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KAZAKHSTAN: "To counter manifestations of religious extremism and terrorism"

By Felix Corley, Forum 18 News Service <<http://www.forum18.org>>

At least eight separate meetings for worship in Kazakhstan were raided by the authorities in January, Forum 18 News Service has learned. Raids on Baptists were made, police claimed, "to counter manifestations of religious extremism and terrorism". It seems that some raids - which police insist were not raids - took place after official monitoring of the religious communities. Speaking of a raid on Jehovah's Witnesses, police Major Kanat Rakhmetzhanov told Forum 18 that: "It is not against the law to gather to watch football, read poetry or drink vodka. But our lads wouldn't have gone to such a meeting for no reason. We had reliable information that prayers were being said." Fines for the unregistered exercise of religious freedom were imposed on three Baptist pastors. Police gave evidence that Pastor Aleksandr Kerker illegally "stood at the pulpit and read Psalms from the Bible, then those present sang Christian hymns". He - with the other two pastors - were each fined the equivalent of nearly two months average wages for this "offence".

At least eight meetings for worship in Kazakhstan were raided by police and other officials in January, Forum 18 News Service has learned. In some cases meetings for worship were broken up, and in other cases police waited until they were over before questioning meeting participants. Three religious leaders - all Council of Churches Baptist pastors in North Kazakhstan Region - were punished for leading these meetings with the maximum administrative fine of 100 Minimum Financial Indicators (MFIs). This is currently equivalent to nearly two months average wages as measured nationwide by the state.

Other Protestant and Jehovah's Witness congregations are among the religious communities whose meetings for worship have also been raided. Independent and ethnic minority mosques are also being targeted, and continue to be denied re-registration - and so permission to exist - if they will not join the state-backed Muslim Board (see F18News 25 January 2013 <http://www.forum18.org/Archive.php?article_id=1794>).

"Terrorism"?

At least some of the raids were led or instigated by local police Departments for the Struggle against Extremism, Separatism and Terrorism. North Kazakhstan Regional Police announced the raids on three local Council of Churches Baptist congregations as a joint operation with the Regional Department of the government's Agency of Religious Affairs (ARA). A 1 February statement on the police website announced that police, with the regional ARA Department, conducted "operational/prophylactic activity to counter manifestations of religious extremism and terrorism".

Although the victims of the raids were unnamed in the statement, the dates and locations of raids, as well as fines imposed, matched the details of the raids and fines against Baptists. The police statement also claimed the raids were directed at "illegal missionary activity", and "illegal migration". It also claimed that "special emphasis was put on investigating places where religious books are traded". Similar operations against uncensored religious literature distribution have taken place elsewhere in Kazakhstan (see forthcoming F18News article).

What the authorities claim is "illegal missionary activity" is regularly targeted. Seven individuals - Muslim, Protestant and Jehovah's Witness - are known to have been fined under the Code of Administrative Offences since August 2012. At least five of them were fined 100 MFIs (see F18News 22 January 2013 <http://www.forum18.org/Archive.php?article_id=1792>).

Council of Churches Baptists have a policy of not paying fines imposed to punish them for exercising their freedom of religion or belief, as they do not think they should be punished for this. Their congregations refuse to register with the state in any country they operate in; all unregistered exercise of freedom of religion and belief by groups of people is illegal in Kazakhstan (see F18News 23 September 2011 <http://www.forum18.org/Archive.php?article_id=1617>).

Petropavl raid and fine

Over 10 police officers raided the Council of Churches Baptist congregation in Petropavl [Petropavlovsk] in North Kazakhstan

Region, during a meeting for Sunday worship on 20 January, local Baptists told Forum 18. Among the four officers willing to identify themselves was Captain Ruslan Mukhamedzhanov of the police Department for the Struggle against Extremism, Separatism and Terrorism, who was leading the operation.

Officers told congregation leader Aleksandr Pukhov that they had received an anonymous call that religious literature had been seen being unloaded from a car, and that they had to check this. "Without permission from church members, officers forced their way into the house and, despite complaints, filmed the premises and those present at the service," Baptists stated to Forum 18.

Officers charged Pukhov, but refused to give him a copy of the charges. Only the following day - 21 January - did he manage to get it. He was accused of violating Administrative Code Article 374-1, Part 1 ("Leading, participating in, or financing an unregistered, halted, or banned social or religious organisation"), which carries a maximum punishment of 100 Minimum Financial Indicators (MFIs). This sum - currently 173,100 Tenge (6,300 Norwegian Kroner, 850 Euros or 1,150 US Dollars) - represents the equivalent of nearly two months average wages as measured nationwide by the government. Average earnings are lower outside Kazakhstan's major cities.

