

3 May 2007

KAZAKHSTAN: Hare Krishna commune demolition to restart on Friday?

By John Kinahan, Forum 18 (<https://www.forum18.org>)

The Hare Krishna community in Kazakhstan is expecting bulldozing of its embattled commune near Almaty to re-start tomorrow, Forum 18 News Service has learnt. Court executors phoned Viktor Golous, the leader of the commune, today to tell him that demolition will take place tomorrow morning (Friday 4 May) at 10 am (Kazakh time). Golous was told to tell the threatened homeowners this, as the court executors claimed that they "could not find them." Golous rang the national General Prosecutor's Office, the state Religious Affairs Committee, and Karasai District Court officials to try to stop the demolition. But they told him that the demolitions would go ahead. Kazakh officials routinely deny responsibility for the state's actions. The country's Human Rights Ombudsperson, before witnesses at an OSCE conference, claimed that the Hare Krishna community's problems will be solved by the Presidential Administration, later announcing to Kazakh media a claimed solution. But when Kazakh Hare Krishna devotees contacted the Ombudsperson, he completely denied his own earlier claims. A Hare Krishna source, who wished to remain anonymous for fear of reprisals, commented to Forum 18 on this that "the government is sending signals to the world that the issue is being dealt with in order to secure its OSCE bid."

Hare Krishna sources in Kazakhstan have told Forum 18 News Service that 13 of their homes are due to be demolished tomorrow (Friday). Court executors from the Karasai District Court phoned Viktor Golous, leader of the embattled Hare Krishna commune, to tell him that demolition will take place tomorrow morning (Friday 4 May) at 10 am (Kazakh time). Golous was told to tell the threatened homeowners this, as the court executors claimed that they "could not find them." However, one homeowner received written notification less than a week ago. Indirect "notification" of demolitions by telephone is illegal in Kazakh law.

Continuation of the already started demolition of the embattled commune – which has been partially demolished with bulldozers – has long been an ongoing threat since the bulldozing started in November 2006 (see F18News 20 March 2007 http://www.forum18.org/Archive.php?article_id=934).

Golous phoned the central General Prosecutor's Office, in the capital Astana, to ask for the planned demolition to be halted. A male official, who gave his surname as Agay, answered the phone and stated that he is a senior official in the Department for the Control of the Legality of Governmental Office's Actions. Agay told Golous that tomorrow (Friday) morning he would inform General Prosecutor's Office officials of the situation and that they would try to stop the demolitions. Agay would not state that the demolitions would be halted.

Viktor Golous then rang Yeraly Tugzhanov of the state Religious Affairs Committee. He claimed that he "cannot help and cannot interfere with court actions."

Finally, Golous contacted local Karasai District Court officials to try to stop the demolition. However, they told him that the demolitions would go ahead.

Forum 18 has been unable to question any Kazakh officials about tomorrow's planned demolitions.

Kazakh authorities at all levels have repeatedly refused to accept responsibility for their religious freedom violations, or for resolving them (see F18News 31 January 2007 http://www.forum18.org/Archive.php?article_id=905), even denying that demolishing the commune is a religious freedom violation (see F18News 1 December 2006 http://www.forum18.org/Archive.php?article_id=881).

The 13 homes are due to be demolished following lost court cases. Four of the cases were lost in the Almaty Regional Court and the rest in the Karasai District Court. Apart from these cases, there are currently 17 court cases being tried, against 27 devotees who own homes that the Kazakh government wants to bulldoze. 14 homes have already been demolished with bulldozers and a further 13 homes are due to be demolished following lost cases in the Karasai Regional Court. The Hare Krishna community has lost a Regional Court cases defending its 48 hectare [118 acres] commune, but has launched an appeal against this to the Supervisory Panel of the Regional Court (see F18News 20 March 2007 http://www.forum18.org/Archive.php?article_id=934).

There is also due to be a case heard in the Supreme Court on the ownership of the commune. This is being defended by the commune's owners, a consortium of the Hungarian Society for Krishna Consciousness and the Almaty Society for Krishna Consciousness, and is due to be heard on 8 May 2007.

