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Years of intrusive questioning

A Muslim complains of six years' intrusive police questioning about his faith: "These are my personal beliefs they are asking about." The Interior Minister denied that police questioned Yerlan – most recently on 20 July - because of his faith. The Interior Ministry says 23,000 are on a register of adherents of "destructive religious movements". Rights defender Yevgeny Zhovtis says no such category exists in law.

By Felix Corley

Forum 18 (19.08.2019) - <https://bit.ly/2KUyxOV> - Yerlan, a Muslim from a village in North Kazakhstan Region's Kyzylzhar District, is trying to stop repeated questioning because of his faith that he says has been going on for six years. Most recently, a police inspector questioned him on 20 July. Surveillance and questioning started because of an anonymous claim that he was a terrorist.

"Officers keep coming and asking me what religion I follow, what movement within it, how long I have belonged to it. These are my personal beliefs they are asking about," Yerlan complained to Forum 18. "I have the right to reveal or not to reveal my faith. They never say on what basis they are asking these questions."

Kazakhstan's international human rights obligations ban officials from compelling individuals to reveal their "thoughts or adherence to a religion or belief" (see below).

Interior Minister Yerlan Turgumbayev denied that repeated police questioning of Yerlan – most recently on 20 July - was because of his faith. A 5 August response to Yerlan's complaint on the Minister's blog claimed that "in relation to you, no preventative measures connected with your religious views have been undertaken or are being undertaken" (see below).

Yerlan said officials have not prevented him otherwise from exercising his rights. However, he recalled that when he last crossed the border to Russia some three years ago he appeared to have been subjected to extra scrutiny.

Another Muslim elsewhere in Kazakhstan complains that she has faced harassment for her faith since 2000. Four years ago, National Security Committee (KNB) secret police officers offered inducements to try to persuade her husband to denounce her, but he refused. In mid-August 2019, the local police officer told her she is on a KNB register and ordered her to go to a state-controlled imam and to write a statement. All her complaints over the years have brought no result (see below).

Yerlan told Forum 18 he knows of other Muslims in various parts of the country who face similar repeated questioning because of their faith.

Many Muslims the government believes are Salafis – either because of their theological views or because of the way they dress – are under tight state scrutiny. So too are leaders of other faiths the government regards with suspicion, such as Protestant Christians, though open surveillance on Protestant leaders appears to have reduced in recent years (see below).

The Interior Ministry claimed in 2018 that 22,945 people were adherents of "destructive religious movements", despite no such designation being defined in law. "An individual's adherence to a destructive religious movement is determined in the course of joint work by local executive bodies (religious affairs departments), police and national security agencies drawing on professional theologians and religious studies experts," the then Interior Minister noted (see below).

The Interior Ministry in the capital Nur-Sultan has not responded to Forum 18's questions, including: what an individual has to do to be placed on the register; what law specifies what is a "destructive religious movement"; and what court or other agency decides that an individual should be placed on the register (see below).

Yevgeni Zhovtis of the Kazakhstan International Bureau for Human Rights and the Rule of Law objects to this register. He pointed out that the government already has a separate list of court-banned "extremist and terrorist" organisations, so "it is clear that this register is something different and people included in this register are obviously stigmatised" (see below).

People who put their names forward as founders of religious organisations when they register with the state can also face harassment and intrusive questioning.

After the Hare Krishna community in Aktau lodged its registration application in November 2018, officials of Mangistau Regional Religious Affairs Department summoned the founders and tried to force them to complete detailed questionnaires requiring among other information "the reason for supporting the Krishna religion", and how long they have participated in the community's activity. Most of the founders refused to fill in the questionnaires, complaining to officials that they were illegal and pointing out that "the question of adherence to a certain religion is very sensitive".

Police in Oskemen (Ust-Kamenogorsk) in East Kazakhstan Region suddenly began harassing the founders of the city's New Life Protestant Church in May 2019, as it was seeking re-registration under a new name. Officers visited several founders late at night, threatening one woman in her late 70s to try to make her open the door.

Violating international standards

Forcing anyone to reveal their beliefs is prohibited under Kazakhstan's binding international human rights law obligations.

The United Nations Human Rights Committee stated in Paragraph 2 of its General Comment 22 on International Covenant on Civil and Political Rights Article 18 ("Freedom of Thought, Conscience or Religion"): "In accordance with articles 18.2 and 17 ["The right to privacy"], no one can be compelled to reveal his thoughts or adherence to a religion or belief."

Kyzylzhar District: Six years of repeated questioning

Yerlan, a Muslim in a village in North Kazakhstan Region's Kyzylzhar District who asked that his last name not be given, is trying to stop repeated questioning because of his faith that he says has been going on for six years. Surveillance and questioning started because of an anonymous claim that he was a terrorist.

Yerlan complained on various government blogs about the repeated questioning about his faith. "I am an observant Muslim, just like my father, my mother, my grandparents, and I conduct the namaz and as far as possible all the demands of our and your religion," Yerlan wrote on 21 July.

However, an individual complained about Yerlan anonymously. "He accused me of all kinds of sins, being a Salafi, a Wahhabi, an extremist, a terrorist. If even a hundredth of what he wrote had been confirmed, I would long ago have been jailed." However, Yerlan complained that although no evidence of his wrongdoing had been found, "I can't break free from this slander".

For six years Yerlan has faced repeated questioning from the Police Anti-Extremism Department or local police officers. "Whenever an officer changes, they immediately come to visit me and it starts all over again. All the same questions: who am I, what is my worldview, what plans, why I am not clean-shaven etc."

On 20 July a young police inspector Sake (last name unknown) visited him by car. Sake told Yerlan that his bosses had sent him "to check up" on him. Sake presented no documents "as he had been given the instruction verbally". As Yerlan would not answer all his questions, Sake ordered him to come to the police station in a nearby village the following day. He refused to give Yerlan a summons in writing.

Sake "had a report in his hand with my details, as it was written there that I am a Salafi", Yerlan added. "I have been proving to everyone for six years that I am not a Salafi and have nothing in common with this. After each conversation officers nod their heads and agree you are not one and say there's been a mistake." But he said officers keep returning with a report that he is a Salafi.

"They see a beard and that means extremist, a head scarf and that means a non-traditional world view," Yerlan insisted. He asked the senior government officials, including President Kasym-Zhomart Tokayev, to ensure that the police catch criminals "rather than running after Muslims with stupid questions, questionnaires, forms, statements and the like".

Interior Minister Yerlan Turgumbayev denied that repeated police questioning of Yerlan – most recently on 20 July – was because of his faith. A 5 August response to Yerlan's complaint on the Minister's blog claimed that "in relation to you, no preventative measures connected with your religious views have been undertaken or are being undertaken".

Minister Turgumbayev claimed the 20 July questioning at Yerlan's home had been in accordance with a 2015 Interior Ministry decree on how local police inspectors work.

The officer (who did not give his name) who answered the phone of Lieutenant Colonel Spartak Kabdinov, acting head of the North Kazakhstan Regional Police's Department for Countering Extremism, insisted that his Department had not been involved in questioning Yerlan and had not instructed the District Police to do so either.

"He is not on a register – we have no register," the officer claimed to Forum 18 from the regional capital Petropavl on 6 August. "We saw his complaint. We sent it on to Kyzylzhar District Police." The officer said Yerlan had visited the Department for Countering Extremism at the end of July. "We told him to go to the District Police."

Kyzylzhar District Police told Forum 18 that police chief Aidan Ospanov is on holiday until the end of August. One officer, Zhaslan Ismailov, told Forum 18 on 6 August that no District Police officers had travelled to the village to question Yerlan. Another – who did not give his name – told Forum 18 on 12 August that officer Sake could not have visited Yerlan as he is already retired. (Yerlan said the officer Sake who questioned him was a young man.)

Police officer "told me I'm on the KNB register"

A Muslim from elsewhere in Kazakhstan – who works in the medical field - says she is under surveillance because of her faith. "This persecution has been going on since 2000," she complained. "My flat has been broken into four times, they follow me, listen in to communications and conduct all kinds of dirty tricks against me."

Four years ago, the woman added, KNB secret police officers tried to persuade her husband to denounce her as a Salafi who was recruiting people to go to fight in Syria, offering inducements if he did so. He refused.

In mid-August 2019, the local police officer phoned her and "told me I'm on the KNB [secret police] register because I am a believer, a Muslim", the Muslim complained. The officer ordered her to come to an unspecified centre for a conversation with an imam (from the state-controlled Muslim Board) and write "some kind of statement".

The woman told the officer she is a Sunni Muslim who "simply reads the Koran and prays", and is not in any religious organisation. She asked on what basis he was instructing her to go to talk to an imam and write a statement.

Over the years the woman has complained to the Interior Ministry, the Prosecutor's Office and the police, but with no result.

Nearly 23,000 adherents of "destructive religious movements"?

When amendments to the Religion Law were being proposed from 2017, the Interior Ministry presented information that 22,945 people were adherents of "destructive religious movements", the then Religion and Civil Society Minister Nurlan Yermekbayev told a questioner on his official blog on 16 March 2018.

Minister Yermekbayev's March 2018 response insisted that his Ministry (now the Information and Social Development Ministry) did not collect its own data on alleged adherents of "destructive religious movements" and also "does not conduct expert theological analyses" of individuals.

"We want to inform you that religious studies expertise is not carried out of individuals." Organisations, religious educational establishments, and religious literature, documents and objects are subject to "expert" analyses, Minister Yermekbayev added.

Responding to the same question on 6 April 2018, the then Interior Minister Kalmukhanbet Kasymov claimed that countering religious extremism was a priority. "An individual's adherence to a destructive religious movement is determined in the course of joint work by local executive bodies (religious affairs departments), police and national security agencies drawing on professional theologians and religious studies experts," Kasymov responded.

"The presence of an individual on such a register brings on them no legal consequences and is used exclusively for the aim of preventing the spread of radical ideas among the population," Kasymov claimed.

No Interior Ministry response on adherents of "destructive religious movements" register

Forum 18 sent written questions to the Interior Ministry in Nur-Sultan before the beginning of the working day on 15 August. It asked: how many people are currently on the register as adherents of "destructive religious movements"; what an individual has to do to be placed on the register; what law specifies what is a "destructive religious movement"; what court or other agency decides that an individual should be placed on the register; what an individual who has been placed on the register is not allowed to do; whether the Interior Ministry informs an individual when they have been placed on the register; and what can an individual do to challenge a decision to place them on the register.

Forum 18 received no response from the Interior Ministry by the end of the working day in Nur-Sultan on 19 August.

"People included in this register are obviously stigmatised"

Yevgeni Zhovtis of the Kazakhstan International Bureau for Human Rights and the Rule of Law objects to the use of such registers. "'Destructive religious movements' is not a legal term," he pointed out to Forum 18 on 19 August. "It is absolutely unclear what criteria are used to designate any particular religious group as 'destructive'."

Zhovtis noted that the government already publishes a separate list of banned "extremist and terrorist" organisations banned through the courts. Given the existence of this separate published list, "it is clear that this register is something different and people included in this register are obviously stigmatised".

Zhovtis expressed concern also over the use made of the published list of banned organisations. "A number of people were imprisoned for support or ties with such organisations," he told Forum 18, "as it is a crime if somebody expressed support or even mentioned such an organisation positively or neutrally without any evidence of doing something or calling for violence."

While many of the banned organisations violate or call for the violation of others' human rights, the published list also includes the Tabligh Jamaat Muslim missionary movement.

A court in Astana (now Nur-Sultan) banned Tabligh Jamaat in 2013 even though the leader of a KNB secret police study of the movement found that it was "not an extremist or terrorist organisation .. speaking out against all forms of violence against individuals".

On 9 January 2019, Abilai Bokbasarov from Balkhash became the 73rd Muslim known to have been convicted and punished for alleged Tabligh Jamaat membership since the beginning of 2015. Balkhash City Court jailed him for three years and, after his release, banned him from exercising freedom of religion or belief for five years. His bank accounts were subsequently blocked, as is usual for prisoners of conscience sentenced on "extremism"-related charges.

Under surveillance

All religious or belief communities are thought to be under surveillance by the ordinary police and KNB secret police.

Earlier, several prominent leaders of registered Protestant churches were placed on an official "signal register" (signalny uchet in Russian) which prevented them from changing their officially-registered place of residence, selling a legally-owned car, or gaining state child benefit for newly-born children. Such individuals were also subject to close scrutiny and questioning when crossing the border into and out of Kazakhstan.

"The signal register was a serious problem for Protestant leaders in the early and mid-2010s," an individual familiar with these controls told Forum 18. "But this has lessened in recent years."

Officials try to force registration signature withdrawals

Officials harassing founders of religious communities, possibly trying to block applications to exist. In May 2019 police began harassing Oskemen's New Life Church founders as it sought re-registration. Officers visited several late at night, threatening one woman in her late 70s. Aktau's Hare Krishna community has faced similar harassment.

By Felix Corley

Forum 18 (13.08.2019) - <https://bit.ly/2L8jVdR> - In Kazakhstan, people who give their names as founders of religious organisations applying for legal status continue to face harassment and intrusive questioning.

In a recent case, the Hare Krishna community in Aktau lodged its registration application in November 2018. Officials of Mangistau Regional Religious Affairs Department then summoned the founders and tried to force them to complete detailed questionnaires requiring among other information "the reason for supporting the Krishna religion", and how long they have participated in the community's activity. Most of the founders refused to fill in the questionnaires, complaining to officials that they were illegal and pointing out that "the question of adherence to a certain religion is very sensitive" (see below).

Against international law, Kazakhstan bans all exercise of freedom of religion and belief without state permission. Kazakhstan's international human rights obligations also ban officials from compelling individuals to reveal their "thoughts or adherence to a religion or belief" (see below).

Local religious communities require at least 50 adult citizen founders to be allowed to apply for state registration, thus effectively banning smaller communities from existing. If officials succeed in pressuring 13 of the 62 founders of the Hare Krishna community to remove their signatures, the community would be blocked from obtaining legal status.

After Hare Krishna community members in Aktau complained to the then-Information and Social Development Minister Darkhan Kaletayev, he responded in March 2019 claiming that his Ministry had conducted "appropriate explanatory work" with the Regional Religious Affairs Department. The head of the Regional Religious Affairs Department Yerlan Esbergenov confirmed this but refused to discuss who had devised the intrusive questionnaire and why (see below).

Esbergenov also refused to say why the Hare Krishna community has still not been given state registration nearly nine months after it lodged its application documents (see below).

In the most recent known case, police in Oskemen (Ust-Kamenogorsk) in East Kazakhstan Region suddenly began harassing the founders of the city's New Life Protestant Church in May 2019, as it was seeking re-registration under a new name. Officers visited several founders late at night, threatening one woman in her late 70s to try to make her open the door. It remains unknown why police needed to question the founders or which government agency had ordered the aggressive and intrusive questioning (see below).

"At present the founders do not think that their rights are being protected by the law or its representatives," Church members stated. "On the contrary, they are being subjected to pressure, which cannot help but arouse concern about the right to freedom of conscience in Kazakhstan."

Pressure including attempts to force founders to withdraw signatures has been a common tactic used by officials against communities they dislike, including Protestants, Hare Krishna devotees, and Muslims from now-closed independent mosques.

The names of founders of religious organisations are held in a government database. The authorities initially stopped one of the founders of the Seventh-day Adventist Church in the capital Astana (now Nur-Sultan) from leaving the country for Russia, but in spring 2019 he was finally allowed to leave. Adventists told Forum 18 that "officials told Andrei that all government agencies have access to the database of founders when he was preparing documentation to move to Russia." (see below).

Many Muslims the government thinks are Salafis – either because of their theological views or because of the way they dress – are under tight state scrutiny. A Muslim from a village in North Kazakhstan Region's Kyzylzhar District, is trying to stop repeated questioning because of his faith that he says has been going on for six years.

Also under state scrutiny are leaders of other faiths the government regards with suspicion, such as Protestant Christians. However, open public surveillance of Protestant leaders appears to have reduced in recent years (see forthcoming F18News article).

Violating international human rights standards

Forcing anyone to reveal their beliefs is prohibited under Kazakhstan's binding international human rights law obligations. The United Nations Human Rights Committee stated in Paragraph 2 of its General Comment 22 on International Covenant on Civil and Political Rights Article 18 ("Freedom of Thought, Conscience or Religion"): "In accordance with articles 18.2 and 17 ["The right to privacy"], no one can be compelled to reveal his thoughts or adherence to a religion or belief."

Similarly, international human rights law as outlined in the the Organisation for Security and Co-operation in Europe (OSCE)/Venice Commission Guidelines on the Legal Personality of Religious or Belief Communities states that: "access to legal personality for

religious or belief communities should be quick, transparent, fair, inclusive and non-discriminatory" (paragraph 24); "any procedure that provides religious or belief communities with access to legal personality status should not set burdensome requirements" such as "excessively detailed information" (paragraph 25); and "states should observe their obligations by ensuring that national law leaves it to the religious or belief community itself to decide on .. the substantive content of its beliefs" (paragraph 31).

Aktau: "The reason for supporting the Krishna religion"

The Hare Krishna community in Aktau in Mangistau Region began preparing to lodge its registration application in late 2018. It met officials of the Regional Religious Affairs Department to make itself known and to outline its teachings and practices. Even before it lodged its application, the Department wanted to see copies of all its literature for inspection. Community members told it that it uses many books and all had undergone the compulsory state censorship at the Information and Social Development Ministry in the capital Astana (renamed Nur-Sultan in March 2019).

The community lodged its application on 23 November 2018. On 10 December 2018, Aset Nurov of the Regional Religious Affairs Department began phoning the 62 founders, questioning some by phone and summoning others to the Department verbally.

Nurov tried to force the founders who had complied with his verbal summons to fill in a questionnaire (seen by Forum 18). This included questions on "the reason for supporting the Krishna religion", and how long they have participated in the community's activity. Only six filled in the questionnaires, community members noted, feeling "discomfort" at the "illegal" questions.

"The question of adherence to a certain religion is very sensitive," community members pointed out. "So the majority of the founders decided that, in the absence of a legal basis being provided, and noting out they were busy and had already provided written confirmation of their agreement, decided not to go to the Religious Affairs Department and not to sign extra documents."

Asked why he had demanded such intrusive information, Religious Affairs Department official Nurov told the founders that he was following the instruction of the Department Head, Yerlan Esbergenov. He said the forms were needed for if the Prosecutor's Office wanted to verify the founders. Community members questioned this claim.

Esbergenov on 12 August refused to discuss with Forum 18 who had devised the intrusive questionnaire and why. Religious Affairs Department official Nurov insisted to Forum 18 on 9 August that Esbergenov had ordered him to present the questionnaire to the community's founders. Nurov then refused to answer any other questions and put the phone down.

In telephoning the founders, Nurov asked if they had agreed to be founders voluntarily. He then asked several founders to come to the Department with their identity documents. Community members noted that this is not in accordance with any law. "Most decided that there was no need for them to visit," they noted.

On 22 January 2019, when Hare Krishna community members came to the Department, Esbergenov told them that unless 100 per cent of the founders completed the questionnaire officials would not register the community. Again community members asked him to put his request and its legal basis in writing.

In his 24 January letter to the community, seen by Forum 18, Esbergenov complains that

only 6 of 62 founders had come in so that his Department could check their identity. He asked for "help" to get them to visit.

Complaint to Information and Social Development Minister

On 20 February, Hare Krishna community members complained to the then-Information and Social Development Minister Darkhan Kaletayev. They asked him to check the legality of the Regional Religious Affairs Department's actions. "We believe that appearing in person and completing extra questionnaires are not needed," they wrote.

Minister Kaletayev responded on 6 March, claiming that instances of religious communities providing inaccurate information in their registration applications was increasing and such inspections were "to avoid such occurrences". He did not say that Mangistau Regional Religious Affairs Department had done anything wrong, but added that his Ministry had conducted "appropriate explanatory work" with its officials.

Regional Religious Affairs Department Head Esbergenov said the Hare Krishna community's registration application is still being considered. "We have done everything we are required to do," he told Forum 18. He refused to explain why, if the community had applied for registration in November 2018, officials have not yet completed the process nearly nine months later.

Esbergenov confirmed that the Information and Social Development Ministry in Nur-Sultan had responded to the Hare Krishna community's complaint by contacting his Department. But he refused to say what measures the Ministry or his Department had taken.

Problems in Atyrau Region also

A Hare Krishna community in neighbouring Atyrau Region gained state registration on 3 October 2018. Exactly four months later, on 3 February 2019, police raided a group of devotees as they were meeting for devotional chants in an Atyrau flat. The Regional Religious Affairs Department drew up a record of an "offence" against the community and sent it to court. However, the court sent the case back. The Department later withdrew the case.

Oskemen: Late night visits to Church's founders

Because New Life Pentecostal Church in Oskemen (Ust-Kamenogorsk) in East Kazakhstan Region is seeking re-registration under a new name, police visited many of its founders. The Church last gained re-registration in October 2012, following the adoption of the 2011 Religion Law which required all religious communities to apply for re-registration. Police have not stated why they needed to question the founders, and it is not known which government agency ordered the aggressive questioning.

Local religious communities require at least 50 adult citizen founders to be allowed to apply for state registration, thus effectively banning smaller communities from existing. If officials succeed in reducing the numbers of founders below 50, the Church would be blocked from re-obtaining legal status.

Police visits to the founders began in May 2019. On 20 May, police inspector Mirat Kasenov of Police Station No. 8 of Oskemen's October District visited two New Life Church founders. He asked them whether they had signed documents about the Church's purchase of land. They each said they had not, as the Church had not bought land.

On 26 May, Inspector Kasenov returned to one of the two founders, a woman in her late

70s. He banged on her door after 10 pm, "making a noise in the hallway when she refused to open the door" and issuing threats, church members stated.

The following day, Inspector Kasenov visited the other founder's workplace, as well as phoning her son, finding out that she was ill at home. He then visited her, making no apologies. He told her that on his last visit, the Akimat (Administration) had wrongly instructed him to ask about a land purchase. This time he asked if she had indeed signed to be a church founder. She signed a statement to say that she had.

Officers at Police Station No. 8 told Forum 18 on 12 August that Inspector Kasenov is on holiday for a further month and a half. They refused to answer any questions about his visits to the two New Life Church founders and put the phone down.

Also on 20 May, officer K. Toktamysov visited another church founder, questioning her for half an hour. He wrote down her answers and asked her to sign the record. The founder was angered by the visit and the questions, church members noted.

Police visited another church founder on 23 May while she was out. Neighbours told her that officers had a list of all the church's founders and that they had asked neighbours who she lived with, whether she went to church and whether she or her underage son had put her signature on the founders' list.

On 26 May, three police officers visited another church founder at her place of work, church members stated. In the hearing of other people they asked her if she had signed as a founder, telling her that five other founders had already denied that the signatures were theirs.

Police officers visited other founders at their homes – often after 10 pm at night. They persuaded many to sign statements, after telling them that they needed to prove that they had fulfilled the orders they had been given.

The Police Press Office in East Kazakhstan Region said it would answer only written questions. Forum 18 asked on 12 August why police officers had visited and questioned New Life Church's founders, who had ordered this, whether it is lawful for police to visit people's homes after 10 pm when there is no emergency, and what actions it had taken – if any – to punish those who ordered or took part in the visits and to prevent such actions recurring. Forum 18 had received no response by the end of the working day in Oskemen on 13 August.

Anuar Abduldin, head of the Regional Religious Affairs Department, insisted that his Department had not ordered the police visits. "I don't have the right to instruct the police to do anything," he told Forum 18 from Oskemen on 12 August. "Maybe this came from the city administration."

Abduldin said his Department had received a copy of the Church's complaint to the Information and Information and Social Development Ministry in Nur-Sultan about the police visits and questioning. "We gave a full report to the Ministry." He declined to say what action his Department or the Ministry had taken or might take.

Serik Zhenisov, a deputy head of Oskemen City Akimat who is in charge of religion there, was out of the office each time Forum 18 called on 13 August. His assistant, Indira Adylkanova, told Forum 18 the same day that the city Akimat "did not and could not have issued instructions of that nature, as freedom of conscience is guaranteed in the country's Constitution". She claimed the Akimat scrupulously abides by the law.

"At present the founders do not feel that their rights are being protected by the law or its

representatives," New Life Church members told Forum 18. "On the contrary, they are being subjected to pressure, which cannot help but arouse concern about the right to freedom of conscience in Kazakhstan."

In August 2017, an Oskemen court banned New Life Church from meeting for worship for three months and fined it after church members, relatives and friends sang religious songs without state permission at a holiday camp.

Astana: Founder initially prevented from leaving

The names of founders of religious organisations are held in a government database compiled by the Justice Ministry, which registers religious organisations. Other government agencies have access to the database.

The authorities initially stopped Andrei Miller, one of the founders of the Seventh-day Adventist Church in the capital Astana (now Nur-Sultan), from leaving the country to live in Russia. However, in spring 2019 he was finally allowed to leave, fellow Adventists told Forum 18. "Officials told Andrei that all government agencies have access to the database of founders when he was preparing documentation to move to Russia."