On 21 January Pukhov was summoned to court, but no trial took place. On 23 January he appealed to the court to close the case, but received no reply. The trial went ahead on 28 January under Judge Serikbol Sapargaliev at Petropavl Specialised Administrative Court. Pukhov was fined 100 MFIs or 173,100 Tenge, an official of the Court Chancellery told Forum 18 from Petropavl on 4 January. "No appeal has been lodged yet, but Pukhov has until 8 February," the official added.

"The trial lasted just 22 minutes," local Baptists complained to Forum 18. They said Pukhov intends to appeal against the fine to the Regional Court, adding that he would not be paying the fine as he does not consider himself guilty of any offence.

Forum 18 asked Judge Sapargaliev on 4 February via his assistant why he fines individuals for exercising their Constitutional right to freedom of religion or belief. However, after conferring extensively with the judge, his assistant responded: "He won't give any interview by telephone." She then put the phone down.

Petropavl Police "didn't raid them"?

Major Kanat Amrin, the head of North Kazakhstan Regional Police's Department for the Struggle against Extremism, Separatism and Terrorism, told Forum 18 from Petropavl on 4 February that he is the officer who led the raid's (Captain Mukhamedzhanov) superior. Asked why the Baptist congregation had been raided, Amrin responded: "We didn't raid them. We have a Religion Law, which requires all religious activity to be registered. No one has the right to break the law."

Asked why a religious congregation was subject to scrutiny by a Department for the Struggle against Extremism, Separatism and Terrorism, Major Amrin told Forum 18: "We received information." He refused to say what the information was, or who had supplied it.

"All religious formations and communities in the Region - with registration and without - are on our records," Major Amrin added. Asked why, he then backtracked, refusing to confirm whether or not religious communities are automatically under his Department's scrutiny. He refused to answer any other questions and put the phone down.

As well as the police, it is known that the National Security Committee (KNB) secret police has been for some years monitoring and attempting to plant spies inside religious communities (see eg. F18News 30 January 2008 <http://www.forum18.org/Archive.php?article_id=1078>).

Taiynsha raid and fine

About seven police officers, an official of the regional ARA Department, and two official witnesses raided the Council of Churches Baptist congregation meeting for Sunday worship in a private home in the town of Taiynsha in North Kazakhstan Region on 20 January. "Officer Dasha Solonar immediately started filming everything," local Baptists complained to Forum 18. "When we asked them to stop they didn't react."

After the worship service finished, church members asked the raiders to show their identity documents, but only three did so: local police officer F. Yesimov, Senior Lieutenant Solonar and Abu-Bakir Karmetov of the regional ARA Department. The other officers refused to identify themselves.

Police charged church leader Aleksandr Kerker for leading an unregistered religious community, local Baptists complained to Forum 18. Like Pukhov in Petropavl, Kerker too was accused of violating Administrative Code Article 374-1, Part 1.

Reading Psalms and singing Christian hymns illegal

On 30 January, Judge Turgunbai Zhakenov of Taiynsha District Court fined Kerker 100 MFIs or 173,100 Tenge - the same fine as

Pukhov - according to the verdict seen by Forum 18. It notes that police officer Yesimov stated that during the raid: "Kerker stood at the pulpit and read Psalms from the Bible, then those present sang Christian hymns." The court ruled that Kerker violated the Religion Law, as the community refuses to seek state registration and was meeting without state permission for worship. The verdict records Kerker as denying any guilt, and rejecting state registration on religious grounds.

The verdict notes that a disc (presumably the police film of the service and the prayer house) is to be kept in the case file.

"They wouldn't let any of us into the court," local Baptists complained to Forum 18. They added that Kerker rejects the "illegal" verdict and will appeal to North Kazakhstan District Court. They complain this is the third time he has been fined for exercising his freedom of religion and belief (see eg. 23 June 2010 <http://www.forum18.org/Archive.php?article_id=1459>).

Taishna Police too "didn't raid them"?

The duty officer at Taiynsha Police, who did not give his name, told Forum 18 on 4 February that neither police chief Abai Tastemirov nor Senior Lieutenant Solonar were present. But he defended the raid. "We didn't raid them. All was done in accordance with the law." Asked who was to blame for the violation of the right to freedom of religion and belief when the meeting was interrupted, the duty officer responded: "No one is guilty of that." He then put the phone down.

Karmetov of North Kazakhstan Region ARA Department also insisted the Baptists had not been raided. "All was in accordance with the law," he told Forum 18 from Petropavl on 4 February. "That religious community met to conduct a service. And our Religion Law bans unregistered religious activity." He then put the phone down.

