

KAZAKHSTAN: Kazakhstan tramples on religious freedom and convicts Teymur Akhmedov

JW.ORG (03.05.2017) – <http://bit.ly/2qpZEbu> – On May 2, 2017, an Astana court sentenced Teymur Akhmedov to five years in prison merely for sharing his religious beliefs with others. He is the first of Jehovah's Witnesses in Kazakhstan to be criminally convicted for his religious activity since the nation's independence in 1991.

Mr. Akhmedov has been in pretrial detention for over three months despite international efforts to have him released to house arrest pending trial. He is 61 years old, married and the father of three sons, and in poor health.

Punishing the exercise of religious freedom

Mr. Akhmedov's ordeal began in January 2017 when Kazakhstan's secret police, the National Security Committee (KNB), arrested him for allegedly violating Article 174(2) of Kazakhstan's Criminal Code. The KNB accused him of "incitement of . . . religious hatred" for expressing his religious beliefs to others in private.

Judge Talgat Syrlybayev ruled that Mr. Akhmedov's speech constituted "inciting religious discord" and promoted the "propaganda of exclusivity, superiority of citizens on grounds of their religion." The judge also imposed a three-year ban on Mr. Akhmedov's freedom to participate in "ideological religious activity"—effectively banning his worship.

Philip Brumley, General Counsel for Jehovah's Witnesses, responded: "The authorities are grossly misapplying the law. In 2016, several men invited Teymur to an apartment to talk about his religious beliefs. They even came to his home. What

Teymur didn't know is that those discussions were secretly recorded and would be used later to fabricate a criminal case against him. This shows just how far the authorities are willing to go to repress and criminalize peaceful religious activity. This is a travesty of justice."

The UN Human Rights Committee directed that Kazakhstan should amend its Constitution to protect freedom of religion and stated that it "is further concerned about the use of broadly formulated definitions of crimes and administrative offences in the Criminal Code, including in articles 174 and 404, the Administrative Code, and legislation on combating extremism, to punish individuals exercising their freedom of religion and belief with severe sanctions. . . . The State party should guarantee the effective exercise of freedom of religion and belief and the freedom to manifest a religion or belief in practice."—Human Rights Committee, *Concluding Observations on the Second Periodic Report of Kazakhstan*, UN Doc. CCPR/C/KAZ/CO/2 (August 9, 2016).

Additionally, Mr. Akhmedov's family is gravely concerned about his health. He suffers from a bleeding tumor (suspected cancer), but authorities have denied motions to change Mr. Akhmedov's detention to house arrest and have not provided the medical attention that he urgently needs. His lawyers have filed complaints with the UN Working Group on Arbitrary Detention, the UN Special Rapporteur on freedom of religion and belief, and the UN Special Rapporteur on the rights to freedom of peaceful assembly and of association.

Will religious freedom survive in Kazakhstan?

Jehovah's Witnesses in Kazakhstan have experienced numerous challenges in carrying out their religious activity. However, the unjust imprisonment of Mr. Akhmedov is a new and shocking attack on their worship. Representatives of the Witnesses continue their appeals to Kazakhstan's authorities to respect the nation's international commitments to uphold the

fundamental freedom to worship without interference from the authorities.

Arguments in support of Mr. Akhmedov's right to freedoms of religion and expression

During the second week of the trial, expert opinions from several renowned scholars were submitted to the court in support of Mr. Akhmedov's right to express himself on religious matters.

- "The statements of Mr. Akhmedov . . . [were] a peaceful exchange of religious ideas. . . . The content of that literature contains peaceful discussion on religious teachings and education . . . [and does] not contain signs of extremism . . . [or] incitement of social, ethnic, clan, racial or religious enmity or discord."—Professor Emeritus Eileen Barker, London School of Economics and Political Science, University of London.
- "Comments implying that the religion of Jehovah's Witnesses is true and that other religions are false are typical of all religious discussions and are not evidence of extremism or violence."—Dr. Massimo Introvigne, University of Turin, Italy.
- "The statements made [by Mr. Akhmedov], and particularly the religious literature of Jehovah's Witnesses, provide their sincere understanding of the Bible and its passages concerning many human activities that are sanctioned positively or negatively."—James T. Richardson, J.D., Ph.D., Professor of Sociology and Judicial Studies, Emeritus, University of Nevada, Reno.

These expert opinions support the evidence that Mr. Akhmedov cannot be guilty of "inciting religious discord" and "advocating [religious] superiority" as charged. His views on religious matters and his expressions of personal religious beliefs are within the framework of the law.

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