Although family members were also among the founders, the authorities made no attempt to prevent them from leaving.

Eight jailed for up to eight years

An Almaty Judge jailed eight Muslims for between five and a half and eight years for participating in a WhatsApp religious discussion group which the KNB secret police claimed promoted "propaganda of terrorism" or "inciting hatred". The men denied the charges. The ninth man is due for trial later as he is suffering serious heart problems.

By Felix Corley

Forum 18 (5.08.2019) - <https://bit.ly/2PbRTmM> - On 5 August a court in the southern city of Almaty handed long jail terms to eight Muslims accused of participating in a WhatsApp religious discussion group which the KNB secret police claimed promoted "propaganda of terrorism" or "inciting hatred". All denied the accusations. The Judge jailed each of them for between five and a half and eight years.

Among the messages the group's participants circulated was one by Azamat Umbetaliyev, warning about innovations in religion. An analysis of the message - commissioned by his defence lawyer from Adil Soz (Free Word) International Foundation for Protection of Freedom of Speech - found: no incitement to hostility towards others based on their religious affiliation; no incitement to aggression or violence towards others based on their religious affiliation; no assertion or propaganda that anyone is superior or inferior to anyone else based on their religious affiliation.

When Judge Kairat Imankulov pronounced the verdict on 5 August at the end of the five-month trial, the defendants and their relatives and supporters in the courtroom shouted "Shame on the court!", noted Kazis Toguzbayev of Radio Free Europe's Kazakh Service, who was present in the courtroom (see below).

Anzhelika Belyayeva, mother of the jailed Azamat Umbetaliyev, insisted the men had been jailed "for nothing". "We know our children have done nothing," she told Forum 18 after the verdict was handed down. She said they would be appealing against their convictions to Almaty City Court as soon as they get the verdict in writing (see below).

Judge Imankulov gave no date for the start of the criminal trial of the ninth defendant, Zhuldyzbek Taurbekov. He is suffering from serious heart problems and has repeatedly been taken from Investigation Prison to hospital. The family say his health suffered because of lack of medical attention during his eight-month detention in Investigation Prison and he now needs a heart transplant. His case was separated off from that of the other eight on 3 July (see below).

If the eight men lose any appeals, they are also likely to be added to the Finance Ministry Financial Monitoring Committee List of individuals "connected with the financing of terrorism or extremism". Being added to the List means that any bank accounts an individual may have are blocked with no further legal process. Their families are allowed to withdraw only small amounts for daily living if they do not have other sources of income. Individuals remain on the financial blacklist for six or eight years after their sentence has expired.

The National Security Committee (KNB) secret police Investigator Lieutenant-Colonel Rakhat Rustemov – who initiated the criminal case - claimed that because the WhatsApp group's founder Bolatbek Nurgaliyev is a Salafi Muslim, and that terrorist groups such as Islamic State have conducted terrorist activity, therefore the WhatsApp group promoted terrorism. Neither he, nor the indictment, nor the four successive prosecutors during the trial appear to have tried to establish whether or not Nurgaliyev and the other defendants had committed or called for terrorism (see below).

KNB secret police Investigator Lieutenant-Colonel Rustemov again would not talk to Forum 18 on 5 August. "Hallo? Who is it?" he kept repeating, even though Forum 18 could hear him well. Subsequent calls went unanswered.

Up to eight-year jail terms

At the end of a criminal trial which began at Almaty's Almaly District Court on 12 March, Judge Kairat Imankulov found all eight of the remaining Muslim defendants guilty of participating in a religious discussion group on the WhatsApp messaging app. In a case brought by the KNB secret police, the prosecution claimed the group promoted terrorism and incited hatred. The defendants rejected the accusations.

Judge Imankulov convicted all eight Muslims under Criminal Code Article 174, Part 2. This punishes "Incitement of social, national, clan, racial, or religious discord, insult to the national honour and dignity or religious feelings of citizens, as well as propaganda of exclusivity, superiority or inferiority of citizens on grounds of their religion, class, national, generic or racial identity, committed publicly or with the use of mass media or information and communication networks, as well as by production or distribution of literature or other information media, promoting social, national, clan, racial, or religious discord". Punishment under Part 2, when such actions are carried out by a group of people, is a jail term of between five and ten years.

Judge Imankulov also convicted three of the eight Muslims under Criminal Code Article 256, Part 2. This punishes "Propaganda of terrorism or public calls to commit terrorism", which includes the production, storage for distribution or distribution of [unspecified in the Article] specified materials, carries a punishment of five to nine years' imprisonment plus confiscation of property. If committed by an individual using a state or non-state

official position, or with the use of the mass media or other communication networks, or with foreign support, or in a group, the punishment is seven to 12 years' imprisonment with confiscation of property.

The Judge handed down ordinary regime jail terms on each of between five and a half and eight years.

Those sentenced under both Criminal Code Article 256, Part 2 and Criminal Code Article 174, Part 2 were:

- 1) Bolatbek Dyusenbekovich Nurgaliyev (born 12 December 1978) – 8 years' imprisonment
- 2) Ernar Samatovich Samatov (born 10 March 1980) – 7 and a half years' imprisonment
- 3) Beket Tastanbekovich Mynbasov (born 10 January 1983) – 7 and a half years' imprisonment

Those sentenced only under Criminal Code Article 174, Part 2 were:

- 1) Nazim Alimzhanovich Abdrakhmanov (born 10 March 1988) – 5 and a half years' imprisonment
- 2) Samat Asylkhanovich Adilov (born 28 August 1986) – 5 and a half years' imprisonment
- 3) Zhasulan Meiramovich Iskakov (born 22 October 1984) – 5 and a half years' imprisonment
- 4) Esim Kadirzhumanovich Suleimenov (born 1 February 1983) – 5 and a half years' imprisonment
- 5) Azamat Gaidarovich Umbetaliyev (born 10 January 1992) – 5 and a half years' imprisonment

When Judge Imankulov pronounced the verdict, defendants and their relatives and supporters in the courtroom shouted "Shame on the court!", noted Kazis Toguzbayev of Radio Free Europe's Kazakh Service, who was present in the courtroom. Relatives then went out to the street in front of the court with placards reading "We need a just court" and "The innocent shouldn't be in prison".

Anzhelika Belyayeva, mother of the jailed Azamat Umbetaliyev, insisted the men had been jailed "for nothing". "We know our children have done nothing," she told Forum 18 from Almaty after the verdict was handed down. She said they would be appealing against their convictions to Almaty City Court as soon as they get the verdict in writing.

At present, all nine Muslims – including Taurbekov – are being held in the police's Investigation Prison LA-155/18 in Almaty's Turksib District. The prison address:

050054, g. Almaty
Turksibsky raion
Ul. Krasnogorskaya d. 73
Uchr. LA-155/18

No trial date for sick prisoner

Judge Imankulov gave no indication of when the criminal trial against the ninth Muslim, Zhuldyzbek Abikenovich Taurbekov (born 20 September 1978), is likely to begin, Radio Free Europe noted on 5 August. He said a medical commission will first have to assess Taurbekov's health and determine if he is fit to stand trial.

Taurbekov's case was separated off from that of the other eight on 3 July because of his health.

At the trial's final full session on 31 July, Taurbekov's mother, Asemgul Zhaurgasheva, told the court in some distress that her son had been taken again to the cardiology centre the previous day for the third time. He was taken back to the Investigation Prison after four hours. She added that he is in need of a heart transplant.

Arrested October 2018

The nine Muslims have been held in pre-trial detention in Almaty since their arrest in October 2018. The National Security Committee (KNB) secret police discovered a Muslim discussion group on the WhatsApp messaging app. The KNB claim they were alerted to the group on 18 October 2018 by an individual identified only as "B.K.Sh."

In August 2018, the KNB secret police Investigator, Lieutenant-Colonel Rakhat Rustemov, commissioned "expert analyses" of texts circulated in the discussion group.

On 27 October 2018 the KNB secret police arrested nine participants in the group in various parts of Kazakhstan. They were all taken to the KNB's Investigation Prison in the southern city of Almaty. Some of the men already knew each other, but others had never met and had only ever communicated via the group.

The 18 February 2019 indictment – seen by Forum 18 - claimed that because the WhatsApp group's founder Bolatbek Nurgaliyev is a Salafi Muslim, and that terrorist groups such as Islamic State have conducted terrorist activity, therefore the WhatsApp group promoted terrorism. Neither KNB Investigator Rustemov, nor the indictment, nor the four successive prosecutors during the trial appear to have tried to establish whether or not Nurgaliyev and the other defendants had committed or called for terrorism.

One of the men's lawyers, Galym Nurpeisov, questioned during his concluding remarks on 31 July why the Islamic State terrorist group was relevant to the case when prosecutors had presented no proof that any of the defendants had any link to it or had made any comment in its support.

Nine years' jail for online discussion group?

Eight Muslims face up to nine years' jailing each for participating in a WhatsApp religious discussion group. The KNB secret police initiated the criminal charges of "propaganda of terrorism" or "inciting hatred", which the defendants deny. The verdict is imminent. The case against the ninth – who is suffering serious heart problems – will be heard at a future trial.

By Felix Corley

Forum 18 (31.07.2019) - <https://bit.ly/2YxKSjT> - Nine months after their October 2018 arrest, the long-running trial in Almaty of eight Muslims who participated in a religious discussion group on the WhatsApp messaging app is close to completion. The Prosecutor is calling for them to be jailed for up to nine years on charges of "propaganda of terrorism" or "inciting hatred". The men protest their innocence. An independent expert commissioned by one of the defence lawyers found no calls for terrorism, aggression or incitement to hatred.

Among the messages the group's participants circulated was one by Azamat Umbetaliyev, warning about innovations in religion. An analysis of the message - commissioned by his defence lawyer from Adil Soz (Free Word) International Foundation for Protection of Freedom of Speech - found: no incitement to hostility towards others based on their religious affiliation; no incitement to aggression or violence towards others based on their religious affiliation; no assertion or propaganda that anyone is superior or inferior to anyone else based on their religious affiliation (see below).

The Judge's assistant told Forum 18 on 31 July that the Judge has not set the date yet for handing down the verdicts. Those following the trial believe this could take place on 2 August.

More than 30 hearings have taken place since the trial started in an airless underground room at an Almaty court in March 2019. Because only eight of the original nine defendants could fit in the cage in the court room, the ninth was handcuffed to the bars on the outside of the cage. All the accused Muslims are aged between 27 and 40 (see below).

The case against the ninth Muslim defendant, Zhuldyzbek Taurbekov, was separated off on 3 July because of his heart problems which required hospital treatment. The family say his health suffered because of lack of medical attention during his eight-month detention in Investigation Prison and he now needs a heart transplant (see below).

Forum 18 was unable to find out when Taurbekov's new trial is likely to begin. Despite being transferred to hospital for two short spells in July, the judge has rejected all three of his family's appeals to have him transferred from Investigation Prison to house arrest (see below).

The case against the nine Muslims was brought and investigated by Lieutenant-Colonel Rakhat Rustemov of the National Security Committee (KNB) secret police in Almaty. He refused to talk to Forum 18 (see below).

"Our KNB keeps the court in its grip," one observer told Forum 18 on 30 July. "Before the trial hearings had even begun, a KNB officer said that agreement had been reached with the judge and prosecutor and said what prison terms the lads would get. And indeed months later it is now confirmed."

If convicted, the Muslims are also likely to be added to the Finance Ministry Financial Monitoring Committee List of individuals "connected with the financing of terrorism or extremism". Being added to the List means that any bank accounts an individual may have are blocked with no further legal process. Their families are allowed to withdraw only small amounts for daily living if they do not have other sources of income. Individuals remain on the financial blacklist for six or eight years after their sentence has expired.

Online surveillance

KNB secret police and ordinary police officers watch public and private communications on the internet and on messaging services. Individuals are frequently jailed or fined for exercising their freedom of religion or belief in messages about religion shared online, even when they contain no calls to violate the human rights of others.

In one recent criminal case, on 2 May, at the end of a closed trial in Shymkent, 41-year-old Muslim Dilmurat Makhmatov was jailed for eight years. Kazakh police claimed he conducted "illegal preaching among Kazakhstanis via the internet" while in Saudi Arabia. Once he was back in Kazakhstan they revealed charges of "inciting religious hatred" and

"propaganda of terrorism". His friends reject the accusations. Shymkent City Court rejected his appeal on 26 June (see forthcoming F18News article).

At least 17 individuals are known to have been prosecuted under the Administrative Code in the first six months of 2019 for posting religious materials online. Of these, 16 were convicted and fined.

Secret police arrest nine Muslims

The National Security Committee (KNB) secret police discovered a Muslim discussion group on the WhatsApp messaging app. The KNB claim they were alerted to the group on 18 October 2018 by an individual identified only as "B.K.Sh."

The KNB secret police Investigator, Lieutenant-Colonel Rakhat Rustemov, commissioned "expert analyses" of texts circulated in the discussion group. On 29 August 2018, he commissioned the "expert analysis" of the only text circulated by the youngest defendant, Azamat Umbetaliyev. This analysis was completed on 24 September 2018, according to case materials seen by Forum 18.

On 27 October 2018 the KNB secret police arrested nine participants in the group in various parts of Kazakhstan. They were all taken to the KNB's Investigation Prison in the southern city of Almaty. Some of the men already knew each other, but others had never met and had only ever communicated via the group.

On 29 October 2018, Almaty's Specialised Inter-District Investigative Court ordered the men held in pre-trial detention, according to case documents seen by Forum 18.

Those arrested were:

- 1) Nazim Alimzhanovich Abdrakhmanov (born 10 March 1988)
- 2) Samat Asylkhanovich Adilov (born 28 August 1986)
- 3) Ernar Samatovich Samatov (born 10 March 1980)
- 4) Zhasulan Meiramovich Iskakov (born 22 October 1984)
- 5) Beket Tastanbekovich Mynbasov (born 10 January 1983)
- 6) Bolatbek Dyusenbekovich Nurgaliyev (born 12 December 1978)
- 7) Esim Kadirzhumanovich Suleimenov (born 1 February 1983)
- 8) Zhuldyzbek Abikenovich Taurbekov (born 20 September 1978)
- 9) Azamat Gaidarovich Umbetaliyev (born 10 January 1992)

On 29 May 2019, once the trial was already underway, the nine men were transferred from the KNB's Investigation Prison in Almaty to the police's Investigation Prison LA-155/18 in the city's Turksib District. The nine Muslims are still being held there.

The men's current prison address:

050054, g. Almaty
Turksibsky raion
Ul. Krasnogorskaya d. 73
Uchr. LA-155/18

Terrorism, incitement accusations

The KNB secret police initially investigated the Muslims under Criminal Code Article 174, Part 2. This punishes "Incitement of social, national, clan, racial, or religious discord, insult to the national honour and dignity or religious feelings of citizens, as well as propaganda of exclusivity, superiority or inferiority of citizens on grounds of their

religion, class, national, generic or racial identity, committed publicly or with the use of mass media or information and communication networks, as well as by production or distribution of literature or other information media, promoting social, national, clan, racial, or religious discord". Punishment under Part 2, when such actions are carried out by a group of people, is a jail term of between five and ten years.

The KNB later began investigating several of the defendants also under Criminal Code Article 256. This punishes "Propaganda of terrorism or public calls to commit terrorism", which includes the production, storage for distribution or distribution of [unspecified in the Article] specified materials, carries a punishment of five to nine years' imprisonment plus confiscation of property. If committed by an individual using a state or non-state official position, or with the use of the mass media or other communication networks, or with foreign support, or in a group, the punishment is seven to 12 years' imprisonment with confiscation of property.

The prosecution commissioned four "expert analyses": a religious studies analysis; a philological analysis; and two political studies analyses, one from the capital Astana (now Nur-Sultan), the other from Almaty.

The indictment alleged that the nine men "acting with a common intention, aware of the illegality of their actions .. actively discussed religious themes .. deliberately made radical statements which represented propaganda of terrorism and incitement of religious discord".

The KNB accused Nurgaliyev of founding the group in December 2013 for the "propaganda of terrorism and the ideas of Salafism", as well as to "increase the number of adherents of this movement", according to the 18 February 2019 indictment, seen by Forum 18. It said he had recruited the other eight Muslims to the group, which had 171 members.

The prosecution accused the four oldest men – Taurbekov, Nurgaliyev, Mynbasov and Samatov - under both Criminal Code Article 256, Part 2 and Article 174, Part 2. It accused the other five – Abdrakhmanov, Adilov, Iskakov, Suleimenov and Umbetaliyev – under Criminal Code Article 174, Part 2.

Families, lawyers reject accusations

Of the state-nominated "experts", only Gulnara Mukhatayeva from Almaty found fault with Umbetaliyev's one repost to the group. "The political studies expert from Nur-Sultan found nothing at all," his mother Anzhelika Belyayeva told Forum 18. "Only the specialist politologist Mukhatayeva didn't like the word 'fight' in my son's text. But you can fight using knowledge. This text was from the Saudi theological scholar, Saleh Al-Fawzan."

On 14 February 2019, Galym Nurpeisov, Umbetaliyev's lawyer, commissioned an expert analysis of the text he had circulated from Almaty-based Adil Soz (Free Word) International Foundation for Protection of Freedom of Speech. It assigned the task to Rakhilya Karymsakova, who has 46 years of experience as a philologist and 15 years as a compiler of expert analyses.

In her analysis, completed on 15 March and seen by Forum 18, Karymsakova concludes that the text Umbetaliyev reposted to the group warned Muslims of what the original author regarded as the dangers to the Muslim community of innovation in religion.

Karymsakova stated categorically that the text contained: no incitement to hostility towards others based on their religious affiliation; no incitement to aggression or violence

towards others based on their religious affiliation; no assertion or propaganda that anyone is superior or inferior to anyone else based on their religious affiliation.

The lawyer Nurpeisov and four of the defendants' parents held a press conference at the Almaty office of the Kazakhstan International Bureau for Human Rights and the Rule of Law on 3 June, when the trial had already been underway for nearly three months. They complained about what they regarded as the unobjective handling of the prosecution case. They also complained of KNB secret police pressure on the defendants' families.

Prison, hospital, prison, hospital, prison, hospital, prison

On 27 June, one of the defendants, 40-year-old Zhuldyzbek Taurbekov, was taken to the hospital casualty department with apparent heart problems, Radio Free Europe noted on 15 July. On 1 July he was transferred to the intensive therapy department at the city's cardiology centre.

On 6 July he was taken back to the Investigation Prison. However, that night he was returned to the hospital casualty department in serious condition. On 13 July he was again transferred to the intensive therapy department. On 15 July he was again returned to the Investigation Prison, where he was put in its medical unit.

Asemgul Zhaurgasheva, Taurbekov's mother and also his lay public defender, told Radio Free Europe that his health was seriously harmed by the lack of medical attention in the Investigation Prison. However, Erlan Uzakov, Deputy Head of the Criminal-Implementation Department for Almaty, which oversees prisons, insisted to Radio Free Europe that Taurbekov was being given "all necessary help" in Investigation Prison.

At the final session on 31 July, Taurbekov's mother, Zhaurgasheva, told the court in some distress that her son had been taken again to the cardiology centre the previous day. He was taken back to the Investigation Prison after four hours. She added that he is in need of a heart transplant.

Forum 18 was unable to reach officials at the Investigation Prison's Special Department on 31 July.

Because of the state of his health, the case against Taurbekov was separated off from those of the other eight defendants on 3 July, after the trial had been underway for nearly four months. Despite being transferred to hospital for two short spells in July, Judge Imankulov rejected his family's three appeals to have him transferred from Investigation Prison to house arrest.

Taurbekov is facing charges under both Criminal Code Article 256 and Article 174. Forum 18 was unable to find out when his new trial is likely to begin.

Trial begins

Once Lieutenant-Colonel Rustemov of the KNB secret police had completed his investigation, he handed the case to Almaty City Prosecutor's Office to prepare it for court.

The Prosecutor's Office handed the case against the nine Muslims to Almaty's Almaty District Court on 27 February 2019, according to court records. The case was assigned to Judge Kairat Imankulov.

The trial itself began on 12 March. More than 30 hearings were held between then and the final full day of the trial on 31 July, according to court records. The trial was held in

an airless, underground court room. When the defendants arrived in the court room, the guards took handcuffs off them and locked them in the court room cage.

For at least one of the hearings, one of the defendants was held outside the cage because of lack of space, and was instead handcuffed to the bars, journalist Kazis Toguzbayev of Radio Free Europe's Kazakh Service, who attended many of the later hearings, noted on 5 June.

Four successive prosecutors have led the case against the defendants in court, the most recent being Maksat Daurbayev. In her closing address to the court on 31 July, Anzhelika Belyayeva, the mother of the defendant Umbetaliyev and also his lay public defender, accused Daurbayev of incompetence, falling asleep during one hearing and laughing at the court.

Forum 18 was unable to reach Almaty City Prosecutor Berik Zhuiriktayev, the City Prosecutor's Office Press Service or Prosecutor Daurbayev on 31 July. Their phones went unanswered.

In the final hearings on 31 July, Prosecutor Daurbayev demanded a nine-year prison term for Nurgaliyev, Mynbasov and Samatov under both Criminal Code Article 256 and Article 174, Radio Free Europe noted after the hearing. He demanded a seven and a half-year prison term for the other five – Abdrakhmanov, Adilov, Iskakov, Suleimenov and Umbetaliyev – under Criminal Code Article 174, Part 2.

Forum 18 was unable to find out when Judge Imankulov is likely to issue his verdicts. The Judge's assistant told Forum 18 on 31 July that the Judge has not set the date yet for handing down the verdicts. Those following the trial believe this could take place on 2 August.

104 administrative prosecutions in January-June 2019 - list

Administrative prosecutions to punish exercising freedom of religion or belief appear to be rising. At least 104 cases were brought between January and June to punish unapproved worship, sharing faith, selling religious literature and items in shops or online, or using "Amen" in mosque worship. In three cases, courts ordered seized religious literature to be destroyed.

By Felix Corley

Forum 18 (19.07.2019) - <https://bit.ly/2SteWaN> - Kazakhstan's authorities are known to have brought at least 104 administrative prosecutions in the first six months of 2019 to punish 102 individuals, one religious community and one company for their exercise of freedom of religion or belief. Of these, 92 ended with convictions, with 86 individuals and one company being fined.

The 104 administrative cases in the first six months of 2019 represent an increase in the rate of prosecutions. In the whole of 2018, 169 such prosecutions are known to have been brought.

Punishments included not only fines but temporary bans on activity, a permanent ban on a meeting place for worship, and seizures and destruction of religious literature,

according to a review of the known January to June 2019 cases compiled by Forum 18 (see full list below).

Muslims, Protestants (especially Council of Churches Baptists), Jehovah's Witnesses, and commercial and private sellers were many of the targets of these prosecutions.

Fines were the equivalent of between three weeks' and four months' average wages for those in formal work (35 to 200 Monthly Financial Indicators, MFIs, 88,375 Tenge to 505,000 Tenge in 2019).

Many of the prosecutions were to punish meetings for worship without state permission. Bolat Isabayev was fined for leading a home worship meeting in Kandyagash on the most sacred day annually for Jehovah's Witnesses. A court fined two ethnic Azeri imams in Zhambyl Region for maintaining funeral prayer rooms without state approval. Police fined or tried to fine up to 20 members of Karaganda's Revival Protestant Church after raiding a birthday party.

In three cases, courts ordered seized religious literature to be destroyed: 29 Muslim books seized from a commercial seller in Kyzylorda; 18 Islamic books seized from another commercial seller also in Kyzylorda; and 2 Islamic books a visitor from Kyrgyzstan had in her luggage.

Administrative prosecutions are known to have been brought in January to June 2019 (with comparisons to the full 2018 and 2017 calendar years) to punish:

- 28 (26 individuals, 1 community and 1 company) for meeting for worship, hosting such meetings or maintaining places for such meetings (39 in 2018, 88 in 2017).
- 7 individuals for offering religious literature to others for free (10 in 2018, 39 in 2017).
- 22 individuals for offering religious literature, icons or other items for sale (33 in 2018, 58 in 2017).
- 20 individuals for offering religious items for sale online (18 in 2018, 10 in 2017).
- 16 individuals for posting religious materials online (23 in 2018, 12 in 2017).
- 2 individuals for trying to import religious literature (0 in 2018, 4 in 2017).
- 3 individuals for sharing faith with others (17 in 2018, 31 in 2017).
- 4 Muslims for praying in mosques in ways that the state-controlled Muslim Board has banned, for example by using the word "Amen" (21 in 2018, 22 in 2017, the first year such punishments were imposed).
- 2 individuals for teaching their faith (3 in 2018, 2 in 2017).

No religious leaders are known to have been prosecuted for allowing children to be present or conducting religious rites against the wishes of one parent (1 in 2018, 9 in 2017).

No religious communities are known to have been prosecuted for "inadequate" security or security measures for their places of worship, for example not having enough video cameras (2 in 2018, 5 in 2017).

