



UNITED STATES COMMISSION *on* INTERNATIONAL RELIGIOUS FREEDOM

COUNTRY UPDATE: KAZAKHSTAN

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USCIRF's Mission

To advance international freedom of religion or belief, by independently assessing and unflinchingly confronting threats to this fundamental right.

By Jason Morton, Policy Analyst

Overview

In May 2019, staff from the U.S. Commission on International Religious Freedom ([USCIRF](#)) traveled to Kazakhstan to meet with religious groups and civil society and to participate in an inaugural Religious Freedom Working Group between the Kazakhstani government and representatives from the U.S. Department of State. The government of Kazakhstan considers religious pluralism to be one of its distinctive historical legacies and is eager to improve its image on international religious freedom. To this end, Kazakhstan has engaged in a dialogue with the U.S. government, in which the Working Group represents a first step.



The U.S. delegation to Kazakhstan's inaugural Religions Freedom Working Group



Religious Freedom Conditions in Kazakhstan

Kazakhstan's complicated religious freedom landscape presents unique challenges. Many religious groups with whom USCIRF met during its May 2019 visit affirmed that Kazakhstan is multi-confessional and welcoming to religion and belief. The country's ethnic and religious diversity owes much to its troubled history. Under Joseph Stalin's rule, the Soviet Union deported many ethnic and religious minorities to the region, adding large communities of Chechens, Jews, Germans, Poles, Koreans, and others to existing populations of Kazakhs and Russians. These groups often brought religious practices with them, establishing faith communities that endure to the present day. Many of these are considered to be "traditional" religions in Kazakhstan, and their members experience the country—at both the state and social level—as a tolerant place in which to practice their faith.

On the other hand, the late Soviet and early post-Soviet era witnessed an influx of religious influences ranging from the West to the Middle East and India. These influences included many members of so-called "nontraditional" religions—including evangelical Christians, Salafi Muslims, and Scientologists among others—who have a much different experience, which often involves official suspicion, hostility, and even the criminalization of their religious practice.

Positive Developments

During USCIRF's visit, representatives of established religious communities described further improvements in their status. In May 2019, the leadership of the Roman Catholic, Russian Orthodox, and Lutheran communities signed a historic memorandum establishing the Council of Traditional Christian Confessions, which aims to help the Kazakhstani government engage in dialogue with Christian communities. The Catholic Bishop of Almaty reported that, while most religious literature is in Russian, the church recently published the first-ever book of Catholic prayers in the Kazakh language and presented it to the pope.

In late 2018, Jewish communities in Kazakhstan's main cities of Nur-Sultan and Almaty were able to hold public menorah lightings for Hanukkah for the first time in recent memory. The government made an exception to its usual prohibition on the public display of religious symbols in order to demonstrate its positive relationship with the Jewish community. The rabbinic leadership in both cities told USCIRF that Kazakhstan is a haven for the Jewish people, the government actively protects their interests, and society overall is tolerant and welcoming.



The Working Group tours the Hazrat Sultan mosque in Nur-Sultan in May 2019

The chief imam in Nur-Sultan described warm relationships between Muslims and other faith communities and noted that the government promotes interfaith dialogue and interaction. The city's recently completed Hazrat Sultan mosque, which has the capacity to hold up to 10,000 people, is both a religious and cultural center that regularly hosts ecumenical gatherings and encourages non-Muslim visitors. Even many "nontraditional" communities that have experienced problems in the past reported to USCIRF that conditions have recently improved. Representatives of the Union of Baptist Churches claimed that everyone who wants to follow their faith has the opportunity to do so in Kazakhstan. The Hare Krishnas reported that their small community of 3,500 is growing rapidly. They are registered in eight cities and are preparing to register in two more. They have a positive dialogue with the government and believe their trajectory in the country is good. The Jehovah's Witnesses say they have received considerable support from the national government, which is eager to incorporate them into society. They estimate their numbers at around 20,000 and maintain 59

Kingdom Halls, where they frequently hold open houses attended by officials and the local community. Further, Jehovah's Witnesses in Kazakhstan are exempted from compulsory military service. Although there are [reports](#) of occasional harassment, members conveyed to USCIRF that no one has been prosecuted for conscientious objection during the last 20 years.

Ongoing Problems

The government is particularly concerned about the spread of religious extremism and the potential for perceived social disruption posed by proselytism and missionary activity. A local specialist on Kazakhstani extremism laws told USCIRF there is little understanding of "violent extremism" at either the state or social level; there is only "extremism," which is almost always perceived to be religious.



The Tien-Shan mountains in the southern city of Almaty

The legal definitions of extremism and proselytism are excessively vague, effectively empowering local law enforcement to define these terms on an ad hoc basis. Officers often lack the training to make informed legal decisions, or to distinguish unusual practices from truly dangerous ones. Even gifting religious materials to a friend in the privacy of one's own home can be prosecuted as illegal "missionary activity".

Numerous interlocuters reported to USCIRF that ordinary citizens do not have a clear sense of what they should and should not do. Activists try to spread the word online, but this is risky and difficult. The act of asking too many questions about religion can attract the state's attention and lead to active monitoring. With the boundaries of legal behavior often unclear to all parties, there is heightened potential for abuse, graft, and corruption.

At higher levels, state-appointed political experts, linguists, and philosophers—rather than experts in religion—often determine the existence of “extremism.” The government’s “experts” are given extensive authority to censor religious texts, define acceptable religious speech, and even determine whether or not a community is an authentic religion. Kazakhstan’s burdensome registration requirements subject each community’s “founding documents” to such expert review, which is used to determine the community’s legal existence.

