

KAZAKHSTAN

TIER 2

KEY FINDINGS

In 2018, despite some positive developments, the government of Kazakhstan continued to commit religious freedom violations. During the year, there was a substantial decrease in the number of administrative prosecutions for religious activity: from 279 cases in 2017 to 165 in 2018. Offenses ranged from attending worship meetings and engaging in missionary activity to minor administrative infractions. Of these cases, 139 resulted in punishments—including fines, prison terms, and various restrictions on freedom—as opposed to 259 in 2017. In October 2018, for the sixth time since 2003, Kazakhstan hosted its Congress of the Leaders of World and Traditional Religions, which promoted Kazakhstan’s image as a beacon of religious pluralism and a historical center of religious diversity. On January 29, 2019, after the reporting period, the government unexpectedly abandoned a series of proposed amendments to the country’s already restrictive 2011 religion law. Many observers had feared these amendments would initiate an even harsher crackdown on religious freedom in Kazakhstan. The decision to abandon the amendments came after nearly a year and a half of parliamentary debate. These

positive trends coincided with the continuation of repressive government policies toward religious belief and practice: for example, the government continued to routinely subject the general population to official scrutiny of their religious belief and practice. Dozens of individuals have been arrested and/or fined, or received sentences that restricted their freedoms and—in at least five cases—led to lengthy prison terms for the peaceful expression of religious beliefs. The Kazakhstani government also continued to politicize religion; it frequently charged its opponents with religious extremism and, in some cases, fabricated elaborate terrorism cases against them. The government continued to be particularly suspicious of proselytism, connections to religious movements or institutions abroad, and criticism of or dissent from official policy.

Based on these concerns, in 2019 USCIRF again places Kazakhstan on its Tier 2 for engaging in or tolerating religious freedom violations that meet at least one of the elements of the “systematic, ongoing, egregious” standard for designation as a “country of particular concern,” or CPC, under the International Religious Freedom Act (IRFA).

RECOMMENDATIONS TO THE U.S. GOVERNMENT

- Prioritize religious freedom and related human rights into the U.S.-Kazakhstan Strategic Partnership Dialogue and other bilateral interactions, and specifically urge the government of Kazakhstan to:
 - Repeal or amend its religious registration laws, which are frequently used to harass and prosecute religious minorities;
 - Cease the detention and sentencing of individuals for their peaceful religious expression and practice; and
 - Provide an alternative to military service for conscientious objectors;
- Encourage the Kazakhstani government to open the Congress of the Leaders of the World and Traditional Religions to representatives of all faiths; and
- Ensure continued U.S. funding for Radio Azattyq, the Kazakh service of Radio Free Europe/Radio Liberty (RFE/RL), so that uncensored information about events inside Kazakhstan, including those related to religious freedom, can be disseminated widely.

COUNTRY FACTS

FULL NAME

Republic of Kazakhstan

GOVERNMENT

Presidential Republic

POPULATION

18,744,548

GOVERNMENT-RECOGNIZED RELIGIONS/FAITHS

Technically a secular state with complete religious freedom. In practice, the government gives preference to so-called

“traditional religions,” especially Hanafi Islam and Russian Orthodox Christianity.

RELIGIOUS DEMOGRAPHY*

70% Muslim (Sunni Hanafi)

26% Christian (including Orthodox, Protestants, Catholics, and Jehovah’s Witnesses)

3% Other (including Jews, Buddhists, Baha’is, and Hare Krishnas)

1% Non-Hanafi Muslim (including Shi’a and Sufi Muslims)

*Estimates compiled from the U.S. Department of State

BACKGROUND

Kazakhstan is territorially the largest state in Central Asia, with 18 million citizens, second only to Uzbekistan in terms of population. About two-thirds of the population are ethnic Kazakhs, a Turkic people, while the rest are ethnic Slavs and other Turkic peoples including Uzbeks and Uighurs (also spelled Uyghur). Kazakhstan is the only Central Asian country that has a large ethnic-Russian population (23.7 percent), most of whom live in the north along the Russian border. The country was ruled by Nursultan Nazarbayev between 1990—when it was still part of the Soviet Union—and March 19, 2019, when Nazarbayev resigned amid growing popular unrest over the government’s neglect of ordinary citizens. Nazarbayev actively opposed the dissolution of the Soviet Union, and maintained his position for almost 30 years by carefully balancing Kazakhstan’s autonomy with Russian, Chinese, and American interests, and by exploiting perceived security threats to expand the power of the state at the expense of civil society.

