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KAZAKHSTAN: Religious Affairs Department "fighting against a quote from the Koran?"

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

Astana's Religious Affairs Department is seeking to punish Nurtas Adambay for quoting from the Koran in a video discussion on Islam on Instagram. "Frankly, I didn't know that in our country it is not allowed to quote a translation of the Koran," he wrote. Astana Inter-District Specialised Administrative Court has not yet heard the case. Department Head Kairolla Keshkali would not say why Adambay should be punished. Courts in Atyrau Region fined two people 3 weeks' average wage each for quoting from the Koran online.

The Religious Affairs Department in the capital Astana is seeking to punish the actor Nurtas Adambay, who became a Muslim in 2021, for quoting from the Koran in a video discussion on Islam posted to his Instagram page. "Frankly, I didn't know that in our country it is not allowed to quote a translation of the Koran," he wrote on Instagram.

"So the Religious Affairs Department is fighting against a quote from the Koran?" one of Adambay's followers wrote on his Instagram page after he announced the case against him. "This is nonsense" (see below).

Judge Alua Bekturganova of Astana Inter-District Specialised Administrative Court has not yet heard the case. If convicted, Adambay faces a fine of about one month's average wage (see below).

Officials of Astana's Religious Affairs Department told Forum 18 that Chief Specialist Esel Daniyarova, who prepared the case against Adambay, is on leave. Reached on 14 November, the head of the Department, Kairolla Keshkali, did not answer Forum 18's question as to why the Department is seeking to have Adambay punished for quoting from the Koran in an online video (see below).

The Religious Affairs Department told the Cabar.asia news agency in August: "On the nurtasadambay Instagram page are videos of the Nuradam podcast on the theme of religion, as well as suras and ayats from the Koran." It added: "It has been established that Nurtas Adambayevich Adambay committed an offence, as he is not a representative of a [registered] religious organisation" (see below).

The regime enforces a strict state censorship system (https://www.forum18.org/archive.php?article_id=2753), imposing censorship of all religious literature (including in electronic form) and objects, strict restrictions on where such texts and objects may be sold or distributed, who may sell or distribute them, and court-ordered destruction - including book burning - of confiscated texts. This includes the use of state "expert analyses" to convict, fine, and jail people in unfair trials.

In known cases in 2023, 67 individuals were prosecuted for posting religious materials online without state permission (see below).

In April and May 2024, courts in Atyrau Region fined two local people 3 weeks' average wages each for posting quotes from the Koran on social media. In Serik Akzhayev's case, the Judge claimed in his decision that the young man's actions were deliberate and unlawful, and he "knowingly allowed harmful consequences to arise". The Judge did not specify any "harmful consequences" (see below).

On 10 October, the administration of Lisakov in Kostanai Region warned about religious literature being shared in the town. "Attention, residents and guests of Lisakov!" the administration declared on Instagram. "It has been established that religious literature is being distributed to mailboxes of residences in the town. We urgently ask you to show special care and be vigilant." It warned that those who offer religious literature to others face punishment (see below).

Kazakhstan's Constitutional Court in Astana is due to hear a challenge to the constitutionality of the ban on and punishments for sharing faith. Zhangazy Biimbetov, a Jehovah's Witness from the eastern city of Oskemen, brought the challenge after a court fined him for this in 2013 and again in July 2023. The Constitutional Court accepted the case on 4 October 2024 (https://www.forum18.org/archive.php?article_id=2940). The Court is due to hear the case on 19 November.

Searching the internet for individuals to punish

The 2011 Religion Law bans the distribution of religious materials (https://www.forum18.org/archive.php?article_id=2753) which have not undergone state censorship or which are distributed in unapproved locations. Officials regard the internet as an unapproved location.

Police continue to search the internet for local people who have posted religious materials on their social media accounts (https://www.forum18.org/archive.php?article_id=2900). Officers bring cases against such individuals under Administrative Code Article 490, Part 1, Point 3 ("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 Monthly Financial Indicators (MFIs) (1 month's average wage).

In known cases in 2023, 67 individuals were prosecuted for posting religious materials online without state permission (https://www.forum18.org/archive.php?article_id=2901) (54 in 2022, 40 in 2021, 28 in 2020, 33 in 2019, 23 in 2018, 12 in 2017).

No one was available at the regime's Religious Affairs Committee (https://www.forum18.org/archive.php?article_id=2753) in the capital Astana (part of the Culture and Information Ministry) to explain to Forum 18 why individuals continue to be punished for posting religious materials online. Its chair, Yerzhan Nukezhanov, did not answer his phone between 6 and 14 November. Nor too did Deputy Chair Anuar Khatiyev.

A colleague of Beimbet Manetov, head of the Religious Affairs Committee (https://www.forum18.org/archive.php?article_id=2753)'s Department of Law Enforcement Practice in the Field of Religious Activities, told Forum 18 on 6 November that he was in a meeting. He did not answer his phone on subsequent calls. He had insisted to Forum 18 in February 2022 that individuals had to be fined if they break the law (https://www.forum18.org/archive.php?article_id=2715). Asked why courts punish individuals for exercising freedom of religion or belief, he responded: "I can't comment on court decisions."

Threatened punishment for quoting Koran online

In the capital Astana, the Religious Affairs Department (part of the City Akimat or Administration) is seeking to punish the 42-year-old actor Nurtas Adambay, who became a Muslim in 2021, for quoting from the Koran in a video discussion on Islam posted to his Instagram page. "Frankly, I didn't know that in our country it is not allowed to quote a translation of the Koran," he wrote on Instagram on 1 August.

