

KAZAKHSTAN 2018 INTERNATIONAL RELIGIOUS FREEDOM REPORT

Executive Summary

The constitution defines the country as a secular state and provides for freedom of religion. The Committee for Social Accord (CSA), part of the Ministry of Social Development (MSD), is responsible for religious issues. According to local and international observers, authorities imposed restrictions and scrutiny on what the government considers “nontraditional” religious groups, including Muslims who practice a version of Islam other than the officially recognized Hanafi school of Sunni Islam and Protestant Christians. Authorities continued to arrest, detain, and imprison individuals on account of their religious beliefs or affiliation; restrict religious expression; prevent unregistered groups from practicing their faith; restrict assembly for peaceful religious activities; restrict public manifestation of religious belief; restrict religious expression and customs, including religious clothing; criminalize speech “inciting religious discord”; restrict proselytism; restrict the publication and distribution of religious literature; censor religious content; and restrict acquisition or use of buildings used for religious ceremonies and purposes. The government raided religious services, prosecuted individuals for “illegal missionary activity,” and refused to register “nontraditional” religious groups. In April a Karaganda court convicted three men accused of being members of the Sunni missionary organization Tablighi Jamaat for disseminating ideas and recruiting members on the group’s behalf; the court sentenced them to three years imprisonment. In May a court sentenced a high school student to four years’ imprisonment for incitement of religious discord in connection with the creation of a group on social media and the dissemination of religious material it labeled as extremist. In January an Almaty court sentenced a Muslim to seven years imprisonment after he posted an interpretation of Quranic verses online. According to the local nongovernmental organization (NGO) Association of Religious Organizations of Kazakhstan (AROK), authorities reduced their pressure on minority religious communities, with fewer arrests and less harassment. Forum 18, an international NGO based in Norway, noted 165 administrative prosecutions for violations of the religion law in 2018 and 284 such prosecutions in 2017. Forum 18, however, released a religious freedom survey for the period 2014 to 2018, noting increasing numbers of prisoners of conscience jailed for exercising freedom of religion and belief; unfair trials and torture of prisoners; and making exercise of freedom of religion and belief dependent on state permission. The government considered draft legislation that would place additional restrictions on religious attire, symbols, education, and literature, as well as proselytizing and

membership and participation in religious communities; civil society representatives and religious experts stated they feared such amendments would further infringe religious liberty. Government officials indicated at the end of the year that the draft legislation was unlikely to become law.

AROK reported that fewer media organizations released articles or broadcasts defaming minority religious groups they regarded as “nontraditional,” compared to 2017. In March the *Aktobe Times* web newspaper posted an article entitled, “The ‘Truth’ Poisons Children,” with negative coverage of the activity of Baptist churches in Aktobe and Martuk. The Kazakhstan International Bureau for Human Rights and Rule of Law (KIBHR) and other civil society organizations reported they received many letters containing citizens’ complaints about “nontraditional” faiths and their harmful impact on society. NGOs and academics reported that members of certain religious groups, including Muslims who wear headscarves or other identifying attire, as well as Christian groups perceived as proselytizing, such as evangelical, Baptist, and Jehovah’s Witness churches, continued to face greater societal scrutiny and discrimination.

The Vice President, the Ambassador at Large for International Religious Freedom, the Ambassador, and other U.S. officials engaged in dialogue with the government to urge respect for religious freedom, both in general and with regard to specific cases, including a regular and recurring dialogue with the MSD and CSA. This included raising concerns over the restrictive effects on religious freedom of the government’s implementation of both the religion law and the criminal and administrative codes, especially concerning criminal penalties for peaceful religious speech, praying without registration, and censorship of religious literature. U.S. diplomatic officials visited various houses of worship and maintained contact with a wide range of religious communities and religious freedom advocates.

Section I. Religious Demography

The U.S. government estimates the total population at 18.7 million (July 2018 estimate). The national census reports approximately 70 percent of the population is Muslim, most of whom adhere to the Sunni Hanafi school. Other Islamic groups include Shafi’i Sunni, Shia, Sufi, and Ahmadi Muslims.

