

### KEY FINDINGS

In 2021, religious freedom conditions in Kazakhstan improved in some areas but remained problematic as the government failed to deliver on long-promised reforms. Since 2019, Kazakhstan has engaged in a religious freedom working group in consultation with U.S. government representatives, including USCIRF, and civil society stakeholders. At those sessions, and in numerous separate meetings between USCIRF and Kazakhstani officials, the government of Kazakhstan solicited and received recommendations for reforming the 2011 Religion Law to bring it into compliance with international standards. Despite repeated assurances that the recommendations would be considered and implemented in certain cases, the [amendments](#) passed on December 29, 2021, did not contain substantive reforms and seem likely to further restrict religious activity in Kazakhstan in some cases.

There were 128 known [administrative prosecutions](#) for religious offenses in 2021, virtually identical to the 131 known cases in 2020. This marked the first year since 2017 without a significant decline in such cases from the previous year. These prosecutions included significant punitive fines, in some cases equivalent to four months' average wages, for peaceful religious activities such as selling religious literature, instructing children in religion without state approval, praying without state approval, and unregistered missionary activity. Although USCIRF has been encouraged by the previous decline in such cases, the prosecutions still constitute systematic and ongoing violations of religious freedom.

The government of Kazakhstan participated in religious freedom roundtables across the country, enabling representatives of various religious communities to meet with government officials

and discuss their concerns and recommendations for reform. While such initiatives are admirable, some participants have expressed frustration that officials have not seriously considered their input and that the meetings were largely symbolic. On July 15, 2021, the government of Kazakhstan [signed](#) a Memorandum of Understanding with the Love Your Neighbor Committee (LYNC), a U.S.-based nonprofit that organizes religious freedom roundtables, facilitates interreligious dialogue, and provides cross-cultural religious literacy training for officials and law enforcement.

Although seldom rising to the level of egregious, ongoing religious freedom violations and allegations of abuse remained. In September 2021, 1,641 parents from across Kazakhstan signed a [petition](#) to the government requesting that Muslim girls be allowed to wear hijabs in public school. Authorities denied the request and Muslim girls are still forbidden to wear head coverings in school. As in years past, the government used [vague charges](#) of "propaganda of terrorism," "extremism," or "inciting religious hatred" to justify the arrests of religious activists and political opponents. In June 2021, local officials slandered residents protesting the [illegal and unexplained closure](#) of their historic local mosque in Zhympty as adherents of a "nontraditional" religious interpretation. The community, which recently renovated the mosque at its own expense, denies any links to extremism or terrorism and only seeks to preserve a beloved and iconic local landmark. The Kazakhstani government continued to [persecute](#) opponents of China's ethnoreligious genocide in Xinjiang and even [banned](#) a prominent researcher of these tragic events from entering Kazakhstan for five years.

### RECOMMENDATIONS TO THE U.S. GOVERNMENT

- Include Kazakhstan on the U.S. Department of State's Special Watch List for engaging in or tolerating severe violations of religious freedom pursuant to the International Religious Freedom Act (IRFA);
- Discontinue the U.S.-Kazakhstan Religious Freedom Working Group until the government delivers on promised reforms, including:
  - The repeal or amendment of religious registration laws, including reducing the required number of founding members of a religious organization to register, currently set at 50;
  - The end of mandatory expert review of founding documents and religious literature, or a significant reform of the process to make it more transparent;
- The reduction of the specific personal data from founding members required to register and the inclusion of legal protections to ensure that such information shall not be used to discriminate against or harass individuals; and
- The repeal of provisions that allow for the prosecution of individuals for "insulting religious feelings" in violation of international standards of religious freedom and freedom of expression.
- Advocate for religious freedom reforms in all engagement with the government of Kazakhstan on improving the human rights landscape; and
- Provide religious freedom training to law enforcement and local officials through the U.S. Agency for International Development (USAID) mission in Kazakhstan as part of broader initiatives to combat corruption and promote good governance.

The U.S. Congress should:

- Advocate for religious freedom reform and other measures aimed at improving the human rights landscape in Kazakhstan through the Congressional U.S.-Kazakhstan Caucus.

### KEY USCIRF RESOURCES & ACTIVITIES

- **Podcast:** [Reforms in Kazakhstan Could Improve Religious Freedom](#)
- **Factsheet:** [CPC and SWL Recommendations](#)
- **Factsheet:** [Controlling Civil Society's Purse Strings](#)

## Background

Kazakhstan is territorially the largest state in Central Asia and has the region's second-largest population, with [around 19 million citizens](#). The population is approximately 70 percent Sunni Muslim, 26 percent Christian (including Orthodox, Protestants, Catholics, and Jehovah's Witnesses), 3 percent other (including Jews, Buddhists, Baha'is, and Hare Krishnas), and one percent Shi'a and Sufi Muslim. Approximately two-thirds of the population are ethnic Kazakhs, a Turkic people, while the rest are ethnic Slavs and other Turkic peoples, including Uzbeks and Uyghurs. Kazakhstan is the only Central Asian country with a large ethnic Russian population, mostly in the north.