No individuals are known to have been prosecuted for failing to pay earlier fines to punish them for exercising the right to freedom of religion or belief (2 in 2018, 2 in 2017).

No foreign citizens are known to have been ordered deported (1 in 2018, 2 in 2017).

A total of 88 of the 104 January to June 2019 cases were heard in court, but 16 fines are known to have been summarily handed down by police (the total number could be higher). All the known police fines were in Karaganda, Kyzylorda or Taraz.

Of the 102 administrative cases known to have been brought against individuals in 2019, 68 were against men and 34 against women. Women represented more than half of individuals prosecuted to punish offering religious literature and other items for sale in shops and online.

Of the 102 known administrative prosecutions against individuals in 2019, at least 3 began as cases under Criminal Code Article 174 ("Incitement of social, national, clan, racial, or religious discord, insult to the national honour and dignity or religious feelings of citizens, as well as propaganda of exclusivity, superiority or inferiority of citizens on grounds of their religion, class, national, generic or racial identity, committed publicly or with the use of mass media or information and communication networks, as well as by production or distribution of literature or other information media, promoting social, national, clan, racial, or religious discord").

The administrative cases in these 3 cases were launched when prosecutors decided not to pursue the Criminal Code Article 174 cases.

Full list of known January to June 2019 administrative prosecutions

The list of 103 known January to June 2019 administrative prosecutions below is based on court decisions and other information reaching Forum 18. It includes the date of initial decision by lower court/police, name of defendant, affiliation, court/police issuing decision, Administrative Code Article, reason for prosecution, outcome:

- Punishing unapproved meetings, rituals

Known administrative cases: 28

Known convictions: 22

200 MFI fines (4 months' average wage): 1

100 MFI fines (2 months' average wage): 4

70 MFI fines (6 weeks' average wage): 1

50 MFI fines (1 month's average wage): 13

35 MFI fines (3 weeks' average wage): 2

Verbal warning: 1

3-month bans: 2

Permanent bans: 1

Muslims: 5

Protestants: 18 (all Council of Churches Baptists)

Jehovah's Witnesses: 3

Hare Krishna community: 1

Companies: 1

Article 489, Part 9 punishes "Leadership of an unregistered, halted, or banned religious community or social organisation" with a fine of 100 MFIs.

Article 489, Part 10 punishes "Participation in an unregistered, halted, or banned religious community or social organisation" with a fine of 50 MFIs.

Article 490, Part 1, Point 1 punishes "violation of procedures established in law for conducting rites, ceremonies and meetings". Punishment for individuals is a fine of 50 MFIs, and for organisations a fine of 200 MFIs and a three-month ban on activity.

Article 490, Part 1, Point 3 punishes: "Violating the requirements of the Religion Law for .. import, manufacturing, production, publication and/or distribution of religious literature and other religious materials, and items for religious use". The punishment for individuals is a fine of 50 MFIs.

Article 490, Part 1, Point 4 punishes: "Violating the requirements of the Religion Law for .. building places of worship (facilities), or changing the usage (altering the functional designation) of buildings (facilities) into ritual buildings (facilities)". The punishment for individuals is a fine of 50 MFIs.

Article 490, Part 3 punishes: "Carrying out missionary activity without state registration (or re-registration), as well as the use by missionaries of religious literature, information materials with religious content or religious items without a positive assessment from a religious studies expert analysis, and spreading the teachings of a religious group which is not registered in Kazakhstan". The punishment is a fine of 100 MFIs, with deportation if the individual is a foreign citizen.

- 1) 5 January 2019, Bakyt Sattarova, Protestant, Karaganda Police, Article 489, Part 10, meeting in home, 50 MFI fine (reduced to 35 MFI fine on second appeal)
- 2) 5 January 2019, Aleksandr Shartner, Protestant, Karaganda Police, Article 489, Part 10, meeting in home, 50 MFI fine
- 3) 5 January 2019, Sergei Bogovenko, Protestant, Karaganda Police, Article 489, Part 10, meeting in home, 50 MFI fine
- 4) 5 January 2019, Aleksei Bykov, Protestant, Karaganda Police, Article 489, Part 10, meeting in home, 50 MFI fine
- 5) 5 January 2019, Olga Shartner, Protestant, Karaganda Police, Article 489, Part 10, meeting in home, 50 MFI fine (overturned on appeal)
- 6) 5 January 2019, Nadezhda Bogovenko, Protestant, Karaganda Police, Article 489, Part 10, meeting in home, 50 MFI fine (overturned on appeal)
- 7) 5 January 2019, Larisa Chachanidze, Protestant, Karaganda Police, Article 489, Part 10, meeting in home, 50 MFI fine (overturned on appeal)
- 8) 30 January 2019, Vera Pastukhova, Council of Churches Baptist, Kyzylorda police, Article 489, Part 10, participating in unregistered meeting for worship, 50 MFI fine
- 9) 30 January 2019, Aleksandr Belyayev, Council of Churches Baptist, Kyzylorda police, Article 489, Part 9, leading unregistered meeting for worship, 100 MFI fine
- 10) 31 January 2019, Aleksei Li, Council of Churches Baptist, Kyzylorda police, Article 489, Part 10, participating in unregistered meeting for worship, 50 MFI fine
- 11) 15 February 2019, Yakov Fot, Council of Churches Baptist, Taraz police, Article 489, Part 9, leading unregistered meeting for worship, 100 MFI fine

- 12) 15 February 2019, Viktor Fot, Council of Churches Baptist, Taraz police, Article 489, Part 10, participating in unregistered meeting for worship, 50 MFI fine (changed on appeal to verbal warning)
- 13) 16 February 2019, Valery Skorobogaty, Council of Churches Baptist, Kyzylorda police, Article 489, Part 10, participating in unregistered meeting for worship, 50 MFI fine
- 14) 28 February 2019, Eduard Neifeld, Council of Churches Baptist, Almaty Specialised Inter-District Administrative Court, Article 490, Part 3 (Article 490, Part 1, Point 1 excluded), participating in unregistered meeting for worship, 100 MFI fine
- 15) 3 March 2019, Vitaly Ryzhkov, Council of Churches Baptist, Taraz police, Article 489, Part 10, participating in unregistered meeting for worship, 50 MFI fine
- 16) 3 March 2019, Yuliya Ivanova, Council of Churches Baptist, Taraz police, Article 489, Part 10, participating in unregistered meeting for worship, 50 MFI fine
- 17) 3 March 2019, Petr Skornyakov, Council of Churches Baptist, Taraz police, Article 489, Part 9, leading unregistered meeting for worship, 100 MFI fine
- 18) 7 March 2019, Atyrau Hare Krishna Community, Atyrau Specialised Administrative Court, Article 490, Part 1, Point 1, meeting for worship, case sent back
- 19) 18 March 2019, Otabek Khaldarov, Muslim, Turkistan Specialised Administrative Court, Article 490, Part 1, Point 3, opening prayer room in cafeteria, 50 MFI fine
- 20) 15 April 2019, Sanzharbek Abuvakhidov, Muslim, Sairam District Court, Article 490, Part 1, operating an unregistered prayer room, 50 MFI fine plus 3-month ban
- 21) 19 April 2019, Sergei Merkulov, Jehovah's Witness, Glubokoe District Court, Article 490, Part 1, Point 1, hosting unregistered meetings for worship, 50 MFI fine (overturned on appeal)
- 22) 24 April 2019, Svetlana Demina, Protestant, Karaganda Specialised Administrative Court, Article 490, Part 3, praying before husband's birthday meal at home, case closed because time limit for launching case had expired (fined in November 2018 for same event, but fine annulled on appeal)
- 23) 2 May 2019, Sergei Nurmanov, Jehovah's Witness, Taranovsky District Court, Article 490, Part 1, Point 1, participating in unregistered meeting for worship, 35 MFI fine
- 24) 14 May 2019, Sarvaz Dzhamalov, Muslim, Merke District Court, Article 490, Part 3, operating an unregistered funeral prayer room, 70 MFI fine
- 25) 16 May 2019, Fakhradin Ismailov, Muslim, Merke District Court, Article 490, Part 1, Point 1, operating an unregistered funeral prayer room (registration application rejected), 50 MFI fine
- 26) 16 May 2019, Mak Group Shopping Centre, company, Nur-Sultan [Astana] Specialised Inter-District Administrative Court, Article 490, Part 1, Point 1, operating an unregistered prayer room, 200 MFI fine plus ban on prayer room
- 27) 6 June 2019, Bolat Isabayev, Jehovah's Witness, Mugalzhar District Court, Article 490, Part 1, Point 1, participating in unregistered meeting for worship on Memorial of Christ's Death, 35 MFI fine

28) 11 June 2019, Gulammakhambet Taumanuly, Muslim, Zhetysai District Court, Article 490, Part 1, Point 4, opening unapproved prayer room, 50 MFI fine plus 3-month ban

- Punishing offering free religious literature

Known administrative cases: 7

Known convictions: 7

50 MFI fines (1 month's average wage): 5

35 MFI fines (3 weeks' average wage): 2

3-month bans: 2

Protestants: 7 (including 5 Council of Churches Baptists)

Article 490, Part 1, Point 3 punishes: "Violating the requirements of the Religion Law for .. import, manufacturing, production, publication and/or distribution of religious literature and other religious materials, and items for religious use". The punishment for individuals is a fine of 50 MFIs.

Article 490, Part 3 punishes: "Carrying out missionary activity without state registration (or re-registration), as well as the use by missionaries of religious literature, information materials with religious content or religious items without a positive assessment from a religious studies expert analysis, and spreading the teachings of a religious group which is not registered in Kazakhstan". The punishment is a fine of 100 MFIs, with deportation if the individual is a foreign citizen.

1) 7 February 2019, Feruza Akynbekova, Council of Churches Baptist, Taraz Specialised Administrative Court, Article 490, Part 1, offering New Testament on the street, 50 MFI fine (reduced to 35 MFIs on appeal)

2) 26 March 2019, Pavlo Omelich, Council of Churches Baptist, Baizak District Court, Article 490, Part 3, offering Christian literature, 100 MFI fine, changed on appeal to Article 490, Part 1, Point 3, 50 MFI fine

3) 29 March 2019, Yury Kiryushkin, Council of Churches Baptist, Magzhan Zhumabayev District Court, Article 490, Part 1, Point 3, offering Christian literature, 50 MFI fine plus 3-month ban on distributing religious literature

4) 1 April 2019, Viktor Gizbrecht, Christian, Pavlodar Specialised Administrative Court, Article 490, Part 1, Point 3, offering Bible and other Christian books for free online, 50 MFI fine

5) 15 April 2019, Dmitry Mankov (aged 20), Council of Churches Baptist, Nur-Sultan [Astana] Specialised Inter-District Administrative Court, Article 490, Part 1, Point 3, offering Christian books for free, 35 MFI fine

6) 17 April 2019, Valentina Rakhmanova, Protestant, Zyryanovsk District Court, Article 490, Part 1, Point 3, offering Bible and other Christian books for free, 50 MFI fine

7) 3 May 2019, Dmitry Isayev, Council of Churches Baptist, Berli District Court, Article 490, Part 1, Point 3, offering Christian books on the street, 50 MFI fine plus 3-month ban on distributing religious literature

- Punishing offering religious literature, items for sale

Known administrative cases: 22

Known convictions: 18
Initial criminal cases (Article 174): 1
50 MFI fines (1 month's average wage): 4
35 MFI fines (3 weeks' average wage): 13
Verbal warnings: 1
3-month bans: 13
Literature destruction orders: 2

Commercial traders: 21
Muslims: 1

Article 490, Part 1, Point 3 punishes: "Violating the requirements of the Religion Law for .. import, manufacturing, production, publication and/or distribution of religious literature and other religious materials, and items for religious use". The punishment for individuals is a fine of 50 MFIs.

- 1) 22 January 2019, Sergei Belov, commercial seller, Aktobe Specialised Administrative Court, Article 490, Part 1, Point 3, offering religious items (including icons, Buddha figures) for sale, 35 MFI fine plus 3-month ban on activity
- 2) 24 January 2019, Yelena Makhacheva, commercial seller, Aktobe Specialised Administrative Court, Article 490, Part 1, Point 3, offering religious books and items for sale, 50 MFI fine plus 3-month ban on activity
- 3) 19 February 2019, Kairbek Tolegenuly, commercial seller, Almaty Specialised Inter-District Administrative Court, Article 490, Part 1, Point 3 (initial Criminal Code Article 174, Part 1 investigation), offering Sunni and Sufi Islamic books and items for sale in shop, 35 MFI fine plus 3-month ban on activity
- 4) 20 February 2019, Svetlana Titova, commercial seller, Almaty Specialised Inter-District Administrative Court, Article 490, Part 1, Point 3, offering Christian prayer books, icons and candles for sale in shop, 35 MFI fine
- 5) 13 March 2019, Farkhad Zhapparkulov, commercial seller, Turkistan Specialised Administrative Court, Article 490, Part 1, Point 3, offering Muslim books for sale on street, 50 MFI fine plus 3-month ban
- 6) 15 March 2019, Zhenisbek Baitabynov, Muslim, Munaily District Court, Article 490, Part 1, Point 3, offering religious books for sale, 50 MFI fine
- 7) 28 March 2019, Murat Zhumaguliyev, commercial seller, Beineu District Court, Article 490, Part 1, Point 3, offering religious books for sale at market, 35 MFI fine plus 3-month ban
- 8) 1 April 2019, Murat Kabdullin, commercial seller, Nur-Sultan [Astana] Specialised Inter-District Administrative Court, Article 490, Part 1, Point 3, offering religious books for sale in shop, 35 MFI fine plus 3-month ban on selling religious literature
- 9) 12 April 2019, Begzod Ismaildzhhanov, Muslim, Turkistan Specialised Administrative Court, Article 490, Part 1, Point 3, offering religious books for sale at railway station, 50 MFI fine
- 10) 17 April 2019, Andrei Shelestov, commercial seller, Nur-Sultan [Astana] Specialised Inter-District Administrative Court, Article 490, Part 1, Point 3, offering religious books for sale in shop, 35 MFI fine plus 3-month ban on functioning of section of shop

- 11) 24 April 2019, Sabit Kenzhegulov, Muslim, Zhilioi District Court, Article 490, Part 1, Point 3, offering religious books for sale at railway station, 35 MFI fine
- 12) 2 May 2019, Nursultan Rakhimgozhin, commercial seller, Nur-Sultan [Astana] Specialised Inter-District Administrative Court, Article 490, Part 1, Point 3, offering religious books for sale in shop, 35 MFI fine plus 3-month ban on functioning of shop
- 13) 3 May 2019, Zauresh Kasymova, commercial seller, Nur-Sultan [Astana] Specialised Inter-District Administrative Court, Article 490, Part 1, Point 3, offering religious books for sale in shop, 35 MFI fine plus 3-month ban on selling religious literature
- 14) 8 May 2019, Aruzhan Omirbai, commercial seller, Kyzylorda Specialised Administrative Court, Article 490, Part 1, Point 3, offering religious books for sale in shop, 35 MFI fine plus 3-month ban plus destruction of 29 Muslim books
- 15) 29 May 2019, Togzhan Boken, commercial seller, Kyzylorda Specialised Administrative Court, Article 490, Part 1, Point 3, offering religious literature and discs for sale, case closed because time limit for launching case had expired
- 16) 31 May 2019, Baurzhan Kudabayev, commercial seller, Kyzylorda Specialised Administrative Court, Article 490, Part 1, Point 3, offering religious items for sale, acquitted
- 17) 6 June 2019, Talgatbek Nazarov, commercial seller, Kyzylorda Specialised Administrative Court, Article 490, Part 1, Point 3, offering items with Arabic inscriptions for sale, acquitted
- 18) 6 June 2019, Saltanat Zhakipova, commercial seller, Kyzylorda Specialised Administrative Court, Article 490, Part 1, Point 3, offering religious literature, prayer mats and other items for sale, case closed because time limit for launching case had expired
- 19) 11 June 2019, Saltanat Koszhanova, commercial seller, Kyzylorda Specialised Administrative Court, Article 490, Part 1, Point 3, offering religious items for sale, verbal warning
- 20) 12 June 2019, Gulmira Kulumbetova, commercial seller, Kyzylorda Specialised Administrative Court, Article 490, Part 1, Point 3, offering 18 Islamic books, a prayer mat and other items for sale, 35 MFI fine plus 3-month ban plus destruction of books
- 21) 12 June 2019, Shin Raisa Du-Se, commercial seller, Nur-Sultan [Astana] Specialised Inter-District Administrative Court, Article 490, Part 1, Point 3, offering one cross and one crescent jewellery items for sale in shop, 35 MFI fine plus 3-month ban on functioning of shop
- 22) 26 June 2019, Marina Shirokova, commercial seller, Aktobe Specialised Administrative Court, Article 490, Part 1, Point 3, offering religious books for sale in shop, 35 MFI fine plus 3-month ban

- Punishing offering religious literature, items for sale online

Known administrative cases: 20
Known convictions: 20
50 MFI fines (1 month's average wage): 1
35 MFI fines (3 weeks' average wage): 16
Verbal warnings: 3

3-month bans: 5 or 6
1-month bans: 3 or 4
Literature retention orders: 2

Private sellers: 20

Article 490, Part 1, Point 3 punishes: "Violating the requirements of the Religion Law for .. import, manufacturing, production, publication and/or distribution of religious literature and other religious materials, and items for religious use". The punishment for individuals is a fine of 50 MFIs.

1) 11 January 2019, Dana Rakhimzhanova, seller, Pavlodar Specialised Administrative Court, Article 490, Part 1, Point 3, offering religious book for sale online, 35 MFI

2) 25 January 2019, Nurbergen Kunchekeyev, seller, Atyrau Specialised Administrative Court, Article 490, Part 1, Point 3, offering Muslim book by Elmir Kuliyeu for sale online, 35 MFI fine plus 3-month ban

3) 25 January 2019, Yelena Maslova, seller, Petropavl Specialised Administrative Court, Article 490, Part 1, Point 3, offering Bible inherited from grandmother for sale online ("expert" analysis showed Bible did not violate Constitution), 35 MFI fine plus 1-month ban on distributing religious literature and items

4) 13 February 2019, Gennady Vasilyev, seller, Semei Specialised Administrative Court, Article 490, Part 1, Point 3, offering Bible and Christian booklet for sale online ("expert" analysis showed their content did not violate Constitution), 35 MFI fine

5) 20 February 2019, Yekaterina Kislitsyna, seller, Almaty Specialised Inter-District Administrative Court, Article 490, Part 1, Point 3, offering icon of Jesus Christ for sale online ("expert" analysis showed icon's content did not violate Constitution), 35 MFI fine

6) 6 March 2019, Oleg Lobanov, seller, Petropavl Specialised Administrative Court, Article 490, Part 1, Point 3, offering Christian children's book for sale online ("expert" analysis showed it did not violate Constitution), 35 MFI fine plus 1-month ban on distributing religious literature and items

7) 12 March 2019, Natalya Alekseyeva, seller, Petropavl Specialised Administrative Court, Article 490, Part 1, Point 3, offering for sale online 1913 German-language Bible inherited from grandmother, 50 MFI fine plus Bible to be retained by Anti-Extremism Police

8) 18 March 2019, Yelena Glushchenko, seller, Petropavl Specialised Administrative Court, Article 490, Part 1, Point 3, offering for sale online 1905 issue of Russian Orthodox "Church News", 35 MFI fine plus 3-month ban on distributing religious literature

9) 27 March 2019, Dmitry Molozhenko, seller, Petropavl Specialised Administrative Court, Article 490, Part 1, Point 3, offering Bible for sale online for 1,000 Tenge ("expert" analysis showed Bible did not violate Constitution), 35 MFI fine plus 1-month ban on distributing religious literature and items

10) 28 March 2019, Yelizaveta Volzhinina, seller, Oskemen Specialised Administrative Court, Article 490, Part 1, Point 3, offering embroidered picture of mother and child for sale online, 35 MFI fine

11) 1 April 2019, Oksana Malkova, seller, Pavlodar Specialised Administrative Court, Article 490, Part 1, Point 3, offering Koran for sale online, 35 MFI

12) 19 April 2019, Bayan Tusupova, seller, Pavlodar Specialised Administrative Court, Article 490, Part 1, Point 3, offering children's Bible in Russian and German for sale online, 35 MFI

13) 23 April 2019, Olga Savoskina, seller, Semei Specialised Administrative Court, Article 490, Part 1, Point 3, offering icon for sale online, verbal warning

14) 25 April 2019, Nadezhda Borovskikh, seller, Semei Specialised Administrative Court, Article 490, Part 1, Point 3, offering Bible for sale online for 10,000 Tenge (5 days' pension equivalent) to supplement pension (invalid husband), verbal warning

15) 30 April 2019, Galina Smirnykh, seller, Aksu City Court, Article 490, Part 1, Point 3, offering Bible for sale online, 35 MFI fine

16) 13 May 2019, Zarina Kazbekova, seller, Shal Akyn District Court, Article 490, Part 1, Point 3, offering Koran for sale online, 35 MFI fine plus 3-month ban on distributing religious literature

17) 16 May 2019, Madina Koisariyeva, seller, Atyrau Specialised Administrative Court, Article 490, Part 1, Point 3, offering 4 Korans for sale online, 35 MFI fine plus 3-month ban

18) 21 May 2019, Irina Buravinskaya, seller, Semei Specialised Administrative Court, Article 490, Part 1, Point 3, offering 2 icons for sale online for 8,000 Tenge (10 days' invalid pension equivalent) ("expert" analysis showed icons' content did not violate Constitution), verbal warning

19) 21 May 2019, Daniyar Murzabayev, seller, Petropavl Specialised Administrative Court, Article 490, Part 1, Point 3, offering 1907 Arabic-language Koran inherited from grandmother for sale online for 5 million Tenge ("expert" analysis was unable to review the Koran because they did not know Arabic), 35 MFI fine plus 1- or 3-month ban on distributing religious literature and items

20) 12 June 2019, Rano Tuzelova, seller, Nur-Sultan [Astana] Specialised Inter-District Administrative Court, Article 490, Part 1, Point 3, offering 3 Korans in Arabic for sale online, 35 MFI fine plus 3-month ban plus retention of 3 Korans

- Punishing posting religious materials online

Known administrative cases: 16

Known convictions: 15

Initial criminal cases (Article 174): 2

200 MFI fines (4 months' average wage): 1

100 MFI fines (2 months' average wage): 1

70 MFI fines (6 weeks' average wage): 2

50 MFI fines (1 month's average wage): 5

35 MFI fines (3 weeks' average wage): 6

3-month bans: 5

Bans of unspecified duration: 1

Muslims: 16

Article 490, Part 1, Point 3 punishes: "Violating the requirements of the Religion Law for .. import, manufacturing, production, publication and/or distribution of religious literature

and other religious materials, and items for religious use". The punishment for individuals is a fine of 50 MFIs.

Article 490, Part 3 punishes: "Carrying out missionary activity without state registration (or re-registration), as well as the use by missionaries of religious literature, information materials with religious content or religious items without a positive assessment from a religious studies expert analysis, and spreading the teachings of a religious group which is not registered in Kazakhstan". The punishment is a fine of 100 MFIs, with deportation if the individual is a foreign citizen.

Article 490, Part 8 punishes repeat violations of the Religion Law within one year, with fines on individuals of 200 MFIs.

