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KAZAKHSTAN: Drug and alcohol rehabilitation centre closed down

By Felix Corley, Forum 18 News Service <<http://www.forum18.org>>

State actions against freedom of religion or belief in Kazakhstan continue, Forum 18 News Service has found. Latest actions include the closure of a Christian-run rehabilitation centre for alcoholics and drug-addicts, and continuing prosecutions, fines and property confiscations against Baptists for holding unregistered worship services. Officials' "narrow interpretation" of the law in relation to the rehabilitation centre was condemned by Ninel Fokina of the Almaty Helsinki Committee. "Non-commercial organisations must be social organisations, religious organisations or political parties and officials insist that all three be kept separate," she told Forum 18. "But this is absurd, as everything that is not forbidden should be allowed." Meanwhile, Elizaveta Drenicheva, a missionary for the Unification Church (commonly known as the Moonies) has been freed after two months imprisonment. She had been sentenced to two years in jail for sharing her beliefs, and her criminal record has not been cancelled. Officials are also continuing to try to pressure the Hare Krishna commune near Almaty to leave its site.

State actions against freedom of religion or belief in Kazakhstan are continuing, Forum 18 News Service has learnt. The continuing pressure against religious communities includes a court-ordered closure of a Christian-run rehabilitation centre for alcoholics and drug-addicts in East Kazakhstan Region. Council of Churches Baptists are continuing to be prosecuted and fined for holding unregistered worship services, and have their property confiscated for non-payment of these fines. At the same time, officials continue to insist that the Hare Krishna commune near Almaty must leave its site.

The continuing pressure is despite President Nursultan Nazarbaev's decision not to challenge the Constitutional Council's 11 February finding that the proposed new law amending various laws on religion is unconstitutional. However, human rights defenders and religious communities have told Forum 18 that they suspect there will be future attempts to introduce a similar law restricting freedom of thought, conscience and belief (see F18News 17 March 2009 <http://www.forum18.org/Archive.php?article_id=1269>).

Less than three years after it was set up in April 2006, the Spiritual Centre for the Rehabilitation of Drug Addicts and Alcoholics in the village of Steklyanka in East Kazakhstan Region was closed down by court order in January 2009. Its founder, Sergei Mironov, a Protestant Christian was fined at the same time. He established the Centre as a Christian initiative to treat those addicted to alcohol and drugs. Those who attended did so voluntarily, and could leave at any time. They were not forced to accept Christianity or participate in any religious activity if they did not wish to do so, he told Forum 18 from the village on 17 March.

Four or five official check-ups on the Centre, from its foundation onwards, had found nothing wrong.

However, officials who raided the Centre on 22 January 2009 "had a very different attitude", Mironov complained. The local deputy prosecutor, an officer of the National Security Committee (KNB) secret police and three ordinary police officers took part in the raid. Mironov told Forum 18 that residents were singing hymns together when the officials arrived, and were filmed against their will. "Prosecutors claimed that we were forcibly converting Muslim Kazakhs into Christians - they say they had a tip-off about this. But all this is untrue," he said. "The closure and the fine are without foundation."

Court documents seen by Forum 18 show that the Centre gained legal registration as a social organisation at the regional Justice Department in October 2006. However, officials who participated in the January raid found that Mironov was conducting "religious measures without state registration" in the centre, with the participation of 23 people. The "religious measures" were the singing of hymns. Prosecutors insisted this was "in violation of the aims and tasks of [the Centre's] statutes" and that conducting religious activity on the premises of a social organisation violated the Law on Social Organisations, as well as the Religion Law.

On 23 January, the day after the raid, Judge Rakhimkul Turabaev at Beskaragai District Court found Mironov guilty of violating Article 374 Part 2 of the Code of Administrative Offences, which punishes violation of the law by leaders and members of social organisations. The court pointed out that religious activity requires a registered religious organisation. Mironov was fined 25 times the minimum monthly wage, 31,825 Tenge (1,432 Norwegian Kroner, 163 Euros or 211 US Dollars). In addition, the judge banned the Centre's activity for six months, the maximum possible ban under this Article.

Any further "offence" under this article could lead to a much higher fine and a total ban on the Centre.

Mironov appealed against the judgment to East Kazakhstan Regional Court in Oskemen (Ust-Kamenogorsk). However, on 18 February, in a ruling seen by Forum 18, Judge Zh. Kalymzhanova rejected Mironov's complaints that he had been given less than 24 hours to prepare for the first trial. Mironov also pointed out that the Centre's legally-registered statute specified "the development of moral and spiritual values" of those being helped as among the main aims of the Centre. Despite this, the judge upheld the earlier punishments.

