

Document #1407971

USDOS – US Department of State

2016 Report on International Religious Freedom - Kazakhstan

Executive Summary

The constitution defines the country as a secular state and provides for freedom of religion. In September the government created a new Ministry of Religious and Civil Society Affairs (MRCSA), taking responsibility for religious issues and the Committee for Religious Affairs (CRA) from the Ministry of Culture and Sport. Religious groups the government considered “traditional” reported general acceptance and tolerance by the government. “Nontraditional” religious groups, however, continued to experience heightened scrutiny and prosecution. According to the National Security Committee (KNB), 14 members of the Tablighi Jamaat movement were convicted for participation in a banned religious movement, compared to 18 convictions in 2015. The nongovernmental organization (NGO) Forum 18, however, said 22 individuals were sentenced during the year. Of this number, 19 were given prison terms of nine months to three years, and three were sentenced to probation. Others were fined and/or detained for several days for leading or participating in unregistered religious groups. According to the Association for Religious Organizations of Kazakhstan (AROK), a religious rights NGO, law enforcement forces continued to interpret expressions of religious belief during conversation as a form of exalting one religion over others and cited it as a basis for charges of “incitement of interethnic discord.” The Kazakhstan International Bureau for Human Rights (KIBHR), a nonprofit human rights organization, said it was monitoring approximately 100 “religious prisoners” on trial for inciting religious and other discord. In June Rustam Musayev was sentenced to two years in a labor camp under the law against inciting religious discord after talking to others about his Islamic faith during private meetings. The only Muslim groups able to register as required were those affiliated with the Sunni Hanafi Spiritual Administration of Muslims (SAMK). In July the Ahmadiyya Muslim Community was denied registration again. On December 22, President Nursultan Nazarbayev signed into law a series of amendments “on countering extremism and terrorism” which increased the security forces’ anti-extremist authority and added to the existing restrictions on religious practice. Among other things, these amendments require government approval for production and dissemination of all religious literature and informational material and narrowed the personal use exemption for imported religious materials. They also call on MRCSA to regulate religious tourism and oversee participation in the Hajj. President Nazarbayev and government officials expressed concern over external religious influence from the Gulf countries after violent attacks in Aktobe in June and in Almaty in July.

Some religious minorities said media attacks and negative coverage were not as intensive as in 2008 or 2010 when the government advanced the new religion law. According to AROK, during the year the government focused more on combating religious extremism. Negative media coverage and societal discrimination were still a concern for the so-called “nontraditional” religious groups.

The Ambassador and other senior U.S. officials, including the U.S. Ambassador at Large for International Religious Freedom and the Under Secretary of State for Civilian Security, Democracy, and Human Rights, engaged in private and public dialogue with the government to urge respect for religious freedom, both in general and with regard to specific cases. This included raising concerns over the restrictive effects on religious freedom of the government’s implementation of the religion law and the new criminal and administrative codes. U.S. diplomatic officials visited various houses of worship and maintained contact with a wide range of religious communities and religious freedom advocates. In addition, embassy officials participated in roundtable discussions and speaker series dealing with religious freedom. They underscored the importance that freedom of religion plays in countering violent extremism, expressed concern about further restrictions on religious freedom, and encouraged the reform of relevant laws and guidelines so that all citizens can conduct peaceful religious activities freely, whether or not they are part of registered religious groups.

Section I. Religious Demography

The U.S. government estimates the total population at 18.4 million (July 2016 estimate). The national census reports approximately 70 percent of the population is Muslim, most of whom adhere to the Sunni Hanafi school. Other Islamic groups, together accounting for less than 1 percent of the population, include Shafi’i Sunni, Shia, Sufi, and Ahmadi Muslims.

