

RELIGIOUS FREEDOM CONCERNS IN KAZAKHSTAN
STATEMENT BY THE RELIGIOUS CENTRE OF JEHOVAH'S WITNESSES IN THE
REPUBLIC OF KAZAKHSTAN

For the OSCE High-Level Conference on Tolerance and Non-Discrimination, Astana, 29 and 30 June 2010

In our oral statement at the Human Dimension Meeting last year, we reported that a serious interference with our peaceful religious activity in **Kazakhstan** had been resolved with the assistance of different governmental organs, including the Presidential Commission on Human Rights, the Prosecutor General's Office and the Ombudsman's Office. A letter of the Committee of Religious Affairs (CRA) making the unfounded claim our magazines present a "potential threat for the security of the state" had been cancelled.

Unfortunately, on September 23, 2009, we received another letter, in which the CRA on its own initiative requested copies of all publicly-distributed issues of *The Watchtower* and *Awake!* magazines for the year 2009. The purpose of this request was to conduct another expert examination, and the requested magazines were provided to the CRA. Thus, notwithstanding the assurances of the CRA during the meeting of the OSCE in Warsaw in 2009 that this "misunderstanding" would be quickly resolved, the adversarial examination of our magazines continues.

In fact, on October 31, 2009, the CRA officially requested from our Religious Center copies of all "study editions" of *The Watchtower* and *Awake!* magazines for 2009, to once again submit them to experts for examination. These issues of the magazines were provided to the CRA on November 5, 2009. The expert examination continues to this day.

According to the Rules of Conducting Religious Expert Examinations (approved by the Governmental Decree of January 1, 2007 No. 70), the expert examination must be completed within 30 calendar days from the day when the expert is given the object of examination. The examination period may be extended for 30 calendar days in the case of the necessity to study additional materials and information in order to conduct the examination. Hence, the maximum examination period allowed by law is 60 calendar days, which period has already for long expired in the case of this repeat expert examination.

The grounds for the undertaking of this expert examination in themselves appear questionable. According to article 4 of the Law of the Republic of Kazakhstan "On Freedom of Worship and Religious Associations" and points 1 and 3 of the Rules of Conducting Religious Expert Examinations, an expert examination is assigned in the case of governmental registration of religious associations, as well as for other lawful grounds (i.e. on court request). Neither the law nor the regulations contain any provisions for the assignment of religious expert examination, or for the assignment of a repeat expert examination, of religious literature by the CRA of its own initiative and on a selective basis against a single faith. Such an approach shows discrimination, which is illegal according to article 14 of the Republic of Kazakhstan's Constitution. This ongoing examination of their religious literature violates the right of Jehovah's Witnesses to freely practice their religion and their freedom of worship.

We appeal to the authorities of Kazakhstan *to take positive actions to resolve the problems with the literature of Jehovah's Witnesses in order to avoid illegal harassment and administrative prosecutions of peaceful Christians and their registered Local Religious Organizations in Kazakhstan under the guise of protection against extremism.*

A delegation of Jehovah's Witnesses is ready to meet with representatives of Kazakhstan in order to clarify any misunderstanding and to promote a constructive dialogue.