Beskaragai District Prosecutor, Bekarai Kulnasin, insisted that there had been "violations" at the Centre. "We got a complaint," he told Forum 18 on 17 March. But he refused to say who had made the complaint, or what it was about. He defended the check-up, which he claimed had been in accordance with the law, and refused to discuss the nature of the video recording and photos used as evidence at the trial. Asked what the Centre had done wrong by allowing residents to pray together, he repeatedly avoided the question. "How can I explain it to you? They violated the law."

Mironov told Forum 18 that he has already closed the Centre and paid the fine. He said many of the residents are still living in his home. "I can't just abandon them." He said he hopes to re-register the Centre with the Justice Department and resume its activity. Mironov pointed out that the government has drawn up a policy to counter drug-addiction and alcoholism. "But how can we do this?" he asked.

Professing surprise at the court-enforced closure of the Centre was Kulpash Mukhamedkalieva of the Social Policy Department of Beskaragai District Akimat (administration), whose duties include oversight over religious and social activity locally. "We didn't impose any ban - we've got nothing against Sergei Mironov and his work," she told Forum 18 from Beskaragai on 18 March. "I don't see any violations of the law."

Told about the court-ordered closure, she asked if it was related to the conditions for residents. "Living conditions there are not good - it's very cramped. I could perhaps understand that." Told that it was closed down for six months and Mironov fined because residents had been praying together, Mukhamedkalieva responded: "Let them pray, I don't know if it is right or wrong. But I don't have the right to comment on the actions of the law-enforcements agencies."

The telephones of the Justice Department in Oskemen, which had registered the Centre in 2006, went unanswered on 17, 18 and 19 March.

Forum 18 has learnt of similar moves this year to try to close down a Baptist-run old people's home in a town in northern Kazakhstan. However, Baptists who belong to the officially-registered Baptist Union told Forum 18 on 17 March that the situation is now quiet and that the home continues to function. In 2005, the Baptist-run Hope Orphanage was closed down by the authorities (see F18News 7 January 2005 <http://www.forum18.org/Archive.php?article_id=485>).

Officials' "narrow interpretation" of the law was condemned by Ninel Fokina, head of the Almaty Helsinki Committee. "Non-commercial organisations must be social organisations, religious organisations or political parties and officials insist that all three be kept separate," she told Forum 18 from Almaty on 19 March. "But this is absurd, as everything that is not forbidden should be allowed. Officials don't interpret the law in a logical, sensible way."

Council of Churches Baptists are continuing to be prosecuted and fined for holding unregistered worship services, and their property is being confiscated for non-payment of fines imposed for holding such services. Baptists in Kyzylorda [Qyzylorda], in the south of the country, have told Forum 18 of repeated harassment of their local congregation which, like all their congregations, refuses to accept state registration. On 21 January, church member Yuri Shlyapkin was found guilty of violating Article 374-1 Part 2 of the Code of Administrative Violations, which punishes participation in unregistered religious activity with a fine of 50 times the minimum monthly wage. He was fined 63,650 Tenge (2,865 Norwegian Kroner, 326 Euros or 423 US Dollars), Baptists told Forum 18 from Kyzylorda on 14 March. Shlyapkin lodged an appeal against the decision.

On 21 February, four Prosecutor's Office officials and two official witnesses came to the prayer house in Kyzylorda. "At first they complied with church members' requests not to disturb the service and not to make film recordings," church members told Forum 18. "But later, sitting on a bench at the back, they went ahead and filmed church members on a video camera. After the service, they tried to write down the names of all those present and asked questions of the adolescents and children."

Church members told Forum 18 that on 10 March Kyzylorda's Prosecutor Daniyar Syzdykov launched administrative cases against three church members, Sergei Sychev, Pavel Pak and Valeri Skorobogatov. Church members call for the fine on Shlyapkin and the cases against the three other church members to be cancelled and for the church not to be obstructed in meeting for worship.

Prosecutor Syzdykov confirmed to Forum 18 that he had sent his officials to the church on 21 February, but categorically denied that this had been a raid. "No one is raiding anyone - that couldn't be," he told Forum 18 from Kyzylorda on 16 March. "This is not persecution." Asked how he would describe a visit by four Prosecutor's Office representatives who filmed a service and questioned those present, including children, he declined to respond. Asked what would happen to the three church members, he responded: "I

don't have full information - investigations are still underway."

