

KAZAKHSTAN

USCIRF-RECOMMENDED FOR SPECIAL WATCH LIST

KEY FINDINGS

In 2019, religious freedom conditions in Kazakhstan moved in a positive direction. The government made a concerted effort to improve its record on religious freedom, working to design and implement reforms in conversation with U.S. counterparts. In May, Kazakhstan hosted the first U.S.-Kazakhstan Religious Freedom Working Group, with the participation of both the U.S. Department of State and USCIRF, at which Kazakhstani officials openly discussed deficiencies in their regulation of religion and expressed their desire to address them. The government subsequently committed to a road map for religious legislation and oversight reform. This sustained shift in policy began in January 2019, when the government abandoned adding amendments to the country's restrictive 2011 religion law that it had proposed a year and a half earlier. If enacted, the amendments would have further restricted who may legally proselytize and under what circumstances; required both parents' approval for children to participate in religious activities; and limited worship to designated locations. Between October 2019 and early 2020, four Religious Freedom Roundtables were held in cities across Kazakhstan, at which government officials participated alongside representatives of various faith communities, including historically persecuted minority groups. Meanwhile, the number of administrative prosecutions for religious offenses [continued to decline](#), reaching 160 in 2019—down from 171 in 2018 and 284 in 2017.

Nevertheless, significant problems persisted. The 2011 religion law maintains elements that systematically restrict religious

freedom—especially onerous registration requirements and the mandatory “expert” review of founding documents and religious literature. During 2019, members of the Hare Krishna community, Protestant Christians, and observant Muslims [reported harassment](#) by government authorities, including questioning about their religious beliefs. The government keeps a database of “founding members” of religious organizations in the country; some on the list complain of persecution with late-night visits, mandatory trips to the Religious Affairs Department, and pressure to remove their signatures from registration applications.

As of the end of 2019, 24 Sunni Muslims remained [imprisoned](#) for their religious beliefs, mostly members or alleged members of the Islamic missionary movement Tablighi Jamaat. Between August and December, Kazakhstani courts gave nine men sentences of between five and eight years for [participating](#) in a private discussion about Islam on the messaging service WhatsApp, which officials determined to constitute “propagation of terrorism” and “inciting hatred.” Outside analysts found no evidence of such intent and questioned the proficiency of the government's experts. In July, a criminal court in Almaty [sentenced](#) three pastors of the Protestant New Life Church, in absentia, to between four and five years in prison and ordered the confiscation of their and the church's property. The court deemed the church's founding a criminal act designed to cause bodily harm and commit theft, and considered all sermons, music, and meetings at the church part of a criminal plot.

RECOMMENDATIONS TO THE U.S. GOVERNMENT

- Include on the State Department's Special Watch List for engaging in or tolerating severe violations of religious freedom pursuant to the International Religious Freedom Act (IRFA);
- Continue engaging with the Kazakhstani government through the U.S.-Kazakhstan Religious Freedom Working Group to press the government of Kazakhstan to:
 - Repeal or amend its religious registration laws, in part by setting the required number of founding members at no more than 10 individuals;
 - End mandatory expert review of founding documents and religious literature, or significantly reform the process to make it more transparent;
 - Cease the detention and sentencing of individuals for their peaceful religious expression and practice;
 - Provide an alternative to military service for conscientious objectors; and
- Open the Congress of the Leaders of the World and Traditional Religions to representatives of all faiths in cooperation with the recently founded Religious Freedom Roundtables; and
- Ensure continued U.S. funding for Radio Azattyq, the Kazakh service of Radio Free Europe/Radio Liberty, to allow for the dissemination of uncensored information about events inside Kazakhstan, including those related to religious freedom.

KEY USCIRF RESOURCES & ACTIVITIES

- **Staff visit:** Nur-Sultan in May 2019, including participation in the U.S.-Kazakhstan Religious Freedom Working Group
- **Country Update:** [Kazakhstan](#)
- **Legislation Factsheet:** [Registration Laws](#)

Background

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

The Soviet Union deported many ethnic and religious minorities to Kazakhstan, establishing a number of faith communities that endure today. Nursultan Nazarbayev, the country's first independent president, sought to cultivate Kazakhstan's image as a model of religious pluralism, which the government considers one of the country's distinctive historical legacies. President Kassym Tokayev, who succeeded Nazarbayev in 2019, has expressed his eagerness to improve Kazakhstan's record on international religious freedom.