In the 21st century, the threat from Russia has been overshadowed by the specter of Islamist extremism. Kazakhstan has suffered several terrorist attacks, which have frequently served as a pretext for the extension of authoritarian rule. Organization for Security and Cooperation in Europe (OSCE) election observers have found

that no election in the country has been free and fair, including the most recent April 2015 election in which the president purportedly received almost 98 percent of the vote. New elections are scheduled for June 9, 2019, until which time the former speaker of the Senate, Kassym-Jomart Tokayev, will serve as interim president. Despite his resignation, Nazarbayev will maintain significant power in his unelected roles as “Leader of the Nation,” head of the National Security Council, and head of Kazakhstan’s ruling political party, Nur Otan.

For decades, Nazarbayev sought to cultivate Kazakhstan’s image as a model of religious pluralism. Since 2003, the country periodically hosted an official Congress of the Leaders of World and Traditional Religions, joined by prominent religious and political leaders, including the general secretaries of the United Nations (UN) and OSCE. In October 2018, Kazakhstan hosted the Sixth Congress, devoted to “Overcoming Extremism and Terrorism,” which was attended by 80 delegates from 46 countries. Representatives from religious groups that the government of Kazakhstan considered “extremist” were notably absent—such as the Jehovah’s Witnesses, the Church of Scientology, the Union of Evangelical Baptists, and Tablighi Jamaat.

Before its 2011 religion law was enacted, Kazakhstan had been one of the least repressive post-Soviet Central Asian states with regard to freedom of religion or belief.

The religion law, however, set stringent registration requirements with high membership thresholds, and banned or restricted unregistered religious activities, including those relating to education, distributing literature, and training clergy. Other vague criminal and administrative statutes enable the state to punish most unauthorized religious or political activity. Religious groups are subject to police and secret police surveillance. As a result of the law's registration requirements, the total number of registered religious groups fell sharply after 2011, especially the number of "non-traditional" religious groups, which declined from 48 to 16. Although the religion law considers all religions to be equal, its preamble "recognizes the historical role of Hanafi Islam and Orthodox Christianity."

According to government statistics, Kazakhstan had 3,732 registered religious entities at the end of the reporting period—often, but not always, reflected in a physical house of wor-

ship: 2,599 Muslim entities, 340 Orthodox, 86 Catholic, 594 Protestant, seven Jewish, two Buddhist, six Baha'i, two Church of Jesus Christ of Latter-day Saints, and one Unification. The government restricted many religious minority communities from registering as legal entities and funded "anti-sect centers" that function as quasi-nongovernmental organizations, publicly promoting intolerance against Jehovah's Witnesses, evangelical Christians, and Salafi Muslims, among others.

Throughout 2018, Kazakhstan wavered between a renewed offensive against religion and a more conciliatory posture. The number of cases targeting religious activity noticeably diminished, even as the Senate debated a series of amendments that would, if approved, dramatically expand the government's ability to prosecute religion. Among other things, the proposed amendments would have further restricted who may legally proselytize—already broadly defined under Kazakhstani law to encompass all manner of religious discussion—and under what circumstances. A requirement for the explicit approval of both parents for children to take part in religious activities would have posed another major hurdle to religious groups organizing large events or children's

education. In addition, another requirement that all worship only take place in specially designated religious institutions would have imposed unfair burdens on communities either lacking a separate space or simply exercising their freedom to worship in private.

RELIGIOUS FREEDOM CONDITIONS 2018

Positive Developments

On January 29, 2019, after the reporting period, the government of Kazakhstan abandoned its proposed amendments to the country's already restrictive 2011 religion law. The decision to abandon the amendments came after nearly a year and a half of parliamentary debate and followed their approval on September 27 by

the Senate, which then handed the amendments back to the lower house for final passage. During 2018, there was a substantial decrease in the number of administrative prosecutions for religious activity, from 279

cases in 2017 to 165 in 2018. Of these cases, 139 resulted in punishments—including fines, prison terms, and various restrictions on freedom—as opposed to 259 in 2017. During the summer, the Ministry of Religion and Civil Society was renamed the Ministry of Social Development and references to religion were removed from its official designations. Some Muslims reported experiencing an improvement in their treatment during 2018 when compared to the previous year. One self-described Salafi Muslim claimed that in the past, he and his friends were routinely stopped and questioned by the police about their religious beliefs, but in 2018 this practice had largely stopped.