The CRA classifies approximately 26 percent of the population as Christian. The majority of these are Russian Orthodox. The country also has Roman Catholics, Greek Catholics, Lutherans, Presbyterians, Seventh-day Adventists, Methodists, Mennonites, Pentecostals, Baptists, Jehovah’s Witnesses, members of The Church of Jesus Christ of Latter-day Saints (Mormons), and Christian Scientists. Other religious groups representing less than 3 percent of the population in total include Jews, Buddhists, members of the International Society of Krishna Consciousness, Bahais, and Scientologists.

Section II. Status of Government Respect for Religious Freedom

Legal Framework

The constitution defines the country as a secular state and provides for freedom of religion and belief, as well as for the freedom to decline religious affiliation. These rights may be limited only by laws and only to the extent necessary for protection of the constitutional system, defense of the public order, human rights and freedoms, and the health and morality of the population.

In September the MRCSA was created and took charge of religious issues for the government; it took over from the Ministry of Culture and Sport supervision of the CRA, which continued to operate largely as before. The new ministry took over the functions of facilitating government and civil society engagement, as well as overseeing religious issues. The transfer was largely administrative, but the MRCSA statute also spelled out international cooperation and national security objectives more precisely.

According to law, the MRCSA is responsible for the formulation and implementation of state policy on religious freedom. It also considers issues of potential violations of the laws on religious activity and extremism. The MRCSA drafts legislation and regulations, conducts analysis of religious materials, and makes decisions on censorship. It cooperates with law enforcement to ban religious groups and sanction individuals who violate the religion law, coordinates actions of local government to regulate religious issues, and provides the official interpretation of the religion law.

Under the constitution everyone has the right to follow their religious or other convictions, take part in religious activities, and disseminate their beliefs, but these rights are limited to “traditional” or registered religious groups and other laws are relevant to religious practice. The law states the government shall not interfere with the choice of religious beliefs or affiliation of citizens or residents, unless those beliefs are directed against the country’s constitutional framework, sovereignty, or territorial integrity.

The law prohibits forced conversion of persons to any religion, forced participation in a religious group’s activities, or forced participation in religious rites.

The criminal and administrative codes include additional penalties for unauthorized religious activity, such as the arrangement of and participation in activities of unregistered religious groups, participation in religious activities outside permitted areas, unlicensed distribution of religious materials or training of clergy, sale of religious literature without government approval or in places not approved by the government, and discussion of religion for the purpose of proselytization without the required missionary registration.

The criminal code prohibits the incitement of interreligious discord, which includes “propaganda of exclusivity, superiority or inferiority of citizens according to their relation to religion [and other] origin.” It also criminalizes the creation and leadership of social institutions that proclaim religious intolerance or exclusivity, an offense punishable with imprisonment from three to seven years.

The extremism law, which applies to religious groups and other organizations, gives the government discretion to identify and designate a group as an extremist organization, ban a designated group's activities, and criminalize membership in a banned organization. Extremism is considered by law to be the organization and/or commission of acts in pursuit of violent change of the constitutional system; violation of the sovereignty or territorial integrity of the country; undermining national security; violent seizure or retention of power; armed rebellion; incitement of ethnic, religious, or other forms of social discord that are accompanied by calls to violence; or the use of any religious practice that causes a security or health risk. An extremist organization is a “legal entity, association of individuals and (or) legal entities engaged in extremism, and recognized by the court as extremist.” The law provides streamlined court procedures for identifying a group as “terrorist or extremist,” reducing the time necessary for a court to render and act on a decision to 72 hours. After a legal finding of a violation, the law authorizes officials to revoke immediately the organization's registration, thus ending its legal existence and seizing its property. Prosecutors have the right to inspect annually all groups registered with state bodies.

On December 22, President Nazarbayev signed into law a series of amendments “on countering extremism and terrorism” which increased security forces' anti-extremist authority and added to existing restrictions on religious practice including in the areas of religious literature or information and religious tourism.

The administrative code prohibits “spreading the creed of religious groups unregistered” in the country, an offense punishable by a fine of 212,100 tenge (\$636). A foreigner or stateless person found guilty may also be deported.