In 2011, the Church of Scientology was forced to reregister as a civic group after an examination of its founding documents determined it was not a religion. The proceeding itself was closed, and the church does not have the ability to appeal or present alternative experts in its defense. The new civic status enables Scientologists to meet, but limits members’ activities. For example, church members cannot preach or give testimonials and must travel to Europe or the United States to conduct certain rituals, like confession.

Similarly, although it was initially registered in 1994, the Ahmadiyya Muslim community was denied registration after the passage of the 2011 religion law. The government said its failure to receive registration was because of inaccurate information in its application, referring to the Ahmadi claim that they are Muslims. The community took the claim to court, but was again refused on the basis that its adherents are not really Muslims. To date, the community has received seven refusals—six for technical reasons and one for its continued self-identification of its adherents as Muslims.

Several Christian minority groups reported to USCIRF that their legally registered communities declined significantly after the 2011 religion law because of their inability to meet the new threshold of 50 founding members. They claimed this is not due to a true lack of founding members, but because many people are afraid to register as such. Those who are registered must provide invasive personal information, which is then held in a government database. Several interlocuters reported that some people whose names are on the database have been denied credit and employment, or have not been allowed to leave the country.

Ethnic Kazakh converts to Christianity reported difficult social conditions. Although Kazakhstan is an avowedly secular country with relatively low levels of religiosity among the population, ethnic Kazakh identity strongly correlates with cultural Islam. One Kazakh Christian reported that people are always shocked to learn of his faith, often treating him like a traitor or a spy.

Representatives of Kazakhstani civil society told USCIRF that they have tried multiple times to investigate the “expert” analysis of religious literature and founding documents. In response to their inquiries about the identity of these experts, they were told these individuals are “the government.” Some reported that the government harasses activists and employs disreputable tactics, including cases of phones being stolen and later presented as evidence in court after an unknown person has used the device to post inflammatory content on social media.



Bayterek tower in Nur-Sultan

Sources close to Kuanysh Bashpayev, whose case is covered in USCIRF's [2019 Annual Report](#), told USCIRF that he has been in solitary confinement since 2016. Bashpayev holds a master's degree in Muslim theology and was jailed for a series of lectures in which he criticized the state-controlled Muslim Board. The sources say Bashpayev's hearing was completely closed and that the prosecution refused to provide specific details about what elements of his lectures were found to be incriminating.

Religious Freedom Working Group

At the May 2019 inaugural session of a joint U.S.–Kazakhstani Religious Freedom Working Group, USCIRF raised many of the religious freedom challenges described in this update with its interlocutors from relevant ministries within the Kazakhstani government. These officials openly recognized deficiencies in their regulation of religion and expressed their desire to address them through ongoing consultation with the United States, to which they have stated they are firmly committed.

Conclusion

There is real potential for the government of Kazakhstan to significantly improve its record on freedom of religion and belief. Religious pluralism is an important part of the country's historical legacy and is central to the self-image the government projects on the international stage. The willingness of officials to recognize shortcomings in this sensitive area, and to engage with the United States in reform, is admirable and encouraging; nevertheless, significant obstacles to progress persist. The official apparatus tasked with overseeing religion in Kazakhstan is enormous, and the country's various religious regulations are typically vague and convoluted. This leads to confusion about the parameters of legal behavior for both citizens and law enforcement and creates a context for abuses. Government interventions frequently violate the separation of state and religion guaranteed by the Kazakhstani constitution. The government's so-called expert analysis and approval of founding documents and religious literature is a state intrusion into the realm of belief, effectively legitimizing or delegitimizing a religion based upon its conformity to official opinion. The closed nature of this process only contributes to the appearance of arbitrary justice. Kazakhstan has much to gain by fully embracing its diversity and establishing an impartial and transparent religious policy. Beyond the respect of the international community, it will earn the gratitude of a population eager to be entrusted with their own beliefs. For more information about religious freedom conditions in Kazakhstan and USCIRF's recommendations to the U.S. government, see the Commission's [2019 Annual Report](#).



UNITED STATES COMMISSION *on* INTERNATIONAL RELIGIOUS FREEDOM

Professional Staff

Harrison Akins
Policy Analyst

Ferdaouis Bagga
Policy Analyst

Keely Bakken
Policy Analyst

Dwight Bashir
Director of Outreach and Policy

Elizabeth K. Cassidy
Director of Research and Policy

Patrick Greenwalt
Researcher

Roy Haskins
Director of Finance and Office Management

Thomas Kraemer
*Director of Operations and
Human Resources*

Kirsten Lavery
International Legal Specialist

Jason Morton
Policy Analyst

Tina L. Mufford
Deputy Director of Research and Policy

Dominic Nardi
Policy Analyst

Javier Pena
Outreach Support Coordinator

Jamie Staley
Senior Congressional Relations Specialist

Zachary Udin
Research Project Specialist

Scott Weiner
Policy Analyst

Kurt Werthmuller
Supervisory Policy Analyst

The U.S. Commission on International Religious Freedom (USCIRF) is an independent, bipartisan federal government entity established by the U.S. Congress to monitor, analyze, and report on threats to religious freedom abroad. USCIRF makes foreign policy recommendations to the President, the Secretary of State, and Congress intended to deter religious persecution and promote freedom of religion and belief.

www.USCIRF.gov

@USCIRF

Media@USCIRF.gov

732 N. Capitol Street, NW, Suite #A714

Washington, DC 20401

202-523-3240 (p) 202-523-5020 (f)