

# KAZAKHSTAN 2019 INTERNATIONAL RELIGIOUS FREEDOM REPORT

## Executive Summary

The constitution defines the country as a secular state and provides for freedom of religion. The Committee for Religious Affairs (CRA), part of the Ministry of Information and Social Development (MISD), is responsible for religious issues. According to local and international observers, authorities continued to impose restrictions and additional scrutiny on what the government considers “nontraditional” religious groups, including Muslims who practice a version of Islam other than the officially recognized Hanafi school of Sunni Islam and Protestant Christians. Authorities continued to arrest, detain, and imprison individuals on account of their religious beliefs or affiliation; restrict religious expression; prevent unregistered groups from practicing their faith; restrict assembly for peaceful religious activities; restrict public manifestation of religious belief; restrict religious expression and customs, including religious clothing; criminalize speech “inciting religious discord”; restrict proselytism; restrict the publication and distribution of religious literature; censor religious content; and restrict acquisition or use of buildings used for religious ceremonies and purposes. The government again raided religious services, prosecuted individuals for “illegal missionary activity,” and refused to register certain religious groups. In August an Almaty court sentenced eight Muslims to between five and one-half and eight years in prison for propaganda of terrorism and incitement of discord. Several followers of Hizb ut-Tahrir stood trial for participation in activities in the organization, which is banned in the country. Forum 18, an international religious freedom nongovernmental organization (NGO), cited 159 administrative prosecutions for violations of the religion law during the year, compared with 165 in 2018. In January, in a decision praised by many religious communities, the government withdrew draft legislation that would place additional restrictions on religious practice.

Media outlets continued to release articles or broadcasts defaming minority religious groups they regarded as “nontraditional.” In June television news in Karaganda Region covered a government-sponsored law enforcement and expert working group meeting, during which participants referred to some minority Christian groups as “nontraditional” and “destructive” “pseudo-religions” and called for measures to protect young people from them. In an online newspaper, the head of expert analysis on religious groups within the CRA reportedly criticized smaller Christian organizations and other small religious groups, such as

the Baha'is. The CRA official stated that the organizations were deliberately preaching in the Kazakh language to convert more persons and lamented that more and more ethnic Kazakhs were converting to these religions in recent years. The Jehovah's Witnesses reported they counted more than 50 defamatory articles and broadcasts. NGOs and academics said members of certain religious groups, including Muslims who wear headscarves or other identifying attire, as well as certain Christian groups, including evangelicals, Baptists, and Jehovah's Witnesses continued to face greater societal scrutiny and discrimination.

The Ambassador at Large for International Religious Freedom, the Ambassador, the Special Advisor for Religious Minorities, and other U.S. officials engaged the government to urge respect for religious freedom, both in general and with regard to specific cases, including a regular and recurring dialogue with the MISD and CRA. This included raising concerns over the restrictive effects on religious freedom of the government's implementation of both the religion law and the criminal and administrative codes, especially concerning criminal penalties for peaceful religious speech, praying without registration, and censorship of religious literature. As a result of these discussions, Kazakhstan and the United States formed a Religious Freedom Working Group, which held its first meeting in Nur-Sultan in May. U.S. officials visited various houses of worship and maintained contact with a wide range of religious communities and religious freedom advocates. The embassy also engaged in social media outreach to urge respect for religious freedom.

### **Section I. Religious Demography**

The U.S. government estimates the total population at 18.9 million (midyear 2019 estimate). The most recent national census in 2009 reported approximately 70 percent of the population is Muslim, most of whom adhere to the Sunni Hanafi school. Other Muslim groups include Shafi'i Sunni, Shia, Sufi, and Ahmadi Muslims.

The CRA estimates 26 percent of the population is Christian, the great majority of whom are Russian Orthodox, but also including 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, members of the Family Federation for World Peace and Unification (Unification Church), and Christian Scientists. Ethnic Kazakhs and other Central Asian ethnic groups primarily identify as Muslim, and ethnic Russians or Ukrainians primarily identify as Christian.

Other religious groups that together constitute less than 5 percent of the population include Jews, Buddhists, the International Society of Krishna Consciousness, Baha'is, 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, public order, human rights and freedoms, and the health and morality of the population. Under the constitution, all people have the right to follow their religious or other convictions, take part in religious activities, and disseminate their beliefs. These rights, however, are in practice limited to registered or “traditional” religious groups. “Traditional” is not defined by law, but typically refers to Hanafi Sunni Islam, the Russian Orthodox Church, Catholicism, Lutheranism, Judaism, and other major or historic religions.