- 1) 9 January 2019, Erlan Mukanov, Muslim, Taiynsha District Court, Article 490, Part 1, Point 3 (initial investigation under Criminal Code Article 174, Part 1), posting religious materials online, 50 MFI fine plus 3-month ban on distributing religious literature
- 2) 15 January 2019, Azamat Orazly, Muslim, Satbayev District Court, Article 490, Part 3, posting religious materials online, 100 MFI fine
- 3) 30 January 2019, Duman Suleimenov, Muslim, Satbayev District Court, Article 490, Part 3, posting religious materials online, 100 MFI fine (reduced to 70 MFIs on appeal)
- 4) 11 February 2019, Zhalgas Nazyrbekov, Muslim, Zhezkazgan City Court, Article 490, Part 1, Point 3, posting religious materials online, 35 MFI fine
- 5) 12 February 2019, Ardak Aubakirov, Muslim, Karkaraly District Court, Article 490, Part 1, posting religious materials online, 35 MFI fine
- 6) 12 February 2019, Nurbol Baigenzhinov, Muslim, Karkaraly District Court, Article 490, Part 1 or 3, posting religious materials online, 35 MFI fine
- 7) 18 February 2019, Nurbol Ibraimov, Muslim, Zhezkazgan City Court, Article 490, Part 1, Point 3, posting religious materials online, 35 MFI fine
- 8) 4 April 2019, Azat Komutov, Muslim, Abai District Court, Article 490, Part 3, posting religious materials online, 70 MFI fine
- 9) 10 April 2019, Shingis Sabitov, Muslim, Karkaraly District Court, Article 490, Part 1, Point 3, posting religious materials online, 50 MFI fine plus 3-month ban
- 10) 2 May 2019, Ernur Toleubekov, Muslim, Temirtau Specialised Administrative Court, Article 490, Part 1, Point 3, posting religious materials online, 35 MFI fine
- 11) 8 May 2019, Sairan Abdugaliyev, Muslim, Karkaraly District Court, Article 490, Part 1, Point 3 (initial Criminal Code Article 174 investigation), posting religious materials online, 50 MFI fine plus 3-month ban
- 12) 15 May 2019, Yerken Akanov, Muslim, Petropavl Specialised Administrative Court, Article 490, Part 8 (second "offence" within one year), sharing religious materials on WhatsApp, 200 MFI fine and ban on distributing religious literature
- 13) 27 May 2019, Abdurrakhim Termaliyev, Muslim, Mamlyut District Court, Article 490, Part 1, Point 3, posting religious materials online, 50 MFI fine plus 3-month ban on distributing religious literature

14) 30 May 2019, Kaisar Serik, Muslim, Karkaraly District Court, Article 490, Part 1, posting religious materials online, 35 MFI fine

15) 11 June 2019, Adil Mendygaliyev, Muslim, Almaty Specialised Inter-District Administrative Court, Article 490, Part 1, Point 3, posting religious materials online, sent back for reclassification under different Article

16) 21 June 2019, Farkhad Zhauyrbekov, Muslim, Almaty Specialised Inter-District Administrative Court, Article 490, Part 1, Point 3, posting religious materials online, 50 MFI fine plus 3-month ban on social media account

- Punishing trying to import religious literature

Known administrative cases: 2

Known convictions: 2

50 MFI fines (1 month's average wage): 2

Literature destruction orders: 1

Muslims: 1

Traders: 1

Article 490, Part 1, Point 3 punishes: "Violating the requirements of the Religion Law for .. import, manufacturing, production, publication and/or distribution of religious literature and other religious materials, and items for religious use". The punishment for individuals is a fine of 50 MFIs.

1) 3 January 2019, Gulsanam Katkeldiyeva, Muslim (Kyrgyz citizen), Zhambyl District Court, Article 490, Part 1, Point 3, having 2 Islamic books in luggage entering Kazakhstan from Kyrgyzstan, 50 MFI fine plus book destruction

2) 20 June 2019, Makhmadgafuri Olimzoda, trader (Tajik citizen), Beineu District Court, Article 490, Part 1, Point 3, 36 of 490 books he brought through Kazakh border in transit to Russia for resale were religious, 50 MFI fine plus 3-month ban

- Punishing sharing faith

Known administrative cases: 3

Known convictions: 3

100 MFI fines (2 months' average wage): 3

Protestants: 3 (all Council of Churches Baptist)

Article 490, Part 3 punishes: "Carrying out missionary activity without state registration (or re-registration), as well as the use by missionaries of religious literature, information materials with religious content or religious items without a positive assessment from a religious studies expert analysis, and spreading the teachings of a religious group which is not registered in Kazakhstan". The punishment is a fine of 100 MFIs, with deportation if the individual is a foreign citizen.

1) 12 April 2019, Nikolai Novikov, Council of Churches Baptist (court decision wrongly describes him as Jehovah's Witness), Oral Specialised Administrative Court, Article 490, Part 3, sharing faith, 100 MFI fine

2) 22 April 2019, Dmitry Isayev, Council of Churches Baptist, Oral Specialised Administrative Court, Article 490, Part 3, sharing faith, 100 MFI fine

3) 23 April 2019, Andrei Labinsky, Council of Churches Baptist, Oral Specialised Administrative Court, Article 490, Part 3, sharing faith, 100 MFI fine

- Punishing violating mosques' internal rules

Known administrative cases: 4

Known convictions: 3

50 MFI fines (1 month's average wage): 2

35 MFI fines (3 weeks' average wage): 1

Muslims: 4

Article 490, Part 2 punishes: "Impeding lawful religious activity as well as violation of the civil rights of physical persons on grounds of their religious views or insulting their feelings or profanation of items, buildings and places revered by followers of any religion, unless there are signs of criminally punishable actions". The punishment for individuals is 50 MFIs, and for legal entities 200 MFIs.

1) 12 February 2019, Nariman Bagirov, Muslim, Almaty Specialised Inter-District Administrative Court, Article 490, Part 2, Amen in mosque, 50 MFI fine

2) 19 March 2019, Erbolat Gazimov, Muslim, Zhiloi District Court, Article 490, Part 2, Amen in mosque, 50 MFI fine

3) 20 March 2019, Dauren Kaiyrov, Muslim (18 years old), Zhiloi District Court, Article 490, Part 2, Amen in mosque, 35 MFI fine

4) 22 April 2019, Abai Ospanov, Muslim, Taraz Specialised Administrative Court, Article 490, Part 2, Amen in mosque, acquitted

- Punishing religious teaching

Known administrative cases: 2

Known convictions: 2

70 MFI fines (6 weeks' average wage): 2

Muslims: 2

Article 490, Part 3 punishes: "Carrying out missionary activity without state registration (or re-registration), as well as the use by missionaries of religious literature, information materials with religious content or religious items without a positive assessment from a religious studies expert analysis, and spreading the teachings of a religious group which is not registered in Kazakhstan". The punishment is a fine of 100 MFIs, with deportation if the individual is a foreign citizen.

1) 10 April 2019, Mukhtar Gadzhiyev, Muslim, Article 490, Part 3, Kyzylorda Specialised Administrative Court, teaching religion to children in charity, 70 MFI fine

2) 10 April 2019, Darkhan Shilmanbetov, Muslim, Article 490, Part 3, Kyzylorda Specialised Administrative Court, teaching religion to children in charity, 70 MFI fine

Fined for worship, funeral prayer rooms

Bolat Isabayev was fined for leading a home worship meeting on the most sacred day annually for Jehovah's Witnesses. A court fined two ethnic Azeri imams in Zhambyl Region for maintaining funeral prayer rooms without state approval. Police fined or tried to fine up to 20 members of Karaganda's Revival Protestant Church after raiding a birthday party.

By Felix Corley

Forum 18 (11.07.2019) - <https://bit.ly/2LzJBm1> - On 2 July, Aktobe Regional Court rejected Bolat Isabayev's appeal against a fine of three weeks' average wages for leading a meeting for worship in a home on the Jehovah's Witnesses' most sacred commemoration of the year, the Memorial of Jesus Christ's death. Police tried to raid the 19 April meeting in Kandyagash, allegedly after complaints from neighbours, but the home owner refused to let them in. Police filmed through the window.

After police discovered two funeral prayer rooms in Merke District in the southern Zhambyl Region on 4 March, two imams of the local Azeri community were fined in mid-May for maintaining the prayer rooms without state registration. One of them had tried to gain state registration – and therefore the official right to exist – but the application had been returned (see below).

The state has allowed only one Muslim community in the entire country to register: the state-controlled Muslim Board. All mosques must be subject to it to be allowed to exist. Independent mosques and mosques catering mainly to one ethnic group are banned.

Police have repeatedly fined or tried to fine up to about 20 members of Revival Protestant Church in the central city of Karaganda after their mass raid on a birthday party in November 2018. The Church has fewer than 50 adult members, so is therefore too small to be able to apply for state registration and therefore does not officially have the right to exist. The police officer who issued most of the summary fines refused to explain why they had been punished for meeting in a home (see below).

In February 2019, police raided a Hare Krishna gathering in the Caspian port city of Atyrau. In February and March, police in the southern city of Taraz raided three local Council of Churches Baptist congregations, fining a number of church members.

The punishments are among at least 104 administrative cases brought against individuals and communities between January and June 2019 to punish them for exercising freedom of religion or belief.

Kazakhstan imposes tight restrictions on all meetings for worship. State permission is needed for a community to be allowed to meet and the location of any meeting also needs state permission. Religious literature is subject to compulsory pre-publication censorship and can be distributed only in state-approved venues. Sharing faith with others without state permission is also banned.

Kandyagash: Punished for Jehovah's Witness meeting

On the evening of 19 April, 13 guests gathered in a home in the Dostyk district of Kandyagash in the western Aktobe Region to commemorate the Memorial of Jesus Christ's death, the Jehovah's Witnesses' most sacred commemoration of the year. Guests watched a video, prayed, sang hymns and then shared bread and wine.

Police arrived outside the ground floor flat and filmed the meeting through the window, Jehovah's Witnesses told Forum 18. They then tried to force their way in, but the owner refused to let them enter. After the meeting officers tried to detain attendees as they

left. They took one young woman - not a Jehovah's Witness - and her two children to the police station for interrogation.

"During the conducting of this meeting, no one made a loud noise and the peace of the neighbours was not disturbed," the subsequent court decision cites Bolat Isabayev as telling the court.

Lieutenant Colonel Amangali Dzhumakulov of Mugalzhar District Police told the court that police had received "operational information" that evening that a meeting was underway in the home.

Three neighbours told the court hearing that they objected to a meeting for worship taking place in a nearby home. It remains unclear if they had called the police or whether the police had found out about the meeting through their own surveillance.

On 7 May, two police officers came to one woman who had attended the Memorial meeting to question her about it. She refused to sign any statement.

Based on information from the police, Arsen Khasen of the Regional Religious Affairs Department drew up a record of an offence against Isabayev – deemed to be the organiser of the meeting – on 21 May. He was charged with violating Administrative Code Article 490, Part 1, Point 1. This punishes "violation of procedures established in law for conducting rites, ceremonies and meetings". Punishment for individuals is a fine of 50 MFIs, and for organisations a fine of 200 MFIs and a three-month ban on activity.

On 6 June, Judge Arytan Zhamiyev of Mugalzhar District Court found Isabayev guilty of violating Article 490, Part 1, Point 1 by holding an unapproved meeting for worship, according to the decision seen by Forum 18. He fined him 35 Monthly Financial Indicators (MFIs), 88,375 Tenge, about three weeks' average wages for those in formal work.

Isabayev appealed against the decision. However, on 2 July, Judge Zhanna Alisheva of Aktobe Regional Court rejected his appeal, according to the decision seen by Forum 18.

Khasen of the Regional Religious Affairs Department insisted that Isabayev had broken the law. "Neighbours identified him as the leader of the meeting and police passed on the information to us, so we drew up the record of an offence against him," he told Forum 18 from Aktobe on 11 July. "The law bans unregistered worship and we have to observe the law."

Officers at Mugalzhar District Police referred Forum 18 to the head. However, his phone went unanswered each time Forum 18 called on 11 July.

Merke: Punished for unregistered funeral prayer rooms

On 4 March, as they were conducting a "Law and Order Operation", police in the small town of Merke in the southern Zhambyl Region discovered a house with rooms for holding Muslim prayers and funeral rituals was located. Police soon established that the site had not been registered as a place of worship.

Police identified the home owner, Sarvaz Dzhamalov, as violating the ban on sharing faith with others without state permission. Police also accused him of using religious literature as part of sharing faith without state permission.

A record of an offence was drawn up against Dzhamalov under Administrative Code Article 490, Part 3. This punishes: "Carrying out missionary activity without state registration (or re-registration), as well as the use by missionaries of religious literature,

information materials with religious content or religious items without a positive assessment from a religious studies expert analysis, and spreading the teachings of a religious group which is not registered in Kazakhstan". The punishment is a fine of 100 MFIs, with deportation if the individual is a foreign citizen.

As Dzhamalov, an ethnic Azeri, subsequently told the court, he established the funeral prayer rooms in the yard of his home in 1998. He built two rooms for prayer, one for men and one for women, and made available religious literature.

On 14 May, Judge Rakhat Razakov of Merke District Court found Dzhamalov guilty of violating Article 490, Part 3, according to the decision seen by Forum 18. He fined him 70 MFIs (about six weeks' average wage for those in formal work). Erbol Baitakov of Merke District Police's Group to Counter Extremism and Organised Crime supported the prosecution in court.

Also on 4 March, as part of the same police "Law and Order Operation", Officer Baitakov discovered a similar funeral prayer room in the village of Zhambyl, also in Merke District.

Officer Baitakov identified Fakhradin Ismailov, an ethnic Azeri who lived next door, as the Imam and warned him that he needed to get state registration. Baitakov accused him of conducting "illegal" missionary activity. A record of an offence was drawn up against Ismailov under Administrative Code Article 490, Part 3.

As Ismailov subsequently told the court, the Azeri community had bought the premises in August 2017 to establish a location to hold funeral rites.

Marat Rakishev, responsible for religious affairs at Merke District Administration, told the court that Ismailov had lodged a registration application, which he had sent on to the Regional Religious Affairs Department. However, it had returned the application. Ismailov had resubmitted the documents and they were now being considered.

On 16 May 2019, Judge Erkin Kenbayev of Merke District Court found that no evidence had been produced proving that Ismailov had shared his faith with those who were not already Muslims. He therefore changed the accusation to Administrative Code Article 490, Part 1, Point 1. This punishes "violation of procedures established in law for conducting rites, ceremonies and meetings". Punishment for individuals is a fine of 50 MFIs, and for organisations a fine of 200 MFIs and a three-month ban on activity.

Judge Kenbayev then found Ismailov guilty of violating Article 490, Part 1, Point 1, according to the decision seen by Forum 18. He fined him 50 MFIs (about one month's average wage for those in formal work).

Baitakov of Merke District Police's Group to Counter Extremism and Organised Crime again supported the prosecution in court.

Neither Dzhamalov nor Ismailov appealed against their punishments.

Officer Baitakov's phone went unanswered each time Forum 18 called on 11 July. Forum 18 was similarly unable to reach Rakishev at Merke District Administration.

Karaganda: Repeated fines, court hearings follow police raid

Police have repeatedly fined or tried to fine up to about 20 members of Revival Church in the central city of Karaganda. The Church has fewer than 50 adult members, so is therefore too small to be able to apply for state registration and therefore does not officially have the right to exist.

Trouble began for church members in the afternoon and early evening of 11 November 2018, when they were enjoying a meal in the home of Svetlana Demina to mark her husband's birthday. Those present prayed before starting to eat.

Police suddenly burst in, claiming a call had come in that a "sect" was meeting there. Officers forced those present – including those with children and those with disabilities – into vehicles to take them to the police station. There officers questioned them for three hours, putting them under psychological pressure to admit they belonged to an organised community, according to subsequent court documents seen by Forum 18.

Officers also seized five Christian books, a notebook, and two boxes, one marked "Prayer Needs" and one marked "Donations".

That same day, officers summarily fined one of those present, Bakyt Sattarova. Officers said she had violated Administrative Code Article 489, Part 10. This punishes "Participation in an unregistered, halted, or banned religious community or social organisation" with a fine of 50 MFIs (about one month's average wage for those in formal work).

On 15 November 2018, officers summarily fined another of those present, Svetlana Demina. Officers said she had violated Administrative Code Article 489, Part 9. This punishes "Leadership of an unregistered, halted, or banned religious community or social organisation" with a fine of 100 MFIs (about two months' average wage for those in formal work).

On 21 November 2018, a "religious studies expert analysis" of the seized books was ordered. This found nothing in them against the Constitution or preventing their distribution. However, on two books it proposed seeing a further psychological/philological "expert" analysis.

Both women appealed against the summary fines. On 27 November 2018 Judge Ernar Tokpanov of Karaganda Specialised Administrative Court upheld Demina's appeal, according to the decision seen by Forum 18. She had argued that when drawing up the record of an offence against her, police had violated procedures by going ahead with the fine without the presence of a lawyer as Demina had requested. Her fine was therefore annulled and the case sent back to the police.

However, on 28 November 2018 Judge Kaiyrzhan Alashuly of Karaganda Specialised Administrative Court rejected Sattarova's appeal, according to the decision seen by Forum 18.

On 5 January 2019, Askhat Aubakirov, deputy head of South West Karaganda Police, summarily fined at least seven more of those present at the birthday meal. Those he fined included Bakyt Sattarova (again), Olga Shartner, Aleksandr Shartner, Nadezhda Bogovenko, Sergei Bogovenko, Aleksei Bykov, and Larisa Chachanidze. Aubakirov fined each 50 MFIs (three weeks' average wages for those in work) under Administrative Code Article 489, Part 10.

All seven appealed against their fines to Karaganda Specialised Administrative Court. But in separate hearings in late February, various Judges rejected four of their appeals, according to the decisions seen by Forum 18. However, the court overturned the fines on Olga Shartner, Nadezhda Bogovenko and Larisa Chachanidze. Sattarova lodged a further appeal to Karaganda Regional Court which, on 26 March, reduced her fine by 30 per cent.

By now the case against Demina was in the hands of the Regional Religious Affairs Department. A Chief Specialist, Zhanar Shaldibayeva, drew up a new record of an offence against Demina on 1 March, this time under Administrative Code Article 490, Part 3. On 28 March Shaldibayeva handed the case to court.

Demina tried to challenge the legality of the record of an offence, but Karaganda Specialised Administrative Court rejected this on 28 March and the Regional Court upheld this on 23 April.

On 24 April, Karaganda Specialised Administrative Court ruled that although Demina was guilty of violating Article 490, Part 3, Shaldibayeva (who was present in court) could give no legal reason why the deadline for submitting the case had not been met. The Judge dismissed the case.

Police officer Aubakirov told Forum 18 on 11 July that he had prepared records of an offence against about 20 people in connection with the November 2018 gathering at Demina's home. However, he refused absolutely to say why they had been fined and why police were involved in a meeting in a home.

Asked why she had brought the case against Demina, Shaldibayeva of the Regional Religious Affairs Department told Forum 18 on 11 July that she was "not authorised to speak" and put the phone down.

"We don't have censorship", but three books banned

Kazakhstan has banned three books by authors associated with the banned Tabligh Jamaat Muslim missionary movement. A Prosecutor's Office official claimed to Forum 18 that the three books include calls to "extremism and terrorism", but neither the court nor "expert analyses" backed this. "We don't have censorship, we just check the content of religious publications," another official claimed.

By Felix Corley

Forum 18 (21.06.2019) - <https://bit.ly/2G2D3rT> - On 8 May a court in the city of Karaganda banned three Muslim books as "extremist", not because they called for harm to anyone's human rights but because the authors are associated with the banned Tabligh Jamaat Muslim missionary movement. The decision came into force on 11 June.

The Prosecutor's Office official who led the case in court in May 2019 claimed to Forum 18 that the three books include calls to "extremism and terrorism". She refused to explain how they call for this. However, despite her claim that they include calls to "terrorism", the court did not find the books to be "terrorist". Two of the "expert analyses" prepared for the case specifically say that the books contain no incitement to hatred (see below).

One of the newly-banned books is by a former prisoner of conscience associated with Tabligh Jamaat, who completed a two-year jail term in 2017 (see below).

The three Muslim books were among religious items seized in raids on six Muslims in Karaganda in October 2017. Three of the men were sentenced to three years' jail each in April 2018. The other three were fined (see below).

Courts have banned numerous Muslim and Christian books and websites as "extremist". Court hearings often take place without any publicity, making it difficult for anyone to challenge the decisions (see below).

In addition, courts on occasion order religious literature confiscated from individuals in police raids as part of administrative proceedings to be destroyed. In the most recent known case, on 8 May a court in Kyzylorda ordered 29 Muslim books seized from a commercial seller to be destroyed (see below).

No religious literature or object can be printed, published or imported without passing state censorship. An official of the "Religious Studies Expert Analysis [Censorship] and Co-operation with Religious Educational Establishments Organisations Department" of the state Religious Affairs Committee denied to Forum 18 that such compulsory state censorship amounts to censorship. "We don't have censorship, we just check the content of religious publications," she claimed (see below).

Jehovah's Witnesses have not faced bans on importing specific religious texts into Kazakhstan since 2015. Four of their complaints concerning the earlier censorship and banning of 19 of their publications are pending with the United Nations Human Rights Committee (see below).

Tight censorship on all religious literature and objects

In defiance of its international human rights commitments – and against the country's Constitution, which bans censorship – Kazakhstan imposes tight censorship on all religious literature and objects. The government's Religious Affairs Committee (former Social Harmony Committee) needs to approve in advance the publication, import and distribution of all religious literature and other materials.

Anyone or any shop, religious or other organisation which distributes, sells or offers religious literature – and items such as pictures, icons or jewellery which have a religious motif – without specific state permission or in locations that the state has not specifically approved is punished. The state regularly imposes such punishments, and for individuals this can be a fine of up to several months' average wages.

Of the 165 individuals, companies and charities known to have faced administrative prosecution in 2018 for exercising freedom of religion or belief, 10 individuals and charities were prosecuted for offering religious literature to others for free; 32 individuals and companies for offering religious literature, icons or other items for sale; 18 individuals for offering religious items for sale online; and 23 individuals for posting religious materials online.

In addition, courts on occasion order religious literature confiscated from individuals in police raids as part of administrative proceedings to be destroyed.

In the most recent known case, on 8 May Kyzylorda Specialised Administrative Court ordered 29 Muslim books seized from commercial seller Aruzhan Omirbai in a police raid on 29 January to be destroyed, according to the decision seen by Forum 18. Judge Gulmira Iskakova also fined Omirbai 88,375 Tenge (three weeks' average wages) under Administrative Code Article 490, Part 1, Point 3 ("Violating the requirements of the Religion Law for .. import, manufacturing, production, publication and/or distribution of religious literature and other religious materials, and items for religious use").

In an earlier case, on 3 January Zhambyl District Court ordered two Muslim books seized from an individual to be destroyed. The owner was fined. Both books were also by

members of the Kandhlawi family, instrumental in founding and leading the Tabligh Jamaat movement.

In 2015, Yevgeni Zhovtis of the Kazakhstan International Bureau for Human Rights and the Rule of Law condemned such court-ordered book destruction as "barbarism".

"We don't have censorship, we just check the content of religious publications"

Guldana (who refused to give her last name), an "Expert" of the "Religious Studies Expert Analysis [Censorship] and Co-operation with Religious Educational Establishments Organisations Department" of the Religious Affairs Committee in the capital Nur-Sultan, denied to Forum 18 that the compulsory state censorship amounts to censorship. The Committee is part of the Information and Social Development Ministry.

"We don't have censorship, we just check the content of religious publications," Guldana told Forum 18 on 20 June. She said that in the first quarter of 2019, her Department had checked nearly 2,000 publications. She refused to say how many of those had been approved and how many rejected.

Guldana declined to discuss the court-ordered bans on books associated with the Tabligh Jamaat movement. "That's a matter for the courts," she told Forum 18.

Systematic (as against the previous occasional) state censorship was brought in with the 2011 Religion Law. Asked whether pre-2011 books on religious themes – such as those by the nineteenth-century Russian writer Leo Tolstoy – needed to undergo her Department's censorship, Guldana responded: "Tolstoy would not need to be checked."

Asked whether books by the late Russian Orthodox Patriarch Aleksy II (who died in 2008) would need to undergo state censorship, Guldana put the phone down.

Colleagues of Erzhan Nurkezhanov, appointed to head the Religious Affairs Committee on 11 April 2019, told Forum 18 on 21 June that he was busy and unable to talk.

Tamara Kaleyeva of the free speech organisation Adil Soz (Free Word) condemns this state censorship of religious materials. "This censorship contradicts international human rights standards," she told Forum 18 in January, "but unfortunately it is in the law. All attempts to change this have not resulted in any change so far."

Books seized in 2017 Karaganda raids

Police arrested six Muslim men in Karaganda on 30 October 2017. As part of its "special operation", police found and confiscated religious literature, "technical equipment", mobile phones and flashcards at their homes. The National Security Committee (KNB) secret police and the ordinary police worked together on the cases.

A Karaganda court jailed three of the men - Kazbek Laubayev, Marat Konyrbayev and Taskali Naurzgaliyev – for three years each in April 2018 for participation in the banned religious organisation Tabligh Jamaat. The other three men were each fined.

Tabligh Jamaat was banned in 2013 even though the leader of a KNB secret police study of the movement found that it was "not an extremist or terrorist organisation .. speaking out against all forms of violence against individuals".

In November 2017, Karaganda Police had handed the seized Muslim books to the Justice Ministry's Centre for Judicial "Expert" Analysis in Astana. The Police asked the Centre to

determine which religious community the books were associated with and whether they contained incitement to hatred.

Two of the publications eventually banned in May 2019 were by Muhammad Saad Kandhlawi, a leading figure in the Tabligh Jamaat movement. The third was a 24-page book "Awakening from Sleep" by Kubaidolla Tyulyubayev.

Tyulyubayev – who was from Karaganda - was arrested in the southern city of Taldykurgan in September 2015 and sentenced with four other Muslims in the capital in February 2016 to two years' imprisonment under Criminal Code Article 405, Part 1 ("Organising the activity of a social or religious association or other organisation after a court decision banning their activity or their liquidation in connection with extremism or terrorism they have carried out").

Tyulyubayev completed his sentence in 2017 but, as is normal for ex-prisoners of conscience, he remains on the Finance Ministry Financial Monitoring Committee List of individuals "connected with the financing of terrorism or extremism" so any bank account he has is blocked.

The Centre for Judicial "Expert" Analysis conducted at least four "expert" analyses. In two dated 19 January 2018, seen by Forum 18, the "experts" found that none of the books seized in the Karaganda raids and presented by the Police contained calls to restrict other people's human rights, to commit violence or to incite hatred.