The CSA estimates 26 percent of the population is Christian, the great majority of whom are Russian Orthodox, but also including Roman Catholics, Greek Catholics, Lutherans, Presbyterians, Seventh-day Adventists, Methodists,

Mennonites, Pentecostals, Baptists, Jehovah’s Witnesses, members of The Church of Jesus Christ of Latter-day Saints, and Christian Scientists. Ethnic Kazakhs or Uzbeks primarily identify as Muslim and ethnic Russians or Ukrainians primarily identify as Christian.

Other religious groups that together constitute less than 5 percent of the population include Jews, Buddhists, members of the International Society of Krishna Consciousness, Baha’is, members of the Family Federation for World Peace and Unification (Unification Church), and Scientologists.

Section II. Status of Government Respect for Religious Freedom

Legal Framework

The constitution defines the country as a secular state and provides for freedom of religion and belief, as well as for the freedom to decline religious affiliation. These rights may be limited only by laws and only to the extent necessary for protection of the constitutional system, public order, human rights and freedoms, and the health and morality of the population. Under the constitution, all people have the right to follow their religious or other convictions, take part in religious activities, and disseminate their beliefs. These rights, however, are in practice limited to “traditional” or registered religious groups.

In June President Nursultan Nazarbayev renamed the Ministry of Religious and Civil Society Affairs the Ministry of Social Development. The Committee on Religious Affairs within the ministry became the CSA, which continues to regulate the practice of religion in the country. By law, the MSD is responsible for the formulation and implementation of state policy on religion, as well as facilitating government and civil society engagement. It also considers potential violations of the laws on religious activity and extremism. The MSD drafts legislation and regulations, conducts analysis of religious materials, and makes decisions on censorship. All religious groups are required to submit all religious materials for approval before dissemination. The MSD cooperates with law enforcement to ban religious groups and sanction individuals who violate the religion law, coordinates actions of local government to regulate religious practices, and provides the official interpretation of the religion law.

The counterterrorism law requires religious organizations to secure their buildings of worship against potential terrorist attacks; the government may take action against religious organizations for failure to do so. The law states the government

shall not interfere with the choice of religious beliefs or affiliation of citizens or residents, unless those beliefs are directed against the country's constitutional framework, sovereignty, or territorial integrity.

The law prohibits coercion to force a person's conversion to any religion or to force a person's participation in a religious group's activities or in religious rites.

The criminal and administrative codes include penalties for unauthorized religious activity, which includes the arrangement of and participation in activities of unregistered religious groups, participation in religious activities outside permitted areas, unlicensed distribution of religious materials or training of clergy, sale of religious literature without government approval or in places not approved by the government, and discussion of religion for the purpose of proselytization without the required missionary registration.

The criminal code prohibits the "incitement of interreligious discord," which includes "propaganda of exclusivity, superiority, or inferiority of citizens according to their relation to religion [and other] origin." It also criminalizes the creation and leadership of social institutions that proclaim religious intolerance or exclusivity, which is punishable with imprisonment from three to seven years.

The extremism law, which applies to religious groups and other organizations, gives the government discretion to identify and designate a group as an "extremist organization," ban a designated group's activities, and criminalize membership in a banned organization. The law defines "extremism" as the organization and/or commission of acts in pursuit of violent change of the constitutional system; violation of the sovereignty or territorial integrity of the country; undermining national security; violent seizure or retention of power; armed rebellion; incitement of ethnic, religious, or other forms of social discord that are accompanied by calls to violence; or the use of any religious practice that causes a security or health risk. An extremist organization is a "legal entity, association of individuals and (or) legal entities engaged in extremism, and recognized by the court as extremist." The law provides streamlined court procedures for identifying a group as "terrorist or extremist," reducing the time necessary for a court to render and act on a decision to 72 hours. After a legal finding of a violation, the law authorizes officials to revoke immediately the organization's registration, thus ending its legal existence, and to seize its property. Prosecutors have the right to inspect annually all groups registered with state bodies.

The administrative code prohibits “spreading the creed of religious groups unregistered” in the country, an offense punishable by a fine of 226,900 tenge (\$600). A foreigner or stateless person found guilty may also be deported.

A religious organization may be designated “national,” “regional,” or “local.” In order to register at the local level, religious groups must submit an application to the Ministry of Justice, listing the names and addresses of at least 50 founding members. Communities may only be active within the geographic limits of the locality in which they register, unless they have sufficient numbers to register at the regional or national level. Regional registration requires at least two local organizations, each located within a different oblast (province), and each local group must have at least 250 members. National registration requires at least 5,000 total members and at least 300 members in each of the country’s 14 oblasts and the cities of Astana, Almaty, and Shymkent. Only groups registered at the national or regional level have the right to open educational institutions for training clergy.