A religious organization may be designated “national,” “regional,” or “local.” In order to register at the local level, religious groups must submit an application to the Ministry of Justice (MOJ), listing the names and addresses of at least 50 founding members. Communities may only be active within the geographic limits of the locality in which they register, unless they have sufficient numbers to register at the regional or national level. Regional registration requires at least two local organizations, each located within a different oblast (province), and each local group must have no fewer than 250 members. National registration requires at least 5,000 total members and at least 300 members in each of the country's 14 oblasts and the cities of Astana and Almaty. Only groups registered at the national or regional level have the right to open educational institutions for training clergy.

The law allows denial of registration to religious groups based on an insufficient number of adherents or inconsistencies between the religious group's charter and any national law, as determined by an analysis conducted by the CRA. According to the administrative code, individuals participating in, leading, or financing an unregistered, suspended or banned religious group may be fined between 106,050 tenge (\$318) and 424,200 tenge (\$1,273).

According to the CRA, there are 3,636 registered religious associations or branches thereof in the country, representing 18 groups, compared to 3,563 registered associations or branches representing 18 groups in 2015.

The administrative code mandates a 424,200 tenge (\$1,273) fine and a three-month suspension from conducting any religious activities for registered groups holding religious gatherings in buildings that are not approved for that purpose; importing, producing, or disseminating religious materials not approved by the CRA; systemically pursuing activities that contradict the charter and bylaws of the group as registered; constructing religious facilities without a permit; holding gatherings or conducting charity events in violation of the law; or otherwise defying the constitution or laws. Private persons engaged in these activities are subject to a fine of 106,050 tenge (\$318). Police may impose these fines without first going to court. The fines may be appealed to a court.

If an organization, its leaders, or its members engage in activities not specified in its charter, it is subject to a warning and/or a fine of 212,100 tenge (\$636). Under the administrative code, if the same violation is repeated within a year, the legal entity is subject to a fine of 318,150 tenge (\$955) and a three- to six-month suspension of activities.

According to the administrative code, if a religious group engages in a prohibited activity or fails to rectify violations resulting in a suspension, an official or the organization's leader is subject to a fine of 424,200 tenge (\$1,273) and the entity is subject to a fine of 1,060,500 tenge (\$3,182) and its activities are banned.

The law prohibits coercive religious activities that harm the health or morality of citizens or residents, force them to end marriages or family relations, violate human rights and freedoms, or force citizens to evade performance of duties specified in the constitution and legislation. The law prohibits methods of proselytizing that take advantage of a potential convert's dependence on charity. The law also prohibits blackmail, violence or the threat of violence, or the use of material threats to coerce participation in religious activities.

The law states in cases when a prisoner seeks the help of an imam, pastor, or other clergy to perform a religious rite, he or she can invite a clergy member of a formally registered religious group to a detention facility, as long as this access complies with the internal regulations of the prison. The law bans construction of places of worship within prison territory. Pursuant to the law, religious organizations may participate in monitoring prisons, including creating and implementing programs to improve the correctional system and developing and publicly discussing draft laws and regulations as they relate to the prison system. Religious groups may identify, provide, distribute, and monitor the use of humanitarian, social, legal, and charitable assistance to prisoners. They may provide other forms of assistance to penitentiary system bodies, as

long as they do not contradict the law. According to the law, prisoners may possess religious literature, but only if approved after a religious expert analysis, conducted by the CRA.

The new legislative amendments which went into effect on December 22 define “religious tourism” as a “type of tourism where people travel for performance of religious rites in a country (place) of temporary residence. They require the MRCSA to regulate it and to oversee the process by which individuals participate in the Hajj.

The law prohibits religious ceremonies in government buildings, including those belonging to the military or law enforcement.

The December 22 legislative amendment states production, publication and dissemination of religious literature and information materials of religious content will be allowed only after receiving a positive expert opinion from the CRA. The amendment also limits to one copy per publication the existing exemption from expert review for importing religious materials for personal use. This new requirement defines “personal use” for imported religious literature as possessing “one copy of each title,” which does not require CRA approval.

