

KAZAKHSTAN 2021 INTERNATIONAL RELIGIOUS FREEDOM REPORT

Executive Summary

The constitution defines the country as a secular state and provides for freedom of religion and belief as well as the freedom to decline religious affiliation. The Committee for Religious Affairs (CRA), part of the Ministry of Information and Social Development (MISD), is responsible for religious issues. According to local and international observers, authorities continued to impose restrictions on and conduct additional scrutiny of what the government considered “nontraditional” religious groups, including Muslims who practice a version of Islam other than the officially recognized Hanafi school of Sunni Islam, and some non-Lutheran Protestant Christian groups. According to observers, authorities continued to arrest, detain, and imprison individuals on account of their religious beliefs or affiliation; prevent unregistered groups from practicing their faith; restrict assembly for peaceful religious activities; restrict public manifestation of religious belief; restrict religious expression and customs, including the use of religious attire; criminalize speech “inciting religious discord”; restrict proselytism; restrict the publication and distribution of religious literature; and censor religious content. Observers said the government also restricted acquisition or use of buildings used for religious ceremonies and purposes. The government continued to raid religious services, prosecute individuals for “illegal missionary activity,” and refuse to register certain religious groups. Some religious minority groups faced attempts by local governments to seize their property. The government detained and fined members of Christian, Muslim, and Society of Krishna Consciousness groups for practicing their faith in ways authorities said violated religious laws. On December 29, the government adopted legislative amendments that reduced some requirements for religious organizations, but religious groups said they continued to view many of the remaining requirements as onerous and unnecessary. The amendments followed a decree by the President in June that included instructions to improve religious organizations’ ability to register. In September and October, the government extended for another year the refugee status of four Muslim ethnic Kazakh Chinese citizens who had crossed the border from the Xinjiang Uyghur Autonomous Region. The decision was based on credible fear of persecution if the four returned to China.

According to observers and members of religious minority groups, private and government-run media outlets continued to release articles or broadcasts defaming minority religious groups they regarded as “nontraditional,” including Jehovah’s

Witnesses and the Church of Scientology. Nongovernmental organizations (NGOs) and academics said members of some religious groups, including Muslims who chose to wear headscarves or other identifying attire, as well as some Christian groups, including evangelical Protestants, Baptists, and Jehovah's Witnesses, continued to face greater societal scrutiny and discrimination.

The U.S. Ambassador and other U.S. officials engaged with the government to urge respect for religious freedom, including by raising specific cases, and through a regular and recurring religious freedom dialogue with the MISD and CRA. In the dialogue, U.S. officials discussed government-proposed changes to the country's laws regulating religious practice. They also raised concerns regarding the restrictive effects on religious freedom of the current religion law and criminal and administrative codes, especially concerning criminal penalties for peaceful religious speech, praying without registration, and censorship of religious literature. The bilateral Religious Freedom Working Group with the United States met virtually in June to discuss cooperation to allow all persons to practice freely their faiths in the country. U.S. officials maintained contact with a wide range of religious communities and religious freedom advocates. An embassy official participated in a multifaith workshop, cosponsored by U.S.-based interfaith NGOs, MISD, CRA, and the Association of Religious Organizations of Kazakhstan, which includes many of the Protestant groups deemed "nontraditional" by the government. The workshop aimed to promote greater religious tolerance in the country. The embassy also engaged in social media outreach to urge respect for religious freedom.

Section I. Religious Demography

The U.S. government estimates the total population at 19.2 million (midyear 2021). The most recent national census in 2009 reported 96.7 percent of the population identified with a religious faith. A 2019 CRA study shows that 92.8 percent of the population self-identifies as religious. According to 2009 census data, approximately 70 percent of the population identifying as religious is Muslim, most of whom adhere to the Sunni Hanafi school. Other Muslim groups include Shafi'i Sunni, Shia, Sufi, and Ahmadi.

According to the 2009 census data, Christians constitute 26 percent of the population identifying as religious, the great majority of whom are Russian Orthodox. Other groups include Roman Catholics, Greek Catholics, Lutherans, Presbyterians, Seventh-day Adventists, Methodists, Mennonites, Pentecostals, Baptists, Jehovah's Witnesses, members of The Church of Jesus Christ of Latter-day Saints, and

members of the Family Federation for World Peace and Unification (Unification Church). Ethnic Kazakhs and other Central Asian ethnic groups primarily identify as Muslim, and ethnic Russians and Ukrainians primarily identify as Christian.

Other religious groups that together constitute less than 5 percent of the population identifying as religious include Jews, Buddhists, the International Society of Krishna Consciousness, Baha'is, and Scientologists.

Nonbelievers or atheists constitute 18.8 percent of the population, according to a 2019 study by a government-affiliated think tank.

