

KAZAKHSTAN: Arrest and imprisonment of Jehovah's Witnesses Teymur Akhmedov and Asaf Guliyev

Jehovah's Witnesses (23.01.2017)

What are the criminal charges?

On 18 January 2017, Kazakhstan's National Security Committee (KNC) arrested and charged Teymur Akhmedov (age 61) and Asaf Guliyev (age 43) under Article 174 (2) of the Criminal Code of Kazakhstan.

Both men were targeted because they are Jehovah's Witnesses. They are unjustly accused of "inciting religious discord" and "advocating [religious] superiority." They face 5 to 10 years imprisonment.

In proceedings that ended at about 11:30 p.m. on 20 January 2017, Judge A.I. Isayeva of Astana's Saryarka District Court No. 2 granted the KNC investigator's motion to place both men in pre-trial detention for 60 days. That motion was supported by the First Deputy Prosecutor of Astana.

Messrs Akhmedov and Guliyev are now imprisoned at the No. 12 detention facility of Astana (SI-12 (ETs 166/1) Alash Tas Zhol street 30/1, 010000 Astana). Both men are married. Mr. Akhmedov has three sons.

What are the grounds for the criminal charges?

Messrs Akhmedov and Guliyev were invited to a rented apartment of seven adult male "students" who claimed to be interested in the beliefs of Jehovah's Witnesses. They met for discussions on various dates in May and June 2016. Unknown to Messrs

Akhmedov and Guliyev the “students” covertly recorded the peaceful discussions using a high quality video camera. They also met at various dates at the residences of Messrs Akhmedov and Guliyev in July, October and November 2016 at which time the “students” also covertly video recorded the discussions.

In total, there were about 16 religious discussions all of which were covertly video recorded. During those discussions, the “students” asked Messrs Akhmedov and Guliyev numerous questions relating to their personal views on various religious subjects and denominations, including Islam and the Russian Orthodox Church.

The criminal investigator claims that some of the responses given by Messrs. Akhmedov and Guliyev to the “students’” questions were “negative ... about representatives of the religion of Islam and Orthodoxy” and advocated “the superiority of one religion over another.” In reality, those discussions were entirely peaceful.

Messrs Akhmedov and Guliyev are clearly victims of fabricated criminal charges. The facts of their case— adult “students” inviting members of a religious minority for discussions which are covertly video recorded—are the same as other criminal cases in Astana brought by the KNB against members of other religious minorities. (See Forum 18 article dated 9 November 2015, “Kazakhstan: Seven years’ restricted freedom for discussion faith.”)

On 9 August 2016, the UN Human Rights Committee called on Kazakhstan to stop misusing Article 174 of the Criminal Code to punish the peaceful expression of religious beliefs. (CCPR/C/KAZ/CO/2, paras. 47-48)

What is the next step in the proceedings?

An appeal against the 20 January 2017 court decision placing both men in pre-trial detention will be filed on 23 January 2017. That appeal must be heard within three days.

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