Government Targeting of Tablighi Jamaat

Although Kazakhstan is a majority Muslim country, the government is avowedly secular and views religion as a potential threat to be controlled. The state maintains influence over, and preference for, the 'traditional' Hanafi Sunni school, while Islamic practice that deviates from the mainstream is viewed with suspicion. In 2018, as in the past, Muslims in Kazakhstan were by far the most persecuted group: 25 of the 37 known administrative

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cases brought against individuals for hosting, holding, or participating in religious meetings involved Muslims. In particular, the government continued to target members of the Muslim missionary organization, Tablighi Jamaat. Tablighi Jamaat was banned as “extremist” in 2013, despite an extensive study undertaken by the secret police and the Religious Affairs Committee between 2010 and 2012, which found the movement is neither extremist nor terrorist. Tablighi Jamaat is avowedly pacifist and apolitical. Nevertheless, the international scope and missionary emphasis of Tablighi Jamaat routinely attracts the ire of the Kazakhstani government, which remains suspicious of religious groups with foreign ties or that actively proselytize.

On April 6, 2018, a court sentenced Kazbek Laubayev, Marat Konyrbayev, and Taskali Naurzgaliyev to three years in prison for membership in Tablighi Jamaat. Three other men arrested with them were fined and placed under restricted freedom, which could include house arrest, the inability to hold certain jobs, or prohibition of travel to another city without official permission. According to Forum 18, a senior police official admitted that none of the six men had committed or called for violence. On July 9, seven more members of Tablighi Jamaat were sentenced to restricted freedom for between one and three years. Four of them were additionally punished with 120 hours of community service. In August, all seven were added to a list of individuals “connected with the financing of terrorism or extremism,” maintained by the Finance Ministry. Those on the list have their bank accounts frozen and their families are only able to withdraw small amounts if given special permission by the state. Anyone helping those on the list, or their families, place themselves in legal jeopardy of financing terrorism. On January 9, 2019, after the reporting period, Abilai Bokbasarov became the 73rd Muslim imprisoned in Kazakhstan for membership in Tablighi Jamaat. He was sentenced to three years in prison and, upon his release, will be forbidden from engaging in religious activity for an additional five years. He was added to the Finance Ministry’s list on February 15.

The government censors all religious texts, bans religious materials in prison, and restricts where religious materials may be sold.

Prosecution for Islamic Literature and Instruction

During the year, the Kazakhstani government routinely prosecuted citizens for possessing or distributing religious literature. Between February 2009 and May 2018, the government banned 815 items for alleged association with “extremism.” The government also censors all religious texts, bans religious materials in prison, and restricts where religious materials may be sold. On September 19, 2018, a 65-year-old man was fined the equivalent of three weeks’ average wages for

selling Islamic pamphlets about how to pray and read the Qur’an. The police had begun investigating him for “inciting religious discord” in June, but the investigation was later dropped “due to the absence of a crime.” He

was then charged with illegally distributing religious literature. In addition to the fine, the judge ordered all 85 copies of the pamphlets to be destroyed, not because they were illegal, but because the defendant “did not need them.” On August 6, a couple was fined the equivalent of three months’ average wages for missionary activity and the illegal production and distribution of religious literature. The two had collected traditional Muslim prayers into booklets, which they taught to local children with the permission of their parents.

Several Kazakhstani citizens have been handed harsh sentences for posting online lectures by Muslim theology student Kuanysh Bashpayev, in which he criticized the state-controlled Muslim Board. In 2017, Bashpayev was jailed for extremism as a result of these lectures and has spent more than a year in solitary confinement, where he remained at the end of the reporting period. His incarceration continued despite an assessment of his lectures commissioned by the national security services, in which two of three independent experts found the lectures did not incite religious hatred or call for the violent overthrow of the state. On October 19, 2018, Galymzhan Abilkairov was sentenced to seven years and seven months in prison for posting the lectures online. On November 16, another Kazakhstani citizen, Dadash Mazhanov, was sentenced

to seven years and eight months in a labor camp for the same offense.

Headscarves Banned in Schools

At the beginning of the 2018 school year, the government started a renewed campaign against the wearing of headscarves by female students. In one school where students had previously worn headscarves without incident, more than 200 girls were barred entry for refusing to remove them. Psychologists and theologians sent to the school's village by local authorities convinced all but 10 of the girls to remove their scarves. Authorities subsequently fined the parents of seven of the girls. In another district, the parents of 13 girls were fined \$380 each for sending their daughters to school in headscarves. Dozens of girls are reportedly unable to attend school because they refuse to comply with the newly restricted clothing policy. During the year, the government maintained its right to enforce a secular dress code in public schools as a legacy of the "important historical achievement of the Kazakh people." Officials explained that the recalcitrant girls are a product of "nontraditional" religious groups and that the ban on headscarves is necessary to fight religious extremism in affected areas of the country.