In February then president Nursultan Nazarbayev renamed the Ministry of Social Development the Ministry of Information and Social Development. The Committee on Social Affairs within the ministry became the Committee for Religious Affairs (CRA), which continues to regulate the practice of religion in the country. By law, the MISD is responsible for the formulation and implementation of state policy on religion, as well as facilitating government and civil society engagement. It also considers potential violations of the laws on religious activity and extremism. The MISD drafts legislation and regulations, conducts analysis of religious materials, and makes decisions on censorship. All religious groups are required to submit all religious materials for approval before dissemination. The MISD cooperates with law enforcement to ban religious groups and sanction individuals who violate the religion law, coordinates actions of local government to regulate religious practices, and provides the official interpretation of the religion law.

The counterterrorism law requires religious organizations to secure their buildings of worship against potential terrorist attacks; the government may take action against religious organizations for failure to do so. 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 criminal and administrative codes include penalties for unauthorized religious activity, which includes 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, which is 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. The law defines "extremism" as 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 of national security; violent seizure or retention of power; armed rebellion; incitement of ethnic, religious, or other forms of social discord 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 to seize its property. Prosecutors have the right to inspect annually all groups registered with state bodies.

Under the law on countering terrorism, the Ministry of Finance may freeze the financial accounts of those convicted of terrorism or extremism crimes.

The administrative code prohibits “spreading the creed of religious groups unregistered” in the country, an offense punishable by a fine of 252,500 tenge (\$660). A foreigner or stateless person found guilty may also be deported.

A religious organization may be designated “national,” “regional,” or “local.” To register at the local level, religious groups must submit an application to the Ministry of Justice, listing the names and addresses of at least 50 founding members. Communities may be active only 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 region (province), and each local group must have at least 250 members. National registration requires at least 5,000 total members and at least 300 members in each of the country’s 14 regions and the cities of Nur-Sultan, Almaty, and Shymkent. Only groups registered at the national or regional level have the right to open educational institutions for training clergy.

The law allows the government to deny registration to a religious group 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 126,250 tenge (\$330) and 505,000 tenge (\$1,300).

The administrative code mandates a 505,000 tenge (\$1,300) 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; systematically 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 126,250 tenge (\$330). Police may impose these fines without first going to court. The fines may be appealed to a court.

If an organization, its leaders, or members engage in activities not specified in its charter, it is subject to a warning and/or a fine of 252,500 tenge (\$660). Under the administrative code, if the same violation is repeated within a year, the legal entity is subject to a fine of 378,750 tenge (\$990) and a three- to six-month suspension of activities.

According to the administrative code, if a religious group engages in a prohibited activity or does not rectify violations resulting in a suspension, an official or the organization's leader is subject to a fine of 505,000 tenge (\$1,300), the entity is subject to a fine of 1,262,500 tenge (\$3,300), and its activities are banned.

The law authorizes local authorities to "coordinate" the location of premises for religious events outside religious buildings. By law, religious activities can be held in residences, provided that organizers take into account the "rights and interests of neighbors." Authorities sometimes interpret this as a requirement to receive permission from the neighbors.

The government bans individuals who are fined and do not pay their fines from traveling outside the country.

The law prohibits coercion to force a person's conversion to any religion or to force a person's participation in a religious group's activities or in religious rites. The law further bans activities of religious organizations that involve violence against citizens or otherwise harm the health or morality of citizens and 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 a clergy member to perform a religious rite, he or she may invite a clergy member of a formally registered religious group to a detention facility, as long as this access complies with the prison's internal regulations. 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 law defines “religious tourism” as a “type of tourism where people travel for performance of religious rites in a country (place) of temporary residence” and requires the MISD to regulate it and, together with the Sunni Hanafi Spiritual Administration of Muslims (SAMK), oversee the process by which individuals participate in the Hajj or other travel for the performance of religious rites. The government requires that specially selected guides and imams accompany each group and states that the rules are designed to ensure pilgrims are not recruited by extremist religious groups.

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

The law states production, publication, and dissemination of religious literature and information materials of religious content is allowed only after receiving a positive expert opinion from the CRA. The law limits to one copy per publication an exemption from expert review for importing religious materials for personal use.

