Court, Article 490, Part 1, Point 3, posting religious materials online, 35 MFI fine

30) 13 December 2019, Aslan Tasbulatov, unknown, Petropavl Specialised Administrative Court, Article 490, Part 1, Point 3, posting religious materials online, 50 MFI fine

31) 23 December 2019, Erik Tektai, Muslim, Karkaraly District Court, Article 490, Part 1, Point 3, posting religious materials online, 50 MFI fine plus 3-month ban

32) 24 December 2019, Sekengali Doskaliyev, Muslim, Atyrau Specialised Administrative Court, Article 490, Part 1, Point 3, posting religious materials online, 35 MFI fine plus 3-month ban

33) 25 December 2019, Anuar Raimbekov, Muslim, Balkhash Specialised Administrative Court, Article 490, Part 1, Point 3, posting religious materials online, 35 MFI fine

- Punishing trying to import religious literature

Known administrative cases: 4

Known convictions: 4

50 MFI fines (1 month's average wage): 4 fines

3-month bans: 2 bans

Literature destruction orders: 2 orders

Muslims: 3

Traders: 1

Administrative Code 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.

The list below gives the date of initial decision by lower court or police, name of defendant, affiliation, court or police issuing decision, Administrative Code article, reason for prosecution, and outcome.

1) 3 January 2019, Gulsanam Katkeldiyeva, Muslim (Kyrgyz citizen), Zhambyl District Court, Article 490, Part 1, Point 3, having 2 Islamic books in luggage entering Kazakhstan from Kyrgyzstan, 50 MFI fine plus book destruction ([http://www.forum18.org/archive.php?article\\_id=2442](http://www.forum18.org/archive.php?article_id=2442))

2) 20 June 2019, Makhmadgafuri Olimzoda, trader (Tajik citizen), Beineu District Court, Article 490, Part 1, Point 3, 36 of 490 books he brought through Kazakh border in transit to Russia for resale were religious, 50 MFI fine plus 3-month ban

3) 7 August 2019, Kubatbek Isayev, Muslim (Kyrgyz citizen), Zhambyl District Court, Article 490, Part 1, Point 3, 3 books he brought through Kazakh border in transit to Russia were religious, 50 MFI fine plus 3-month ban

4) 19 December 2019, Aizharkyn Dzhaliyeva (Kyrgyz citizen), Muslim, Zhambyl District Court, Article 490, Part 1, Point 3, having 1 Kyrgyz-language Islamic book in luggage entering Kazakhstan from Kyrgyzstan, 50 MFI fine plus book destruction

- Punishing sharing faith

Known administrative cases: 8

Known convictions: 5

100 MFI fines (2 months' average wages): 4 fines

3.5 MFI fines (2 days' average wages): 1 fine

Protestants: 3 (all Council of Churches Baptists)

Jehovah's Witnesses: 4

Muslims: 1

Administrative Code Article 449, Part 1 punishes: "Harassment in public places". The punishment is a warning or a fine of 5 MFIs.

Administrative Code 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.

The list below gives the date of initial decision by lower court or police, name of defendant, affiliation, court or police issuing decision, Administrative Code article, reason for prosecution, and outcome.

1) 4 January 2019, Alla Oleinikova, Jehovah's Witness, Shymkent Police, Article 449, Part 1, sharing faith, 5 MFI fine (overturned on appeal)

2) 4 January 2019, Galina Tsyplenkova, Jehovah's Witness, Shymkent Police, Article 449, Part 1, sharing faith, 5 MFI fine (overturned on appeal)

3) 12 April 2019, Nikolai Novikov, Council of Churches Baptist (court decision wrongly describes him as Jehovah's Witness), Oral Specialised Administrative Court, Article 490, Part 3, sharing faith, 100 MFI fine

4) 22 April 2019, Dmitry Isayev, Council of Churches Baptist, Oral Specialised Administrative Court, Article 490, Part 3, sharing faith, 100 MFI fine

5) 23 April 2019, Andrei Labinsky, Council of Churches Baptist, Oral Specialised Administrative Court, Article 490, Part 3, sharing faith, 100 MFI fine

6) 30 July 2019, Tolon Almanbetov (Kyrgyz citizen), Muslim, Zhetisai District Court, Article 490, Part 3, sharing faith on street, acquitted

7) 10 September 2019, Rakhatbai Ermanov, Jehovah's Witness, Nur-Sultan Specialised Administrative Court, Article 490, Part 3, sharing faith, 100 MFI fine

8) 15 September 2019, Akbota Zhakypova, Jehovah's Witness, Maktaaral Police, Article 449, Part 1, sharing faith, 5 MFI fine (overturned on appeal); 4 October 2019, Article 492, Part 2, 3.5 MFI fine

- Punishing violating mosques' internal rules

Known administrative cases: 10

Known convictions: 9

200 MFI fines (4 months' average wages): 2 fines

50 MFI fines (1 month's average wage): 5 fines

35 MFI fines (3 weeks' average wages): 2 fines

Muslims: 9 (1 of them twice)

Administrative Code 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 MFIs, and for legal entities 200 MFIs.

