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KAZAKHSTAN: Officials who raid religious communities "merely fulfilling their duty"

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

Murad Ashkhanov, an officer of the Police's Department for the Struggle with Terrorism in Semey, defended the police raid on the town's Ahmadi Muslim community in which he participated. However, he refused to tell Forum 18 News Service why the community was twice raided, and members asked when and why they joined the community and how their beliefs differ from those of other Muslims. Likewise officials who took part in raiding two Baptist churches in Kostanai Region rejected suggestions these were raids, despite police questioning of participants, filming against their wishes, searches of the premises and pressure to write statements. Talgat Nagumanov of the Kostanai Regional Justice Department told Forum 18 he and his colleagues "were merely fulfilling their duty". One of the pastors was today (29 September) fined the equivalent of two months' average wages locally "if you didn't spend anything on food or clothes for your family".

An anti-terrorism police officer who raided an Ahmadi Muslim community at worship in Semey (Semipalatinsk) in East Kazakhstan Region and two officials who raided Baptist congregations at worship in the northern Kostanai [Qostanay] Region have separately insisted to Forum 18 News Service that they have not conducted raids. All three refused to say how a religious community at worship in a private home should interpret the sudden, unannounced arrival of police and officials, filming of their religious worship, the searching of the place where they meet, the questioning of all those present and the recording of personal details, and pressure to write statements for the police about the activities of the religious community.

Talgat Nagumanov of the Kostanai Regional Justice Department, who took part in a raid on a Baptist congregation in the town of Rudny on 26 August and on another Baptist congregation in Kostanai on 2 September, insisted to Forum 18 on 29 September that he and his colleagues "were merely fulfilling their duty".

Both congregations belong to the Baptist Council of Churches, who reject state registration on principle.

Nagumanov said the Baptists were violating Article 4 of the Religion Law, which requires religious communities to have registration before they can function. "This is an administrative violation and the Baptists will be fined in court." Indeed, Timur Aliev, the pastor of the Rudny congregation, was fined on 29 September, as he told Forum 18 from Rudny.

Kanan Tasyzbekov of the Regional Administration's Internal Policy Department, who took part in the raid on the Rudny congregation, likewise insisted that it was not a raid. "Officials from various state organs made a visit," he maintained to Forum 18 from Kostanai on 29 September. "That's all. No-one disturbed the service - to allege this is slander. We waited till it was over." He said the church was raided because it functions without registration, rejecting suggestions that this represents a return to the Soviet system, where religious communities which functioned without registration were punished.

Also defending the raids on the Baptists was Tasyzbekov's boss, Tamara Zhakupova, head of the Internal Policy Department of Kostanai Region. "It was not a raid," she told Forum 18 on 29 September. "We are working through the information received." However, she repeatedly refused to say why - as happened in Rudny - a peaceful religious worship service in a private home needed to be raided by more than ten police officers and officials and put the phone down.

Banning unregistered religious activity and punishing those who participate in it violates Kazakhstan's international human rights commitments, including as a member of the Organisation for Security and Co-operation in Europe (OSCE). However, the proposed new Religion Law which was declared unconstitutional by the Constitutional Council in February 2009, would have imposed even further restrictions which many officials and law-makers would still like to implement.

And far from removing provisions of the Code of Administrative Offences which punish such activity - and which have been used hundreds of times in recent years against members of unregistered religious communities - the proposed new Code of Administrative Offences - due in Parliament shortly - aims to retain them almost word for word (see F18News 31 August 2009 <http://www.forum18.org/Archive.php?article_id=1343>).

The Kostanai Baptist raids

Justice Department official Nagumanov and Internal Policy Department official Tasylybekov, who were accompanied by about ten officers from various police agencies, burst into the worship service of the Baptist congregation in Rudny on 26 August. "The intruders wanted to break up the service," local Baptists told Forum 18. "Officer A. Khakimov of the Criminal Police immediately began to film and didn't react to our repeated pleas for him to stop. He filmed the whole service and all those present. When people prayed aloud he pointed the camera at them."

After the service the police forced church members to submit to interrogation in different rooms of the congregation's building, which lasted some 90 minutes. "They asked about the church's internal life: of what faith are we, why we don't register, who is the leader, on what days do we hold meetings, how many people attend, and how much does the church collect in offerings."

Police drew up an official record that 24 adults and children were present and demanded that church members sign it.

Several days after the raid, some of the film was shown in a hostile broadcast on regional television, Pastor Aliev told Forum 18. The Kazakh media often show film taken by police or secret police in reports aiming to discredit religious minority communities (see F18News 23 September 2009 <http://www.forum18.org/Archive.php?article_id=1352>).

Pastor Aliev was fined by the town court on 29 September under Article 374-1 Part 2 of the Code of Administrative Offences, which punishes "participation in the activity of a banned religious organisation". He was fined 64,800 Tenge (2,505 Norwegian Kroner, 295 Euros or 430 US Dollars), which he estimated to Forum 18 as being equivalent to two months' average wages locally "if you didn't spend anything on food or clothes for your family". The court was also shown part of the film.

Pastor Aliev told Forum 18 that "of course" he will not pay the fine, as he does not consider himself guilty of any wrongdoing. "This Article of the Administrative Code violates our rights - we have repeatedly said so," he told Forum 18. He said the church will not register with the authorities "as they would make us give so much information about the internal life of the church". He insisted that his congregation will continue to meet for worship despite the state harassment.