Other books seized in the October 2017 Karaganda raids had already been banned as "extremist". One was a Russian translation of "Selected Hadith" by Muhammad Yusuf Kandhlawi and Muhammad Saad Kandhlawi. The "experts" found in January 2018 that this did not include "incitement of social, national, clan, racial, or religious discord, insult to the national honour and dignity or religious feelings of citizens, as well as propaganda of exclusivity, superiority or inferiority of citizens on grounds of their religion, class, national, generic or racial identity".

Curiously, in its decision to ban "Selected Hadith" on 2 August 2016, Alakol District Court in Almaty Region found that it was among Tabligh Jamaat-related books which "contain statements of an incitement nature, containing calls to destroy Islam. Politological research confirms propaganda to subvert the security of the state." The decision added that the book "propagandises negative ideas about Islam and the Arab nation" and incites readers to "extremism".

However, the 2016 Alakol court decision makes clear that the only reason for banning it and two other books was that members of the Kandhlawi family were instrumental in founding and leading the Tabligh Jamaat movement.

"Open" hearing bans three Muslim books

Following the January 2018 "expert analyses" of the books seized from the six Muslims in Karaganda in October 2017, the Prosecutor of Karaganda's October District sent a suit to the District Court on 29 March 2019. Prosecutor Erzhan Koshanov asked the court to declare five books "extremist" and ban their import into, publication in and distribution in Kazakhstan, according to the letter seen by Forum 18.

Prosecutor Koshanov cites the conclusions of three of the four known "expert analyses" of the five books that they "contain attributes of the religious organisation Tabligh Jamaat". Koshanov – who seems unaware that two of the five books had already been banned by Alakol Court in 2016 – made no claim that any of the books contain calls to violate others' human rights.

On 8 May 2019, Judge Dulat Burabayev of Karaganda's October District Court acceded to the Prosecutor's request and banned the three Muslim books that had not already been banned. The court decision, seen by Forum 18, claims the hearing was "open". However, court listings for the hearing dates contain no information about the plaintiff (or any respondent).

Karlygash Turabai, who represented the Prosecutor's Office in court, argued that the three Muslim books should be banned only because they "contain attributes of the religious organisation Tabligh Jamaat".

Curiously, Duman Basharov, a self-described theologian from the Study and Analysis Centre for Inter-Confessional Relations of the Karaganda Regional Religious Affairs Department, told the court that the books "contain attributes of extremism in the form of incitement to inter-ethnic discord, racial and ethnic division, contradicting the constitutional order and non-recognition of the state", the court decision quotes him as declaring.

"As a theologian, I can say that as the Tabligh Jamaat organisation has been recognised as extremist, the religious literature which it promotes should likewise be recognised as extremist," Bosharov concluded.

"How can [the Prosecutor] be wrong?"

Turabai, the Prosecutor's Office official who led the case in court in May 2019, claimed to Forum 18 from Karaganda on 20 June that the three books include "pages where there are calls to extremism and terrorism". She refused to explain how they call for this.

Forum 18 pointed out to Turabai that despite her claim that the books include calls to "terrorism", the court did not find them to be "terrorist", while the court decision also made no mention of any calls in the books to violations of the rights of others. Forum 18 also pointed out that two of the "expert analyses" prepared for the case specifically say that the books contain no incitement to hatred.

"Prosecutor Koshanov signed off on the suit to court," Turabai told Forum 18. "How can he be wrong?" She referred all further enquiries to him. However, his phone went unanswered on 20 June.

Forum 18 was unable to find out who had invited Basharov from the Study and Analysis Centre for Inter-Confessional Relations to take part in the hearing.

Officials of the Study and Analysis Centre for Inter-Confessional Relations told Forum 18 on 20 June that Basharov (an employee of its Rehabilitation Department) is now on holiday. However, the head of the Rehabilitation Department, Dulat Tulegenov, insisted that Forum 18 needed to direct its questions to Basharov. "He is a theologian with higher education – he's had a good education," he claimed.

Tulegenov insisted that the Muslim Tabligh Jamaat movement is "extremist", though he stressed that he has not studied the reasons for the state ban on it. "I've not personally encountered any victims of Tabligh Jamaat," he added.

"Following the correct path"

Asked to explain what his Rehabilitation Department does, Tulegenov said theologians work with people who come to it voluntarily, "finding out if they are following the correct path". Asked why it is the role of state employees to determine if an individual's way of

following a religion or none is "correct" or not, he insisted it is important to prevent individuals getting involved in terrorism.

Tulegenov cited the case of a mother who brought her 17-year-old son to the Rehabilitation Department because he has started to pray the namaz. "She is not religious and is not orientated in this," he claimed to Forum 18. "She wanted to check everything was OK. Everyone was in agreement." Although Tulegenov would not clarify his comments to Forum 18, he implied that the son was praying in a way the state does not dislike.

Asked if anyone who attended a mosque, Russian Orthodox church, or other place of worship could be brought to his Rehabilitation Department, Tulegenov responded: "Not if it's the Russian Orthodox church." He would not explain whether his comment meant that people who attend non-Muslim places of worship do not commit offences. Tulegenov claimed again that any attendance at his Department was voluntary.

Unannounced hearings to ban materials as "extremist"

Prosecutor's Offices as well as Ministries have initiated suits in court to ban religious literature as "extremist". Hearings are not announced and publishers or others who might wish to defend the works are not even informed that the cases are underway. Appealing against such decisions is also usually impossible as the results are not made public until the decisions have entered into legal force, after the deadline for lodging appeals has passed.

Lists of religious works banned as "extremist" or any works banned as "terrorist" appear on the General Prosecutor's Office website. Many of the works appear to be "extremist" or "terrorist". But it is unclear why Adolf Hitler's "Mein Kampf", banned as "extremist" in 2014, appears as a "religious work".

However, among the Muslim, Christian and other materials banned books, recordings and websites are some that do not appear to call for the violation of others' human rights.

On 3 March 2015, the Scientific Research and Analytical Centre on Religious Issues of the then Culture and Sport Ministry claimed that a Russian Christian site aimed at Muslim readers Isamasih.ru contained material "infringing on the rights, freedoms and legal interests of the individual and the citizen depending on the social, racial, ethnic and religious adherence and attitude to religion". It "did not recommend" the site for use in Kazakhstan.

On 30 June 2015, Isamasih.ru was among a wide range of sites banned by Esil District Court in Astana (now Nur-Sultan) at the request of the Investment and Development Ministry, according to the decision seen by Forum 18. Internet users in several locations told Forum 18 on 20 June 2019 that the site remains inaccessible.

Complaints to United Nations over religious censorship

In August 2015, the then Religious Affairs Committee banned the import of a further three Jehovah's Witness publications. In all, the authorities banned 19 of their publications between 2013 and 2015. Jehovah's Witnesses have not faced bans on importing specific religious texts into Kazakhstan since 2015, they told Forum 18 on 20 June.

Jehovah's Witnesses consistently tried to challenge the literature import denials through the local courts, but without success. They then lodged complaints to the United Nations

Human Rights Committee. Four of their complaints are pending with the Committee, Jehovah's Witnesses told Forum 18.

One city, two raids, three fines

Police in Taraz – including anti-terrorism officers – raided two Baptist worship meetings on successive Sundays in February. Police summarily fined three Baptists and issued two warnings. Despite claiming "our laws don't ban praying", state religious affairs official Balgabek Myrzayev defended punishing people who meet for worship without state permission.

By Felix Corley

Forum 18 (04.03.2019) - <https://bit.ly/2u2FoMW> - Police anti-terrorism officers and other officials raided two Baptist worship services on successive Sunday mornings in February in Taraz in the southern Zhambyl Region. Police issued three summary fines of one and two months' average wages and two warnings to punish meeting for worship without state permission.

The two congregations belong to the Council of Churches Baptists, who choose not to seek state registration in any of the former Soviet countries. They also follow a policy of civil disobedience, refusing to pay fines handed down to punish the exercise of their freedom of religion or belief.

The man who answered the phone at Zhambyl Regional Police's Anti-Extremism and Anti-Terrorism Department in Taraz did not respond to Forum 18's questions as to why the Baptist communities were raided and put the phone down. When Forum 18 called back, the line had been switched to a fax machine (see below).

One police officer admitted that he had taken part in the first raid. But he refused to answer any of Forum 18's questions as to why police raided the community (see below).

The head of the Regional Religious Affairs Department in Taraz told Forum 18 he had no information about the raids and that his officials had not been involved. But he insisted that people cannot meet for worship without state registration (see below).

Similarly, Balgabek Myrzayev, acting head of the Social Harmony Committee (which restricts freedom of religion and belief) in the capital Astana, told Forum 18 on 4 March that he was not informed about the raids on the Baptists and fines in Taraz.

Despite claiming that "our laws don't ban praying", Myrzayev defended punishing people who meet for worship without state permission. "Our laws don't allow unregistered religious organisations and I don't have the right to change the law," he told Forum 18. "If a law has been adopted and comes into force, everyone must abide by it."

Following a 21 February government shake-up, President Nursultan Nazarbayev on 25 February handed religious affairs to yet another ministry, this time the newly-created Information and Social Development Ministry. He named Dauren Abayev as the new minister. Myrzayev had been named acting head of the Ministry's Social Harmony Committee (which controls religious activity) on 21 February.

A court in the commercial capital Almaty fined another Council of Churches Baptist two months' average wages on 28 February for unapproved worship. Police raided his congregation in late 2018 during a midweek worship service and conducted an "expert analysis" of seized religious literature. The Baptist intends to appeal against the fine when the court decision is issued in writing (see below).

Police in the Caspian port city of Atyrau raided a meeting of the Hare Krishna community on 3 February. Officials claimed that the community - which gained state registration in October 2018 - was meeting at an unapproved venue. An administrative case against the community is likely to reach court soon (see below).

Frequent raids, fines

Raids on locations where the government says religious worship is not allowed are frequent. In 2018, at least 37 administrative cases were launched to punish individuals, charities or companies for hosting, holding or participating in meetings for worship. Known cases were brought against 25 Muslims, 7 Protestants (all Council of Churches Baptists), 3 companies, 1 Jehovah's Witness, and 1 charity. Of these 37 known cases in 2018, 28 ended up with fines.

In three known cases in 2018, two administrative cases and one criminal case, courts ordered religious literature seized from individuals to be destroyed. In December 2018, a judge in Atyrau ordered several Muslim books seized from two defendants in a criminal case to be destroyed. These included a collection of hadith (sayings attributed to the Muslim prophet Muhammad). The judge refused to discuss his order to destroy the books with Forum 18.

Myrzayev of the Social Harmony Committee - an official of the state-backed Muslim Board from 2010 to 2013 between appointments in the state's religious affairs bodies - did not sound surprised to hear of courts ordering religious literature to be destroyed.

"We can reconsider this," Myrzayev told Forum 18 about the book-destruction orders. Told that the court decisions had already entered into force and it was therefore too late, he responded: "I mean about the future."

First 2019 Taraz raid

On 10 February, about ten officers and individuals in civilian clothes arrived at the house in Taraz where one of the city's Council of Churches Baptist communities was meeting for Sunday morning worship, church members told Forum 18. Among them were at least one officer of the Police Anti-Extremism and Anti-Terrorism Department, a criminologist B. Shermatov, operational officers Zh. Satkanbayev, local police inspector Zhalgas Sugirbek and Talgat Taishiybayev of the city administration's Internal Policy Department.

The intruders began to film the service and all those present. "They waited for the end of the service, then the officials approached church members at the front and asked: 'Why are you meeting without registration?'," church members noted.

Officers demanded that several church members write statements. "They wrote that they meet here to worship God," church members told Forum 18.

Two days later, on 12 February, local police summoned two church members, the brothers Yakov and Viktor Fot, to the police station. Their officers demanded that they sign the records of an offence drawn up against them. Both refused.

On 23 March, police sent the two brothers by post the decisions to fine them. Police declared Yakov Fot guilty of violating Administrative Code Article 489, Part 9. The police handed him a summary fine of 100 Monthly Financial Indicators (MFIs), 252,500 Tenge. This represents about two months' average wages for those in formal work.

Police declared the 37-year-old Viktor Fot guilty of violating Administrative Code Article 489, Part 10. The police handed him a summary fine of 50 MFIs, 126,250 Tenge. This represents about one month's average wages for those in formal work.

Article 489, Part 9 punishes "Leadership of an unregistered, halted, or banned religious community or social organisation" with a fine of 100 MFIs.

Article 489, Part 10 punishes "Participation in an unregistered, halted, or banned religious community or social organisation" with a fine of 50 MFIs.

The Fot brothers intend to appeal against their fines to Taraz Specialised Administrative Court, church members say.

The man who answered the phone of the head of Zhambyl Region's Anti-Extremism and Anti-Terrorism Police in Taraz did not respond to Forum 18's questions as to why the Baptist communities were raided and put the phone down. When Forum 18 called back, the line had been switched to a fax machine.

Police Inspector Sugirbek admitted from Taraz on 4 March that he had taken part in the raid. But he refused to answer any of Forum 18's questions as to why police raided the community, and put the phone down.

Forum 18 was unable on 4 March to reach Daniyar Musayev, the head of Taraz Police Station No. 2, which oversees policing in that part of the city.

Taishiybayev of the city administration's Internal Policy Department insisted that although the Baptists had done nothing wrong they had to register their communities. "We've got nothing against holding prayers," he claimed to Forum 18 from Taraz on 4 March. Asked to justify raiding a community at worship, and asked whether a group of people drinking vodka together or watching football on television would have been raided, Taishiybayev did not respond.

Zhangeldi Omarov, the head of Zhambyl Regional Religious Affairs Department, said that he had no information about the 10 or 17 February raids and that his officials had not been involved. But he insisted that people cannot meet for worship without state registration. "If the Baptists are unhappy, let them appeal to us," he told Forum 18 from Taraz on 4 March.

Second 2019 Taraz raid

On 17 February, exactly one week after the first raid of 2019, police raided the Sunday morning worship service of another Council of Churches Baptist community in Taraz.

Four officers arrived, Captain A. Shukamonov, Captain S. Kazbekov, senior operational officer N. Zholmukhamedov and another officer who did not identify himself. They demanded that all those present remain after the service and write statements. However, in the end they took statements only from a few church members.

Police summoned the 37-year-old Vitaly Ryzhkov to the police station on 18 February. There local police officer N. Syzdykov drew up a record of an offence against Ryzhkov

under Article 489, Part 10 and handed him a slip instructing him to pay a fine of 50 MFIs, 126,250 Tenge.

Police also issued an official warning to two other church members, Aleksandr Bogdanov and Sergei Tyan.

Ryzhkov has lodged an appeal against his fine to Taraz Specialised Administrative Court. Judge Duman Maulenov is due to hear the appeal on 12 March, according to court records.

Earlier Taraz raids

Police and other officials have repeatedly raided the Council of Churches Baptist communities in Taraz.

Police raided one of the Taraz Baptist congregations during their meeting for worship on Easter Sunday, 16 April 2017. Police handed summary fines to three church members, including Ryzhkov and Yakov Fot. Police launched further raids in May and June 2017. Officers took church members' fingerprints, photographed them both face on and from the side, and recorded their home addresses and other personal data. Police issued summary fines with no court hearing to eight of those present, including Yakov Fot again and Viktor Fot.

Almaty raid, fine

Police in Almaty raided a Council of Churches Baptist congregation in late 2018, fellow Baptists complained to Forum 18. Officers filmed all those present and seized religious literature the community has available at the entrance to the church.

Police sent the literature for an "expert analysis", but this found nothing extremist, fellow Baptists said. "They have checked our literature so many times and found nothing," they added.

Although Eduard Neifeld was not preaching at the time of the raid, he stepped forward when the police officers asked who was responsible. "That's why they drew up a record of an offence against him," Baptists told Forum 18. "They had to draw it up against someone."

Neifeld was accused of violating Administrative Code Article 490, Part 1 and Article 490, Part 3.

Article 490, Part 1 punishes: "Violating the requirements of the Religion Law", including by holding unapproved worship. The punishment is a fine on individuals of 50 MFIs.

Article 490, Part 3 punishes: "Carrying out missionary activity without state registration (or re-registration), as well as the use by missionaries of religious literature, information materials with religious content or religious items without a positive assessment from a religious studies expert analysis, and spreading the teachings of a religious group which is not registered in Kazakhstan". The punishment is a fine of 100 MFIs, with deportation if the individual is a foreign citizen.

The case against Neifeld reached Almaty's Specialised Inter-District Administrative Court on 30 January 2019, according to court records. It was assigned to Judge Murat Alimbek. On 28 February he found Neifeld guilty and fined him 100 MFIs, 252,500 Tenge, two months' average wages, Baptists told Forum 18. They said that as soon as the Judge issues the decision in writing Neifeld will appeal to Almaty City Court.

Atyrau raid on registered Hare Krishna community

On 3 February, police in Atyrau raided a flat of a community member where the registered Hare Krishna community was meeting for worship. More than 10 officers and officials interrupted the prayers, filmed those present and demanded that many of them write statements. Officials insisted that the worship meeting was illegal because the registered community has the right to meet only at its registered address.

The Regional Religious Affairs Department prepared a record of an offence against the community under Administrative Code Article 490, Part 1, Point 1. This punishes "violation of procedures established in law for conducting rites, ceremonies and meetings". Punishment for individuals is a fine of 50 MFIs, and for organisations a fine of 200 MFIs and a three-month ban on activity.

Any administrative case would be heard at Atyrau Specialised Administrative Court.

Restrictive legal amendments to be re-presented in 2020?

Acting head of the Social Harmony Committee Balgabek Myrzayev insisted to Forum 18 that the government has no intention "at present" of presenting the restrictive legal amendments about religion in 2020.

Myrzayev was among Ministry officials invited to Parliament in 2018 as the Amending Law was being considered.

In January 2019 the government finally withdrew from Parliament amendments to a variety of laws which would have restricted the exercise of freedom of religion or belief still further. The draft Amending Law proposing many wide-ranging changes to the 2011 Religion Law, Administrative Code and many other laws. Then Prime Minister Bakytzhan Sagantayev issued the brief decree withdrawing the Amending Law from the lower house of parliament, the Majilis, on 29 January. The decree gave no reason for the decision.

However, the then Social Development Minister Darkhan Kalatayev told the journalist Svetlana Glushkova of CurrentTime.tv on 18 February that the government is working on revising the Amending Law and would submit it to Parliament again in 2020.

President Nazarbayev removed Kalatayev several days later during the government reorganisation and created the Information and Social Development Ministry.

Germany rejects extradition request

Germany rejected Kazakhstan's request to extradite Murat Bakrayev for talks on Islam Kazakhstan insists incited hatred and terrorism. A Kazakh judge ordered Muslim books destroyed, including a hadith collection. A Kazakh court rejected Muslim prisoner of conscience Kuanysh Bashpayev's request for conditional release after earlier torture.

By Felix Corley

Forum 18 (01.03.2019) - <https://bit.ly/2HdjajY> - A court in the German state of Bavaria has rejected Kazakhstan's attempt to have Sunni Muslim Murat Bakrayev extradited back

to Kazakhstan for trial. Bamberg court freed him from detention on 21 February. However, he remains on Kazakhstan's list of wanted "criminals".

Bakrayev rejected all of Kazakhstan's claims that he had incited religious hatred and promoted terrorism. Detained by the German authorities on 20 September 2018, he spent a total of five months in custody in Germany as he fought Kazakhstan's extradition request (see below).

The German authorities detained Bakrayev on the basis of an Interpol Red Notice initiated by Kazakhstan. Human rights defenders have criticised governments' misuse of Interpol Red Notices to target individuals – including human rights defenders – on political grounds (see below).

The verdict by an Atyrau court in western Kazakhstan in the cases of two childhood friends of Bakrayev, given suspended sentences in December 2018, reveals that the judge ordered several Muslim books seized from them to be destroyed. These included a collection of hadith (sayings attributed to the Muslim prophet Muhammad). The judge refused to discuss his order to destroy the books with Forum 18 (see below).

Kazakh courts on occasion order religious literature seized in criminal or administrative cases to be destroyed. Human rights defender Yevgeny Zhovtis described such court-ordered book destructions to Forum 18 in 2015 as "barbarism".

A court in Aktau has rejected an appeal by Muslim prisoner of conscience Kuanysch Bashpayev to be transferred to a non-custodial sentence after serving more than half his jail term. His 14 January appeal to the court, seen by Forum 18, notes his six young children at home, as well as his health problems caused by prison conditions and torture inflicted on him while in a labour camp in Pavlodar (see below).

Meanwhile, two more Muslim prisoners of conscience have been added to the Finance Ministry Financial Monitoring Committee List of individuals "connected with the financing of terrorism or extremism". Being added to the List means that any bank accounts an individual may have are blocked with no further legal process. Their families are allowed to withdraw only small amounts for daily living if they do not have other sources of income.

Abilai Bokbasarov, jailed in Balkhash on 9 January for alleged membership of the Tablighi Jamaat Muslim missionary movement, was added on 15 February. Dadash Mazhenov, jailed in Burabai on 16 November 2018 for posting online talks on Islam which the authorities claim promoted terrorism, was added on 25 February 2019.

Mazhenov's family have vowed to continue their fight to have his conviction overturned, through the Supreme Court, a review of the investigation, or an appeal to the United Nations human rights bodies. Mazhenov was transferred on 21 February to a labour camp in the southern city of Shymkent to serve his sentence, about 1,200 kms from his home (see below).

Bakrayev: Extradition request rejected

The Kazakh authorities have been trying to get back Atyrau-born Sunni Muslim Murat Bakrayev, who left the country with his family in 2005 after threats to arrest him in Atyrau and settled in the Czech Republic.

While working in the Czech Republic, Bakrayev continued to study his Islamic faith and improve his knowledge of Arabic. As well as translating Islamic books from Arabic to

Russian he also recorded talks about his faith which he sent to friends who had requested them.

Bakrayev's more than 100 talks covered subjects such as how to fast correctly, how to wash, and marriage. "In no lecture did he call for extremism or violence," a Kazakh friend who is also a refugee told Forum 18 from the Czech Republic in October 2018. "On the contrary, he called on young people to show Islam's good side and to be an example."

By January 2017 the authorities in Atyrau had launched a criminal case against Bakrayev. On 9 January 2017 Atyrau City Court No. 2 upheld the Prosecutor's Office suit to have Bakrayev arrested and held in pre-trial detention. The Prosecutor accused Bakrayev of violating Article 164, Part 1 and Article 233-1, Part 2 of the Criminal Code in force until the end of 2014. He also accused Bakrayev of violating Article 405, Part 1 of the current Criminal Code, which came into force on 1 January 2015.

After they failed to find him in Kazakhstan, the Kazakh authorities requested that Interpol issue a Red Notice, which it did in 2017. The German authorities detained Bakrayev on the basis of this Red Notice on 15 September 2018 as he crossed into the country from the Czech Republic.

On 21 February, a panel of three judges at Bamberg court rejected Kazakhstan's extradition request as "inadmissible" and ordered Bakrayev's release from custody, according to the decision seen by Forum 18.

Bakrayev told the court he did not need the compensation available to those who have been held in custody for long periods, his family told Forum 18. He returned to his home the same day.

Bakrayev intends to try to have Interpol annul the 2017 Red Notice initiated by Kazakhstan. Interpol's headquarters in the French city of Lyon told Forum 18 on 28 February declined to comment. It noted that in such cases, "this information remains under the ownership of that member country. Interpol does not therefore comment on specific cases or individuals except in special circumstances and with the approval of the member country concerned."

Human rights defenders have criticised governments' misuse of Interpol Red Notices to target individuals – including human rights defenders – on political grounds.

As of 1 March, Kazakhstan's General Prosecutor's Office continues to list Bakrayev in its online database of wanted "criminals".

Kazakh court orders Muslim books destroyed

Two men from Atyrau arrested in an apparent attempt to pressure them to give testimony against Murat Bakrayev, were convicted on 6 December 2018. Judge Zhumagali Tashimov of Atyrau City Court No. 2 gave Erzhan Sharmukhambetov and Ermek Kuanshaliyev restricted freedom terms of three and a half years each.

The verdict in the cases, seen by Forum 18, reveals that the judge ordered several Muslim books seized from the two men to be destroyed. The books ordered destroyed included: "Sahih al-Bukhari", a collection of hadith (sayings attributed to the Muslim prophet Muhammad) by the ninth-century scholar Muhammad al-Bukhari; "Gardens of the Righteous" by the thirteenth-century scholar Imam al-Nawawi; and a book by Sheikh Mukhammad-Khusein Alsabekov, an advisor to Kazakhstan's Chief Mufti. The verdict gives no reason for the order to destroy the books.

Judge Tashimov refused to discuss his order to destroy the books. "I won't answer any questions by phone," he repeatedly told Forum 18 on 27 February. He then put the phone down.

Bashpayev: Early release rejected

A court in Aktau has rejected an appeal by Muslim prisoner of conscience Kuanysh Ablayevich Bashpayev (born 3 February 1987) to be transferred to a non-custodial sentence after serving more than half his jail term.