Hare Krishna devotees have commented to Forum 18 that "we cannot win court cases as the judiciary is simply a puppet in the hands of influential persons." The Organisation for Security and Co-operation in Europe (OSCE) has found that court proceedings in Kazakhstan do not offer the guaranteed right to a fair trial, with "the right of the public to attend court, equality between the parties and the presumption of innocence" (see <http://www.osce.org/item/23396.html>).

It seems to be becoming routine for Kazakh officials to deny responsibility for their government's attacks on religious freedom. On 30 March, a senior Kazakh official, before witnesses, claimed that the troubles of the country's embattled Hare Krishna community will be solved by the Presidential Administration, later announcing to the media a claimed solution. But when Kazakh Hare Krishna devotees contacted the same official, he completely denied that his own claims, Hare Krishna sources have told Forum 18.

The official, Bolat Baikadamov, is Human Rights Ombudsperson and led the Kazakh delegation to an OSCE conference in Vienna. On 30 March, he met in Vienna a Hare Krishna leader who has worked in Kazakhstan, and Ninel Fokina of the Almaty Helsinki Committee.

Baikadamov "emphatically stressed," according to a Hare Krishna source who wished to remain anonymous, that President Nursultan Nazarbayev's office had told him to meet the OSCE, foreign government delegations, and Hare Krishna devotees to stress that the issue was obstructing Kazakhstan's wish to chair the OSCE in 2009 and would be resolved "as quickly as possible."

According to Baikadamov, the Presidential Administration allegedly saw the issue as "bad governance" by the local authorities and other state authorities such as the Religious Affairs Committee. Local officials, as well as the President's brother Bulat Nazarbayev, are said to want the land owned by the Hare Krishna commune (see F18News 20 March 2007 http://www.forum18.org/Archive.php?article_id=933). Baikadamov specifically stated that the issue would be dealt with by the Presidential Administration, not the state Religious Affairs Committee. This Committee has repeatedly obstructed the Hare Krishna devotees' attempts to resolve the issue and exercise their right to religious freedom.

The Presidential Administration has previously been uninterested in resolving the government's religious freedom violations, refusing to meet Baptist churches to discuss state harassment of their congregations, and claiming that the Baptists should not be "tearing the President away from important affairs" (see F18News 30 January 2007 http://www.forum18.org/Archive.php?article_id=904).

Baikadamov, after he returned to Kazakhstan from Vienna, made what Hare Krishna devotees describe as a "media blitz" announcing that the issue had been solved. He claimed that Govinda Swami of the Hare Krishna community was satisfied with his statement that the Hare Krishna commune would accept a 0.2 hectare [$\frac{1}{2}$ acre] plot of land near Almaty city to build a temple, in exchange for their 48 hectare [118 acres] commune. Also, he claimed that the government "might" give the Hare Krishna community land for their herd of 30 dairy cows, and "might" give compensation for the homes of devotees which have been demolished.

Baikadamov claimed that the authorities giving a small plot of land in Almaty for a temple would "enable the Hare Krishnas to actively participate in the inter-faith dialogue."

Hare Krishna sources categorically denied Baikadamov's media claims to Forum 18 on 3 May, as the only thing satisfaction had been expressed about was that the issue was being addressed by the Presidential Administration, not the Religious Affairs Committee.

The Hare Krishna community in Kazakhstan have told Forum 18 that they think that the reason for the government's "media blitz" was the April visit to Kazakhstan by the current OSCE Chairman-in-Office, Spanish Foreign Minister Miguel Ángel Moratinos.

After the "media blitz," Hare Krishna devotees wrote to the Presidential Administration asking for the OSCE's Advisory Council on Freedom of Religion or Belief to participate as observers in the course of negotiations with the Kazakh Government on our issue. The Advisory Council thinks that Kazakh actions raise "serious issues regarding the enjoyment of the freedom of religion and belief." and has stated its "willingness to meet with the Kazakh authorities in order to discuss the situation and to extend its good offices to assist in the resolution of that dispute" (see F18News 31 January 2007 http://www.forum18.org/Archive.php?article_id=905).

No reply was received by the devotees, so on 20 April – after the OSCE Chairman-in-Office had left Kazakhstan - Maxim Varfolomeyev of the Hare Krishna community in Kazakhstan rang Baikadamov. To Varfolomeyev's shock, Baikadamov categorically stated that the issue "is not under the Presidential Administration, was never under the Presidential Administration, and that it will not be under the Presidential Administration," Hare Krishna sources told Forum 18 on 25 April. Baikadamov also denied

that he had the power to take part in any negotiations with the Hare Krishna community.