On 2 September, exactly a week after the raid in Rudny, police raided another Baptist congregation in Kostanai. Baptists told Forum 18 that again police tried to film the service but this time complied when a church member asked them to stop. "They didn't obstruct the service but afterwards wanted to address church members, but we didn't allow them to," church members told Forum 18.

After the service a group of police officers waiting on the street with the required official witnesses came into the house and searched all the rooms. They took the names of all those present and filmed them. "Interrogations of church members were conducted crudely," church members complained to Forum 18. "One young church member had his personal Bible and hymnbook seized." Police confiscated some ten books from the church library "allegedly to familiarise themselves with the religious teaching".

Raids on Ahmadi Muslims in Semey

Like the Kostanai Region officials, Murad Ashkhayanov, an officer of the Police's Department for the Struggle with Terrorism in Semey, defended the police raid on the Ahmadi Muslim community in the town back in March in which he participated. "It was not a raid," he insisted to Forum 18 from Semey on 29 September. "We received a call and we responded."

Asked to explain the nature of the call to the police about the community's meeting in a private flat he refused to say anything more. He also refused to say why the police asked the Ahmadi Muslims intrusive questions about their faith. "Who gave you the right to bother me? I'm a state employee," he told Forum 18. "I won't give any information." He then put the phone down.

The Ahmadi Muslim community in Semey - which has state registration and rents a flat for worship - has complained about "violations of our rights and freedoms" over two raids in March. On Friday 6 March, Ashkhayanov and another officer of the Department for the Struggle with Terrorism conducted the first raid. They told the community they had come to learn more about their activity and asked to see the community's documents.

They then stayed for the Friday prayers, afterwards insisting that everyone present write a statement to the town's then police chief Zhumabek Isadilov explaining: when they adopted Islam and joined the Ahmadi movement; their home address; what the differences are between Ahmadi Muslims and other Muslims; and whether anyone pressured them to join the Ahmadi community.

They asked the community's religious leader, Rufat Tukamov, to write a statement indicating: when he adopted Islam and joined the Ahmadi movement; the juridical and de facto address of the community; that they rent a flat; details of the flat's owner; why community members do not go to the mosque; and when and why we meet at the flat. Officers asked Tukamov why he is registered as living in Almaty and not in Semey and told him he should register in Semey.

The officers said they would return the following Friday to photograph everyone "so that they would know each face".

Another officer arrived to join the other two, Zh. Malaev, whom community members recalled as having visited them in 2005. He demanded copies of the community's documents and rental agreement for the flat, and also asked the differences between Ahmadi Muslims and other Muslims and why they do not go to the mosque.

The return visit came three weeks later, during Friday prayers on 27 March. "They required those present to write the statement in a different way," the Ahmadi community told Forum 18. "When the branch contacted the Imam-in-Charge in Almaty, he told them not to write anything at all, as this was already an obvious breach of the law since the beginning. We tolerated it once out of respect, but as the police's attitude did not return into the law-abiding boundaries, the 'full stop' was applied."

The police then ordered everyone present to come to the police station. However, the summonses merely stated as the reason: "on the topic concerning you". "This was contrary to the law, as no legal ground was mentioned," the Ahmadi community complained to Forum 18. They say all those present did go to the police station, where they were questioned individually and pressured to write a statement. They were freed several hours later.

Tukamov, the community's leader, asked the police for the legal basis for the raid and were eventually told that police had received a call from a neighbour about "bearded people meeting". The Ahmadi community dismisses the claim that police received such a call. "A few of those attending wear a small beard, and hardly the author of the call genuinely met or had any personal concern, so it was obvious, that all of it was fabricated by the police itself," they told Forum 18. They also question why it took so long for the police to claim that a call had come in.

Further surveillance of Ahmadi Muslims

Police attention gradually diminished, but revived on 16 July when the community received a visit from a community member in Almaty and a visitor from Britain, Tukamov told Forum 18 on 29 September. While they were showing the visitors around Semey as they look for new premises for an Ahmadi centre, they say they observed an unknown man outside the entrance to the block of flats where they currently rent premises. The following day the same man was seen with another man observing their actions as they prepared to take the visitors to the airport.

Tukamov, another community member Bulatbek Ibraev and the two visitors then went by car to Oskemen (Ust-Kamenogorsk) to take the visitors to the airport for their return flight to Almaty. Tukamov told Forum 18 that a white car followed them until they reached the police traffic checkpoint on the edge of the town. Then their car was stopped at the traffic checkpoint on the entrance to Oskemen. An officer of the Migration Police and three other identified plain clothes officers ordered them all to the police station and they drove there accompanied by three police cars.

At the police station Tukamov, Ibraev and the driver (who is not a community member) had to give statements about the aim of the visitors' trip to Semey. "They also asked again what the differences are between our beliefs and those of other Muslims," Tukamov told Forum 18. Then police scanned copies of the visitors' passports and flight tickets before letting all of them leave for the airport.

However, surveillance of the community in Semey continued, with the same "suspicious" man seen watching them from 20 July. Tukamov told Forum 18 that he was followed over the next week wherever he went, whether on public transport, by foot or by taxi. He said after Friday prayers on 24 July, all those present were followed back to their homes.

Tukamov complained of the "unpleasant sensation" of being under surveillance. The head of the community, Aidar Shaken, lodged an official complaint with the Prosecutor's Office, of which Forum 18 has seen a copy. Tukamov said that after the complaint the surveillance appeared to stop. (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://www.nationalgeographic.com/xpeditions/atlas/index.html?Parent=asia&Rootmap=kazakh>>.

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