Bashpayev was arrested in October 2016 when he returned to Kazakhstan from his home in Saudi Arabia on what he intended would be a short visit. Pavlodar City Court No. 2 sentenced him in April 2017, jailing him for four and a half years under the old Criminal Code Article 164, Part 1 ("inciting religious hatred") for speaking about Islam.

Imprisoned initially in Pavlodar, camp officials subjected Bashpayev to torture. "No-one has ever been punished for this torture," Bashpayev's lawyer Aiman Umarova told Forum 18 on 1 March.

Under the United Nations (UN) Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment, Kazakhstan is obliged to arrest any person suspected on good grounds of having committed torture, and to try them under criminal law.

Bashpayev is currently serving his sentence at a labour camp in Aktau in the western Mangistau Region. He has been in solitary confinement there since autumn 2017. A prison official refused to discuss with Forum 18 in December 2018 why he is being held in solitary confinement.

"Many prisoners jailed on charges of extremism or terrorism – like Bashpayev - are held in harsher conditions than the verdict prescribes," Umarova complained.

Bashpayev submitted an appeal for early conditional release to Aktau City Court on 14 January 2019. His appeal, seen by Forum 18, notes his six young children (aged between 2 and 12) at home and a wife "burdened by the everyday difficulties". He also speaks of his health problems – including with the back, liver and chest – "caused by prison conditions and as a result of torture inflicted on me by officials of labour camp AP-162/3 [in Pavlodar]".

However, after hearings on 7 and 18 February, Judge Maret Kovrayeva of Aktau City Court rejected Bashpayev's suit, court officials told Forum 18 on 27 February. They refused to explain why she had rejected it.

Bashpayev's lawyer Umarova said that Judge Kovrayeva had referred to the Criminal Code provision allowing individuals jailed on extremism or terrorism charges to be freed conditionally if they promise to help unmask other terrorists or extremists. "If he is sitting in a solitary cell, how can he assist in 'exposing members of a terrorist or extremist group'?" Umarova asked.

Umarova said she was preparing an appeal against the rejection of her client's suit to Mangistau Regional Court. "I don't think they will give him early release – it will be a challenge," she told Forum 18.

Bashpayev's prison address:

Mangistauskaya Oblast
g. Aktau
25 mikroraion
Zdanie No. 49
Uchr. GM-172/10
Bashpayevu Kuanyshu Ablayevichu
Kazakhstan

Mazhenov: Prison transfer as family vows to continue appeals

Muslim prisoner of conscience Dadash Temergaliyevich Mazhenov (born 28 September 1990) was transferred out of the Investigation Prison in Kokshetau on 21 February, his family told Forum 18.

A Committee for the Criminal Execution System letter of 27 February, seen by Forum 18, identifies the destination as labour camp ICh-167/3 in the southern city of Shymkent. This is nearly 1,200 kms (740 miles) away from Mazhenov's home in Shchuchinsk and will entail long journeys for his family to be able to visit him.

The Special Department at labour camp ICh-167/3 refused to tell Forum 18 on 1 March if Mazhenov has arrived at the camp.

In a case initiated by the KNB secret police, Mazhenov was accused of posting online four talks on Islam by Kuanysh Bashpayev. Burabai District Court jailed Mazhenov in November 2018 for seven years and eight months in a general regime labour camp. Akmola Regional Court went ahead with an appeal hearing on 30 January 2019, despite Mazhenov's decision to withdraw his appeal. The Regional Court left his jail term unchanged.

Mazhenov's family have vowed to continue their fight to have his conviction overturned, through the Supreme Court, a review of the investigation, or an appeal to the United Nations human rights bodies. "The whole case was fabricated," a relative insisted to Forum 18. "Whatever a prosecutor demands, no court would reject it."

Mazhenov's new prison address:

g. Shymkent
Temirlanskoe shosse 28
Uchr. ICh-167/3
Kazakhstan

19 years' jail to follow forcible return?

Forcibly returned from Saudi Arabia in December 2018, Dilmurat Makhamatov is in pre-trial detention in Shymkent as the KNB secret police investigate him for allegedly "inciting religious hatred" and "propaganda of terrorism" for remarks on Islam. The KNB investigator repeatedly refused to discuss Makhamatov's case with Forum 18.

By Felix Corley

Forum 18 (27.02.2019) - <https://bit.ly/2VSDg6C> - A court in Kazakhstan's southern city of Shymkent in mid-February extended for another month the pre-trial detention of

Dilmurat Makhamatov. The 40-year-old ethnic Uzbek Sunni Muslim has been in detention since mid-December 2018, when the Kazakh authorities succeeded in forcibly returning him from Saudi Arabia, where he and his family had lived for about 20 years. If eventually tried and convicted, he faces imprisonment for up to 19 years.

The National Security Committee (KNB) secret police is investigating Makhamatov on charges of "inciting religious hatred" (with a maximum seven year jail term) and "propaganda of terrorism" (with a maximum 12 year jail term) in remarks he made in Saudi Arabia about Islam. His friends told Forum 18 the charges are baseless (see below).

The KNB has been seeking to extradite and prosecute Makhamatov since 2016, and has commissioned at least three "expert analyses" of his comments on Islam (see below).

KNB investigator Lieutenant-Colonel Abzal Sarsebayev has repeatedly refused to discuss with Forum 18 why the Kazakh authorities wanted Makhamatov's return and why he thinks he is guilty (see below).

If eventually brought to trial and convicted, Makhamatov is also likely to be added to the Finance Ministry Financial Monitoring Committee List of individuals "connected with the financing of terrorism or extremism". Being added to the List means that any bank accounts an individual may have are blocked with no further legal process. Their families are allowed to withdraw only small amounts for daily living if they do not have other sources of income.

Jailings follow return

Kazakhstan has sought the extradition and return to the country of Muslims living and working abroad in order to jail them.

Kazakhstan gained Imam Abdukhalil Abduzhabbarov's extradition from Saudi Arabia and he was arrested as he landed back in the country in 2017. He was jailed for eight years in August 2017 for sermons he gave before he left Kazakhstan in 2006. The Supreme Court refused to hear his last-ditch appeal in November 2018.

In addition, four Sunni Muslims who had studied their faith at a Saudi Arabian university and had themselves returned to Kazakhstan were jailed in separate cases in 2017.

One Muslim however, Murat Bakrayev, was saved from extradition back to Kazakhstan. The Kazakh authorities were seeking his extradition to punish him for talks on Islam others had recorded and posted online. A German court rejected Kazakhstan's extradition request and freed him from detention on 21 February 2019.

Arrested on return

Dilmurat Sultanmuratovich Makhamatov (born 21 February 1979) has lived with his family in Saudi Arabia for some 20 years, his friends told Forum 18. "People came to him from Kazakhstan and other former Soviet republics to ask him about Islam and the Koran," one person told Forum 18. "They often recorded his remarks and put them on the internet. The Kazakh authorities claim these were lectures, but they weren't."

Makhamatov had rarely visited Kazakhstan since his move to Saudi Arabia. He returned in 2014 to get a new passport. "During that visit, the KNB secret police warned him to stop making public remarks," the individual told Forum 18.

Forum 18 has been unable to establish when the KNB secret police began moves to extradite Makhamatov from Saudi Arabia. However, it appears such moves began in 2016, the first year the KNB commissioned an "expert analysis" of some of Makhamatov's remarks on Islam. The KNB commissioned further such analyses in 2017 and 2018.

The KNB Investigator in the case, Lieutenant-Colonel Abzal Sarsebayev, repeatedly refused to discuss the prosecution of Makhamatov. "I give no interviews. Don't ring me again," he told Forum 18 from Shymkent on 14 February. "I told you before not to call me," he told Forum 18 on 27 February.

"A representative of the Salafi movement, Dilmurat Makhamatov, born in the city of Saryagash, engaged in illegal missionary activity, was detained by the law-enforcement agencies of the Kingdom of Saudi Arabia," an unidentified District Police told local news agencies on 15 October 2018. "Being in that country, he engaged in illegal preaching among Kazakhstanis via the internet."

Soon after detaining him, the Saudi authorities apologised to Makhamatov and released him. However, Kazakh KNB officers seized him in Saudi Arabia in December 2018 and forced him onto a flight at Jeddah airport back to the country via Abu Dhabi. They told him they had issues they needed to discuss with him back in Kazakhstan.

Once in the Kazakh capital Astana, officers put him on a flight to the southern city of Shymkent. Officers arrested him as soon as he landed there on 19 December. He was transferred to the KNB Investigation Prison in Shymkent. On 21 December, Judge Kamshybek Anarbayev of Shymkent Investigation Court ordered him held in pre-trial detention for two months.

The KNB went back to Shymkent Investigation Court to extend the pre-trial detention. On 19 February the court authorised a further month in pre-trial detention.

Makhamatov has two wives and a total of nine children. His family, who returned from Saudi Arabia soon after his return, is now living in a village near his birthplace of Saryagash in Turkistan Region, the region surrounding Shymkent.

"Incitement" and "terrorism" charges

The KNB secret police is investigating Makhamatov under two Criminal Code Articles, Article 174, Part 1 and Article 256, Part 2.

Article 174, Part 1 punishes "Incitement of social, national, clan, racial, or religious discord, insult to the national honour and dignity or religious feelings of citizens, as well as propaganda of exclusivity, superiority or inferiority of citizens on grounds of their religion, class, national, generic or racial identity, committed publicly or with the use of mass media or information and communication networks, as well as by production or distribution of literature or other information media, promoting social, national, clan, racial, or religious discord" with a maximum punishment of a seven-year jail term.

Article 256, Part 2 punishes: "Propaganda of terrorism or public calls to commit terrorism" - which includes the production, storage for distribution or distribution of [unspecified in the Article] specified materials - committed by an individual using a state or non-state official position, or with the use of the mass media or other communication networks, or with foreign support, or in a group". The punishment is seven to 12 years' imprisonment with confiscation of property.

KNB Investigator Sarsebayev ordered a further "expert analysis" of recordings of some of Makhamatov's remarks on Islam. As the Investigator refuses to discuss the case with Forum 18, it has been unable to find out what claims the "experts" made about Makhamatov's remarks in this and the earlier analyses.

Makhamatov's friends insisted to Forum 18 that he made no remarks calling for the violation of others' human rights.

The lawyer Bauyrzhan Azanov is defending Makhamatov. "He lodged a suit to Shymkent Investigation Court to complain that his client was being interrogated in his absence," a friend of Makhamatov told Forum 18.

Prison conditions "satisfactory"

Makhamatov's conditions in the KNB Investigation Prison in Shymkent are "satisfactory", a friend told Forum 18. "He can pray the namaz there and has access to the Koran." He is allowed two short visits from relatives each month.

The telephone at the Investigation Prison went unanswered each time Forum 18 called on 27 February.

Many Muslim prisoners of conscience jailed for exercising their freedom of religion or belief have stated that they are banned from reading the Koran and other religious books, and prevented from saying the namaz (obligatory Muslim daily prayers). This and the forcible shaving off of beards appears to be a standard punishment imposed on such prisoners.

Makhamatov's address in pre-trial detention:

g. Shymkent
Al-Farabyisky raion
Ul. Kazybek bi 36
Sledstvenny izolyator KNB
Kazakhstan

Three years' jail, five years' religion ban

A Balkhash court jailed Abilai Bokbasarov for three years to punish him for meetings about Islam. It also banned him from exercising freedom of religion for five years after his term, the equal longest such ban. A judge refused to explain what he will be banned from doing.

By Felix Corley

Forum 18 (14.02.2019) - A 28-year-old resident of Balkhash has become the 73rd Muslim known to have been convicted and punished in Kazakhstan for alleged membership of the Tabligh Jamaat Muslim missionary movement since the beginning of 2015. Balkhash City Court jailed Abilai Bokbasarov for three years on 9 January and, after his release, banned him from exercising freedom of religion or belief for five years.

"The verdict was three years' imprisonment in a medium-security institution and deprivation of the right to engage in religious activity for five years," the Judge who speaks on behalf of the Court told Forum 18.

Although courts often hand down post-prison bans on the exercise of freedom of religion or belief, the five-year ban handed to Bokbasarov is the equal longest known to Forum 18. The Judge who speaks on behalf of the Court refused to discuss the ban with Forum 18 or to specify what the ban will mean in practice (see below).

After Sunni Muslim Saken Tulbayev was in 2015 initially banned from praying and other exercise of the right to freedom of religion or belief for three years after his release from prison, Yevgeni Zhovtis of the Kazakhstan International Bureau for Human Rights and the Rule of Law condemned the ban as "another total stupidity and total absurdity".

He noted to Forum 18 in July 2015 that although Kazakh law allows such a ban – in defiance of the country's international human rights obligations – "it will be interesting how they will prohibit him from going to mosque and so on".

As with all the other criminal convictions in recent years to punish the exercise of freedom of religion or belief – including of Muslims, Jehovah's Witnesses and a Seventh-day Adventist – the case against Bokbasarov was initiated by the National Security Committee (KNB) secret police.

An Astana court banned Tabligh Jamaat in Kazakhstan as "extremist" in February 2013. The movement's adherents often travel around the country encouraging other Muslims to greater piety, for which many members have also been fined.

Of the 73 known criminal convictions of alleged Tabligh Jamaat adherents since the beginning of 2015 to punish them for exercising freedom of religion or belief, 52 were given prison terms while 21 were given restricted freedom sentences. In the most recent known case, in July 2018 a judge in Aktobe Region punished seven Muslims with restricted freedom sentences of one to three years for holding religious meetings which the prosecution argued were "extremist".

Now that his verdict has come into force, Bokbasarov is likely to be added to the Finance Ministry Financial Monitoring Committee List of individuals "connected with the financing of terrorism or extremism". Being added to the List means that any bank accounts an individual may have will be blocked with no further legal process. Their families will be allowed to withdraw only small amounts for daily living if they do not have other sources of income.

The seven Muslims given restricted freedom sentences in Aktobe Region in July 2018 are among those recently added to the financial blacklist (see below).

Two men from Atyrau arrested in an apparent attempt to pressure them to give testimony against Murat Bakrayev, a Muslim Kazakhstan's authorities are trying to extradite from Germany, were convicted in December 2018. An Atyrau court gave Erzhan Sharmukhambetov and Ermek Kuanshaliyev restricted freedom terms of three and a half years each. Prosecutor Marat Khabibullin refused to discuss the cases with Forum 18 (see below).

Akmola Regional Court went ahead with an appeal hearing in the case of another jailed Muslim Dadash Mazhenov on 30 January, despite his decision to withdraw his appeal. The Regional Court left his jail term of seven years and eight months unchanged (see below).

Government abandons restrictive legal amendments

The government has finally withdrawn from Parliament amendments to a variety of laws which would have restricted the exercise of freedom of religion or belief still further. It handed to Parliament the draft Amending Law proposing many wide-ranging changes to the 2011 Religion Law, Administrative Code and many other laws in late 2017. The Amending Law was approved by the lower house, the Majilis, and then the upper house, the Senate, but was returned to the Majilis in September 2018.

Prime Minister Bakytzhan Sagantayev issued the brief decree withdrawing the Amending Law from the Majilis on 29 January 2019. The decree gave no reason for the decision.

Balkhash: Three-year jail term in secret police-initiated case

The KNB secret police accused a Muslim resident of the south-eastern city of Balkhash in Karaganda Region of trying to recruit other Muslims to the banned Tabligh Jamaat movement. It claimed that Abilai Aidaruly Bokbasarov (born 12 February 1991) held "secret meetings" about his faith at a flat he rented for this purpose in the city, during which he "propagandised the ideas of the movement".

Bokbasarov had hoped to recruit "the maximum number of people", Nur.kz reported on 15 January, but KNB secret police officers "speedily neutralised the suspect".

The KNB arrested Bokbasarov and a court ordered him held in pre-trial detention. A case was brought against him under Criminal Code Article 405, Part 1. This punishes "Organising the activity of a social or religious association or other organisation after a court decision banning their activity or their liquidation in connection with extremism or terrorism they have carried out" with a fine or up to six years' imprisonment.

The KNB secret police commissioned an "expert" psychological/philological analysis, which was completed in August 2018.

Bokbasarov admitted his guilt during the investigation and Balkhash Prosecutor's Office agreed a plea bargain with him, Judge Nurgul Berlikesheva of Balkhash City Court told Forum 18 on 14 February 2019.

On 9 January, Judge Bakhtiyar Akanov of Balkhash City Court found Bokbasarov guilty under Criminal Code Article 405, Part 1. "The verdict was three years' imprisonment in a medium-security institution and deprivation of the right to engage in religious activity for five years," Judge Berlikesheva told Forum 18. Local lawyer Anatoly Golovin defended Bokbasarov in court.

Judge Berlikesheva would not discuss why her colleague had imposed a five-year ban on Bokbasarov exercising his right to freedom of religion or belief after completing his jail term. Nor would she specify the terms of the ban.

Judge Akanov also ordered that Bokbasarov pay "compensation" to "victims" of 48,100 Tenge (about two weeks' average wages for those in formal work) and a fee of 1,255 Tenge for the "expert analysis" the KNB secret police commissioned, according to court records. Judge Berlikesheva told Forum 18 Bokbasarov had to pay the "compensation", even though there were no victims of his actions.

Bokbasarov did not appeal against the conviction because of the plea bargain, Judge Berlikesheva added, and it has now come into force.

Balkhash Prosecutor's Office refused to discuss Bokbasarov's case with Forum 18 on 13 February.

Now that his verdict has come into force, Bokbasarov is likely to be added to the Finance Ministry Financial Monitoring Committee List of individuals "connected with the financing of terrorism or extremism".

This means, for those on the List, that any bank accounts they may have will be blocked with no further legal process. Their families will be allowed to withdraw only small amounts for daily living if they do not have other sources of income.

Atyrau: Two restricted freedom sentences

Two men from the western city of Atyrau who were arrested in an apparent attempt to pressure them to give testimony against Murat Bakrayev, a Muslim the authorities are trying to extradite from Germany, were convicted in December 2018.

On 20 October 2018, the KNB secret police arrested Erzhan Ruslanovich Sharmukhambetov (born 26 November 1980) in Atyrau. Arrested with him was his wife, but she was freed the following day. Also arrested the same day was Ermek Serikovich Kuanshaliyev (born 29 December 1980).

Sharmukhambetov and Kuanshaliyev are childhood friends of Sunni Muslim Bakrayev, who has not visited Kazakhstan since he and his family left in 2005. He was arrested in Germany on 15 September 2018 at the request of the Kazakh authorities, who had issued an Interpol Red Notice against him and are seeking his extradition. He remains in custody in Germany as he fights the extradition request, his relatives told Forum 18 on 13 February.

KNB Investigator Nurzhan Bisengaliyev initially investigated the cases against Sharmukhambetov and Kuanshaliyev. He refused to discuss the cases with Forum 18 in October 2018. The KNB secret police then handed the cases over to the Regional Prosecutor's Office.

Prosecutors brought charges against Sharmukhambetov and Kuanshaliyev under Criminal Code Article 174, Part 1 and Article 405, Part 2.

Article 174, Part 1 punishes "Incitement of social, national, clan, racial, or religious discord, insult to the national honour and dignity or religious feelings of citizens, as well as propaganda of exclusivity, superiority or inferiority of citizens on grounds of their religion, class, national, generic or racial identity, committed publicly or with the use of mass media or information and communication networks, as well as by production or distribution of literature or other information media, promoting social, national, clan, racial, or religious discord" with a maximum punishment of a seven-year jail term.

Article 405, Part 2 punishes "participation in the activity of a social or religious association or other organisation after a court decision banning their activity or their liquidation in connection with extremism or terrorism they have carried out" with a fine or up to two years' imprisonment.

On 6 December 2018, Judge Zhumagali Tashimov of Atyrau City Court No. 2 found both Sharmukhambetov and Kuanshaliyev guilty under both charges. He sentenced both men to restricted freedom terms of three and a half years. Marat Khabibullin of Atyrau Regional Prosecutor's Office led the prosecution case in court, the court chancellery told Forum 18 on 14 February 2019.

Prosecutor Khabibullin refused to discuss the cases with Forum 18 on 14 February.

The two men did not appeal against their sentences. Sharmukhambetov was added to the Finance Ministry Financial Monitoring Committee List of individuals "connected with the financing of terrorism or extremism" on 16 January.

Since the men's release the KNB secret police are reportedly watching them closely, friends told Forum 18. KNB cars are frequently parked outside their homes and officers visit them. The two men are said to be afraid to maintain contact with others.

Added to Financial blacklist

Other prisoners of conscience punished for exercising freedom of religion or belief have been added to the Finance Ministry Financial Monitoring Committee List of individuals "connected with the financing of terrorism or extremism", blocking their bank accounts.

A group of Muslims given restricted freedom sentences of up to 3 years in Aktobe Region in July 2018 for alleged Tabligh Jamaat membership were added to the List in August 2018: Amanzhol Kishkentekov and Zhanat Dosalin on 10 August, and the other five - Zhasulan Zhappargaliuly, Mukharam Baizakov, Daulet Elemesov, Aslan Temiralin and Miras Murzagulov - on 14 August.

Muslim prisoner Galymzhan Abilkairov, jailed in Shchuchinsk in October 2018 for posting on social media four talks about Islam by prisoner of conscience Kuanysh Bashpayev, was added to the List on 23 January 2019. Akmola Regional Court had rejected Abilkairov's appeal against his prison term of seven years and seven months on 26 December 2018, according to court records. He is serving his sentence in Taraz, friends told Forum 18.

Akmola Region: Muslim's appeal rejected

Akmola Regional Court went ahead with an appeal hearing in the case of another jailed Muslim Dadash Mazhenov on 30 January, despite his decision to withdraw his appeal. The Regional Court left his jail term of seven years and eight months unchanged, according to court records.

"Dadash wrote to say he was rejecting an appeal as practice showed that the appeal court changed nothing and there was no point in an appeal," Mazhenov's relatives told Forum 18 on 14 February. "But without his agreement they went ahead with the appeal with a duty lawyer."

Burabai District Court in the central Akmola Region jailed Mazhenov on 16 November 2018 for posting online talks on Islam which the authorities claim promoted terrorism. The court handed the 28-year-old father of one a term of seven years and eight months in a general regime labour camp.

Mazhenov is still being held in Kokshetau's Investigation Prison (ETs 166/23) but expecting to be transferred to a labour camp soon, relatives told Forum 18.

165 administrative prosecutions in 2018 – list

Full list of 165 known administrative prosecutions in 2018 to punish exercising freedom of religion or belief. Of these, 139 ended up with punishments, including fines, worship bans, seizures and destruction of religious literature, short-term jail terms and one deportation.

By Felix Corley

Forum 18 (01.02.2019) - <https://bit.ly/2VIB7QC> - Kazakhstan's authorities are known to have brought at least 165 administrative prosecutions in 2018 to punish individuals, religious communities, charities and companies for their exercise of freedom of religion or belief. Of these, 139 ended up with punishments.

Punishments included fines, temporary bans on activity (including bans on meeting for worship), seizures and destruction of religious literature, two short-term jail terms and one deportation, according to a review of the known 2018 cases compiled by Forum 18 (see full list below).

Muslims, Protestants (especially Council of Churches Baptists), Jehovah's Witnesses, and commercial and private sellers were many of the targets of these prosecutions.

Fines were mostly the equivalent of between three weeks' and four months' average wages for those in formal work (35 to 200 Monthly Financial Indicators, MFIs, 84,175 Tenge to 481,000 Tenge in 2018).

In two cases, courts ordered seized religious literature to be destroyed, 85 Islamic booklets in one case and one Christian book, "Bible Stories", in the other.

One foreign citizen (a Kyrgyz-born Russian Muslim) was ordered deported.

Two individuals (both Council of Churches Baptists) were jailed (for 1 and 5 days) for refusing to pay earlier fines to punish them for exercising freedom of religion or belief. Council of Churches Baptists have a policy of not paying such fines.

Administrative prosecutions are known to have been brought in 2018 (with comparisons to 2017) to punish:

- 37 individuals, charities and companies for meeting for worship, hosting such meetings or maintaining places for such meetings (88 in 2017).
- 10 individuals and charities for offering religious literature to others for free (39 in 2017).
- 32 individuals and companies for offering religious literature, icons or other items for sale (58 in 2017).
- 18 individuals for offering religious items for sale online (10 in 2017).
- 23 individuals for posting religious materials online (12 in 2017).

- 17 individuals for sharing faith with others (31 in 2017).
- 20 Muslims for praying in mosques in ways that the state-controlled Muslim Board has banned, for example by using the word "Amen" (22 in 2017, the first year such punishments were imposed).
- 3 individuals for teaching their faith (2 in 2017).
- 1 religious leader for allowing children to be present or conducting religious rites against the wishes of one parent (9 in 2017).
- 2 religious communities for "inadequate" security or security measures for their places of worship, for example not having enough video cameras (5 in 2017).
- 2 individuals for failing to pay earlier fines to punish them for exercising the right to freedom of religion or belief (2 in 2017).