The law allows the government to deny registration to a religious group based on an insufficient number of adherents or inconsistencies between the religious group’s charter and any national law, as determined by an analysis conducted by the CSA. According to the administrative code, individuals participating in, leading, or financing an unregistered, suspended, or banned religious group may be fined between 113,450 tenge (\$300) and 453,800 tenge (\$1,200).

The administrative code mandates a 453,800 tenge (\$1,200) fine and a three-month suspension from conducting any religious activities for registered groups holding religious gatherings in buildings that are not approved for that purpose; importing, producing, or disseminating religious materials not approved by the CSA; systemically pursuing activities that contradict the charter and bylaws of the group as registered; constructing religious facilities without a permit; holding gatherings or conducting charity events in violation of the law; or otherwise defying the constitution or laws. Private persons engaged in these activities are subject to a fine of 113,450 tenge (\$300). Police may impose these fines without first going to court. The fines may be appealed to a court.

If an organization, its leaders, or its members engage in activities not specified in its charter, it is subject to a warning and/or a fine of 226,900 tenge (\$600). Under the administrative code, if the same violation is repeated within a year, the legal entity is subject to a fine of 340,350 tenge (\$910) and a three- to six-month suspension of activities.

According to the administrative code, if a religious group engages in a prohibited activity or fails to rectify violations resulting in a suspension, an official or the organization's leader is subject to a fine of 453,800 tenge (\$1,200), the entity is subject to a fine of 1,134,500 tenge (\$3,000), and its activities are banned.

The law prohibits coercive religious activities that harm the health or morality of citizens and residents, force them to end marriages or family relations, violate human rights and freedoms, or force citizens to evade performance of duties specified in the constitution and legislation. The law prohibits methods of proselytizing that take advantage of a potential convert's dependence on charity. The law also prohibits blackmail, violence or the threat of violence, or the use of material threats to coerce participation in religious activities.

The law states in cases when a prisoner seeks the help of a clergy member to perform a religious rite, he or she may invite a clergy member of a formally registered religious group to a detention facility, as long as this access complies with the internal regulations of the prison. The law bans construction of places of worship within prison territory. Pursuant to the law, religious organizations may participate in monitoring prisons, including creating and implementing programs to improve the correctional system and developing and publicly discussing draft laws and regulations as they relate to the prison system. Religious groups may identify, provide, distribute, and monitor the use of humanitarian, social, legal, and charitable assistance to prisoners. They may provide other forms of assistance to penitentiary system bodies, as long as they do not contradict the law. According to the law, prisoners may possess religious literature, but only if approved after a religious expert analysis conducted by the CSA.

The law defines "religious tourism" as a "type of tourism where people travel for performance of religious rites in a country (place) of temporary residence" and requires the MSD to regulate it and, together with the Sunni Hanafi Spiritual Administration of Muslims (SAMK), oversee the process by which individuals participate in the Hajj or other travel for the performance of religious rites. The government requires that specially selected guides and imams accompany each group and states that the rules are designed to ensure pilgrims are not recruited by extremist religious groups.

The law prohibits religious ceremonies in government buildings, including those belonging to the military or law enforcement.

The law states production, publication, and dissemination of religious literature and information materials of religious content is allowed only after receiving a positive expert opinion from the CSA. The law limits to one copy per publication an exemption from expert review for importing religious materials for personal use.

The law states the government shall not interfere with the rights of parents to raise their children consistent with their religious convictions, unless such an upbringing harms the child's health or infringes upon the child's rights.

The law requires organizations to "take steps to prevent involvement or participation of anyone under the age of 18 in the activities of a religious association," if one of the parents or other legal guardians objects. The law bans religious activities, including proselytizing, in children's holiday, sport, creative, or other leisure organizations, camps, or sanatoria. The extent to which organizations must prevent underage persons' involvement in religious activity is not specifically outlined and has not been further defined by authorities.