Section II. Status of Government Respect for Religious Freedom

Legal Framework

The constitution defines the country as a secular state and provides for freedom of religion and belief as well as the freedom to decline religious affiliation. These rights may be limited only by laws and only to the extent necessary for protection of the constitutional system, public order, human rights and freedoms, and the health and morality of the population. Under the constitution, all persons have the right to follow their religious or other convictions, take part in religious activities, and disseminate their beliefs. These rights, however, are in practice limited to registered or “traditional” religious groups. “Traditional” is not defined by law, but typically refers to Hanafi Sunni Islam, the Russian Orthodox Church, Greek and Roman Catholicism, Lutheranism, and Judaism.

The MISD and the CRA regulate the practice of religion in the country. By law, the MISD is responsible for the formulation and implementation of state policy on religion, as well as for facilitating government and civil society engagement. It also considers potential violations of the laws on religious activity and extremism. The MISD drafts legislation and regulations, conducts analysis of religious materials, and makes decisions on censorship. Religious groups are required to submit religious materials for approval before dissemination; however, amendments to the Law on Religion signed into effect by President Kassym-Jomart Tokayev on December 29 exempt registered religious groups from this requirement. The MISD cooperates with law enforcement bodies to ban religious groups and sanction individuals who violate the religion law, coordinates actions of local government to regulate religious practices, and provides the official interpretation of the religion law.

The counterterrorism law requires religious organizations to secure their buildings of worship against potential terrorist attacks; the government may act against religious organizations for failure to do so. The law states the government shall not interfere with the choice of religious beliefs or affiliation of citizens or residents unless those beliefs are directed against the country's constitutional framework, sovereignty, or territorial integrity.

The criminal and administrative codes include penalties for unauthorized religious activity, which includes the arrangement of, and participation in, activities of unregistered religious groups, participation in religious activities outside permitted areas, unlicensed distribution of religious materials or training of clergy, sale of religious literature without government approval or in places not approved by the government, and discussion of religion for the purpose of proselytization without the required missionary registration. Criminal penalties for this activity include imprisonment up to seven years and fines of up to 20,419,000 tenge (\$46,700). For less serious violations, a local prosecutor and judge may impose administrative penalties without further court action. Administrative penalties include detention of up to 30 days and fines of up to 583,400 tenge (\$1,300) for individuals, 875,100 tenge (\$2,000) for officials, and 1,458,500 tenge (\$3,300) for organizations. The amendments to the Law on Religion signed by President Tokayev on December 29 introduce a notification system in place of a previously required authorization system for religious organizations participating in activities outside houses of worship.

The criminal code prohibits the "incitement of interreligious discord," which includes "propaganda of exclusivity, superiority, or inferiority of citizens according to their relation to religion [and other] origin." It also criminalizes the creation and leadership of social institutions that proclaim religious intolerance or exclusivity, punishable by imprisonment from three to seven years.

The extremism law, which applies to religious groups and other organizations, accords the government discretion to identify and designate a group as an "extremist organization," ban a designated group's activities, and criminalize membership in a banned organization. The law defines "extremism" as an organization or commission of acts in pursuit of violent change of the constitutional system; violation of the sovereignty or territorial integrity of the country; undermining of national security; violent seizure or retention of power; armed rebellion; incitement of ethnic, religious, or other forms of social discord accompanied by calls to violence; or the use of any religious practice that causes a security or health risk. An extremist organization is a "legal entity, association of

individuals, and (or) legal entities engaged in extremism and recognized by a court as extremist.” The law provides streamlined court procedures for identifying a group as “terrorist or extremist,” permitting a court to render judgement and act on a decision in as few as 72 hours. After a legal finding of a violation, the law authorizes officials to immediately revoke the organization’s registration, thus ending its legal existence, and to seize its property. Prosecutors have the right to annually inspect all groups registered with state bodies for compliance with all applicable laws.

There are 22 religious-affiliated organizations in the country formally banned under the extremism law. Most of the banned organizations follow a form of Islam other than the officially recognized Hanafi school of Sunni Islam. Banned organizations include Hizb ut-Tahrir, the Taliban, the Kurdish People’s Congress, the Islamic Movement of East Turkestan, the Muslim Brotherhood, and the Society for Social Reforms, as well as terrorist organizations such as the Islamic State of Iraq and Syria and the Islamic Movement of Uzbekistan.

Under the counterterrorism law, the Ministry of Finance may freeze the financial accounts of persons convicted of terrorism or extremism crimes.

The administrative code prohibits “spreading the creed of religious groups [that are] unregistered” in the country, an offense punishable by a fine of 252,500 tenge (\$580). A foreigner or stateless person found guilty may also be deported.