A total of 159 of these cases were heard in court, but 6 fines (all later annulled) are known to have been summarily handed down by police (the total number could be higher).

Of the 153 administrative cases known to have been brought against individuals in 2018, 117 were against men and 36 against women. Women represented more than half of individuals prosecuted to punish offering religious literature and other items for sale, both in shops and online.

Of the 153 known administrative prosecutions against individuals in 2018, at least 11 began as cases under Criminal Code Article 174 ("Incitement of social, national, clan, racial, or religious discord, insult to the national honour and dignity or religious feelings of citizens, as well as propaganda of exclusivity, superiority or inferiority of citizens on grounds of their religion, class, national, generic or racial identity, committed publicly or with the use of mass media or information and communication networks, as well as by production or distribution of literature or other information media, promoting social, national, clan, racial, or religious discord").

The administrative cases were launched when prosecutors decided not to pursue the Article 174 criminal cases except in one case, where the court sent the administrative case for further investigation as a possible criminal case.

Full list of known 2018 administrative prosecutions

The list of known 2018 administrative prosecutions below is based on court decisions and other information reaching Forum 18. It includes the date of initial decision by lower court/police, name of defendant, affiliation, court/police issuing decision, Administrative Code Article, reason for prosecution, outcome:

- Punishing unapproved meetings, rituals

Known administrative cases: 37
 Known convictions: 28
 200 MFI fines: 1
 140 MFI fines: 3
 50 MFI fines: 10
 35 MFI fines: 14
 3-month bans: 8
 Literature retention: 1

Muslims: 25
Protestants: 7 (all Council of Churches Baptists)
Jehovah's Witnesses: 1
Companies: 3
Charity: 1

Article 489, Part 9 punishes "Leadership of an unregistered, halted, or banned religious community or social organisation" with a fine of 100 MFIs.

Article 489, Part 10 punishes "Participation in an unregistered, halted, or banned religious community or social organisation" with a fine of 50 MFIs.

Article 490, Part 1, Point 1 punishes "violation of procedures established in law for conducting rites, ceremonies and meetings". Punishment for individuals is a fine of 50 MFIs, and for organisations a fine of 200 MFIs and a three-month ban on activity.

Article 490, Part 8 punishes repeat violations of the Religion Law within one year, with fines on individuals of 200 MFIs.

1) 21 January 2018, Sergei Krasnov, Council of Churches Baptist, Oral police, Article 489, Part 9, worship meetings in unregistered venue, 100 MFI fine (Oral police annulled fine on 17 May)

2) 21 January 2018, Kenzhetai Baytinov, Council of Churches Baptist, Oral police, Article 489, Part 10, worship meetings in unregistered venue, 50 MFI fine (Oral police annulled fine on 17 May)

3) 21 January 2018, Serkali Kumargaliyev, Council of Churches Baptist, Oral police, Article 489, Part 10, worship meetings in unregistered venue, 50 MFI fine (Oral police annulled fine on 17 May)

4) 21 January 2018, Dmitry Isayev, Council of Churches Baptist, Oral police, Article 489, Part 10, worship meetings in unregistered venue, 50 MFI fine (Oral police annulled fine on 17 May)

5) 21 January 2018, Ivan Isayev, Council of Churches Baptist, Oral police, Article 489, Part 10, worship meetings in unregistered venue, 50 MFI fine (Oral police annulled fine on 17 May)

6) 21 January 2018, I Novikov, Council of Churches Baptist, Oral police, Article 489, Part 10, worship meetings in unregistered venue, 50 MFI fine (Oral police annulled fine on 17 May)

7) 13 February 2018, Taisiya Yezhova, JW, Sarykol District Court, Article 490, Part 1, Point 1, worship meetings in unregistered venue, 35 MFI fine

8) 5 March 2018, Pavel Leonov, Council of Churches Baptist, Almaty Specialised Administrative Court, Article 490, Part 1, Point 1, worship meetings in unregistered venue, 50 MFI fine and 3-month ban

9) 27 March 2018, Nuriddin Basharov, Muslim, Almaty Specialised Administrative Court, Article 490, Part 1, Point 1, prayers in unregistered venue, 50 MFI fine

10) 3 April 2018, Tursinali Kambarov, Muslim, Aktau Specialised Administrative Court, Article 490, Part 1, Point 1, praying in unapproved location, 50 MFI fine and 3-month ban

- 11) 10 April 2018, Abdizhalil Bakhiyev, Muslim, Maktaaral District Court No. 2, Article 490, Part 1, Point 1, prayers in unregistered mosque, 35 MFI fine and 3-month ban and confiscation of 20 Arabic books and 1 DVD
- 12) 17 April 2018, Bagdat Dauletyar, Muslim, Aktau Specialised Administrative Court, Article 490, Part 1, Point 1, praying in unapproved location, 50 MFI fine
- 13) 26 April 2018, Sarsengali Yakhshibayev, Muslim, Zhiloi District Court, Article 490, Part 1, Point 1, prayers in unregistered venue, 35 MFI fine
- 14) 10 May 2018, Zhanar Darmenova, Muslim, Aktobe Specialised Administrative Court, Article 490, Part 1, praying in unapproved location, dismissed because not filed within 2 months
- 15) 10 May 2018, Sharbanu Kairzhanova, Muslim, Aktobe Specialised Administrative Court, Article 490, Part 1, praying in unapproved location, dismissed because not filed within 2 months
- 16) 18 May 2018, Rauan Galimov, Muslim, Zhaksy District Court, Article 490, Part 1, Point 1, prayers in unregistered venue, 35 MFI fine
- 17) 18 May 2018, Suyeu Kystaubayev, Muslim, Zhiloi District Court, Article 490, Part 1, Point 1, prayers in unregistered venue, 35 MFI fine
- 18) 7 June 2018, Rakhmatulla Sadikov, Muslim, Zhiloi District Court, Article 490, Part 1, Point 1, prayers in unregistered venue, 50 MFI fine
- 19) 12 June 2018, Umarbek Butayev, Muslim, Zhiloi District Court, Article 490, Part 1, Point 1, prayers in unregistered venue, 50 MFI fine
- 20) 21 June 2018, Sultan Karimov, Muslim, Kokshetau Specialised Administrative Court, Article 490, Part 1, Point 1, hospital doctor allowed prayers in unapproved venue (room in hospital), acquitted
- 21) 11 July 2018, Turkaz Caspyi, company, Atyrau Specialised Administrative Court, Article 490, Part 1, Point 4, established prayer room during Ramadan in unapproved venue (canteen), 140 MFI fine and 3-month ban on canteen
- 22) 18 July 2018, Sembai Abilkhasanov, Muslim, Zhiloi District Court, Article 490, Part 1, Point 1, prayers in unapproved venue, 35 MFI fine
- 23) 18 July 2018, Karim Imanat, Muslim, Zhiloi District Court, Article 490, Part 1, Point 1, prayers in unapproved venue (tea house), 35 MFI fine
- 24) 18 July 2018, Meirambek Sakhanov, Muslim, Zhiloi District Court, Article 490, Part 1, Point 1, prayers in unapproved venue (work tea room), 35 MFI fine
- 25) 18 July 2018, Estai Mutishev, Muslim, Zhiloi District Court, Article 490, Part 1, Point 1, prayers in unapproved venue (work tea room), 35 MFI fine
- 26) 18 July 2018, Sagitzhan Muratkhanov, Muslim, Zhiloi District Court, Article 490, Part 1, Point 1, prayers in unapproved venue (work room), 35 MFI fine
- 27) 18 July 2018, Mukhit Parakhatov, Muslim, Zhiloi District Court, Article 490, Part 1, Point 1, prayers in unapproved venue (work room), 35 MFI fine

28) 18 July 2018, Nurtas Shameshov, Muslim, Zhiloi District Court, Article 490, Part 1, Point 1, prayers in unapproved venue (work room), 35 MFI fine

29) 18 July 2018, Yermek Yusupov, Muslim, Zhiloi District Court, Article 490, Part 1, Point 1, prayers in unapproved venue (work room), 35 MFI fine

30) 28 September 2018, Yerzhan Kiyuazarov, Muslim, Zhiloi District Court, Article 490, Part 1, Point 4, established prayer room in unapproved venue (canteen), 50 MFI fine and 3-month ban

31) 29 October 2018, Grand Sport-T, company, Astana Specialised Inter-District Administrative Court, Article 490, Part 1, Point 1, had unapproved Muslim prayer room in business centre, 140 MFI fine and 3-month ban on prayer room

32) 13 November 2018, Nabi, company, Astana Specialised Inter-District Administrative Court, Article 490, Part 1, Point 1, employees prayed namaz in staff room (company claimed 2 employees signed statements they had not read out of fear of police), 140 MFI fine and 3-month ban on prayer room

33) 13 November 2018, Nazar Kozhabai, Muslim, Aktau Specialised Administrative Court, Article 490, Part 1, prayers in unregistered venue, 50 MFI fine

34) 26 November 2018, Murager, charity, Pavlodar Specialised Administrative Court, Article 490, Part 1, Point 1, prayers in unregistered venue, 200 MFI fine and 3-month ban

35) 28 November 2018, Makhkambai Matvafayev, Muslim, Aktau Specialised Administrative Court, Article 490, Part 1, Point 1, prayers in unregistered venue, 50 MFI fine

36) 6 December 2018, Bolat Khisin, Muslim, Akzhai District Court No. 2, Article 490, Part 1, Point 1, conducted religious marriage in mosque without state permission, 35 MFI fine

37) 26 December 2018, Ruslan Yelemesov, Muslim, Aktobe Specialised Administrative Court, Article 490, Part 1, Point 1, prayers in unregistered venue (cafe), 50 MFI fine and 3-month ban

- Punishing offering free religious literature

Known administrative cases: 10

Known convictions: 8

140 MFI fines: 1

50 MFI fines: 3

35 MFI fines: 3

Warning: 1

3-month bans: 3

Protestants: 5 (including 4 Council of Churches Baptists)

Muslims: 3 (including 1 unconfirmed)

Charity: 1

Organisation: 1

Article 490, Part 1, Point 3 punishes: "Violating the requirements of the Religion Law for .. import, manufacturing, production, publication and/or distribution of religious literature and other religious materials, and items for religious use". The punishment for individuals is a fine of 50 MFIs.

Article 490, Part 3 punishes: "Carrying out missionary activity without state registration (or re-registration), as well as the use by missionaries of religious literature, information materials with religious content or religious items without a positive assessment from a religious studies expert analysis, and spreading the teachings of a religious group which is not registered in Kazakhstan". The punishment is a fine of 100 MFIs, with deportation if the individual is a foreign citizen.

1) 23 January 2018, Nikolai Popov, Council of Churches Baptist, Balkhash Specialised Administrative Court, Article 490, Part 3, offering religious literature, 100 MFI fine (fine changed to verbal warning on appeal)

2) 20 February 2018, Shukhrat Khakimov, Muslim, Munaili District Court, Article 490, Part 1, Point 3, offering religious literature, 35 MFI fine

3) 22 February 2018, Aleksandr Turusov, Council of Churches Baptist, Zyryanovsk District Court No. 2, Article 490, Part 1, Point 3, offering religious literature, 50 MFI fine (and 3-month ban added on appeal)

4) 20 March 2018, Erlan Kurbanov, ?Muslim, Burabai District Court, Article 490, Part 1, Point 3, offering religious literature, 35 MFI fine

5) 5 April 2018, Vyacheslav Poptsov, Baptist, Aktobe Specialised Administrative Court, Article 490, Part 3, Point 1, offering 8 religious books which have not undergone state censorship inside registered church premises, acquitted

6) 21 May 2018, Pavel Chernov, Council of Churches Baptist, Zhaksy District Court, Article 490, Part 1, Point 3, offering religious literature, 50 MFI fine

7) 15 June 2018, Aleksandr Bekarev, Council of Churches Baptist, Sarkan District Court, Article 490, Part 1, Point 3, offering religious literature, 50 MFI fine and 3-month ban

8) 11 July 2018, Azamat Temirbekov, Muslim, Zhanaozen City Court, Article 490, Part 1, Point 3, offering 26 copies of the Koran at 2 mosques, 35 MFI fine

9) 7 September 2018, Miras charity, Pavlodar Specialised Administrative Court, Article 490, Part 1, Point 3, offering religious literature, case closed as filed too late

10) 1 October 2018, Ashyk Alakan (Open Palm) organisation, Muslim, Atyrau Specialised Administrative Court, Article 490, Part 1, Point 3, offering one-page hadith leaflets in shopping centre, 140 MFI fine and 3-month ban

- Punishing offering religious literature, items for sale

Known administrative cases: 32

Known convictions: 31

Initial criminal cases (Article 174): 3 (possibly 4)

200 MFI fines: 2

140 MFI fines: 1

50 MFI fines: 9

35 MFI fines: 19

3-month bans: 23

Literature destruction orders: 1

Literature retention: 2

Commercial traders: 28

Companies: 4

Article 490, Part 1, Point 3 punishes: "Violating the requirements of the Religion Law for .. import, manufacturing, production, publication and/or distribution of religious literature and other religious materials, and items for religious use". The punishment for individuals is a fine of 50 MFIs.

1) 17 January 2018, Kuat Makhmetov, commercial seller, Astana Specialised Administrative Court, Article 490, Part 1, Point 3, offering religious literature for sale, 140 MFI fine and 3-month ban

2) 1 February 2018, Ulzhan Tsoi, commercial seller, Almaty Specialised Administrative Court, Article 490, Part 1, Point 3 (after criminal investigation – possibly under Article 174 - closed), offering religious literature and items for sale, 35 MFI fine and 3-month ban

3) 29 March 2018, Academician Sharmanov Book Shop, company, Satpayev Town Court, Article 490, Part 1, Point 3, offering religious literature for sale, 200 MFI fine and 3-month ban

4) 5 April 2018, Zulfiya Kudaibergenova, commercial seller, Astana Specialised Administrative Court, Article 490, Part 1, Point 3, offering religious literature and items for sale, 35 MFI fine and 3-month ban

5) 14 May 2018, Sergei Tsarev, commercial seller, Astana Specialised Administrative Court, Article 490, Part 1, Point 3, offering one Koran for sale, 50 MFI fine and 3-month ban

6) 14 May 2018, Rakhima Usipbayeva, commercial seller, Astana Specialised Administrative Court, Article 490, Part 1, Point 3, offering one Koran for sale, 35 MFI fine and 3-month ban

7) 21 May 2018, Asel Nurlanova, commercial seller, Astana Specialised Administrative Court, Article 490, Part 1, Point 3, offering one Koran for sale, 35 MFI fine and 3-month ban

8) 1 June 2018, Retail Trade, company, Semei Specialised Administrative Court, Article 490, Part 1, Point 3, offering 18 icons for sale, 200 MFI fine and 3-month ban

9) 4 June 2018, Saltanat Keulimzhayeva, commercial seller, Almaty Specialised Administrative Court, Article 490, Part 1, Point 3, offered 54 religious books for sale, 35 MFI fine

10) 6 June 2018, Kuralai Terlikbayeva, commercial seller, Astana Specialised Administrative Court, Article 490, Part 1, Point 3, offering one Koran for sale, 140 MFI fine (reduced to 35 MFI fine on appeal) and 3-month ban on selling religious literature

11) 11 June 2018, Zhasulan Bazarbayev, commercial seller, Atyrau Specialised Administrative Court, Article 490, Part 1, Point 3, offering religious literature for sale, 35 MFI fine and 3-month ban

12) 12 June 2018, Dauren Shyntemirov, commercial seller, Atyrau Specialised Administrative Court, Article 490, Part 1, Point 3, offering religious literature for sale, 35 MFI fine

- 13) 21 June 2018, Gulsara Erzhigitova, commercial seller, Semei Specialised Administrative Court, Article 490, Part 1, Point 3, offering an icon for sale, 35 MFI fine
- 14) 22 June 2018, Aliya Abdykarimova, commercial seller, Almaty Specialised Administrative Court, Article 490, Part 1, Point 3, offering 4 Orthodox icons for sale, 35 MFI fine
- 15) 10 July 2018, Aisulu Tleuzhanova, commercial seller, Semei Specialised Administrative Court, Article 490, Part 1, Point 3, offering 7 neck crosses and 2 pendants for sale, 50 MFI fine
- 16) 20 July 2018, Sergei Shutov, commercial seller, Semei Specialised Administrative Court, Article 490, Part 1, Point 3, offering 3 Orthodox neck crosses and 4 amulets for sale, 35 MFI fine
- 17) 1 August 2018, Svetlana Doskach, commercial seller, Astana Specialised Administrative Court, Article 490, Part 1, Point 3, offering Islamic books and 4 Orthodox icons in stone for sale, 35 MFI fine and 3-month ban on selling religious literature
- 18) 1 August 2018, Gulnara Sagitova, commercial seller, Astana Specialised Administrative Court, Article 490, Part 1, Point 3, offering 47 religious books for sale, 35 MFI fine and 3-month ban on selling religious literature
- 19) 7 August 2018, Nurbek Myrzakulov, commercial seller, Shieli District Court, Article 490, Part 1, Point 3 (Criminal Code Article 174, Part 1 case closed after state "expert analysis" found no incitement in books), offering Islamic books for sale, 50 MFI fine and 3-month ban on selling religious literature
- 20) 24 August 2018, Zolotoi Stil, company, Astana Specialised Administrative Court, Article 490, Part 1, offering 9 Christian icons for sale, acquitted (only 1 was deemed an icon and was owner's property)
- 21) 17 September 2018, Kirill Beskrovny, commercial seller, Oskemen Specialised Administrative Court, Article 490, Part 1, Point 3, offering a necklace with cross for sale in car parts shop, 35 MFI fine and 3-month ban
- 22) 19 September 2018, Kulyaikhan Tulengutova, commercial seller, Almaty Specialised Administrative Court, Article 490, Part 1, Point 3, offering Islamic literature for sale at station stall, 50 MFI fine and 3-month ban
- 23) 19 September 2018, Askarbek Sarsenov, commercial seller, Kyzylorda Specialised Administrative Court, Article 490, Part 1, Point 3 (Criminal Code Article 174 case closed for lack of a crime), offering 85 Islamic booklets for sale, 35 MFI fine and 3-month ban and destruction of booklets
- 24) 10 October 2018, Dinara Tashchanova, commercial seller, Atyrau Specialised Inter-District Administrative Court, Article 490, Part 1, Point 3, offering religious literature and items for sale, 35 MFI fine
- 25) 15 October 2018, Nina Agalakova, commercial seller, Astana Specialised Inter-District Administrative Court, Article 490, Part 1, Point 3, offering necklaces with crosses for sale, 50 MFI fine and 3-month ban
- 26) 17 October 2018, Orynbasar Khanapina, commercial seller, Astana Specialised Inter-District Administrative Court, Article 490, Part 1, Point 3, offering religious items for sale, 50 MFI fine and 3-month ban on selling religious items

27) 17 October 2018, Kurmanbek Uteuliyev, commercial seller, Almaty Specialised Inter-District Administrative Court, Article 490, Part 1, Point 3 (initial Criminal Code Article 174, Part 1 investigation), offering religious items for sale, 50 MFI fine

28) 22 October 2018, Leonard Syritsa, commercial seller, Astana Specialised Inter-District Administrative Court, Article 490, Part 1, Point 3, offering 3 neck crosses for sale, 35 MFI fine and 3-month ban on selling religious items

29) 24 October 2018, Damezhan Salimbetova, commercial seller, Astana Specialised Inter-District Administrative Court, Article 490, Part 1, Point 3, offering 5 necklaces with crosses for sale, 50 MFI fine and 3-month ban on shop

30) 20 November 2018, Almaz Shaiken on behalf of Ummastore bookshop, company, Almaty Specialised Inter-District Administrative Court, Article 490, Part 1, Point 3, offering religious literature and items for sale, 200 MFI fine and 3-month ban (fine reduced to 50 MFIs on appeal)

31) 7 December 2018, Aidos Tanbyshov, commercial seller, Kazaly District Court, Article 490, Part 1, Point 3, offering Islamic books for sale at market, 35 MFI fine and 3-month ban on shop and confiscation of books

32) 26 December 2018, Anuar Almagambetov, commercial seller, Semei Specialised Administrative Court, Article 490, Part 1, Point 3, offering 4 "pendants in the form of a cross" for sale, 35 MFI fine and 3-month ban

- Punishing offering religious literature, items for sale online

Known administrative cases: 18

Known convictions: 18

50 MFI fines: 6

35 MFI fines: 11

3-month bans: 5

1-month bans: 1

Literature destruction: 1

Private sellers: 16

Commercial sellers: 2

Article 490, Part 1, Point 3 punishes: "Violating the requirements of the Religion Law for .. import, manufacturing, production, publication and/or distribution of religious literature and other religious materials, and items for religious use". The punishment for individuals is a fine of 50 MFIs.

1) 27 March 2018, Natalya Pivovarova, seller, Pavlodar Specialised Administrative Court, Article 490, Part 1, Point 3, offering 3 Bibles for sale online, 50 MFI fine

2) 24 April 2018, Anastasiya Krivoruchenko, commercial seller, Oskemen Specialised Administrative Court, Article 490, Part 1, Point 3, offering one icon for sale online, 35 MFI fine and 3-month ban

3) 24 April 2018, Natalya Orekhova, seller, Oskemen Specialised Administrative Court, Article 490, Part 1, Point 3, offering one children's Bible for sale online, 35 MFI fine

- 4) 5 June 2018, Ayzhan Ayazbayeva, commercial seller, Atyrau Specialised Administrative Court, Article 490, Part 1, Point 3, offering dolls dressed in hijabs online, 35 MFI fine
- 5) 13 June 2018, Pavel Larionov, seller, Semei Specialised Administrative Court, Article 490, Part 1, Point 3, offering 3 icons for sale online, 35 MFI fine
- 6) 20 June 2018, Akmaral Sydykova, seller, Semei Specialised Administrative Court, Article 490, Part 1, Point 3, offering one Russian-language Koran for sale online, 35 MFI fine
- 7) 6 August 2018, Konstantin Burkov, seller, Petropavl Specialised Administrative Court, Article 490, Part 1, Point 3, offering one Bible for sale online, 50 MFI fine and 3-month ban
- 8) 19 September 2018, Dmitry Peremykin, seller, Semei Specialised Administrative Court, Article 490, Part 1, Point 3, offering one icon of Jesus and 3 "unidentified saints" for sale online, 35 MFI fine and 3-month ban
- 9) 20 September 2018, Zaur Kerimov, seller, Glubokoe District Court, Article 490, Part 1, Point 3, offering icons for sale online, 50 MFI fine
- 10) 26 September 2018, Mikhail Syzdykov, seller, Petropavl Specialised Administrative Court, Article 490, Part 1, Point 3, offering German-language Bible for sale online (for 5,000 Tenge), 50 MFI fine and 1-month ban on distributing religious literature
- 11) 28 September 2018, Azamat Tokanov, seller, Yesil District Court, Article 490, Part 1, Point 3, offering German-language Bible published 1872 for sale online, 50 MFI fine and 3-month ban on distributing religious literature and items
- 12) 27 September 2018, Roman Akhmetvaliyev, seller, Oskemen Specialised Administrative Court, Article 490, Part 1, Point 3, offering Bible and Bible reference book for sale online, 35 MFI fine and 3-month ban
- 13) 11 October 2018, Natalya Matyusha, seller, Sharbakty District Court, Article 490, Part 1, Point 3, offering 3 Muslim books for sale online (state religious "expert" analysis found they were not against the Constitution), 50 MFI fine
- 14) 15 October 2018, Saule Mamedova, seller, Oskemen Specialised Administrative Court, Article 490, Part 1, Point 3, offering one Bible for sale online (for 5,000 Tenge), 35 MFI fine
- 15) 23 October 2018, Alina Zhanabilova, seller, Oskemen Specialised Administrative Court, Article 490, Part 1, Point 3, offering 2 Muslim books for sale online, 35 MFI fine
- 16) 6 November 2018, Natalya Palyanova, seller, Oskemen Specialised Administrative Court, Article 490, Part 1, Point 3, offering one metal icon of Virgin Mary for sale online, 35 MFI fine
- 17) 25 December 2018, Olga Kondakova, seller, Semei Specialised Administrative Court, Article 490, Part 1, Point 3, offering one metal icon of Virgin Mary for sale online, 50 MFI fine (fine annulled on appeal because "offence" insignificant)
- 18) 29 December 2018, Zairash Amanova, seller, Zharma District Court, Article 490, Part 3, offering 2 religious books for sale online (one for 500 Tenge), 35 MFI fine and one book "Biblical Stories" ordered destroyed

- Punishing posting religious materials online

Known administrative cases: 23
Known convictions: 22
Initial criminal cases (Article 174): 8 (possibly 9)
70 MFI fines: 3
50 MFI fines: 10
35 MFI fines: 9
3-month bans: 7
1-month bans: 2
Disc confiscation orders: 1

Muslims: 19
Unknown religious affiliation: 4

Article 490, Part 1, Point 3 punishes: "Violating the requirements of the Religion Law for .. import, manufacturing, production, publication and/or distribution of religious literature and other religious materials, and items for religious use". The punishment for individuals is a fine of 50 MFIs.