The law prohibits religious instruction in public schools, colleges, or universities. Homeschooling for religious reasons is also prohibited. The law allows for after-school and other supplemental religious instruction as long as it is provided by a registered religious group. A decree mandates that schoolchildren wear school uniforms that comply with the secular nature of education and prohibits inclusion of any elements that could indicate religious affiliation, such as head coverings.

The election law prohibits political parties based on religious affiliation.

The criminal code prohibits creating, leading, or actively participating in a religious or public association whose activities involve committing acts of "violence against citizens or the causing of other harm to their health or the incitement of citizens to refuse to carry out their civil obligations, as well as the creation or leadership of parties on a religious basis." The code punishes such acts with a fine of up to 12.7 million tenge (\$33,900) or up to six years' imprisonment.

In order to perform missionary or other religious activity in the country, a foreigner must obtain a missionary or religious visa. These visas allow a person to stay for a maximum of six months, with the possibility to apply to extend the stay for another six months. To obtain missionary visas, applicants must be invited by a religious group formally registered in the country. The letter of invitation must be approved by the CSA. Applicants must obtain consent from the CSA each time they apply.

The CSA may reject missionary visa applications based on a negative assessment from CSA religious experts, or if it deems the missionaries represent a danger to the country's constitutional framework, citizens' rights and freedoms, or any person's health or morals. The constitution requires foreign religious groups to conduct their activities, including appointing the heads of local congregations, "in coordination with appropriate state institutions," notably the CSA and the Ministry of Foreign Affairs (MFA). Foreigners may not register religious groups.

Local and foreign missionaries are required to register annually with the local executive body of an oblast or the cities of Astana and Almaty and provide information on their religious affiliation, intended territory of missionary work, and time period for conducting that work. Missionaries must submit all literature and other materials intended to support their missionary work together with their registration application. Use of materials not vetted during the registration process is illegal. A missionary must produce registration documents and a power of attorney from the sponsoring religious organization in order to work on its behalf. The local executive body of an oblast or the cities of Astana and Almaty may refuse registration to missionaries whose work "constitutes a threat to the constitutional order, social order, the rights, and freedoms of individuals, or the health and morals of the population."

The country is a party to the International Covenant on Civil and Political Rights.

Government Practices

According to AROK, authorities reduced their pressure on minority religious communities, with fewer arrests and less harassment than the previous year. According to Forum 18, in 2018, authorities brought administrative charges against 165 individuals, religious communities, and charities for violations including attending worship meetings, offering or importing religious literature and pictures, sharing or teaching faith, praying in mosques, and bringing a child to a religious meeting. Of these, 139 individuals or organizations received fines or bans on religious activity. In comparison, authorities carried out 284 administrative prosecutions in 2017. Forum 18's religious freedom survey released in September for the period 2014 to 2018, however, noted increased numbers of prisoners of conscience jailed for exercising freedom of religion and belief, and unfair trials and torture of prisoners. The survey also noted broadly written laws allowed much scope for arbitrary official actions and a wide range of offenses prosecuted, numbers of prosecutions, and levels of fines. The survey noted the government made exercise of freedom of religion and belief dependent on state permissions,

with restrictions on activities allowed; restrictions on freedom of religion and belief for children and youth; complete control being imposed on the Islamic community; girls in headscarves being denied access to education; and prior compulsory religious censorship.

On April 6, a court in Karaganda convicted Kazbek Laubayev, Marat Konrybayev, and Taskali Naurzgaliyev of illegally disseminating ideas and recruiting members for Tabligi Jamaat, which the government banned as extremist in 2013, and sentenced each to three years' imprisonment. The men denied their affiliation with Tabligi Jamaat and filed an appeal with the Karaganda regional court. On May 22, the court rejected their appeal.

Media reported that on May 3, the specialized juvenile court in Sairam in South Kazakhstan Region convicted 18-year-old high school student Shaksat Ismailov of incitement of religious discord and propagating terrorism, and sentenced him to four years' imprisonment. According to the court, Ismailov created a group on social media and disseminated religious extremist materials among his friends and followers. He denied the charges.

On January 9, a court in Almaty sentenced Yeraltay Abay to seven years' imprisonment for incitement of religious discord and propagating of terrorism. Authorities arrested Abay in September 2017 after he posted an interpretation of a chapter of the Quran on social media. Abay's attorney stated that the book from which he copied the text was not banned in the country, and Abay had deleted his posts immediately after law enforcement warned him about the allegedly illegal content.