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

The list below gives the date of initial decision by lower court or police, name of defendant, affiliation, court or police issuing decision, Administrative Code article, reason for prosecution, and outcome.

- 1) 12 February 2019, Nariman Bagirov, Muslim, Almaty Specialised Inter-District Administrative Court, Article 490, Part 2, Amen in mosque ([http://www.forum18.org/archive.php?article\\_id=2464](http://www.forum18.org/archive.php?article_id=2464)), 50 MFI fine
- 2) 19 March 2019, Erbolat Gazimov, Muslim, Zhiloi District Court, Article 490, Part 2, Amen in mosque, 50 MFI fine
- 3) 20 March 2019, Dauren Kaiyrov, Muslim (18 years old), Zhiloi District Court, Article 490, Part 2, Amen in mosque, 35 MFI fine
- 4) 22 April 2019, Abai Ospanov, Muslim, Taraz Specialised Administrative Court, Article 490, Part 2, Amen in mosque, acquitted
- 5) 12 July 2019, Adilet Amanov, Muslim, Zhiloi District Court, Article 490, Part 2, Amen in mosque, 50 MFI fine
- 6) 22 August 2019, Saluat Dosmukhanov, Muslim, Atyrau Specialised Administrative Court, Article 490, Part 2, Amen in mosque, 50 MFI fine
- 7) 9 September 2019, Anuar Urazakov, Muslim, Isatai District Court, Article 490, Part 2, Amen in mosque, 35 MFI fine
- 8) 11 November 2019, Rustem Adabayev, Muslim, Atyrau Specialised Administrative Court, Article 490, Part 8, Amen in mosque (repeat "offence" – fined in October 2018 ([http://www.forum18.org/archive.php?article\\_id=2448](http://www.forum18.org/archive.php?article_id=2448))), 200 MFI fine
- 9) 19 November 2019, Saluat Dosmukhanov, Muslim, Atyrau Specialised Administrative Court, Article 490, Part 8, Amen in mosque (repeat "offence" – see above), 200 MFI fine
- 10) 5 December 2019, Maksumzhan Sadykbayev, Muslim, Almaty Specialised Administrative Court, Article 490, Part 2, Amen in mosque, 50 MFI fine

- Punishing religious teaching of children

Known administrative cases: 4

Known convictions: 4

100 MFI fines (2 months' average wages): 1 fine

70 MFI fines (6 weeks' average wages): 3 fines

Muslims: 4

Administrative Code 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.

The list below gives the date of initial decision by lower court or police, name of defendant, affiliation, court or police issuing decision, Administrative Code article, reason for prosecution, and outcome.

- 1) 10 April 2019, Mukhtar Gadzhiyev, Muslim, Article 490, Part 3, Kyzylorda Specialised Administrative Court, teaching religion to children in charity, 70 MFI fine
- 2) 10 April 2019, Darkhan Shilmanbetov, Muslim, Article 490, Part 3, Kyzylorda Specialised Administrative Court, teaching religion to children in charity, 70 MFI fine
- 3) 24 July 2019, Shisyur Ur, Muslim, Article 490, Part 3, Kordai District Court, teaching Koran to up to 25 children at parents' request, 70 MFI fine
- 4) 23 September 2019, Yakub Kelir, Muslim, Article 490, Part 3, Kordai District Court, teaching religion to children, 100 MFI fine

- Punishing involvement of children

Known administrative cases: 1

Known convictions: 0

Jehovah's Witnesses: 1

Administrative Code 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 MFIs and deportation from the country.

The list below gives the date of initial decision by lower court or police, name of defendant, affiliation, court or police issuing decision, Administrative Code article, reason for prosecution, and outcome.

1) 4 July 2019, Dmitry Bukin, Jehovah's Witness, Article 490, Part 7, Nur-Sultan Specialised Inter-District Administrative Court, invited child to worship meeting, case closed because of time limit for prosecution, his appeal against case closure rejected 15 August 2019

- Punishing inadequate security measures

Known administrative cases: 2

Known convictions: 2

200 MFI fines (4 months' average wages): 2 fines

Protestant churches: 2

Administrative Code Article 149, Part 1 punishes inadequate anti-terrorism measures with a fine for non-commercial organisations of 200 MFIs.

The list below gives the date of initial decision by lower court or police, name of defendant, affiliation, court or police issuing decision, Administrative Code article, reason for prosecution, and outcome.

1) 21 August 2019, Emmanuel Church, Baptist, Shymkent Specialised Administrative Court, Article 149, Part 1, inadequate anti-terrorism measures, 200 MFI fine

2) 25 September 2019, Sun Bok-Ym Church, Pentecostal, Shymkent Specialised Administrative Court, Article 149, Part 1, inadequate anti-terrorism measures, 200 MFI fine

(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](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](http://www.forum18.org/archive.php?article_id=1351))

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