A religious organization may be designated “national,” “regional,” or “local.” To register at the local level, an organization must submit an application to the Ministry of Justice that lists the names and addresses of at least 50 founding members. Religious organizations may be active only within the geographic limits of the locality in which they register unless they have enough members to register at the regional or national level. Regional registration requires at least two local organizations, each located within a different province, and a combined membership of at least 500 persons. National registration requires at least 5,000 total members and at least 300 members in each of the country’s 14 regions and the cities of Nur-Sultan, Almaty, and Shymkent. Only groups registered at the national or regional level have the right to open educational institutions for training clergy.

The law allows the government to deny registration to a religious group based on an insufficient number of adherents or on inconsistencies between the religious group’s charter and any national law, as determined by an analysis conducted by

the CRA. According to the administrative code, individuals participating in leading or financing an unregistered, suspended, or banned religious group may be fined between 126,250 tenge and 505,000 tenge (\$290-\$1,200).

The administrative code mandates a 505,000-tenge (\$1,200) fine and a three-month suspension from conducting any religious activities for registered groups holding religious gatherings in buildings not approved for that purpose; importing, producing, or disseminating religious materials not approved by the CRA; systematically pursuing activities that contradict the charter and bylaws of the group as registered; constructing religious facilities without a permit; holding gatherings or conducting charity events in violation of the law; or otherwise defying the constitution or laws. Private persons engaged in these activities are subject to a fine of 126,250 tenge (\$290). Police may impose these fines without first going to court. Those fined may appeal their penalties to a court.

If an organization, its leaders, or members engage in activities not specified in its charter, it is subject to a warning, a fine of 252,500 tenge (\$580), or both. Under the administrative code, if the organization commits the same violation within a year, the legal entity is subject to a fine of 378,750 tenge (\$870) and a three- to six-month suspension of activities.

According to the administrative code, if a religious organization engages in a prohibited activity or does not rectify violations resulting in a suspension, an official or the organization's leader is subject to a fine of 505,000 tenge (\$1,200), the entity is also subject to a fine of 1,262,500 tenge (\$2,900), and its activities are banned indefinitely.

The law authorizes local authorities to "coordinate" the location of premises for religious events held outside religious buildings. By law, religious activities may be held in residences, provided that organizers take into account the "rights and interests of neighbors." Authorities sometimes interpret this as a requirement to receive permission from the neighbors.

The government prohibits individuals who do not pay their fines, including those who do not pay their fines for violating religious laws, from traveling outside the country.

The law prohibits efforts to force a person to convert to any religion or to force a person's participation in a religious group's activities or in religious rites. The law further bans activities of religious organizations that involve violence against

citizens or otherwise harm the health or morality of citizens and residents, force them to end marriages or family relations, or violate human rights and freedoms. The law also bans activities which force citizens to evade the performance of “duties specified in the constitution and legislation,” but the definition of these duties is subject to broad interpretation by the government. The law prohibits methods of proselytizing that exploit a potential convert’s dependence on charity. The law also prohibits blackmail, violence or the threat of violence, or the use of material threats to coerce participation in religious activities.

The law states that in cases when a prisoner requests a clergy member to perform a religious rite, he or she may invite a clergy member of a formally registered religious group to a detention facility, as long as this access complies with the prison’s internal regulations. The law bans construction of places of worship within prison territory. Pursuant to the law, registered religious organizations may participate in monitoring prisons, including creating and implementing programs to improve the correctional system and developing and publicly discussing draft laws and regulations as they relate to the prison system. Religious groups may identify, provide, distribute, and monitor the use of humanitarian, social, legal, and charitable assistance to prisoners. They may provide other forms of assistance to penitentiary system bodies, as long as they do not contradict the law. According to the law, prisoners may possess religious literature, but only if it is approved following an analysis conducted by a CRA religious “expert.” The law does not define the qualifications needed to be a religious expert.

The law defines “religious tourism” as a “type of tourism where persons travel for performance of religious rites in a country (place) of temporary residence” and requires the MISD to regulate it. Together with the Sunni Hanafi Spiritual Administration of Muslims (SAMK), a government-organized religious NGO headed by the Grand Mufti of Almaty and including CRA officials, the MISD oversees the process by which individuals participate in the Hajj or in other travel for the performance of religious rites. The government requires that specially selected guides and imams accompany each group and states the rules are designed to ensure pilgrims are not recruited by extremist religious groups.

The law prohibits religious ceremonies in government buildings, including those belonging to the military or law enforcement.

All production, publication, and dissemination of religious literature and information materials of religious content are allowed only after receiving a

positive expert opinion from the CRA. The law allows one copy of published religious materials to be imported for personal use without CRA review.

The law states the government shall not interfere with the rights of parents to raise their children consistent with their religious convictions, unless a court or relevant government official determines that such an upbringing harms the child's health or infringes upon the child's rights.