The law states the government shall not interfere with the rights of parents to raise their children consistent with their religious convictions, unless such an upbringing harms the child’s health or infringes upon the child’s rights.

The law requires organizations to “take steps to prevent involvement or participation of anyone under the age of 18 in the activities of a religious association,” if one of the parents or other legal guardians have objections. The law bans religious or proselytizing activities in children’s holiday, sport, creative or other leisure organizations, camps, or sanatoria. The extent to which organizations must prevent underage persons’ involvement in religious activity is not specifically outlined and has not been further defined by authorities.

The law does not permit religious instruction in public schools, colleges, or universities. Homeschooling for religious reasons is not permitted. After-school and other kinds of supplemental religious instruction are permitted if the religious education is provided by a registered religious group. Following a January 14 decree by the minister of education and science, schoolchildren are required to wear school uniforms which comply with the secular nature of education and prohibit inclusion of any elements of religious affiliation, such as head coverings.

The election law prohibits political parties based on religious affiliation.

The criminal code prohibits creating, leading, or actively participating in a religious or public association whose activities involve committing acts of “violence against citizens or the causing of other harm to their health, or the incitement of citizens to refuse to carry out their civil obligations, as well as the creation or leadership of parties on a religious basis.” The code punishes such acts with a fine of up to 11.9 million tenge (\$35,704), or up to six years’ imprisonment.

In order to perform missionary or other religious activity in the country, a foreigner must obtain a missionary or religious visa. These visas allow a person to stay for a maximum of six months with the possibility to apply to extend the stay for another six months. To obtain missionary visas, applicants must be invited by a religious group formally registered in the country. The letter of invitation has to be approved by the CRA. Applicants must obtain consent from the CRA each time they apply. The CRA may reject missionary visa applications based on a negative assessment from CRA religious experts, or if it deems the missionaries represent a danger to the country’s constitutional framework, citizens’ rights and freedoms, or any person’s health or morals. The constitution requires foreign religious groups to conduct their activities, including appointing the heads of local congregations, “in coordination with appropriate state institutions,” notably the CRA and the Ministry of Foreign Affairs (MFA). Foreigners may not register religious groups.

Local and foreign missionaries are required to register annually with the local executive body of an oblast or the cities of Astana and Almaty, and provide information on their religious affiliation, intended territory of missionary work, and time period for conducting that work. Missionaries must submit all literature and other materials intended to support their missionary work together with their registration application. Use of materials not vetted during the registration process is illegal. A missionary must produce registration documents and a power of attorney from the sponsoring religious organization in order to work on its behalf. The local executive body of an oblast or the cities of Astana and Almaty may refuse registration to missionaries whose work “constitutes a threat to the constitutional order, social order, the rights and freedoms of individuals, or the health and morals of the population.”

The country is a party to the International Covenant on Civil and Political Rights.

Government Practices

During the year, the government continued to arrest, detain, and imprison members of religious groups, criminalize speech “inciting religious discord,” question congregation members about their choice of faith, punish individuals for “illegal missionary activity,” and label “nontraditional” religious groups as “destructive sects” in the media.

On June 25, individuals described by the government as Salafist militants and “followers of radical, nontraditional religious movements” killed eight people and injured 37 individuals in Aktobe in the northwestern region. Four of the attackers were killed in

shootouts with the police. On November 28, a court sentenced seven of these people to life in prison, two to 20 and 22 years in prison respectively, and 19 others to two- to four-year terms for “organizing a terror attack on a military unit and a gun shop in June.” One defendant was sentenced to four years of probation.

On July 18, a gunman killed eight law enforcement officials and two civilians and wounded several others near a police station and building of the KNB in Almaty.

Government reporting characterized the June 25 and July 18 incidents as carried out by individuals motivated by radical religious extremism and drew links between the perpetrators and Salafism. The July 18 Almaty shooter stated in court he attacked his victims because “they do not live according to the laws of Allah.”