Article 490, Part 3 punishes: "Carrying out missionary activity without state registration (or re-registration), as well as the use by missionaries of religious literature, information materials with religious content or religious items without a positive assessment from a religious studies expert analysis, and spreading the teachings of a religious group which is not registered in Kazakhstan". The punishment is a fine of 100 MFIs, with deportation if the individual is a foreign citizen.

- 1) 16 January 2018, Ersai Saylaubayev, Muslim, Karaganda Specialised Administrative Court, Article 490, Part 3, posting religious materials online, 70 MFI fine
- 2) 21 February 2018, Ruslan Avezbayev, Muslim, Zyryanov District Court, Article 490, Part 1, Point 3 (initial Criminal Code Article 174, Part 2 investigation), posting religious materials online, 35 MFI fine
- 3) 1 March 2018, Lors Kusiyeu, Muslim, Bulandy District Court, Article 490, Part 1, Point 3 (initial Criminal Code investigation, probably Article 174), posting religious materials online, 50 MFI fine
- 4) 11 April 2018, Kazbek Bekeyev, Muslim, Petropavl Specialised Administrative Court, Article 490, Part 1, Point 3, posting religious materials online, 35 MFI fine and 3-month ban on distributing religious literature
- 5) 15 May 2018, Chingiz Kapsalyamov, Muslim, Karaganda Specialised Administrative Court, Article 490, Part 3, posting religious materials online, 70 MFI fine
- 6) 22 May 2018, Tolegen Adamov, Muslim, Ekibastuz Specialised Administrative Court, Article 490, Part 1, Point 3 (initial Criminal Code Article 174, Part 1 investigation), posting religious materials online, 35 MFI fine
- 7) 23 May 2018, Bakuzhan Kozhakhmetuli, Muslim, Atyrau Specialised Administrative Court, Article 490, Part 1, Point 3, posting religious materials online, 35 MFI fine, and 3-month ban and seizure of disc

- 8) 5 June 2018, Zhandos Kaliyev, Muslim, Karaganda Specialised Administrative Court, Article 490, Part 3 (initial Criminal Code Article 174 investigation), posting religious materials online, case closed (sent for possible consideration under Criminal Code)
- 9) 14 June 2018, Yerken Akanov, Muslim, Petropavl Specialised Administrative Court, Article 490, Part 1, Point 3 (initial Criminal Code Article 174, Part 1 investigation), sharing religious materials on WhatsApp, 50 MFI fine and 3-month ban on distributing religious literature
- 10) 14 June 2018, Yerlan Aubakirov, Muslim, Petropavl Specialised Administrative Court, Article 490, Part 1, Point 3 (initial Criminal Code Article 174, Part 1 investigation), sharing religious materials on WhatsApp, 50 MFI fine and 3-month ban on distributing religious literature
- 11) 25 June 2018, Airat Imanbayev, Muslim, Zhezkazgan City Court, Article 490, Part 1, Point 3, posting religious materials online, 50 MFI fine
- 12) 25 June 2018, Azamat Baimaganbetov, Muslim, Zhezkazgan City Court, Article 490, Part 1, Point 3, posting religious materials online, 50 MFI fine
- 13) 28 June 2018, Anar Faradzhev, Muslim, Zhezkazgan City Court, Article 490, Part 1, Point 3, posting religious materials online, 35 MFI fine
- 14) 11 July 2018, Rakhymzhan Aitmukhanov, Muslim, Atyrau Specialised Administrative Court, Article 490, Part 1, Point 3, posting religious materials online, 35 MFI fine and 3-month ban
- 15) 23 July 2018, Bolat Esmagambetov, unknown faith, Bulandy District Court, Article 490, Part 1, Point 3, posting religious materials online, 35 MFI fine
- 16) 20 August 2018, Anuar Yesimseitov, Muslim, Petropavl Specialised Administrative Court, Article 490, Part 1, Point 3 (Criminal Code Article 174, Part 1 case closed), posting religious materials online, 50 MFI fine and 1-month ban on distributing religious literature
- 17) 23 August 2018, Rasul Akhmet, Muslim, Shal Akyn District Court, Article 490, Part 1, Point 3 (initial Criminal Code Article 174, Part 1 investigation), posting religious materials online, 50 MFI fine
- 18) 3 September 2018, Auelbek Ramazanov, Muslim, Petropavl Specialised Administrative Court, Article 490, Part 1, Point 3 (initial Criminal Code Article 174, Part 1 investigation), sharing religious materials on WhatsApp, 50 MFI fine and 1-month ban on distributing religious literature
- 19) 29 October 2018, Berik Kanagatov, faith unknown, Almaty Specialised Administrative Court, Article 490, Part 1, Point 3, posting religious materials online, 50 MFI fine and 3-month ban
- 20) 29 October 2018, Sakhakazak Kulbekov, faith unknown, Almaty Specialised Administrative Court, Article 490, Part 1, Point 3, posting religious materials online, 50 MFI fine and 3-month ban
- 21) 20 November 2018, Sakhrat Akzhigitov, Muslim, Temirtau Specialised Administrative Court, Article 490, Part 1, Point 3, sharing religious materials on Telegram, 35 MFI fine
- 22) 5 December 2018, Murat Nurguzhinov, Muslim, Temirtau Specialised Administrative Court, Article 490, Part 1, Point 3, sharing religious materials on Telegram, 35 MFI fine

23) 24 December 2018, Anastasiya Rabek, unknown faith, Satpayev District Court, Article 490, Part 3, sharing faith, 100 MFI fine (reduced to 70 MFI on appeal)

- Punishing sharing faith

Known administrative cases: 17
Known convictions: 10
Initial criminal cases (Article 174): 1
100 MFI fines: 3
70 MFI fines: 7
Literature retention order: 1
Deportation order: 1

Jehovah's Witnesses: 9
Muslims: 6
Protestants: 2 (including 1 Council of Churches Baptist)

Article 490, Part 3 punishes: "Carrying out missionary activity without state registration (or re-registration), as well as the use by missionaries of religious literature, information materials with religious content or religious items without a positive assessment from a religious studies expert analysis, and spreading the teachings of a religious group which is not registered in Kazakhstan". The punishment is a fine of 100 MFIs, with deportation if the individual is a foreign citizen.

1) 17 January 2018, Viktor Shtrek, JW, Aiyrtau District Court, Article 490, Part 3, sharing faith, 100 MFI fine

2) 7 February 2018, Maksim Ivakhnik, JW, Sarykol District Court, Article 490, Part 3, sharing faith, 70 MFI fine

3) 8 February 2018, Estai Asainov, JW, Sarykol District Court, Article 490, Part 3, sharing faith, 70 MFI fine

4) 8 February 2018, Timur Koshkunbayev, JW, Sarykol District Court, Article 490, Part 3, sharing faith, 70 MFI fine

5) 27 February 2018, Yerpolat Duisengaliyev, Council of Churches Baptist, Karasai Specialised Administrative Court, Article 490, Part 3, shared faith at home meeting, 70 MFI fine (acquitted on appeal)

6) 28 February 2018, Eldar Kenzhetayev, Muslim, Karaganda Specialised Administrative Court, Article 490, Part 3, sharing faith, 70 MFI fine (investigated in Karaganda Tabligh Jamaat criminal case)

7) 12 March 2018, Maksat Ergeshov, JW, Kentau District Court, Article 490, Part 3, sharing faith, acquitted

8) 13 March 2018, Dilobarkhon Sultanova, New Life Pentecostal, Shymkent Specialised Administrative Court, Article 490, Part 3, helping download online Bible, acquitted

9) 29 March 2018, Akilbek Kasen, Muslim, Karaganda Specialised Administrative Court, Article 490, Part 3, sharing faith, 70 MFI fine (investigated in Karaganda Tabligh Jamaat criminal case)

10) 29 March 2018, Valeriya Gerdt, JW, Karaganda Specialised Administrative Court, Article 490, Part 3, sharing faith, acquitted

11) 2 April 2018, Taskali Naurzgaliev, Muslim, Karaganda Specialised Administrative Court, Article 490, Part 3, sharing faith, 100 MFI fine (jailed in Karaganda Tabligh Jamaat criminal case)

12) 16 April 2018, Beket Saryev, JW, Maktaaral District Court, Article 490, Part 3, sharing faith, acquitted

13) 24 April 2018, Zhasulan Karabayev, Muslim, Abai District Court, Article 490, Part 3, sharing faith, 100 MFI fine (reduced to 70 MFI fine on appeal) (investigated in Karaganda Tabligh Jamaat criminal case)

14) 6 June 2018, Fariza Dairabina, JW, Zhezkazgan City Court, Article 490, Part 3, sharing faith, acquitted

15) 6 June 2018, Arailym Turebekova, JW, Zhezkazgan City Court, Article 490, Part 3, sharing faith, acquitted

16) 3 August 2018, Nurzhan Turapov, Muslim, Saryagash Specialised Administrative Court, Article 490, Part 3, sharing faith with taxi driver, 70 MFI fine and confiscation of book

17) 22 August 2018, Ulanbek Zhumashov, Muslim, Maktaaral District Court, Article 490, Part 3, sharing faith, 100 MFI fine and deportation (Kyrgyz-born Russian citizen)

- Punishing violating mosques' internal rules

Known administrative cases: 20

Known convictions: 20

200 MFI fines: 1

50 MFI fines: 6

35 MFI fines: 12

No punishment: 1

Muslims: 20

Article 490, Part 2 punishes: "Impeding lawful religious activity as well as violation of the civil rights of physical persons on grounds of their religious views or insulting their feelings or profanation of items, buildings and places revered by followers of any religion, unless there are signs of criminally punishable actions". The punishment for individuals is 50 Monthly Financial Indicators (MFIs), and for legal entities 200 MFIs.

1) 10 January 2018, Yerbolat Gazimov, Muslim, Zhiloi District Court, Article 490, Part 2, Amen in mosque, 50 MFI fine

2) 14 February 2018, Asauturlan Talpakov, Muslim, Zhiloi District Court, Article 490, Part 2, Amen in mosque, 35 MFI fine

3) 12 April 2018, Nurlan Turebekov, Muslim, Zhiloi District Court, Article 490, Part 2, Amen in mosque, 50 MFI fine

4) 16 May 2018, Azamat Sarsenov, Muslim, Kurmangazy District Court, Article 490, Part 2, Amen in mosque, 35 MFI fine

- 5) 24 July 2018, Iztai Omirtai, Muslim, Kyzylkoga District Court, Article 490, Part 2, Amen in mosque, 35 MFI fine
- 6) 15 August 2018, Sandibek Kalapov, Muslim, Taraz Specialised Administrative Court, Article 490, Part 2, Amen in mosque, 35 MFI fine
- 7) 15 August 2018, Kairat Makhanov, Muslim, Taraz Specialised Administrative Court, Article 490, Part 2, Amen in mosque, 50 MFI fine
- 8) 17 August 2018, Dzhambul Zhapelov, Muslim, Taraz Specialised Administrative Court, Article 490, Part 2, Amen in mosque, 35 MFI fine
- 9) 24 August 2018, Nursultan Tushmayev, Muslim, Taraz Specialised Administrative Court, Article 490, Part 2, Amen in mosque, 35 MFI fine
- 10) 24 September 2018, Abdimalal Abdullayev, Muslim, Taraz Specialised Administrative Court, Article 490, Part 2, Amen in mosque, 35 MFI fine
- 11) 26 September 2018, Aslan Seitkaliyev, Muslim, Atyrau Specialised Administrative Court, Article 490, Part 2, Amen in mosque, 50 MFI fine
- 12) 1 October 2018, Kairat Makhanov, Muslim, Taraz Specialised Administrative Court, Article 490, Part 8, Amen in mosque (second prosecution in same year – see above), 200 MFI fine
- 13) 1 October 2018, Kurmangazy Makulov, Muslim, Isitai District Court, Article 490, Part 2, Amen in mosque, 35 MFI fine
- 14) 2 October 2018, Zhasulan Shomanov, Muslim, Isatai District Court, Article 490, Part 2, Amen in mosque, 35 MFI fine
- 15) 2 October 2018, Adilbek Serzhanov, Muslim, Isatai District Court, Article 490, Part 2, Amen in mosque, 35 MFI fine
- 16) 2 October 2018, Yerlan Yerbatyrov, Muslim, Atyrau Specialised Administrative Court, Article 490, Part 2, Amen in mosque, 50 MFI fine
- 17) 11 October 2018, Rinat Zibirov, Muslim, Taraz Specialised Administrative Court, Article 490, Part 2, Amen in mosque, convicted but released from any punishment because of "insignificance" of "offence"
- 18) 23 October 2018, Rustem Adaibayev, Muslim, Atyrau Specialised Administrative Court, Article 490, Part 2, Amen in mosque, 50 MFI fine
- 19) 19 November 2018, Azat Komutov, Muslim, Abai District Court, Article 490, Part 2, Amen in mosque, 35 MFI fine
- 20) 27 November 2018, Serikbek Sydykov, Muslim, Ayagoz District Court, Article 490, Part 2, Amen in mosque, 35 MFI fine

- Punishing religious teaching

Known administrative cases: 3

Known convictions: 3

150 MFI fines: 1

50 MFI fines: 1

35 MFI fines: 1
Permanent ban on activity: 2

Muslims : 3

Article 490, Part 3 punishes: "Carrying out missionary activity without state registration (or re-registration), as well as the use by missionaries of religious literature, information materials with religious content or religious items without a positive assessment from a religious studies expert analysis, and spreading the teachings of a religious group which is not registered in Kazakhstan". The punishment is a fine of 100 MFIs, with deportation if the individual is a foreign citizen.

1) 20 February 2018, Dastan Abdrakhmanov, Muslim, Karkarali District Court, teaching religion to school-age children, Article 490, Part 1, Point 1, 35 MFI fine

2) 6 August 2018, Aidir Kharsanov, Muslim, Kordai District Court, teaching Koran to school-age girls, Article 490, Part 1, Point 1, and Article 490, Part 3, 150 MFI total fine and a ban on activity

3) 6 August 2018, Zarina Manu, Muslim, Kordai District Court, teaching Koran to school-age girls, Article 490, Part 1, Point 1, and Article 490, Part 3, 50 MFI total fine and a ban on activity

- Punishing involvement of children

Known administrative cases: 1
Known convictions: 1
50 MFI fines: 1

Protestants: 1

Article 490, Part 7 punishes leaders of registered religious organisations who fail to abide by the 2011 Religion Law's requirement "to take measures not to allow the involvement and/or participation of under age children in the activity of the religious association when one of the parents or their other legal representatives objects". Punishment is a fine of 50 MFIs and deportation from the country.

1) 7 February 2018, Vyacheslav Poptsov, Baptist, Aktobe Specialised Administrative Court, Article 490, Part 7, children present at church event, 50 MFI fine

- Punishing inadequate security measures

Known administrative cases: 2
Known convictions: 2
70 MFI fines: 1
Warning: 1

Protestant churches: 2

Article 462, Part 3 punishes "Non-fulfilment or inadequate fulfilment of legal orders" with a fine for organisations of 100 MFIs and a possible ban on all or some activity.

1) 22 February 2018, New Life Church, Pentecostal, Shymkent Specialised Administrative Court, Article 462, Part 3, having three not five fire detectors in a storage building, 100 MFI fine and 1-month ban (punishment cancelled on appeal and verbal warning issued)

2) 15 March 2018, Harvest Church, Pentecostal, Kostanai Specialised Administrative Court, Article 462, Part 3, technical fault on state-required video surveillance system did not store recordings for required 30-day minimum, 70 MFI fine

- Punishing failing to pay earlier fines

Known administrative cases: 2

Known convictions: 2

3-day jail term: 1

1-day jail term: 1

Council of Churches Baptists: 2

Article 669 punishes "Failure to fulfil a court decision" with a fine for individuals of 5 MFIs (10 MFIs until early 2018) or up to five days' jail.

1) 9 July 2018, Vitaly Yashchenko, Council of Churches Baptist, Bulandy District Court, Article 669, failing to pay earlier fine, 5-day jail term

2) 9 July 2018, Dmitry Isayev, Council of Churches Baptist, Bulandy District Court, Article 669, failing to pay earlier fine, 1-day jail term

Courts' book-destroying "barbarism" continues

A Judge ordered destroyed 85 Islamic booklets seized from an individual for offering them for sale without state permission, telling Forum 18 he "doesn't need" them. Another court ordered "Bible Stories" destroyed. "Sad", "ABSURD" and "not in accord with international standards" are some responses to these destruction orders.

By Felix Corley

Forum 18 (17.01.2019) - <https://bit.ly/2DFxcrP> - The Judge who ordered the destruction of 85 Islamic booklets in September 2018 has defended his decision. He claimed the seller from whom they had been seized "doesn't need these books". The Judge ordered the destruction as part punishment for selling religious books without state permission, alongside a fine and a three-month ban.

"There is a special mechanism to destroy such items," Judge Olzhas Abdusalikov of Kyzylorda Specialised Administrative Court told Forum 18. "I don't know how they destroy books." The Judge said the books were handed over to Kyzylorda City Police to carry out the destruction. Forum 18 was unable to reach anyone at the City Police (see below).

Judge Abdusalikov's destruction order was one of two such court decisions in 2018, found by Forum 18 in a review of administrative punishments for exercising freedom of religion or belief. About 180 individuals and companies are known to have faced prosecution, with most fined (see forthcoming F18News article).

The other known religious literature destruction in 2018 was ordered by Judge Aigul Sadvakasova of Zharma District Court. She ordered destroyed one copy of the 1994 Kazakh-language book "Bible Stories" on 29 December 2018. She refused to discuss her decision with Forum 18 (see below).

"Sad", "ABSURD" and "not in accord with international standards" are some of the responses to the court orders to destroy religious books (see below).

In 2015, human rights defender Yevgeni Zhovtis described an earlier court order to destroy religious books as "barbarism" (see below).

However, a state religious affairs official in the capital Astana who monitors religion-related administrative cases refused to discuss with Forum 18 court orders to destroy religious books – or the many other punishments handed down for exercising freedom of religion or belief (see below).

Book destruction orders "sad", "absurd"

"It's sad," one legal expert who had reviewed the courts' destruction orders told Forum 18 on 14 January 2019. "This is ABSURD!" another individual who had reviewed the orders told Forum 18 on 16 January.

Equally critical is Tamara Kaleyeva, head of the free speech organisation Adil Soz (Free Word). Such religious book confiscation and destruction orders "are not in accord with international standards – that's obvious", she told Forum 18 from Almaty on 17 January. "We of course condemn this."

Serik Alkhaliyev, an expert at the government's Social Harmony Committee (former Religious Affairs Committee) in Astana, has responsibility for monitoring religion-related administrative cases, his colleagues told Forum 18 on 17 February.

"I can't comment on our laws," Alkhaliyev told Forum 18 the same day. Asked about court-ordered religious book destructions – and other punishments for exercising freedom of religion or belief - he refused to discuss them and put the phone down. When Forum 18 immediately called back, the line had been switched to a fax machine.

"It is barbarism to destroy books"

Courts across Kazakhstan have long ordered religious literature seized in administrative or criminal cases to be destroyed. Forum 18 found nine such cases of religious literature ordered destroyed in 2017, including a copy of the Koran. The head of the District court bailiff service refused to tell Forum 18 if and how the Koran was destroyed.

An Astana-based court bailiff - who has witnessed the destruction of religious books - explained to Forum 18 in November 2015 that bailiffs throw books ordered destroyed – including religious books – into the rubbish bin. "They are normally disposed off at a general rubbish dump outside the city."

Yevgeni Zhovtis of the Kazakhstan International Bureau for Human Rights and the Rule of Law condemned a similar court order to destroy books seized from Seventh-day Adventist Yklas Kabduakasov and others in a 2015 criminal case. "It is barbarism to destroy books," he told Forum 18 in December 2015. "And it makes the authorities in Kazakhstan - who position themselves as modernising the country - look from the cultural point of view like the Taliban or ISIS."

Confiscation and destruction of religious literature seized in administrative prosecution cases remains a threat in many cases. After police officers seized a German-language

Bible from Mikhail Syzdykov on 2 August 2018 which he was trying to sell for 5,000 Tenge via the website Olx.kz, a court in Petropavl on 26 September fined him 120,250 Tenge.

"The seized book, the Bible in German, is to be returned to its owner," the court decision reads, "since it is not of value and is not subject to destruction."

Tight censorship

Kazakhstan imposes tight censorship on all religious literature. The government's Social Harmony Committee (former Religious Affairs Committee) needs to approve in advance the publication, import and distribution of all religious literature and other materials. Several religious books – including Muslim and Christian publications – have been banned by courts as "extremist".

For those who distribute, sell or offer religious literature – and items such as pictures, icons or jewellery which have a religious motif – without specific state permission or in locations that the state has not specifically approved are routinely punished with, for individuals, fines of up to several months' average wages.

Tamara Kaleyeva of Adil Soz condemns this state censorship of religious materials. "This censorship contradicts international human rights standards," she told Forum 18 on 17 January, "but unfortunately it is in the law. All attempts to change this have not resulted in any change so far."

Fine, Islamic booklet destruction order

Trouble began for Askarbek Sarsenov, a then 64-year-old commercial seller in the southern city of Kyzylorda, on 22 June 2018. Police found him offering for sale on the street a total of 85 copies of 6 Islamic booklets, according to the subsequent court decision seen by Forum 18. The booklets covered themes such as learning the Koran or prayer.

Kyzylorda Police began investigating Sarsenov under Criminal Code Article 174, Part 1. This punishes "Incitement of social, national, clan, racial, or religious discord, insult to the national honour and dignity or religious feelings of citizens, as well as propaganda of exclusivity, superiority or inferiority of citizens on grounds of their religion, class, national, generic or racial identity, committed publicly or with the use of mass media or information and communication networks, as well as by production or distribution of literature or other information media, promoting social, national, clan, racial, or religious discord". However, police dropped the case on 20 August "due to the absence of a crime".

On 4 September Police instead launched a case against Sarsenov under Administrative Code Article 490, Part 1, Point 3. This punishes "Violating the requirements of the Religion Law for .. import, manufacturing, production, publication and/or distribution of religious literature and other religious materials, and items for religious use". The punishment for individuals is a fine of 50 Monthly Financial Indicators (MFIs). This represents about a month's average wages for those in formal work (though a much greater burden for unemployed individuals and pensioners).

On 19 September 2018, Judge Olzhas Abdukalikov of Kyzylorda Specialised Administrative Court found Sarsenov guilty. He fined him 35 MFIs (about three weeks' average wages for those in formal work), imposed a three-month ban on unspecified activity and ordered the destruction of the booklets. The court decision orders that all 85 booklets be handed over to Kyzylorda Police to be destroyed.

Asked why he had ordered the Islamic booklets destroyed, Judge Abdukalikov responded: "Because [Sarsenov] doesn't need these books, plus he sold them where it wasn't allowed." He insisted to Forum 18 on 17 January that as a judge he is simply following the law. He refused to discuss whether it is the role of judges to order religious literature destroyed if they think an individual does not "need" it.

Forum 18 was unable to find out if Kyzylorda Police have destroyed Sarsenov's Islamic booklets and, if so, how. "There is a special mechanism to destroy such items," Judge Abdukalikov told Forum 18. "I don't know how they destroy books." The main telephone at Kyzylorda Police went unanswered each time Forum 18 called on 17 January.

Fine, Christian book destruction order

Trouble began for Zairash Amanova, a then 53-year-old resident of the village of Kalbatau in East Kazakhstan Region, on 7 November 2018. Officials found her offering for sale on the Olx.kz website two religious books – one of them "Bible Stories" for 500 Tenge, the other a book on prayer.

Amanova was among at least 16 individuals fined in 2018 for offering religious literature, icons or other items for sale via the Olx.kz website (see forthcoming F18News article).

An "expert analysis" of the 1994 book "Bible Stories", published by New Life, undertaken by the government's Scientific Research and Analytical Centre on Religious Issues in Astana found that it does not violate the Constitution, the subsequent court decision, seen by Forum 18, notes.

For offering the religious books for sale online, Amanova was accused of violating Administrative Code Article 490, Part 3. This punishes "Carrying out missionary activity without state registration (or re-registration), as well as the use by missionaries of religious literature, information materials with religious content or religious items without a positive assessment from a religious studies expert analysis, and spreading the teachings of a religious group which is not registered in Kazakhstan".

On 29 December 2018, Judge Aigul Sadvakasova of Zharma District Court found Amanova guilty. She fined her 35 MFIs (84,175 Tenge), about three weeks' average wages for those in formal work. She also ordered that the book "Bible Stories" be destroyed.

Forum 18 has been unable to find out to whom the task of destroying the book was assigned and whether the order has been carried out.

Judge Sadvakasova refused absolutely to discuss anything with Forum 18 on 17 January 2019. Asked why she had ordered Amanova's book destroyed, she immediately put the phone down.