In Almaty Region, court executors came to the home of Yuri Rudenko in the town of Taldykurgan [Taldyqorgha] on 11 March to confiscate property in lieu of an unpaid fine. In the presence of two witnesses, court executor N. Utetleuov seized his music centre, local Baptists told Forum 18 from the town on 14 March. In January he had already spent three days in prison to punish him for refusing to pay the fine, which had been imposed for conducting religious worship without state registration (see F18News 3 February 2009 <http://www.forum18.org/Archive.php?article_id=1248>).

"Our brother had served his term and yet they still confiscated his music centre," local Baptists complained. Rudenko had refused to pay the fine imposed in February 2008, arguing that Kazakhstan's Constitution guarantees freedom of religious worship. The church calls for an end to what it calls the "persecution" of Rudenko and obstruction to its worship services.

Local Baptists told Forum 18 on 22 February that Christian magazines confiscated from church members in Iskra, in Akkol district of the central Akmola region, in January had been returned. Police and unidentified officials had travelled 75 kms (45 miles) each way from Akkol to raid the small group of Baptists and threaten them with holding an "illegal meeting" (see F18News 3 February 2009 http://www.forum18.org/Archive.php?article_id=1248).

Meanwhile, Elizaveta Drenicheva, a Russian working as a missionary for the Unification Church (commonly known as the Moonies) in Almaty, has been freed from jail. She had been jailed for two years for sharing her beliefs at a trial in Almaty on 9 January, but was freed in the wake of a court ruling on 10 March that her prison term be changed into a fine of 25 times the minimum monthly wage, 31,825 Tenge (1,432 Norwegian Kroner, 163 Euros or 211 US Dollars). As she had already served two months' imprisonment, she is not required to pay the fine.

"Drenicheva was released because of international pressure," Yevgeny Zhovtis, head of the Almaty-based Kazakhstan International Bureau for Human Rights and Rule of Law, told Forum 18 on 15 March. "But the absolutely ridiculous and stupid accusations were not dropped and she still has a criminal record."

Other religious believers who strongly disagree with her beliefs, as well as human rights defenders, were alarmed by the jail sentence, regarding it as a "highly dangerous precedent" (see F18News 3 February 2009 <http://www.forum18.org/Archive.php?article_id=1248>).

The Hare Krishna commune in a village near Almaty is still facing pressure to leave as part of long-running attempts by officials to oust the community. The head of the local community, Viktor Golous, said that officials removed an earlier deadline of 1 March to vacate their land where the temple, a garden and a herd of cows are located. "We proposed that they just give us back the five hectare site which they earlier took from us through the courts, but they refuse," he told Forum 18 on 19 March. "They won't even discuss the possibility of us staying there."

Golous said that community members and officials have together looked at other prospective sites for the temple to be relocated. "We looked at one good site and officials are promising to facilitate that, but we haven't found a site for our farm and herd of cows." He said local officials had received an instruction from the Presidential Administration in the capital Astana to find new land by 1 April for the community to move to. Officials had earlier proposed moving the community to a rubbish dump (see F18News 30 January 2009 <http://www.forum18.org/Archive.php?article_id=1247>).

The leader of the Hare Krishna community in Central Asia, Sean Hobgood (religious name Govinda Swami), was banned from further visits to Kazakhstan in January (see F18News 30 January 2009 <http://www.forum18.org/Archive.php?article_id=1247>). (END)

For a personal commentary on how attacking religious freedom damages national security in Kazakhstan, see F18News <http://www.forum18.org/Archive.php?article_id=564>.

For more background, see Forum 18's Kazakhstan religious freedom survey at <http://www.forum18.org/Archive.php?article_id=701>.

More reports on freedom of thought, conscience and belief in Kazakhstan can be found at <<http://www.forum18.org/Archive.php?query=&religion=all&country=29>>.

A survey of the religious freedom decline in the eastern part of the Organisation for Security and Co-operation in Europe (OSCE) area is at <http://www.forum18.org/Archive.php?article_id=806> and a survey of religious intolerance in Central Asia is at <http://www.forum18.org/Archive.php?article_id=815>.

A printer-friendly map of Kazakhstan is available at <<http://www.nationalgeographic.com/xpeditions/atlas/index.html?Parent=asia&Rootmap=kazakh>>.

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