According to Forum 18 and other sources, authorities arrested Galymzhan Abilkairov and Dadash Mazhenov in April for posting audio recordings of talks by jailed Muslim preacher Kuanysh Bashpayev on social media. Among other things, the men argued that the talks, which a court in Pavlodar banned as extremist in 2017, were not illegal at the time that they shared them online. The court in October sentenced both Abilkairov and Mazhenov to more than seven years' imprisonment.

Forum 18 reported that the Atyrau city court in December convicted two Muslim men, Erzhan Sharmukhambetov and Ermek Kuanshaliyev, and sentenced them both to three and a half years of restricted freedom, a form of probation, for incitement of discord and participating in the activities of a banned religious association. The two were childhood friends of Sunni Muslim Murat Bakrayev,

who was detained in Germany in September at the request of the government. Authorities accused Bakrayev, who left the country in 2005, of inciting religious hatred, expressing support for terrorism or extremism, and involvement in a banned organization. According to Forum 18, Bakrayev's family and friends said that the police arrested Sharmukhambetov and Kuanshaliyev to pressure them to testify against Bakrayev. At the end of the year, German authorities continued to detain Bakrayev.

On July 9, a court in Aktobe convicted seven followers of the Tablighi Jamaat group for participation in the activities of an extremist organization. Authorities had arrested them in May. During the trial, the defendants admitted guilt and "repented." The court sentenced two leaders – Zhanat Dosalin and Amanzhol Kishkentekov – to three years' probation, and the five others to one year of probation and 120 hours of community service.

Media reported that on February 25, police in Kyzylorda city raided the local New Life church during its Sunday service; detained and questioned members of the church, including the pastor; filmed those present against their wishes; and seized religious literature. The reports stated that police responded to a complaint by parents who claimed their school-aged daughter had attended church services without their permission. Police took Pastor Serik Beisembayev to a police station, where they interrogated him and initiated a police report. According to Forum 18, police took approximately 20 church members to the police station where they were released after each had written a statement about why he or she had become Christian and how long the individual had attended the church. Ultimately, authorities dropped the case against the pastor.

On February 7, the Aktobe court found Pastor Viacheslav Poptsov of the local Evangelical Christian Baptist community guilty of violating the ban on participation of minors in religious services without parental approval. According to the police investigation, parents of some school-age children who attended the church's Christmas service did not approve of their children's attendance. By law, it was the pastor's responsibility to check whether minor participants had their parents' permission. The court imposed a fine of 120,250 tenge (\$320). In May the court of appeal upheld the district court's decision.

Forum 18 reported that 20 Muslims were taken to court for saying "amen" aloud in mosques in violation of SAMK's code of conduct, which is punishable by law as an administrative offense. Those arrested paid administrative fines.

On August 24, Kyzylkoginsky district court in Atyrau Region ruled a resident of Miyaly village violated the law when, during the Friday service, he said “amen” aloud. The court fined the man 84,175 tenge (\$220).

Courts continued to fine individuals for illegal missionary activity. Religious organizations noted that local law enforcement continued to interpret and label any religious discussions that took place outside of a registered religious building as “illegal missionary activity,” including invitations to religious services and discussions.

On January 23, the administrative court of Balkhash in Karaganda Region found Nikolay Popov of the local community of the Council of Baptist Churches guilty of illegal missionary activity and distribution of religious literature not approved by official government experts. The court imposed a fine of 226,900 tenge (\$600). According to police investigators, Popov traveled to villages near Balkhash, talked to people about his faith, and gave them religious books.

On August 6, the Korday district court in Zhambyl Region found two local residents, Aidar Kharsanov and his wife Zarina Manu, guilty of illegal missionary activity. According to police investigators, the couple taught the Quran to a group of school-aged girls without formal registration as religious missionaries. The couple admitted their actions, but both appealed to the Zhambyl Regional Court on August 22 after the court imposed fines of 360,750 tenge (\$960) for Kharsonov and 120,250 tenge (\$320) for Manu. Forum 18 noted that neither of the accused was represented by a lawyer.