Karmetov's superior, regional ARA Department head Nurislyam Gabdullin, refused to say why his officials had taken part in the raids in Taiynsha and elsewhere in January. "What do you mean why?" he asked Forum 18 on 4 February. "I can't say anything by phone," he added and put the phone down.

Kishkenekol raid and fine

As in Petropavl and Taiynsha, a Council of Churches Baptist congregation meeting for worship on 20 January in the village of Kishkenekol in the same North Kazakhstan Region was also raided, local Baptists told Forum 18. The raid was conducted by about six police officers, two witnesses, and a man in civilian clothes who refused to reveal who he was. Local Baptists think he might have been from the KNB secret police. One of the police officers told church members that his role in the police was to monitor religious communities. He did not explain what police department he was from, local Baptists said.

Officers tried to film the service, but church members asked them to stop as they were on private property. Police stopped the filming. Church leader Roman Pugachev asked the police to wait until the end of the service so as not to interrupt his congregation at worship. Police then waited.

After the service, all those present were questioned. Pugachev refused to write a statement. Like Pastors Pukhov and Kerker, an administrative case against Pugachev was then prepared under Administrative Code Article 374-1, according to court documents seen by Forum 18.

On 28 January, Judge Kanat Beisekeev of Ualikhan District Court found Pugachev guilty and fined him 100 MFIs or 173,100 Tenge - the same fine as Pastors Pukhov and Kerker - an official of the Court chancellery told Forum 18.

Pugachev then lodged an appeal to North Kazakhstan Regional Court. "He won't pay the fine as he doesn't consider himself guilty," local Baptists told Forum 18. "Our Constitution allows us to meet and hold services, to pray and read the Bible - it allows for religious freedom."

Pugachev was fined for exercising his freedom of religion and belief three to four years ago, but that fine was overturned on appeal, Baptists told Forum 18.

Sarykol raid

In the northern Kostanai [Qostanay] Region, four police officers led by Yerlan Sharipov raided Jehovah's Witnesses as they held a religious meeting, in a private home in the village of Sarykol on 27 January. Accompanying the police was Yelena Bauer, head of the Internal Policy Department at the District Akimat [local administration]. "They broke up the meeting, forcing those present to write statements about what they were doing and taking three of them to the police station," Jehovah's Witnesses complained to Forum 18. "They were then freed."

Asked about the raid, the head of Sarykol District Police, Major Kanat Rakhmetzhanov instantly responded: "What do you mean raided? It was a police measure. Our officers acted in accordance with the law. We're not embarrassed by what we've done."

"We had reliable information that prayers were being said"

Asked whether his officers would have burst into a private home if the individuals had gathered to watch a football match on the television, to read poetry together or to drink vodka, Rakhmetzhanov responded: "It is not against the law to gather to watch football, read poetry or drink vodka. But our lads wouldn't have gone to such a meeting for no reason. We had reliable information that prayers were being said." Asked why meeting for religious purposes was treated differently from meeting to watch football or read poetry, he repeatedly declined to answer.

Bauer of the Akimat also categorically denied that the meeting had been raided. "No one suffered," she claimed to Forum 18 from Sarykol on 4 February. "We didn't violate anyone's rights." Asked how raiding a private home where people were meeting to exercise their right to freedom of religion and belief was not a violation of individuals' rights, Bauer responded: "They must apply to the local authority to get permission for religious meetings." Asked why, she replied: "The law says so and they must abide by the law."

Told that Kazakhstan's Constitution and international human rights commitments do not require individuals to seek state permission before they exercise their human rights, Bauer answered: "We spoke to them calmly, and they're educated people. They understand our position. You're making a mountain out of a molehill."

Asked whether, if the Jehovah's Witnesses meet again, they will face a similar official response, Bauer repeated her assertion that only by getting state permission would they be allowed to meet.

It is as yet unknown whether the authorities will be bringing any legal charges against the Jehovah's Witnesses.

Satpaev raid

In the central Karaganda [Qaraghandy] Region, police in Satpaev raided New Life Protestant Church during its 10.30 am meeting for Sunday worship on 20 January, church members told Forum 18. Six officers arrived half an hour after the service had begun, accompanied by a Prosecutor's Office official. The raid was led by Daulet Sagintaev of the local police Department for the Struggle against Extremism, Separatism and Terrorism. Only two of the other officers were prepared to identify themselves.