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 objects. The law bans religious activities, including proselytizing, 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 prohibits religious instruction in public schools, colleges, or universities. Homeschooling for religious reasons is also prohibited. The law allows for after school and other supplemental religious instruction as long as it is provided by a registered religious group. A decree mandates that schoolchildren wear school uniforms that comply with the secular nature of education and prohibits inclusion of any elements that could indicate 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 15.2 million tenge (\$39,900) or up to six years’ imprisonment. 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 CRA must approve the letter of invitation. 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 a region or the cities of Nur-Sultan, Almaty, and Shymkent 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 to work on its behalf. The local executive body of a region or the cities of Nur-Sultan, Almaty, and Shymkent 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 law does not provide for conscientious objection to mandatory military service on religious grounds, but the government has exempted Jehovah’s Witnesses from mandatory service.

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

## **Government Practices**



According to Forum 18, at year's end, 24 Sunni Muslims were serving sentences connected to their religious activities or beliefs, 10 of whom were convicted during the year. An additional six Muslims, all convicted in 2017 or 2018, were serving restricted freedom sentences; 15 individuals whose prison terms had ended remained under bans on religious activities; and 27 individuals with completed sentences still had their bank accounts blocked.

On August 5, an Almaty court sentenced eight Muslims from different regions to serve between five and one-half to eight years in prison for propaganda of terrorism and incitement of discord. According to the court, one of the defendants created a WhatsApp group "for propaganda of terrorism and Salafi ideas" and "to increase the followers of such ideas." The messages shared in the WhatsApp group contained quotes of prominent Wahhabi or Salafi scholars. Media reported the defendants maintained their innocence and appealed. On November 20, the Almaty City Court rejected their appeal. Tirek, a domestic alliance of human rights organizations, included the eight men on its list of prisoners of conscience.

Media reported that on October 15, Karlygash Adasbekova and Daria Nyshanova stood trial in the Almalinski District Court in Almaty for involvement in Hizb ut-Tahrir, banned in the country as an extremist organization. The government charged the two women with inciting religious discord and disseminating Hizb ut-Tahrir ideas in a WhatsApp group. At year's end, the trial was ongoing.

According to local media, on October 17, a trial began in the Alatau District Court in Almaty against Bekzhon Shalabayev, charged with propagandizing terrorism and participating in Hizb ut-Tahrir. The investigation concluded Shalabayev used Facebook and WhatsApp to spread terrorist propaganda. He denied the charges but admitted he was a member of Hizb ut-Tahrir. The trial continued at year's end. Shalabayev did not appear for hearings on December 19 or 29, and the court placed him on its list of wanted persons.

On July 29, the Almaty Juvenile City Court convicted leaders of the evangelical Christian New Life Church, Maxim Maximov, his wife Larissa Maximova, and deputy leader Sergey Zaikin of fraud, determining they used psychological manipulation to convince church members to donate money to the church, and sentenced them to four to five years in prison. The judge also ordered confiscation of real estate in Almaty owned by the defendants, two properties owned by the church, and 51 computers seized from the church during police searches. The trial was held at the juvenile court because one of the alleged victims was underage.

The defendants, who are no longer residents of the country, were not present for the trial and were sentenced in absentia.

Forum 18 reported the court allowed Saken Tulbayev, released on November 29 after serving a four-year prison term for adherence to the banned Tabligh Jamaat movement, to go to mosque but banned him from conducting “missionary activity” and from membership in “extremist organizations.” Like other former prisoners, his bank accounts remained blocked. According to Forum 18, the government typically added those convicted under terrorism or extremism charges to the Ministry of Finance’s list of individuals “connected with the financing of terrorism or extremism,” freezing their bank accounts. Families often discovered accounts were blocked only after going to the bank. Forum 18 reported relatives were allowed to withdraw small amounts if they did not have other sources of income.

According to media and Forum 18, on January 9, the Balkhash City Court sentenced Abilai Bokbasarov to three years in prison for holding “secret meetings” and recruiting other Muslims to the banned Tabligh Jamaat movement. The court also banned him from engaging in religious activities for five years after completing his prison term. Media reported that Bokbasarov admitted his guilt during the investigation and agreed to a plea bargain. According to Forum 18, the court also ordered that Bokbasarov pay compensation to victims amounting to 48,100 tenge (\$130) and a fee of 1,255 tenge (\$3) for the government’s analysis.