Forum 18 has been unable to reach Baikadamov to ask him why he is contradicted his own claims.

According to Baikadamov's latest account of where responsibility lies, Varfolomeyev told Forum 18 on 3 May, Yeraly Tugzhanov of the state Religious Affairs Committee is now dealing with the issues – contradicting Baikadamov's explicit statement at the OSCE conference in Vienna. Ninel Fokina of the Almaty Helsinki Committee, who witnessed the statement in Vienna, has expressed her dismay at Baikadamov's total "about face."

Tugzhanov of the Religious Affairs Committee has "done nothing on our issue over the last month," a Hare Krishna source who wished to remain anonymous for fear of reprisals told Forum 18. All that Tugzhanov has done is to tell the community to apply for land in Almaty city to establish a temple.

"The Kazakh government is again playing the game of dragging out time," the Hare Krishna source commented to Forum 18. "The government is sending signals to the world that the issue is being dealt with in order to secure its OSCE bid."

Hare Krishna devotees outside the commune have also faced increasing state harassment, as have Baptists (see F18News 13 March 2007 http://www.forum18.org/Archive.php?article_id=931). On 27 March in Tekeli in Almaty Region, police raided a Hare Krishna meeting in a private home, accusing the 14 devotees present of "conducting an illegal assembly." The police took all the devotees to a police station, verbally abused them for being Hindus and pressured them to reveal the names of other devotees in the Tekeli area. After some hours, the devotees were then released.

Contrary to the image of tolerance that Kazakh officials attempt to project to the international community, the government has published two official documents on the intolerance it wants to encourage in Kazakhstan: the "State Programme of Patriotic Education," approved by a decree of President Nazarbayev; and a Justice Ministry booklet "How not to fall under the influence of religious sects." Both documents have been condemned by Kazakh religious minorities and human rights activists, law professor Roman Podoprigrora noting that this official intolerance "was in an official regulatory act – a Presidential Decree." Amongst the claims made by the government is that "transferring to other religious faiths represents treason to one's country and faith" (see F18News 3 April 2007 http://www.forum18.org/Archive.php?article_id=939).

These government publications are not isolated examples of intolerance, as is shown by official use of the mass media to incite intolerance against religious minorities, such as Baptists and Hare Krishna devotees (see eg. F18News 2 June 2006 http://www.forum18.org/Archive.php?article_id=793). One official in a court statement described the Hare Krishna community as a "terrorist organisation" and stated that allowing it to function will lead to a "second Chechnya in Kazakhstan." Kazakh officials appear to be increasingly attempting to smear religious minorities, using devices such as describing a state crackdown on Baptist and Pentecostal Christians as "the fight against terrorism and religious groups without registration" (see F18News 28 February 2007 http://www.forum18.org/Archive.php?article_id=921).

The country also uses international conferences on tolerance to provide camouflage for its repression of religious minorities (see F18News 8 September 2006 http://www.forum18.org/Archive.php?article_id=839).

Kazakhstan is currently planning to even more severely restrict religious freedom via a new Religion Law, and the KNB secret police are planning separate restrictions on religious freedom via the Anti-terrorism Law (see F18News 21 February 2007 http://www.forum18.org/Archive.php?article_id=916). (END)

For a personal commentary on how attacking religious freedom damages national security in Kazakhstan, see F18News http://www.forum18.org/Archive.php?article_id=564

For more background, see Forum 18's Kazakhstan religious freedom survey at http://www.forum18.org/Archive.php?article_id=701

A survey of the religious freedom decline in the eastern part of the Organisation for Security and Co-operation in Europe (OSCE) area is at http://www.forum18.org/Archive.php?article_id=806 and a survey of religious intolerance in Central Asia is at http://www.forum18.org/Archive.php?article_id=815.

A printer-friendly map of Kazakhstan is available at <http://www.nationalgeographic.com/xpeditions/atlas/index.html?Parent=asia&Rootmap=kazakh>

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

Forum 18
Postboks 6603
Rodeløkka

