



**Christian Solidarity Worldwide**

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ENGLISH only

Christian Solidarity Worldwide is a human rights charity working on behalf of those persecuted for their Christian beliefs. We also promote religious liberty for all.

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OSCE Conference on Anti-Semitism and on Other Forms of Intolerance Cordoba June 8-9, 2005

## **KAZAKHSTAN- NEW RESTRICTIVE DRAFT LEGISLATION**

Christians and other religious groups in the Central Asian republic of Kazakhstan are growing increasingly concerned about a package of security-related laws being pushed through parliament that will severely restrict religious freedom. The law has already been passed by the lower house Majilis in May 2005 and will be shortly debated by the upper house. If adopted, the amendments to a range of laws – including the country's religion law - will criminalise unapproved religious worship, ban all unapproved "missionary" activity by local people or foreigners, require approval for religious literature and dress and widen the powers of officials to ban religious communities. Although the laws are designed to address security concerns regarding extremists religious activities, if implemented they would also target all religious activity.

This is of particular concern since in the past Kazakhstan has enjoyed the reputation of being a model of religious tolerance and freedom in the region.

In an appeal in March, a group of Protestant churches in Almaty complained that the proposed new restrictions on religious activity violated the country's constitution and international commitments. "The entire draft bears the clear imprint of mistrust of religious organisations and a desire to put them in a much worse legal position than other legal bodies," the letter declared. It cited concerns over the requirement to register religious communities and missionaries, to submit religious literature and recordings for approval and the ease with which religious organisations could be liquidated "even for trivial violations".

Joining Christians and members of other faiths in criticising the package of amended laws, the Organisation for Security and Cooperation in Europe (OSCE) said that, if adopted in current form, the amendments "would be in breach of international legally binding standards on several accounts" and urged the authorities to reconsider them.

"The proposed legislation contains amendments that may result in non-compliance with a wide range of OSCE commitments regarding human rights, democracy and the rule of law," the OSCE declared. "This raises serious concerns, particularly with regard to freedom of association, freedom of religion or belief, as well as freedom of opinion and expression."

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**Christian Solidarity Worldwide (CSW)** is the operating name of Registered Charity (No. 281836) and company limited by guarantee, incorporated in England (Reg. No.1536426).



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The package of amended laws was approved by the lower house of Kazakhstan's parliament, the Majilis, at a plenary session in May. It appears likely it will be adopted by the upper house, the Senate, and then to President Nursultan Nazarbayev for signature into law.

Although Kazakhstan's current religious law does not require religious communities to register before meeting for worship, many officials act as though it does. Numerous leaders – especially Baptist pastors – have been fined for holding unregistered services. Forum 18 News Service reported that in April, a local court fined Igor Isakov 70 pounds for leading a small unregistered Baptist church, a huge sum in Kazakh terms, while his congregation was “banned”. Children who regularly attend church with their parents are already being pressured in schools.

Local law professor Roman Podoprigora complains that if the religion law is amended according to the current proposal, such pressure on religious communities will only increase. "There would be persecution as in the Soviet times – or as in Uzbekistan today, where a fight is already underway against unregistered religious organisations," he told Forum 18 News Service. "Even if they don't exist de jure, these religious communities exist de facto. No-one can prevent that."

## **RECOMMENDATIONS**

CSW asks the OSCE member states to urge the Kazakhstan government

- 1) To delay the implementation of the current draft law.
- 2) To invite OSCE/ODIHR experts to assist with redrafting of the legislation to ensure that it complies with international laws and practices governing freedom of religion and belief.
- 3) To investigate, and where necessary, to bring to justice, local government and security officials who violate religious freedom.

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