On May 2, the Al-Farabi District Court of Shymkent convicted ethnic Uzbek Dilmurat Makhmatov of “inciting religious hatred” and “propaganda of terrorism” and sentenced him to eight years in prison. The court also banned Makhmatov from preaching for life. Makhmatov denied the charges and said he would appeal the court decision. Prosecutors stated he conducted “illegal preaching among Kazakhstanis via the internet” while in Saudi Arabia. According to media, Makhmatov lived in Saudi Arabia with his family for approximately 10 years until October 2018, when Saudi authorities arrested him and extradited him to Kazakhstan.

Forum 18 reported that on February 21, a German court rejected Kazakhstan’s request to extradite Sunni Muslim Murat Bakrayev. The court released him from detention the same day. Authorities accused Bakrayev, who left the country in 2005, of inciting religious hatred, expressing support for terrorism or extremism, and participating in a banned organization. Previously, in December 2018 the Atyrau City Court convicted two Muslim men, Erzhan Sharmukhambetov and Ermek Kuanshaliyev, and sentenced them to three and one-half years of restricted

freedom, a form of probation, for incitement of discord and participating in the activities of a banned religious association. According to Forum 18, Bakrayev's family and friends said police arrested Sharmukhambetov and Kuanshaliyev to pressure them to testify against Bakrayev.

Between September 2018 and August, 32 Jehovah's Witness conscientious objectors initially encountered difficulties in obtaining exemption from military service, although all cases were eventually resolved through dialogue with the authorities, the Jehovah's Witnesses reported. They said that at first, local enlistment officers considered the certificate issued by the recruits' local religious communities to be insufficient evidence to exempt the young men. The local religious communities then provided clarification on their eligibility for exemption and letters from the conscientious objectors formally asking to be released from military service.

Religious freedom NGO Association of Religious Organizations of Kazakhstan (AROK) reported consistently that authorities continued to use the religion law to harass and restrict minority religious groups with fines and limitations on their activities. For example, according to Forum 18, during the year, of 159 administrative charges, 139 ended with convictions, with 135 individuals, two religious communities, and one company being fined. Muslims, members of minority Christian groups, and commercial and private sellers were the targets of most of these prosecutions, Forum 18 reported. Violations included attending worship meetings not approved by the state; offering, importing, or selling religious literature and pictures, including on the internet; sharing or teaching faith; and violating procedures for praying in mosques. In comparison, according to Forum 18, authorities carried out 171 administrative prosecutions in 2018 and 284 in 2017. AROK stated that authorities targeted minority religious groups for allowing children younger than 18 to attend religious and community events. Although the law requires religious leaders to "take measures" to confirm that all participants are older than 18 or have the permission of both parents, some leaders said this was difficult in practice.

In July the Mugalzhar District Court in Aktobe Region determined that Jehovah's Witness Bolat Isabayev had violated procedures established in the law for conducting rites by holding an unapproved meeting for worship and fined him 88,375 tenge (\$230), the Jehovah's Witnesses reported. In May Isabayev invited 13 guests to his house, including children, to watch videos and conduct a religious rite. Jehovah's Witnesses stated that police, called to Isabayev's house at the request of neighbors, arrived to interrupt the gathering. The court determined

Isabayev violated the religion law by not obtaining permission from his neighbors and from local authorities. On July 2, the Aktobe Regional Court upheld the lower court's decision.

On May 2, the Taranovsk District Court found Jehovah's Witness Sergey Nurmanov guilty of "violations of requirements on holding religious rites, ceremonies, and/or assemblies." Nurmanov had conducted religious meetings at the registered address of his religious organization. The court, however, penalized him for conducting these meetings without obtaining permission from his neighbors. The court fined him approximately 88,375 tenge (\$230). On June 3, the Kostanay Regional Court upheld the decision.

On February 3, approximately a dozen law enforcement officials raided an apartment in Atyrau where the registered Society of Krishna Consciousness (ISKCON) had gathered for a religious meeting. Police said they were responding to an anonymous complaint about noise and suspicious persons and interrogated the worshippers. Authorities then initiated a case against the ISKCON members for conducting a religious event without prior permission from the local government. On February 25, some members of the organization received a summons to the regional Department for Religious Affairs, where officials asked them to write explanations and threatened them with administrative penalties. No further action was reported at year's end.