One officer immediately began filming. They refused to stop filming despite church members' requests. When church leader Aygul Kdirniyazova asked if they had permission to film, officers said they did. But they refused to show any document authorising the filming.

Sagintaev took Pastor Kdirniyazova into an office in the church building, accompanied by the Prosecutor's Office official and two other police officers. Again they refused to show a document authorising the raid. Pastor Kdirniyazova explained to them that she knows the law and knows she has not violated it. Sagintaev then accused her of committing an administrative offence by holding a religious service at a different address from the registered address of the community. He said the Prosecutor's Office had asked his Department to "check up" on the community. Pastor Kdirniyazova showed the officials the church's registration certificate and rental contract.

"She refused to write a statement as she had not violated the law," church members told Forum 18. However, after calling her lawyer, Pastor Kdirniyazova wrote a statement insisting she had broken no law.

The officer who had filmed church members at the service then came into the room. "He was angry, telling them that church members had refused to write statements and insisting that they should all be taken to the police station," church members told Forum 18.

Police took the names and personal details (including address and place of work) of three other church members in addition to Kdirniyazov. Sagintaev said he was going to inspect the whole building, but did not do this taking photos instead.

At 11.30 am - an hour after they arrived - the officers left. Then the officer who had filmed the service returned, and wrote a record of an offence.

After the raid, Pastor Kdirniyazova wrote to Satpaev's Prosecutor's Office, complaining that the raiders had violated Administrative Code Article 375 by interrupting a religious service.

The duty officer at Satpaev police refused on 4 February to answer any of Forum 18's questions why New Life Church had been raided, and put the phone down.

It is as yet unknown whether the authorities will be bringing any legal charges against the Protestants.

Karazhal raid

In Karaganda Region, four police officers raided a Jehovah's Witness meeting in a private home in the village of Karazhal on 24 January. Accompanying them was Dosbol Kulumbetov of the local Akimat's Internal Policy Department. They also brought with them two official witnesses. The meeting was stopped and all those present were taken to the local police station, Jehovah's Witnesses told to Forum 18.

At the police station the Jehovah's Witnesses were forced to write statements about what they had been doing. They were then allowed to leave.

No one at the police was immediately available to explain why the religious meeting was raided.

"This wasn't a raid"

Kulumbetov of the Akimat defended the raid. "This wasn't a raid - a raid is when physical force is used," he insisted to Forum 18 from Karazhal on 5 February. "We didn't detain anyone - it was all done in accordance with the new Religion Law, which is based on our Constitution. Conducting a religious meeting requires a specialised, registered place. It's not right to accuse me of anything."

Kolumbetov refused to say how the authorities knew the Jehovah's Witnesses were meeting in the private home. He also refused to say if the group would have been raided had they been meeting together to drink vodka, watch football on television or read poetry.

It is as yet unknown whether the authorities will be bringing any legal charges against the Jehovah's Witnesses.

Esil raid

In the northern Akmola Region, eight police officers - one of them armed with an automatic weapon - raided a Jehovah's Witness meeting in Esil on 20 January, Jehovah's Witnesses told Forum 18. The raid was led by Captain Yerbolat Abdrakhmanov of the Criminal Police.

"The police waited until the end of the meeting, and then demanded statements from all those present," they told Forum 18. "They took photos of the private home and then asked those present to disperse quietly."

The duty officer at Esil District Police told Forum 18 on 4 February that neither police chief Kuat Baltabaev nor Captain Abdrakhmanov was present. "I wasn't there, so I can't say what happened," the duty officer told Forum 18.

It is as yet unknown whether the authorities will be bringing any legal charges against the Jehovah's Witnesses.

Eighth known raid

Police also raided the Sunday service in late January of a Protestant church. "They broke up the service and took the leader to the police station," a Protestant familiar with the raid told Forum 18. "The leader was forced to write a statement, but no further action has been taken so far."

The Protestant asked that the church's location and name not be published, to try to avoid further state harassment.

It is as yet unknown whether the authorities will be bringing any legal charges against the Protestants. (END)

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

For more background, see Forum 18's Kazakhstan religious freedom survey at <http://www.forum18.org/Archive.php?article_id=1352>.

More reports on freedom of thought, conscience and belief in Kazakhstan can be found at <<http://www.forum18.org/Archive.php?query=&religion=all&country=29>>.

A compilation of Organisation for Security and Co-operation in Europe (OSCE) freedom of religion or belief commitments can be found at <http://www.forum18.org/Archive.php?article_id=1351>.

A printer-friendly map of Kazakhstan is available at <<http://education.nationalgeographic.com/education/mapping/outline-map/?map=Kazakhstan>>.

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