The government is avowedly secular and seeks to control religion, which it views as a potentially destabilizing force. It maintains influence over—and preference for—what it considers the “traditional” Hanafi school of Sunni Islamic jurisprudence and is generally wary of Islamic practices emanating from other countries. It classifies other religions with a long-established presence and good relations with the government as traditional and nonthreatening—like Orthodox Christianity, Roman Catholicism, and Judaism—while it views newer arrivals to the region with suspicion, such as Evangelical Christianity and Scientology. The government is particularly concerned about the spread of religious extremism—which it defines broadly and uses as a charge to target political opponents—as well as the potential for perceived social disruption from proselytism and missionary activity. While the government has legitimate concerns about extremist violence, its vague concept of religious extremism is often applied to any activity it sees as potentially disruptive, even targeting households and familial practices.

## Failure to Reform

Since 2019, the government of Kazakhstan has engaged in the U.S.-Kazakhstan Religious Freedom Working Group (RFGW) with counterparts in the U.S. government and civil society stakeholders to discuss the reform of its problematic 2011 Religion Law. Before it enacted this law, Kazakhstan was one of the least repressive post-Soviet Central Asian states with regard to freedom of religion or belief. That law, however, set stringent registration requirements with high membership thresholds, and it banned or restricted unregistered religious activities, including those relating to offering education, distributing literature, and training clergy. Other vague criminal and administrative statutes enable the state to punish most unauthorized religious or political activities.

The RFGW was predicated on the government's recognition of deficiencies in the existing 2011 Religion Law and its stated intent to address these problems through tangible legislative reforms. In 2021, USCIRF held more meetings with Kazakhstani government officials than in previous years. As late as November 2021, Kazakhstan once again provided the U.S. government with assurances that at least some of the key issues raised during nearly three years of engagement would be addressed in legislative amendments by the end of the year. However, the amendments, which passed on December 29, 2021, reflected minimal consideration of U.S. government recommendations and, on the contrary, contained new and problematic restrictions on peaceful religious activity.

The new amendments failed to address some of the most troubling features of the 2011 law, including the mandatory nature of registration, the number of members required for registration, restrictions on religious materials by nonregistered religions, registration of missionary activity, and ambiguity about whether missionary materials used by registered religious organizations need expert review. Although the government had promised to replace the requirement of official permission for religious activity outside of registered spaces with a [notification system](#) that presumed approval, the system that the government passed is virtually indistinguishable from a permission-based system. The requirements are extremely onerous and leave significant discretion for officials to forbid the notified event. Furthermore, it is unclear whether these requirements will apply to communities without an officially registered space every time they wish to meet.

## Popular Protest and Government Crackdown

Although occurring immediately after the reporting period, the government's [response to widespread popular unrest](#) in Kazakhstan from January 2–11, 2022, raises significant concerns about the trajectory of serious religious freedom reform. USCIRF has long been troubled by the extent to which authorities use Kazakhstan's vague and expansive “extremism” laws and supposed counterterrorism concerns as an excuse for authoritarian overreach. The government's [unsuccessful attempt](#) to attribute popular anger over corruption and unrealized reforms to religious extremism only reinforces this perception. While USCIRF cannot rule out the participation of extremists and terrorists in these events, it is clear that they were not a significant contributing factor. The Kazakhstani government's response, which included [mass arrests](#), [torture](#), and the indiscriminate [shooting](#) of unarmed civilians, raises concerns over human rights and religious freedom.

## Key U.S. Policy

The governments of the United States and Kazakhstan enjoyed a close partnership in 2021, as in past years. On October 18, 2021, USAID announced \$2.4 million in [COVID assistance](#), which builds on more than \$6.8 million in COVID assistance it provided since the start of the pandemic. On December 9, 2021, USAID publicly supported Kazakhstan's application to the Open Government Partnership, an international platform that includes 78 governments and thousands of civil society organizations committed to making their governments more open, accountable, and responsive to citizens. On December 13, 2021, the State Department sought bids for a [religious freedom initiative](#) that would allocate \$740,740 for a project that would support efforts to improve national laws impacting religious freedom in Kazakhstan and help bring them in line with international standards. On December 16, 2021, the United States congratulated Kazakhstan on [30 years of independence](#) and joined celebrations to mark the occasion. On January 6, 2022, Secretary Blinken [spoke](#) to Kazakhstani Foreign Minister Mukhtar Tileuberdi about the unrest in Kazakhstan to express concern over Russian influence in the region and reiterate U.S. support for the territorial sovereignty of Ukraine.