



**DELEGATION
OF THE REPUBLIC OF KAZAKHSTAN TO THE OSCE**

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**Statement by the delegation of Kazakhstan to the OSCE
at the 950th meeting of the Permanent Council in response to the
statements of the EU on New Law on Religion in Kazakhstan
2 May 2013**

**Dear Mr. Chairperson,
Excellencies,
Ladies and gentlemen,**

The delegation of Kazakhstan took note the statement by the delegation of the European Union as well as the statement of the delegation of the United States at one of the previous meetings of the Permanent Council with regard to the Law of the Republic of Kazakhstan on Religious Activities and Religious Associations and would like to bring to the attention of OSCE participating States the following:

Ever since Kazakhstan's independence over 20 years ago, religious diversity and tolerance have been at the heart of our national identity. We are proud of our nation's diversity and firmly believe that stability comes through cultivating harmony, tolerance, mutual respect and understanding and dialogue between religions.

We strive to protect these fundamental values and our citizens' right to religious freedom, and the Law On Religious Activities and Religious Associations which entered into force on October 25, 2011 lies at the heart of these efforts.

The preamble of the Law, the Constitution of Kazakhstan and indeed our international commitments guarantee the right to freedom of conscious and belief. The Law – both how it is written and how it is implemented – is not threat to those commitments. Indeed, it aims to protect them by establishing clear framework and safeguards against those that abuse religion for personal gain or to spread radicalism, extremism and intolerance.

Requirements regarding the registration of religious associations were in effect under the previous legislation as well and do not contravene international norms.

The Law proclaims the equality of religious associations and citizens before the law. Article 3, paragraph 2, of the Law stipulates that religious associations and citizens of the Republic of Kazakhstan, foreigners and stateless persons, regardless

of their attitude towards religion, are equal before the law, while paragraph 3 of the same article states that no religion may be established as a State or mandatory religion. The preamble to the Law to the effect that “the Republic of Kazakhstan recognizes the importance of inter-faith harmony, religious tolerance and respect for the religious beliefs of citizens” outlines in concrete terms what the Law may regulate and lays down one of the fundamental principles of the Republic of Kazakhstan, namely “social harmony and political stability” as enshrined in article 1 of the National Constitution.

For these reasons, the argument that “in Kazakhstan the Law is aimed against small ethnic minorities and non-traditional religious communities” has nothing to do with reality. What is more, Kazakh legislation makes no reference to the concept of non-traditional religions.

The re-registration of religious communities completed on 25 October 2012. New data on the quantity and confessionary affiliation have been obtained.

It is considered, that 4551 religious associations and branches thereof representing 46 confessions acted in Kazakhstan as of January 1, 2011.

As of 25 October 2012, 3088 religious associations and branches thereof representing 17 confessions remained. It should be stressed that this reduction does not reflect failed registrations – some of the previously registered groups no longer exist or have amalgamated with other organizations to submit application. Also, re-registration allowed to get correct confessionary affiliation of many communities as certain religious communities were wrongly recorded as separate confessions in the past.

The Republican Islamic Association “Spiritual Administration of the Muslims of Kazakhstan”, was registered on 19 June 2012. 2, 228 mosques covering all regions of the country were registered as branches of this association. Virtually all the Muslims in Kazakhstan follow the Sunni branch of Islam. This being the case, it is objectively sound and in keeping with our history that the only nationwide religious association operating in our country is the Spiritual Administration of the Muslims of Kazakhstan, which adheres to this branch of Islam. In accordance with the Law, Muslim religious associations are free to join the Spiritual Administration voluntarily on the basis of shared interests and for the purpose of satisfying spiritual needs.

National Association “Mitropolichiy Okrug” (Metropolitan Eparchy) consisting of 9 dioceses and 261 parishes was registered on 17 October 2012.

The Armenian Apostolic Church and 8 Old Believers’ Churches that had existed before were also re-registered.

79 Roman Catholic Churches continue their activity in Kazakhstan.

478 Protestant religious communities were registered. Namely, 13 local religious associations belonging to Lutheran Church, 100 Baptist communities, 11 communities of Methodism, 1 association of Mennonites, 189 local religious

associations belonging to Pentecostal churches (“Sun Bok Ym”, “New Life”, “Agapae” mission, “Author of Life”, “Labour”), 55 Presbyterian churches (“Grace”, “Hope”, “Man of Nazareth”, “Emmanuel”), 59 local religious associations of “Jehovah's Witnesses”, 42 communities of “the Seventh-Day Adventist Church” and 8 communities of New Apostolic Church.

4 communities of Judaism and 2 association of Buddhism have been registered.

Also 8 entities of “The Hare Krishna Community”, 6 “Bahai communities”, 2 communities of the “Church of Jesus Christ of Latter-day Saints” (Mormons) were registered.

Groups that have failed registration for purely technical reasons or due to incorrect applications were able to re-apply or register a new entity during the one year period to fully pass registration. It should be noted that religious groups were allowed to continue practicing while their applications were processed and could appeal any decision in a court.

Under the Law religious associations that fail the registration will not be “outlawed” - any citizen can follow and practice any religion – but they will not be able to actively preach or evangelize to the general public (non-followers) and will not receive the benefits of registration such as tax breaks and charitable status.

And last, but not least, an examination of the current state and changing dynamics of the religious situation in the country indicates, the number of missionaries present in Kazakhstan is on the increase. Whereas in 2003 there were 89 missionaries registered in Kazakhstan, as of 1 April of this year the overall number of registered missionaries already totalled 394. At the time the Law was adopted, some 200 missionaries were active in the country. What this means is that over a ten-year period the number of missionaries more than quadrupled and is continuing to increase following the adoption of the Law. This is clear proof that the claims that there are restrictions on missionary activities in Kazakhstan are unfounded.

For your information, delegation of Kazakhstan is going to make a voluntary report at one of the upcoming meetings of the Human Dimension Committee and will update about the state of affairs of religious organizations in Kazakhstan after adoption of the Law. Interested delegations are welcome to attend this presentation.

Thank you, Mr.Chairperson.