In both the Aktobe and Almaty incidents local experts said additional factors such as criminal history, poverty, and lack of opportunity may have led to the attackers’ radicalization.

According to the KNB, 14 members of the banned Tablighi Jamaat missionary movement were convicted for violating the criminal code for their participation in a banned religious movement this year, compared to 18 convictions in 2015. Forum 18, however, said 19 members were sentenced this year to prison for terms ranging from nine months to three years, and three members were sentenced to probation.

In December five Sunni Muslims in the Almaty region were imprisoned for up to three years for alleged membership in Tablighi Jamaat. They were arrested by the KNB in July.

On August 1, Baurzhan Beisembay was arrested in Ust Kamenogorsk and charged with participation in Tablighi Jamaat activities. Banned religious literature and videos, as well as reports on his activities, were seized during a search and used as evidence in court. Beisembay reportedly headed the regional cell of Tablighi Jamaat in East Kazakhstan after its previous leader moved to Astana where he was arrested and convicted in 2015. On October 13, the court in Ust Kamenogorsk sentenced Beisembay and seven other followers of Tablighi Jamaat to prison terms ranging from one to two and a half years. Two other defendants were sentenced to one year probation terms.

AROK continued to report law enforcement forces interpreted expressions of religious beliefs during conversations as a form of exalting one religion over others, thus “professing its supremacy.” Authorities then used this as the basis for charges of “incitement of interethnic discord.” In October the appellate panel of the Supreme Court declined Seventh-day Adventist Yklas Kabduakasov’s appeal of a two-year prison term for incitement of religious discord. He was originally sentenced in November 2015 to seven years’ probation, but an appellate court changed the sentence in December 2015 to two years in prison. The prosecutors presented recordings totaling 48 hours, which contained meetings discussing religion between Kabduakasov and four men he thought were students.

In June Rustam Musayev was sentenced to two years in a labor camp under the law against inciting religious discord after talking to others about his Islamic faith during private meetings. According to reports by the NGO Forum 18, the meetings may have been set up by the KNB. An “expert analysis” commissioned by the KNB did not find any instances of inciting “religious discord” in the recorded conversations, but did find instances in one of Musayev’s books, which was subsequently banned. Musayev was also ordered to pay for the “expert analysis,” and in August his bank accounts were frozen when he was put on a Finance Ministry list of individuals “connected with the financing of terrorism or extremism.”

On October 13, religious scholar Kuanysh Bashpayev was arrested by the KNB when he arrived in the country on leave from graduate study in Saudi Arabia. He was arrested and charged with incitement of religious discord for having discussed Islam during a meeting with several young men in a restaurant during a previous visit to the country. One of his interlocutors had recorded his interpretation of the Quran and sharia, and the tape served as grounds for his arrest. According to his lawyer, KNB investigators exerted pressure on him to confess his guilt. At the end of the year, the case had not been brought to trial and Bashpayev was still in prison.

Several members of the Council of Baptist Churches, which continued to refuse on principle to register under the Religion Law, received fines and were jailed in administrative facilities for refusal to pay. In September Zhasulan Alzhanov and Vyacheslav Cherkasov spent two and three days, respectively, in jail for not paying fines levied in 2013 and 2014. Council of Baptist Churches members stated they did not pay fines levied for their religious practices, on principle and as a policy. A Baptist Council representative reported their members faced fines for carrying books and proselytizing. The representative reported that authorities frequently raided and destroyed their Council’s prayer houses.

In July the Ahmadiyya Muslim Community was denied registration again after resubmitting an application in 2015. CRA experts concluded their teaching was not Islamic and demanded that they should change the name of the group by removing the word “Muslim.” The Church of Scientology continued to function and be registered as a public association, rather than as a religious organization.