Arbitrary Accusations of Islamist Extremism

Kazakhstani human rights groups, like the Kazakhstan International Bureau for Human Rights, and independent Kazakhstani journalists have provided compelling evidence that the government of Kazakhstan uses charges of religious extremism and terrorism to persecute its political enemies. In June 2018, the government extradited blogger and activist Muratbek Tungishbayev from Kyrgyzstan. Tungishbayev was a member of the banned opposition movement Democratic Choice for Kazakhstan (DVK), which was founded by Mukhtar Ablyazov, a former banker and prominent critic of Nazarbayev's government wanted for allegedly

embezzling five billion dollars. Tungishbayev was charged with propagating terrorism, an offense punishable by up to 12 years in prison; he remained in pretrial detention at the end of the reporting period. On December 21, Kenzhebek Abishev, Almat Zhumagholov, and Oralbek Omyrov, also members of the DVK, were convicted of propagating religious extremism and terrorism. The case against Abishev, Zhumagholov, and Omyrov was based on a video recording of three armed masked men, who claimed to represent the DVK and called for Islamic jihad. According to independent observers, the course of the trial revealed the video to be highly suspect, with compelling evidence that it was fabricated by the security services. Nevertheless, the judge found the men guilty, effectively linking the DVK to Islamist terrorism.

Government Complicity in Chinese Persecution of Kazakh and Other Muslims

Over the last two decades, the government of Kazakhstan has on several occasions deported ethnic Uighur Muslims to China, violating its obligations under the 1951 UN Refugee Convention, its 1967 Protocol, and the international legal principle of nonrefoulement. In recent years, the Chinese government has actively detained Kazakh and other Muslims within its borders. According to the State Department, since 2017 the Chinese government has detained 800,000 to possibly more than two million Uighur, Kazakh, Kyrgyz, and other Muslims in internment camps. The existence of information about

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these camps owes much to the work of Kazakh activists like Serikzhan Bilash, an ethnic Kazakh originally from the Xinjiang Uighur Autonomous Region of northwest China who has advocated for his compatriots in the camps. While some Kazakh Muslims detained in China were released in 2018 and forced to

remain in the country, approximately 2,000 reportedly received permission to emigrate to Kazakhstan. One ethnic Kazakh on whose behalf Bilash advocated was

Sayragul Sauytbay, a female Chinese citizen who fled one of the camps in April 2018 after being forced to teach there. Kazakhstani authorities arrested Sauytbay in May when she crossed the border, but in August a court declined to deport her to China. At the end of the reporting period, her status remained uncertain after Kazakhstan twice denied her asylum requests. Relatedly, on March 10, after the reporting period, Bilash was detained by law enforcement in the southern city of Almaty and remanded to the capital, Astana. The following day, he was accused of “inciting ethnic hatred” for his advocacy on behalf of ethnic Kazakhs like Sauytbay. Such instances have contributed to popular outrage and ongoing protests over the Kazakhstani government’s systematic neglect of ordinary citizens.

Being an officially registered church is not a guarantee against harassment by authorities.

Harassment of Protestant Christians

Christians in Kazakhstan are frequently penalized for distributing religious texts without a license, discussing religion without the required “missionary” registration, and holding unregistered worship meetings. Churches belonging to the Baptist Council of Churches exercise civil disobedience by refusing to comply with registration laws in any of the post-Soviet states where they exist. Of the eight administrative charges brought against Christians in 2018 for hosting, holding, or participating in religious meetings, seven of the accused were Baptist Council churches.

In late 2018, police raided a Baptist Council of Churches congregation in Almaty; police filmed all those present and confiscated religious literature for “expert analysis.” The pastor, Eduard Neifeld, was charged with violating the religion law by holding an unapproved meeting and distributing religious materials that have not received a “positive assessment from a religious studies expert analysis.” On January 28, 2019, after the reporting period, Pastor Neifeld was fined the equivalent of \$667, or roughly two months’ average wages. Over the next several weeks, two more Baptist Council churches were raided by the police and issued similar fines for their unregistered meetings.