On February 8, in three separate trials, the Sarykol District court in Kostanay Region found Jehovah’s Witnesses Estay Asainov, Maksim Ivakhnik, and Timur Koshkunbayev guilty of “illegal missionary activity” and imposed fines of 168,350 tenge (\$450) each. On February 13, the Sarykol District court found 79-year-old Jehovah’s Witness Taisiya Yezhova guilty of violating the requirements of the law on holding religious ceremonies and meetings by holding meetings of Jehovah’s Witnesses at her house. The court imposed a fine of 85,000 tenge (\$230). In initiating the court case, Yezhova’s neighbors complained about what they called her persistent attempts to draw them into her faith.

The Council of Baptist Churches stated it continued to refuse on principle to register under the law. Community representatives reported that the number of police actions and court cases initiated against them decreased compared to 2017, but authorities continued to closely monitor their meetings and travels, and police

followed and surveilled them as in prior years. The government banned community members who were fined and did not pay their fines from traveling outside the country. Baptists reported several police raids on adherents' residences and churches and 14 administrative court cases during the year.

The government maintained its policy of banning religious clothing from schools. The Ministry of Education and Science continued to prohibit headscarves in schools throughout the country. According to media, in March 200 parents of schoolgirls in Aktobe Region who were barred from attending classes for wearing religious headscarves appealed to the president. Media reported that authorities issued administrative fines to eighteen parents, 32 families moved to different regions where the national ban was not yet being enforced, and the rest chose to comply with the school rules. Subsequently, on September 14 the Aktobe court convicted three fathers who had continued to insist that their daughters be allowed to attend classes wearing headscarves. According to media, the men had reportedly threatened teachers at the school. The court sentenced Nuraly Shakkozov to three days in prison and Medet Kudaibergenov and Zhanibek Otaliyev each to five days' imprisonment.

Media reported that on September 1, authorities prevented approximately 300 girls wearing religious headscarves from attending classes in Firdousi village in South Kazakhstan Region. The government, at the direction of Minister of Education and Science Yerlan Sagadiyev, dispatched a special commission to the region to explain the ministry's rule and the principle of secular education and to persuade the girls' parents to comply with the ban. Most of the girls agreed, although 15 switched to other schools where the regulation was not yet enforced. Thirteen parents were punished with fines of 12,025 tenge (\$32). Before sending the special commission, Sagadiyev, in commenting on the situation in Firdousi, told a reporter "according to the law, school girls in headscarves are not allowed to attend classes."

On October 12, the Supreme Court declined to review lower court decisions against residents of West Kazakhstan Region who had protested the education ministry's ban on religious headscarves in school. The lower court determined that the country's constitution supported such a regulation.

According to Forum 18, a group of 107 Muslim parents from three of the country's regions, whose school-age daughters were barred from attending school because they wore headscarves, planned a further appeal to the Supreme Court. The parents' case failed previously in the lower courts, including Astana City Court on

March 27. They argued that the ban was a violation of the country’s constitution and international human rights norms.

The parliament considered draft legislation that would place additional restrictions on religious attire, symbols, education, and literature, as well as proselytizing and membership and participation in religious communities; civil society representatives and religious experts stated they feared such amendments would further infringe religious liberty. Government representatives justified the draft legislation as necessary to address security concerns created by “religious extremism.” Among the government’s justifications for the legislation was that people arrested for undertaking religious activities without government permission were “a risk group.” Government officials at the end of the year indicated that it was unlikely that the draft legislation would become law.

On March 30, a research institute attached to the former Religious Affairs Department of West Kazakhstan Region instructed some local registered Christian communities to submit by April 10 full names, ages, place of study, and national identification numbers of all people under the age of 18 who come to meetings for worship, Forum 18 reported. The official who sent the letter stated to Forum 18 the information was needed for “monitoring.” According to Forum 18, the official stated that the request was sent only to Christians, and “selectively,” refusing to explain what “selectively” meant.

On July 10, pursuant to a Supreme Court ruling, the Kokshetau Administrative Court extended an official apology and ordered the return of a fine of 173,100 tenge (\$460) to Jehovah’s Witnesses congregant Andrey Korolev. A court had convicted Korolev of conducting illegal missionary activity in 2013. While authorities continued to conduct raids of services and detain participants, members of the Jehovah’s Witnesses also reported that four Supreme Court rulings issued since 2017 overturned lower court decisions and affirmed Jehovah’s Witnesses’ right to freely practice their religion, including the right to proselytize.