According to reports, the government continued to recognize as legitimate and legal only those mosques registered with the SAMK, the government-affiliated Sunni Hanafi organization led by the grand mufti, with offices in Almaty and Astana. By joining SAMK, Muslim communities relinquished the right to appoint their own imams, were permitted to take actions on their property (such as sales, transfers, improvements) only with the approval of the SAMK, and were required to pay 30 percent of the mosque’s income to the SAMK. Press reports indicated there were a dozen new mosques built across the country with approval from the SAMK.

The SAMK continued to control the activities of all the 2,529 formally registered Muslim groups affiliated with the Sunni Hanafi school and had authority over the construction of new mosques, the appointment of imams, and the administration of examinations and background checks for aspiring imams. SAMK was responsible for authorizing travel agencies to provide Hajj travel services to citizens. According to SAMK, the Saudi Arabian authorities allocated a quota of 3,000 spots for Kazakhstani Muslims to make the Hajj to Mecca, down from 5,000 last year.

According to Forum 18 and local media, officials raided two summer camps run by the Baptist Union in West Kazakhstan in July, reportedly on suspicion that children were engaged in religious activity without the consent of their parents. The raids followed the arrival of foreigners at the camp who said they came to help repair a church building, but were also involved in reading the Bible to the camp children. Officials took statements and the foreign camp visitors left the country. No legal action was taken against the church members.

Reportedly, on June 28, three Muslim residents of Semey in Eastern Kazakhstan were fined for speaking to people about their faith on their way back from evening prayers in the mosque. They were fined 212,100 tenge (\$636) for “carrying out missionary activity without state registration.”

According to Forum 18, on April 17, three members of Council of Baptist Churches congregations were fined by the police without a court hearing for leadership of, or participation in, an unregistered, suspended, or banned religious group. According to human rights sources, this was the first known instance police used their summary power to fine without first going to court. One of the three, 89-year-old former Soviet-era Baptist prisoner of conscience Yegor Prokopenko was fined 212,100 tenge (\$636) on May 22 for leading a meeting for worship in Zyryanovsk. The other two were Sofya Bunyak of Ekibastuz, Pavlodar Region, and Aleksandr Belan of Sergeyevka, Akmola Region.

Also according to Forum 18, on April 17, two members of the New Life Protestant Church in the Caspian port of Atyrau, Bagitzhan Zholdybayev and Aleksandr Revkov, were fined after discussing their religion while drinking tea at a cafe with five other church members after their Sunday meeting for worship. They were fined 74,235 tenge (\$223) each for “violating procedures established in the law for conducting rites, ceremonies, and meetings.”

According to NGO Forum 18, the CRA forced organizers of a religious musical in Astana and Almaty to cancel all performances in May and stated “if a show is religious, it requires permission in accordance with the law.” Reportedly CRA said the show, which was produced by Russian citizens, was religious material that, according to law, could only be imported by a domestically registered religious group after receiving government permission.

Courts continued to fine individuals found guilty of illegal missionary activity. According to AROK, local law enforcement authorities continued to interpret and label any religious discussions that took place outside of a registered religious building as “illegal missionary activity,” including invitations to religious services and discussions, especially for “nontraditional” religious groups such as Jehovah’s Witnesses and evangelical Christians.

Dina Sarsebekova, a Jehovah’s Witness in Western Kazakhstan, was charged for inviting two young people to attend the local community’s annual memorial service and for showing them a Jehovah’s Witness video on her computer. On April 25, the Uralsk Specialized Administrative Court in Western Kazakhstan found her guilty of carrying out missionary activities without state registration and imposed an administrative fine of 212,100 tenge (\$636).

On October 14, three members of the Rodnik Evangelic Baptist Church in Ust Kamenogorsk, Eastern Kazakhstan visited a local hospice where they talked to tenants and taught them prayers. Local CRA officials said their meeting was a violation of the procedure for holding religious ceremonies and meetings. The specialized administrative court imposed administrative fines on all three women in the amount of 106,050 tenge (\$318) per person.