"So the Religious Affairs Department is fighting against a quote from the Koran?" one of Adambay's followers wrote on his Instagram page after he announced the case against him. "This is nonsense."

In a written response to the Cabar.asia news agency for a 19 August article (<https://cabar.asia/ru/rezhissera-adambaya-sudyat-za-tsityat-iz-korana-cho-znachit-eto-delo-dlya-kazahstanskogo-obshhestva>) on Adambay's case, the Religious Affairs Department declared: "On the nurtasadambay Instagram page are videos of the Nuradam podcast on the theme of religion, as well as suras and ayats from the Koran." It added: "It has been established that Nurtas Adambayevich Adambay committed an offence, as he is not a representative of a [registered] religious organisation."

Esel Daniyarova, a Chief Specialist at the city's Religious Affairs Department, lodged a case against Adambay to Astana Inter-District Specialised Administrative Court on 25 June under Administrative Code Article 490, Part 1, Point 4 ("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 court later changed Adambay's case to one under Administrative Code Article 490, Part 1, Point 3 ("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"), according to court records. Judge Alua Bekturganova has not yet heard the case.

Officials of Astana's Religious Affairs Department told Forum 18 on 7 November that Daniyarova is on leave. Reached on 14 November, the head of the Department, Kairolla Keshkali, did not answer Forum 18's question as to why the Department is seeking to have Adambay punished for quoting from the Koran in an online video.

Fined for Koran quotations online

In early 2024, Police in Atyrau Region found the then 31-year-old Serik Akzhayev had posted on his Instagram account suras from the Koran and hadiths related to Laylat al-Qadr (Night of Power, when Muslims believe the first verses of the Koran were revealed to the Islamic prophet Muhammad). The regime's Institute for the Analysis of the Religious Situation and Religious Studies provided an analysis of the post on 14 March. Police drew up a record of an offence on 29 April and handed the case to court.

On 30 April, Kyzylkoga District Court in Atyrau Region found Akzhayev guilty under Administrative Code Article 490, Part 1, Point 3 ("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"). Judge Aydyn Baynazarov fined him 35 MFIs (3 weeks' average wages), according to the decision seen by Forum 18.

The Judge claimed in his decision that Akzhayev's actions were deliberate and unlawful, and he "knowingly allowed harmful consequences to arise". The Judge did not specify any "harmful consequences". Akzhayev told the court that he did not know that posting religious material online is not allowed.

Also in Atyrau Region, officials found 36-year-old Mira Azhmukhanbetova had displayed a quotation from the Koran on her page on the social media site VKontakte. The quotation declared (in Russian): "Indeed, prayer is a heavy burden for everyone except the humble, Koran 2:45". The regime's Institute for the Analysis of the Religious Situation and Religious Studies provided an analysis of the post on 14 March before officials handed the case to court.

On 14 May, Atyrau's Specialised Administrative Court found Azhmukhanbetova guilty under Administrative Code Article 490, Part 1, Point 3. Judge Boldyk Izmagambetova fined her 35 MFIs (3 weeks' average wages) and banned her from unspecified activity for three months, according to the decision seen by Forum 18.

Azhmukhanbetova told the court that she did not know that posting religious material online is not allowed.

Officials at Atyrau's Regional Religious Affairs Department did not answer their phones each time Forum 18 called on 14 November.

Regime warns against distributing religious literature in mailboxes

Officials also seek to punish those who offer religious literature to others. In 2023, courts are known to have heard cases against 4 individuals for offering religious materials to others for free without state permission (https://www.forum18.org/archive.php?article_id=2900) (1 in 2022, 3 in 2021, 4 in 2020, 15 in 2019, 10 in 2018, 39 in 2017).

On 10 October 2024, the administration of Lisakov in Kostanai Region warned about religious literature being shared in the town. "Attention, residents and guests of Lisakov!" the administration declared on Instagram. "It has been established that religious literature is being distributed to mailboxes of residences in the town. We urgently ask you to show special care and be vigilant."

The administration warned that those who violate the strict restrictions on distributing religious literature and materials face prosecution under Administrative Code Article 453 and Article 490, Part 3.

The post is accompanied by a drawing of a preacher standing in front of rows of men dressed in identical clothes with the caption: "Attention! Protect yourself from destructive religious movements!"

Regime-sponsored warnings against sharing faith are widespread in advertisements – including on bills for utilities and on public transport. They similarly often warn against "destructive religious movements" (https://www.forum18.org/archive.php?article_id=2940).

The regime is including the concept of "destructive religious movements" into a planned harsh new Religion Law (https://www.forum18.org/archive.php?article_id=2887). Those who the regime labels as adherents of "destructive religious movements", who are often devout Muslims, are placed on a National Security Committee (NSC) secret police register and face harassment including being repeatedly questioned over periods of years and more intrusive pressures (https://www.forum18.org/archive.php?article_id=2753).

Human rights defender Yevgeny Zhovtis of the Kazakhstan International Bureau for Human Rights and the Rule of Law commented to Forum 18 (https://www.forum18.org/archive.php?article_id=2502): "'Destructive religious movements' is not a legal term. It is absolutely unclear what criteria are used to designate any particular religious group as 'destructive'." (END)

More reports on freedom of thought, conscience and belief in Kazakhstan (<https://www.forum18.org/archive.php?country=29>)

For background information, see Forum 18's Kazakhstan freedom of religion or belief survey (https://www.forum18.org/archive.php?article_id=2753)

Forum 18's compilation of Organisation for Security and Co-operation in Europe (OSCE) freedom of religion or belief commitments (https://www.forum18.org/archive.php?article_id=1351)

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