According to Forum 18, police harassed founders of Oskemen's New Life Church when it sought reregistration under a new name in May. The church last gained reregistration in October 2012. Officers visited several founders late at night and issued threats when one refused to open her door. Church members told Forum 18 that "the founders do not think their rights are being protected by the law or its representatives"; rather, they "are being subjected to pressure, which cannot help but arouse concern about the right to freedom of conscience."

In December 2018 the ISKCON community in Aktau in Mangistau Region began facing "intrusive questioning," according to Forum 18. On January 22, head of the regional Department for Religious Affairs Yerlan Esbergenov stated that unless all 62 founders completed questionnaires, officials would not register the community. The community had applied for registration in November 2018. Authorities required, among other information, "the reason for supporting the Krishna religion" and how long the founders had participated in the community's activity, Forum 18 reported. In February members complained to then minister of information and social development Darkhan Kaletayev and asked him to check

the legality of the department's actions. According to Forum 18, the minister responded on March 6, stating that instances of religious communities providing inaccurate information in their registration applications were increasing and such inspections were "to avoid such occurrences." At year's end, officials were still processing ISKCON's application.

On May 16, an appeals court reversed the decision of the Glubokovsk District Court in East Kazakhstan Region, which had found that Jehovah's Witness Sergey Merkulov violated the religion law by conducting religious meetings in his home. The district court fined Merkulov 126,250 tenge (\$330). Merkulov appealed to the East Kazakhstan Regional Court. The appeals court found no evidence that Merkulov had violated the law.

Courts continued to fine individuals for illegal missionary activity. Religious organizations said local law enforcement 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.

According to Forum 18, on April 10, Kyzylorda Specialized Administrative Court found two Muslims in Kyzylorda, Mukhtar Gadzhiyev and Darkhan Shilmanbetov, guilty of illegal missionary activity and teaching religion to children. The court imposed a fine of 176,750 tenge (\$460).

On March 26, the Baizak District Court of Zhambyl Region convicted member of the Council of Baptist Churches Pavlo Omelich of illegal missionary activity and distributing religious literature and fined him 252,000 tenge (\$660), Forum 18 reported. After Omelich appealed the court decision, authorities reclassified his case as violation of the regulation on importing and distributing religious literature and reduced the fine to 126,000 tenge (\$330).

On January 4, police in Shymkent charged two female Jehovah's Witnesses with public nuisance for sharing their faith with others. The court fined the women 12,625 tenge (\$33). Later in January, however, the Shymkent City Specialized Administrative Court annulled the fines.

In May a court fined a woman in North Kazakhstan Region 88,375 tenge (\$230) for an administrative violation of the law on dissemination of religious literature. According to the court, the woman attempted to sell electronic versions of the Quran on the internet.

Media reported in June that a resident of Petropavlovsk shared audio and video files with religious content over social media, a violation of the law on dissemination of religious literature. He received a fine of 126,250 tenge (\$330). According to a police spokesman, “Supporters of destructive religious movements . . . use various methods and methods of recruitment,” such as illegal distribution of religious literature. The report added that there were 12 legal resellers of religious literature in North Kazakhstan.

On January 29, the government withdrew from consideration amendments to the religion law that would have placed additional restrictions on religious attire, symbols, education, and literature, as well as proselytizing and membership and participation in religious communities. Civil society representatives and religious experts stated they feared such amendments would have further infringed religious liberty, and they praised the decision to withdraw the amendments.

The Council of Baptist Churches stated it continued to refuse on principle to register under the law. Community representatives reported authorities continued to closely monitor their meetings and travels, and police followed and surveilled them as in prior years. Baptists reported several police raids on adherents’ residences and churches and 18 administrative court cases during the year. For example, media reported that police in Taraz raided Council of Baptist Churches’ Sunday worship services on February 10 and 17 and March 3. Police officers filmed the services and the worshippers and requested that they all provide written explanations for why they took part in the activities of an unregistered religious organization. Brothers Yakov and Viktor Fot subsequently received fines of 252,500 tenge (\$660) and 126,250 tenge (\$330) for leadership of and participating in an unregistered religious organization, respectively.

The government maintained its policy of banning religious clothing from schools. The Ministry of Education and Science continued to prohibit headscarves in schools throughout the country.