On April 2, the president pardoned Teymur Akhmedov, a Jehovah’s Witness who had served more than one year of a five-year sentence on charges he had “incited religious discord” by talking about his faith with men identified as university students. Akhmedov suffered from cancer and the government previously had transferred him from prison to a hospital.

On July 10, atheist blogger Aleksandr Kharlamov won a civil lawsuit against the government. The court determined that Kharlamov, who spent five years under

investigation for charges of “incitement of religious discord,” suffered emotional and physical harm as a result of the prolonged and restrictive investigation and awarded him more than 1 million tenge (\$2,700) in damages and court expenses. Among other restrictions, after his arrest in 2013, authorities detained Kharlamov for six months, including one month in a psychiatric hospital.

The Church of Scientology continued to function as a registered public association rather than as a religious organization. The government allowed the church, as a public association, to maintain resource centers/libraries where members could read or borrow books and host discussions or meetings, but did not allow the church to engage in religious activity.

The MSD and the SAMK maintained an official agreement on cooperation, and NGOs said this led to the government effectively exercising control over the nominally independent SAMK. The government did not approve the registration of Muslim groups apart from the Sunni Hanafi school, which the SAMK oversaw. All other schools of Islam remained unregistered and officially unable to practice in the country, though some Muslim communities continued to worship informally without government interference. By joining the SAMK, Muslim communities relinquished the right to appoint their own imams, subjected themselves to SAMK approval over any property actions (such as sales, transfers, or improvements), and were required to pay 30 percent of the mosque’s income to the SAMK.

The Ahmadiyya Muslim Community remained unregistered, after authorities denied the group reregistration for the sixth time in June 2016. Government experts previously concluded the community’s teachings were not Islamic and that the community needed to remove the word “Muslim” from its registration materials. During the year, the group attempted to engage in dialogue with the MSD and continued to prepare documents for its next reregistration application. Community members reported that, due to lack of registration, they did not engage in any official religious activity.

The SAMK continued to oversee the opening of new and restored mosques. In February then-Minister of Religious and Civil Society Affairs Nurlan Yermekbayev criticized the construction of new mosques while, he said, others remained empty or were put up for sale. Eighty-four out of 3,601 mosques were not being used, he said.

According to the CSA, there were 3,715 registered religious associations or branches thereof in the country, compared to 3,692 in 2017. The SAMK continued

to control the activities of all 2,591 formally registered Muslim groups affiliated with the Sunni Hanafi school and had authority over construction of new mosques, appointment of imams, and administration of examinations and background checks for aspiring imams. The SAMK was responsible for authorizing travel agencies to provide Hajj travel services to citizens. Saudi Arabia increased its 2018 pilgrimage quota for Kazakhstani Muslims to 3,000, from 2,500 the previous year. The MSD worked closely with the SAMK on the training of imams, upgrading madrasahs to the status of degree-granting colleges, and controlling Hajj pilgrimages. The SAMK permitted imams to enroll in baccalaureate, masters, or PhD programs offered at Nur Mubarak University’s Islamic Studies and Religious Studies departments based on their prior education levels. The CSA published information about schools for religious training, including 11 schools for Sunni Hanafi imams, one school for Roman Catholic clergy, and one school for Russian Orthodox clergy.

MSD officials continued to monitor the internet, collecting information on internet sites with “destructive” content, applying expedited procedures for the evaluation of such materials by religious experts, and obtaining court authorizations for immediate closures of internet sites it deemed unacceptable. In 2017, the ministry detected 3,555 websites containing what it considered illegal and harmful information. In the first quarter of 2018, the ministry analyzed the content of 2,299 websites and determined that 700 of them contained what it considered illegal and harmful information. Media reported the MSD forwarded the negatively assessed online content to the Ministry of Digital Development, Defense and Aerospace Industry’s Information Security Committee for further consideration and potential action, such as blocking the websites. On September 20, Dr. Aidar Abuov, Director of the MSD’s International Center of Culture and Religions, stated that monitoring of domestic Internet, social media, and news media had revealed “practically no” extremist materials.