The government is avowedly secular and seeks to control religion, which it views as a potentially destabilizing force. It maintains influence over, and preference for, what it considers the "traditional" Hanafi school of Sunni Islamic jurisprudence; it is generally wary of Islamic practices emanating from the wider Muslim world. It classifies as traditional and non-threatening other religions with a long-established presence and good relations with the government—like Orthodox Christianity, Roman Catholicism, and Judaism—while it views newer arrivals to the region, such as evangelical Christianity and Scientology, with suspicion. The government is particularly concerned about the spread of religious extremism—which it defines broadly and uses to target political opponents—as well as the potential for perceived social disruption from proselytism and missionary activity. Although the government has legitimate concerns about extremist violence, its vague concept of religious extremism is applicable to any activity it sees as potentially disruptive, even at the family level.

2011 Religion Law

Before it enacted the 2011 religion law, Kazakhstan was one of the least repressive post-Soviet Central Asian states with regard to freedom of religion or belief. That law, however, set stringent registration requirements with high membership thresholds, and it banned or restricted unregistered religious activities, including those relating to offering education, distributing literature, and training clergy. Other vague criminal and administrative statutes enable the state to punish most unauthorized religious or political activities. Religious groups have since been subject to state surveillance. The total number of registered religious groups plummeted after 2011 as a result of that law, especially the number of "nontraditional" groups, which declined from 48 to 16.

Treatment of Prisoners

Kuanyshe Bashpayev has been jailed since 2016 for a series of lectures in which he criticized the state-controlled Muslim Board. Sources close to his case [told USCIRF](#) that prison authorities have since kept him in solitary confinement, following a closed court hearing in which the prosecution

refused to detail which elements of his lectures it had deemed incriminating. Meanwhile, relatives of Muslim prisoner Dadash Mazhenov, who is serving more than seven years for posting lectures critical of the Muslim Board, [reported](#) that he was tortured while held at a labor camp in Shymkent in 2019. Prisoners at the camp who observed the Muslim holiday of Eid al-Fitr were allegedly served rotten food, and many became ill. In June, prison authorities forbade Muslim inmates from praying during daytime hours, threatening them with additional jail time.

Restrictions on Religious Dress

Muslim parents and students continued to resist the Kazakh Education Ministry's [ban on wearing the hijab](#) in school. Education officials in Aqtobe claimed that due to the ban, at least 11 girls in the province enrolled in an Internet school rather than attend public school. At an August 29 meeting with concerned parents, the regional governor told them that hijabs were not "part of Kazakh culture."

Ethnic Kazakh Refugees from Xinjiang

In late 2019 and early 2020, Kazakhstan shifted its policy toward refugees from the Chinese province of Xinjiang by passing legal judgments that [prohibited](#) the deportation of ethnic Kazakhs who fled across the border from China. For much of the year, the government had resisted efforts to counter China and [actively prosecuted](#) activists who drew attention to the issue. In March, Kazakhstan [publicly declared](#) its support for Chinese efforts to fight "terrorism, separatism, and extremism." On March 10, 2019, Serikzhan Bilash, the leader of a human rights group dedicated to the cause of ethnic Kazakhs in Xinjiang, [was arrested](#) for "inciting national discord or hatred." Bilash was [released](#) in August after extensive international pressure, promising to end his advocacy against China. In June, Aiman Omarova—a human rights lawyer who represented Bilash and former prisoners from Xinjiang, and a 2018 recipient of the U.S. State Department's [International Women of Courage Award](#)—found her pet dog dead from an apparent poisoning, which she [accused](#) the government of perpetrating in order to scare her.

KEY U.S. POLICY

The United States and Kazakhstan enjoyed a close and deepening partnership in 2019, including the establishment in May of the U.S.-Kazakhstan Religious Freedom Working Group. In October, Ambassador Nathan A. Sales, U.S. Ambassador-at-Large for Counterterrorism, [met](#) with government officials in Kazakhstan to discuss their "groundbreaking work" rehabilitating and reintegrating returnees from Syria, as well as regional efforts to counter violent extremism. In December, the two countries met for the annual U.S.-Kazakhstan Enhanced Strategic Partnership Dialogue (ESPD), and [engaged](#) on a range of issues, including regional stability, human rights, labor, and religious freedom. The same month, Secretary of State Michael R. Pompeo met with Kazakhstani Foreign Minister Mukhtar Tileuberdi in Washington, DC, and [discussed](#) improving bilateral relations. Secretary Pompeo encouraged the government of Kazakhstan to implement reforms and to strengthen the protection of fundamental freedoms for the people of Kazakhstan. He also raised the ongoing human rights crisis in Xinjiang and praised Kazakhstan for ensuring the safety of those who have fled China seeking refuge.