According to the Aktobe Department of Education, eight girls in Aktobe Region were not permitted to attend classes because they wore headscarves. Authorities fined Nuraly Shakkozov 50,000 tenge (\$130) for violating the school uniform requirement in connection with his three daughters. Aktobe School No. 31 stated the three girls came to school every day during the fall, but the school could not allow them to enter because they violated the school uniform requirement. Mergali Tilepin, father of three girls attending Aktobe School No. 13, told media his

daughters had to remove their headscarves before entering the school building and put them back on when leaving the school. He said many parents had to agree to these conditions.

Lawyer Agysbek Tolegenov, who represented parents filing headscarf cases against the government, stated to media that parents filed no cases challenging the ban on wearing headscarves in school during the year, compared with 18 unsuccessful court cases filed in 2018.

According to Forum 18, some Muslims faced repeated questioning from law enforcement about their faith. Yerlan (no last name provided), a Muslim from a village in North Kazakhstan Region's Kyzylzhar District, told Forum 18 he was the subject of "intrusive" police questioning on July 20 because of his faith – the latest in six years of questioning, he said. According to Yerlan, the officer had a report indicating he was a Salafi Muslim. He said surveillance and questioning started after an anonymous complaint that he was a terrorist. "Officers keep coming and asking me what religion I follow, what movement within it, how long I have belonged to it," Yerlan told Forum 18. He added, "I have the right to reveal or not to reveal my faith. They never say on what basis they are asking these questions." The Interior Ministry told Yerlan, in a response to his complaint on a public inquiry section of the minister's blog, that the July 20 questioning had been in accordance with police practices.

The Church of Scientology continued to function as a registered public association rather than as a religious organization. The government allowed the Church, as a public association, to maintain resource centers/libraries where members could read or borrow books and host discussions or meetings but did not allow the Church to engage in religious activity.

The MISD and the SAMK maintained an official agreement on cooperation, and NGOs continued to state this led to the government effectively exercising control over the nominally independent SAMK. The government did not approve the registration of Muslim groups apart from the Sunni Hanafi school, which the SAMK oversaw. All other schools of Islam remained unregistered and officially unable to practice in the country, although religious leaders reported some Muslim communities continued to worship informally without government interference. By joining the SAMK, Muslim communities relinquished the right to appoint their own imams, subjected themselves to SAMK approval over any property actions (such as sales, transfers, or improvements), and were required to pay 30 percent of the mosque's income to the SAMK. The SAMK also set the curriculum for

religious education across the country and provided directives for sermons during Friday prayers.

The Ahmadiyya Muslim Community remained unregistered, after authorities denied the group reregistration for the sixth time in 2016. Government experts previously concluded the community's teachings were not Islamic and that the community must remove the word "Muslim" from its registration materials. Community members reported that, due to lack of registration, they did not engage in any religious activity.

The SAMK continued to oversee the opening of new and restored mosques. According to the CRA, there are 2,638 mosques in the country. The government and news media offered varying statistics that were occasionally inconsistent. In March then president Nazarbayev launched the construction of a new mosque in Nur-Sultan, which when completed would be the largest mosque in Central Asia and among the 10 largest in the world.

According to CRA statistics for the first nine months of the year, there were 3,770 registered religious associations or branches thereof in the country, compared with 3,715 in 2018. The SAMK continued to control the activities of all 2,640 formally registered Muslim groups affiliated with the Sunni Hanafi school and had authority over construction of new mosques, appointment of imams, and administration of examinations and background checks for aspiring imams. The SAMK was responsible for authorizing travel agencies to provide Hajj travel services to citizens. Based on a slight increase in demand, Saudi Arabia increased its 2019 pilgrimage quota for Kazakhstani Muslims to 3,200, from 3,000 the previous year. The MISD continued to work closely with the SAMK on the training of imams, upgrading madrassahs to the status of degree-granting colleges, and controlling Hajj pilgrimages. The SAMK permitted imams to enroll in baccalaureate, masters, or PhD programs offered at Nur Mubarak University's Islamic Studies and Religious Studies departments based on their prior education levels. There were 15 schools for religious training of Sunni Hanafi imams, an increase from 11 schools in 2018, one for Roman Catholic clergy, and one for Russian Orthodox clergy.

During the year, the MISD transferred authority for monitoring the internet and collecting information on internet sites with "destructive" content to a new commission within the ministry, the Center for Religious Expert Analysis. This work was previously undertaken by the Scientific-Analytical Center under the Ministry of Social Development, which did not operate during the year. The new



center did not make public any information about the substance of its work or statistics on the number of websites it found containing what it considered to be harmful information.