The MSD and other authorities continued to inspect religious facilities regularly to review compliance with security requirements mandated by the counterterrorism law, such as utilization of security cameras and maintenance of recorded data for at least 30 days. There were fewer complaints about security inspections conducted by the authorities compared to 2017. The Pentecostal Harvest Church received a 176,750 tenge (\$470) fine on March 15 for failure to store video surveillance recordings for the required 30-day minimum.

On February 22, the administrative court in Shymkent ruled that the local New Life church violated fire safety regulations. Although the pastor of the church

stated that he had complied with the results of an inspection a month earlier and installed additional fire detectors, the judge levied a fine of 240,550 tenge (\$640) and ordered a one-month suspension of the church's activity. The pastor submitted an appeal and on March 20, the court of appeals overturned the administrative court's decision, citing a lack of evidence that the church had violated the law.

According to the Penitentiary Committee of the Ministry of Internal Affairs, all prisons had a dedicated specialist to create programs to counter religious extremism, in accordance with a 2017 order issued by the minister of internal affairs adding the position of “religious specialist” to prison staff as part of the State Program for Counteraction against Terrorism and Religious Extremism.

Religious community representatives and civil society actors expressed hope that the government renaming the Ministry of Religious and Civil Society Affairs the Ministry of Social Development would lead to a reduced focus on policing religious practice and increased tolerance for religious diversity and expression.

Section III. Status of Societal Respect for Religious Freedom

AROK and minority Christian religious communities reported that fewer media organizations released articles or broadcasts defaming minority religious groups they regarded as “nontraditional,” compared to 2017. In March the *Aktobe Times* web newspaper posted an article entitled, “The ‘Truth’ Poisons Children,” concerning the activity of Baptist churches in Aktobe and Martuk. According to the article, church activists lured children to church by holding holiday entertainment events despite the disapproval of their parents. According to the author, there had been an increase in the number of complaints about what he called the Baptists’ unreasonable and persistent missionary activity.

The KIBHR and other civil society organizations reported that they received many letters containing citizens’ complaints about “nontraditional” faiths and their harmful impact on society. According to KIBHR, the letters appeared to be copied from a template, with identical content and format. KIBHR reported receiving these letters regularly every two to three weeks, leading them and other recipient organizations to suspect they were part of a campaign aimed at creating a negative image of the faiths involved.

NGOs continued to report individuals were wary of “nontraditional” religious groups, particularly those that proselytized or whose dress or grooming indicated “nontraditional” beliefs, including Muslim headscarves and beards.

Section IV. U.S. Government Policy and Engagement

In a meeting with President Nazarbayev on January 17, the Vice President highlighted the need for the government to meet commitments to protect religious freedom.

The Ambassador at Large for International Religious Freedom, the Ambassador, other senior U.S. government officials, and embassy officers met with senior government officials in the MFA, the MSD, and the CSA, and advocated for the importance of respecting religious freedom, underscoring that bilateral cooperation on economic and security issues was a complement to, not a substitute for, meaningful progress on religious freedom. In a regular and recurring dialogue with the ministry and CSA, U.S. officials raised concerns over the restrictive effects of the government's implementation of the current religion law and criminal and administrative codes on religious freedom. They also raised concerns about the inconsistent application of the religion law and the criminal and administrative codes with regard to "nontraditional" versus "traditional" religious groups.

U.S. officials continued to encourage the government to respect individuals' rights to peaceful expression of religious belief and practice. They expressed concern about vaguely written laws that were broad in scope and lacked specific definition of legal terms, enabling authorities, particularly at the local level, to apply them in an arbitrary manner. They also stated that any amendments to the law on religions must not constrain the ability of believers to practice their faith. They underscored the importance freedom of religion played in countering violent extremism and expressed concern about further restrictions on religious freedom. The Ambassador at Large for International Religious Freedom, the Ambassador, and other U.S. officials met with the MSD to reiterate the importance of enabling all citizens to worship freely, regardless of registration status.

U.S. diplomatic officials visited houses of worship in several regions of the country and maintained contact with a wide range of religious communities, their leaders, and religious freedom advocates. In addition, embassy officials participated in roundtable discussions and speaker series dealing with religious freedom. They underscored the importance freedom of religion played in countering violent extremism, expressed concern about further restrictions on religious freedom, and encouraged reform of relevant laws and guidelines so all

citizens could conduct peaceful religious activities freely, whether or not they were part of registered religious groups.