Being an officially registered church is not a guarantee against harassment by authorities. On February 25, 2018, police raided the New Life Protestant Church in the city of Kyzylorda, responding to a report that a child was present. They demanded to see the church’s registra-

tion, surrounded the building with yellow tape, filmed everyone present, and refused to allow anyone to leave. Officers demanded that all children present identify their parents. Each member

was forced to write a statement explaining why they came to church, when they had started coming, whether anyone had forced them to do so, and whether they read any religious literature. About 20 members were taken to the police station and questioned for several hours. Religious literature, including the pastor’s Bible, was seized despite having already received approval by official censors. The pastor was taken to a drug testing center and forced to take an alcohol test before being questioned at the police station. He was detained for six hours, twice the duration permitted by law, and accused of “inciting discord,” a charge that carries up to 10 years in prison. The charges were later dropped.

On March 30, an official from a regional religious affairs department in western Kazakhstan sent a letter to the leaders of local Christian groups, all of which were officially registered. The letter demanded the names, ages, places of study, and state identification numbers of all underage members. The data was allegedly needed for an ongoing official study and “monitoring,” and only Christian groups were selected.

Jehovah’s Witnesses

Jehovah’s Witnesses reported an improved atmosphere in 2018. The group remained legal in Kazakhstan and congregations were able to register. Like other religious groups that engage in proselytization, Jehovah’s Witnesses have been prosecuted for unauthorized missionary activity in the past. In January 2017, Teymur Akhmedov was arrested for discussing his faith with undercover police informers, who secretly recorded him. On May 2, 2017, he was sentenced to five years in prison, despite being diagnosed with colon cancer while

in custody. In October 2017, and again in January 2018, the UN Working Group on Arbitrary Detention [called](#) for Akhmedov's immediate release so that he could be effectively treated at a hospital. On April 4, 2018, he was released from prison after receiving a full presidential pardon from Nazarbayev.

Other Religious Minorities

The Russian Orthodox Church maintained good relations with the government of Kazakhstan and has a strong presence, especially among the Russian minority in the north. Prominent Orthodox clerics vocally support Nazarbayev, and the president gives an annual televised address on Orthodox Christmas that references the unique multiconfessional nature of Kazakhstan's historical development. Speaking on the recent independence (autocephaly) granted to the Ukrainian Orthodox Church, the chairman of the Kazakhstani Senate claimed that the parishes of the Orthodox Church in Kazakhstan were united and had no need for autonomy.

In addition, the government of Kazakhstan maintained good relations with the Vatican, and Catholics are the only religious group exempt from registration. Nazarbayev marked the beginning of the Sixth Congress of the Leaders of World and Traditional Religions by presenting an award to the Vatican for its "contribution to interreligious dialogue." Other religious minorities in Kazakhstan were likewise represented at the Congress, reflecting the status they tend to enjoy in the country. Notable attendees included Vice-President of the World Congress of Buddhists Choyzhilzhavyn Dambazhav, Chief Ashkenazi Rabbi of Israel David Lau, Chief Sephardic Rabbi of Israel Yitzhak Yosef, and Iranian Shi'a cleric Mohsen Araki.

U.S. POLICY

After the collapse of the former Soviet Union, the United States was the first country to recognize Kazakhstan's independence, and is now the largest direct foreign investor in Kazakhstan. At independence, Kazakhstan

had one of the world's largest reserves of nuclear weapons, including 1,410 strategic nuclear warheads placed on its territory and an undisclosed number of tactical nuclear weapons. By 1994, it had exchanged all of them for improved relations with the West. Key bilateral issues with the United States include regional security—such as efforts to stabilize Afghanistan—and nuclear non-proliferation. In 2018, Kazakhstan and the United States [signed](#) their fourth five-year plan to strengthen military cooperation via capacity-building programs. U.S. Agency for International Development (USAID) programs in Kazakhstan help support civil society, increase access to information, strengthen citizen initiative groups, promote an independent judiciary, and encourage human

rights protection. USAID also assists in civil society partnerships with the Kazakhstani government.

On January 16, 2018, President Donald J. Trump hosted then President Nazarbayev at the White House, where the two [discussed](#) improving

trade and economic ties between the two countries. On January 17, Vice President Michael R. Pence met with Nazarbayev and stressed the importance of respecting civil liberties, "[especially meeting commitments to protect religious freedoms](#)." Deputy Secretary of State John J. Sullivan reiterated this message in July 2018 when [he](#) met with Kazakhstan Foreign Minister Kairat Abdrakhmanov in Washington, DC, and discussed religious freedom.

In 2018, U.S. Embassy officials met with representatives of the Kazakhstani government to urge respect for religious freedom, raise concerns about the negative impact of the government's legal prosecution of religion, and emphasize the role of freedom of religion in countering violent extremism.

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