In a September 4 interview posted on the *Kostanay News* website and also on a government-affiliated research organization's webpage, the head of expert analysis on religious groups within the CRA spoke critically of smaller Christian organizations and other small religious groups, such as the Baha'is. The expert said the organizations were deliberately preaching in the Kazakh language to convert more people and lamented that more and more ethnic Kazakhs were converting to these religions in recent years, sometimes now constituting 50-60 percent of the membership in such groups.

According to the Penitentiary Committee of the Ministry of Internal Affairs, all prisons had a dedicated specialist to create programs to counter religious extremism, in accordance with a 2017 order issued by the Minister of Internal Affairs adding the position of "religious specialist" to prison staff as part of the State Program for Counteraction against Terrorism and Religious Extremism.

### **Section III. Status of Societal Respect for Religious Freedom**

AROK and minority Christian religious communities again expressed concerns regarding negative articles and broadcasts about minority religious groups they regarded as "nontraditional." In June a news broadcast on local channel Aqsham Telearnasy in Satpayev, Karaganda Region, reported on the meeting under the aegis of a police department program on preventing extremism and terrorism. Members of the government-supported group, including historians and religious experts, spoke of the need to protect youth from "nontraditional," "destructive," "pseudo" evangelical Christian and other minority Christian groups.

The Jehovah's Witnesses reported they counted more than 50 defamatory articles in various media outlets during the year. For example, on April 30, zakon.kz online newspaper published an interview with Baizhol Karipbayev, a professor at Karagandy State University, that negatively portrayed the Jehovah's Witnesses. In the interview, the professor characterized the religion as not holding "the common values of traditional religions," that is, "the universal humanitarian ideals and the values of our society." He further stated that followers hold themselves in "mild" opposition to the government because the tenets of the faith "lead to the formation of indifferent young people who do not feel a sense of responsibility to society, to Kazakhstan." He criticized the Jehovah's Witnesses' proselytization and

emphasized that the Jehovah's Witnesses are banned in neighboring Russia. Although registered in the country since 1992, he said, official registration does not mean the government fully accepts the ideological components of the religion.

NGOs continued to report individuals were wary of "nontraditional" religious groups, particularly those that proselytized or whose dress or grooming indicated "nontraditional" beliefs, including Islamic headscarves and beards. Media reported on a sociologist's study that found citizens around the country were affected by discrimination based on their religion. The region where people are most affected was West Kazakhstan, sociologist Gulnara Ismukhanova said in an interview, and many of those affected were Muslims. Many of those who experienced discrimination said it was because of their appearance, i.e., wearing religious clothing. She said the violations of their rights, negative attitudes, and injustice against them were a "disappointing consequence of the securitization of Islam."

#### **Section IV. U.S. Government Policy and Engagement**

The Ambassador at Large for International Religious Freedom, the Ambassador, the Special Advisor for Religious Minorities, other senior U.S. government officials, and embassy officers met with senior government officials in the MFA, MISD, and CRA and advocated for the importance of respecting religious freedom. These bilateral discussions took place both in the country as well as in Washington, D.C. during the U.S.-Kazakhstan annual dialogue and in New York during the UN General Assembly session. U.S. officials raised concerns over the restrictive effects of the government's implementation of the religion law and criminal and administrative codes on religious freedom. They also raised concerns about the inconsistent application of the religion law and the criminal and administrative codes with regard to "nontraditional" versus "traditional" religious groups. As a result of these discussions, Kazakhstan and the United States formed a Religious Freedom Working Group, which held its first meeting in Nur-Sultan in May.

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, enabling authorities, particularly at the local level, to apply them in an arbitrary manner. They encouraged the government to eliminate the burdensome registration requirements for religious communities and to take other steps to amend the religion law to increase the ability of believers to practice their

faith. On social media, the embassy also engaged in outreach to urge respect for religious freedom.

U.S. diplomatic officials visited houses of worship in several regions of the country and maintained contact with a wide range of religious communities, their leaders, and religious freedom advocates. They underscored the importance freedom of religion played in countering violent extremism, expressed concern about further restrictions on religious freedom, and encouraged reform of relevant laws and guidelines so all citizens could conduct peaceful religious activities freely, whether or not they were part of registered religious groups.