There were reports of girls being prevented from attending school and young women denied employment because they wore headscarves. On October 24, the SAMK issued a statement in response to disagreements between religious parents and school administrators after local authorities stated headscarves should be banned in schools. The statement called on parents not to force underage girls to wear headscarves or hinder them from getting a secular high school education and stated all Muslims should “abide by and respect the Constitution and the law.” The statement did not ban headscarves but encouraged parents to come to a compromise with school administrations.

The New Life Bible Church reported that on March 25, authorities searched five of their members’ residences and five buildings and confiscated 50 of their computers, as well as money and documents. The authorities said they were investigating fraud. The Church reported the authorities did not adequately make a full inventory of the items confiscated. The authorities subsequently said they found illegal weapons, which the Church denied.

Government officials continued to express concerns about the potential spread of religious extremism. President Nazarbayev described the June 5 Aktobe violent attack as “organized by followers of radical pseudoreligious movements,” who he said were radicalized from abroad. The government later said, however, the attackers may have been inspired by online terrorist propaganda, but were self-radicalized within the country. The president assured the people the state “will always apply the harshest measures to suppress extremists and terrorists.”

As set forth in the 2013-2016 State Program for Countering Religious Extremism and Terrorism, and kept as the main objective of the subsequent 2017-2020 State Program, the fight against religious extremism remained a top priority for the government. Government entities, like the KNB, continued to monitor civil society and religious groups.

On November 17, Minister of Religious Affairs and Civil Society Nurlan Yermekbayev condemned what he termed destructive religious teachings, such as Salafism, and said “secularism is the basis of stability of Kazakhstani society” in his remarks to an annual conference of religious scholars. He stated existing legislation enabled the government to counter extremist groups, but said his ministry may offer amendments to “improve” laws regulating religion, and was drafting a concept paper on how the government will engage civil society to combat extremism and terrorism. He said imams and experts have had success de-radicalizing extremists and said this partnership between civil society and the government was the best approach to combat extremist ideologies, including Salafism. He reiterated the government stood ready to ban Salafism if other means of combating extremism failed.

Individuals reported a tightening of the religious space. An AROK representative said the government was seeking to control religious expression and was especially concerned with controlling proselytizing and what the government saw as Islamic radicalism. A representative of a different NGO said trust between government and civil society was eroding, which was having a “repressive, chilling effect, on all religious groups.” Several “nontraditional” religious groups said they experienced continuing harassment from the government, for example by audits. Yet other activists noted the CRA had taken steps to become more open to feedback from the religious community, and one group reported increased day to day cooperation with CRA.

Before the amendments to “counter extremism and terrorism” became law, the government submitted them in draft for review to the Office for Democratic Institutions and Human Rights and civil society groups. These entities said there were serious religious freedom problems in the draft text, but the government did not accept their opinions.

The SAMK continued to provide a Russian-speaking preaching group in response to numerous requests by Russian-speaking Muslims in the northern regions. The Russian-speaking religious leaders included theologians and imams who had religious knowledge and a secular education. SAMK experts participate in examination of the growing number of Russian language religious literature and Internet publications to prevent dissemination of extremist books and publications.

Section III. Status of Societal Respect for Religious Freedom

Some NGOs reported there were fewer instances of societal discrimination on the basis of religious affiliation, belief, or practice than in the 2008-2010 period, when the government prepared the ground for its new religion law, which the NGOs said was harsh, and took what the NGOs said were aggressive actions to present “nontraditional” religious groups as harmful. Others saw a lull during the early part of the year, followed by resumed societal scrutiny later in the year. Negative media coverage and government raids which targeted “nontraditional” religious groups hindered their acceptance in society, reported some of the groups.

In March following a series of searches of the New Life Church and houses of its leaders in Almaty based on fraud allegations, local media reported on the searches and the charges against its leaders. The church protested against what it called biased coverage and published an open letter to the president seeking his support to put an end to “harassment of believers and clergymen of the ‘New Life’ Church.”

On July 15, the newspaper *Liter* published an article titled “The Monitoring of a Non-Traditional Church Disclosed Numerous Unpleasant Facts,” describing how the Baptist church in Uralsk attracted children to its activities and how reluctant the church was to let inspectors know what they taught children. The author complained that even if wrongdoings were disclosed, liability under the current legislation was not harsh.

News reports continued to depict “nontraditional” religions as disruptive to society.

NGOs working on religious issues continued to report individuals were wary of “nontraditional” religious groups, particularly those that proselytized or whose dress indicated “nontraditional” beliefs.

Section IV. U.S. Government Policy

The U.S. Ambassador, other high level U.S. government officials, and embassy officers, met with senior government officials in the MFA and MRCSA (CRA) and advocated the importance of respecting religious freedom, and underscored that bilateral cooperation on economic and security issues was a complement to, not a substitute for, meaningful progress on religious freedom. They also raised concerns about the inconsistent application of the existing religion law and the criminal and administrative codes with regard to “nontraditional” versus “traditional” religious groups.

In July the U.S. Ambassador at Large for International Religious Freedom met with government officials, religious organizations, and civil society representatives, to advocate for the essential right to religious freedom for all faiths and emphasizing the significant role freedom of religion played in countering violent extremism. He stated government changes to the law on religion and the implementation of other proposed measures to counter extremism, such as the amendments to the laws on extremism, were prompting international concern that constraints on religious freedom could

become a driver of discontent and violent extremism within society. He also said the new amendments would further tighten existing strict controls on religious literature and further constrain religious speech and worship.

In an August visit, the Under Secretary for Civilian Security, Democracy, and Human Rights discussed ways the United States and the country could work together against the common threat of violent extremism. She stressed the importance of identifying and addressing the root causes of extremism and underscored that governments should take a “no harm” approach by ending counterproductive practices and respecting human rights. Addressing the government’s banning of Tablighi Jamaat, she recommended establishing a clear definition that distinguished between violent and nonviolent groups, cautioning against the potential of driving nonviolent groups to radicalization as a result of perceived government repression.

U.S. officials continued to encourage the government to respect individuals’ rights to peaceful expression of religious belief and practice. They expressed concern about vaguely written laws that were broad in scope and lacked specific definition of legal terms enabled authorities, particularly at the local level, to apply them in an arbitrary manner. They also indicated that any amendments to the law on religions must not constrain the ability of believers to practice their faith.

The Ambassador and other U.S. officials met with the CRA and the newly established MRSCA to reiterate the importance of enabling all citizens to worship freely, regardless of registration status.

U.S. government representatives maintained regular contact with NGOs engaged in religious freedom activities. Embassy officials attended public events in support of religious communities and participated in roundtables and other public debates on religious freedom and tolerance. The embassy and other Department of State officials visited various houses of worship in several regions of the country and met with religious leaders to hear their concerns.

ecoi.net summary:

Annual report on religious freedom (covering 2016)



Country:

Kazakhstan

Source:

[USDOS – US Department of State](#) ([/en/source/11558.html](#))

Original link:

<https://www.state.gov/j/drl/rls/irf/2016/sca/268932.htm> (<https://www.state.gov/j/drl/rls/irf/2016/sca/268932.htm>)

Document type:

Periodical Report

Language:

English

Published:

15 August 2017

Document ID:1407971 (former ID [345194 \(/en/document/345194\)](/en/document/345194))**Austrian Red Cross**Austrian Centre for Country of Origin and Asylum Research
and Documentation (ACCORD)

Wiedner Hauptstraße 32, 1041 Wien

T (Telefon) +43 1 589 00 583

F (Fax) +43 1 589 00 589

info@ecoi.net

ecoi.net is run by the Austrian Red Cross (department ACCORD) in cooperation with Informationsverbund Asyl & Migration. ecoi.net is funded by the Asylum, Migration and Integration Fund, the Austrian Ministry of the Interior and Caritas Austria. ecoi.net is supported by ECRE & UNHCR.