The law requires organizations to "take steps to prevent involvement or participation of anyone under the age of 18 in the activities of a religious association" if a parent or other legal guardian objects. The law bans religious activities, including proselytizing, in children's vacation, sport, creative, or other leisure organizations, camps, or sanatoria. The extent to which organizations must prevent underage persons' involvement in religious activity is not specifically outlined and has not been further defined by authorities.

The law prohibits religious instruction in public schools, colleges, or universities. Homeschooling for religious reasons is also prohibited. The law allows afterschool and other supplemental religious instruction only if a registered religious group provides it. A decree mandates that schoolchildren wear school uniforms that comply with the secular nature of education and prohibits inclusion of any elements that could indicate religious affiliation, such as head coverings.

The election law prohibits political parties based on religious affiliation.

The criminal code prohibits creating, leading, or actively participating in a religious or public association whose activities involve committing acts of "violence against citizens or the causing of other harm to their health or the incitement of citizens to refuse to carry out their civil obligations as well as the creation or leadership of parties on a religious basis." The code punishes such acts with a fine of up to 15.2 million tenge (\$34,800) or up to six years' imprisonment.

To perform missionary or other religious activity in the country, a foreigner must obtain a missionary or religious visa. These visas allow a person to stay for a maximum of six months, with the possibility to apply to extend the stay for another six months. To obtain missionary visas, applicants must be invited by a religious group formally registered in the country. The CRA must approve the letter of invitation. Applicants must obtain consent from the CRA each time they apply. The CRA may reject missionary visa applications based on a negative assessment from CRA religious experts, or if it deems the missionaries represent a danger to

the country's constitutional framework, citizens' rights and freedoms, or any person's health or morals. The constitution requires foreign religious groups to conduct their activities, including appointing the heads of local congregations, "in coordination with appropriate state institutions," notably the CRA and the Ministry of Foreign Affairs. Foreigners may not register religious groups.

Local and foreign missionaries are required to register annually with the local executive body of a region or of the cities of Nur-Sultan, Almaty, and Shymkent and provide information on their religious affiliation, intended territory of missionary work, and intended timeframe for conducting that work. Missionaries must submit all literature and other materials intended to support their missionary work, together with their registration application. Use of materials not vetted during the registration process is illegal. A missionary must produce registration documents and a power of attorney from the sponsoring religious organization to work on its behalf. The local executive body of a region or the cities of Nur-Sultan, Almaty, and Shymkent may refuse to register missionaries if those executive bodies deem the missionaries' work to "constitute a threat to the constitutional order, social order, the rights and freedoms of individuals, or the health and morals of the population."

The law does not provide for conscientious objection to mandatory military service on religious grounds, but clergy from recognized religious organizations, including Jehovah's Witnesses, may be exempted from service.

The country is a party to the International Covenant on Civil and Political Rights.

Government Practices

According to the international religious freedom NGO Forum 18, 24 Sunni Muslims were serving sentences connected to their religious activities or beliefs at the end of the year, the same number as in 2020. Eight other individuals were serving "restricted freedom" sentences that consisted of probation plus compulsory community service, and in some cases, court-imposed restrictions on their freedom of movement. Sixteen individuals who had completed their prison terms remained banned from religious activities.

Civil society representatives reported that some of the individuals who had completed their prison terms or restricted freedom sentences continued to experience restrictions on access to their bank accounts. According to Forum 18, the government typically added persons who had been convicted on terrorism or

extremism charges to the Ministry of Finance's list of individuals "connected with the financing of terrorism or extremism," freezing their bank accounts. Families often discovered accounts were blocked only after going to the bank. Forum 18 reported that relatives were allowed to withdraw small amounts if they did not have other sources of income.

On May 11, police arrested eight persons who protested for 93 days in front of the People's Republic of China (PRC) consulate in Almaty, where they had been advocating for Muslim ethnic Kazakh relatives detained in Xinjiang. On September 23, authorities arrested and subsequently fined 10 members of the group as demonstrators peacefully held signs outside the PRC embassy in Nur-Sultan. The same 10 individuals were also detained and again fined as they left their rented apartment in Nur-Sultan on October 1, the PRC's national day. The daily protests continued in Almaty through year's end.

Jehovah's Witnesses reported that some of their members who were conscientious objectors encountered difficulties in obtaining exemption from military service, although all cases were eventually resolved through dialogue with authorities. Jehovah's Witnesses representatives said that in some cases, local enlistment officers initially considered the certificates issued by the recruits' local religious communities to be insufficient evidence to exempt the young men from service. The communities then provided clarification of the applicants' eligibility for exemption as members of the religious group's clergy, as well as letters from the conscientious objectors formally asking to be released from military service.

According to CRA statistics covering the first nine months of the year, there were 3,824 registered religious organizations or branches in the country, compared with 3,818 registered in the same period in 2020. The government did not provide information on the specific religious organizations registered during the year.

The government did not approve the registration of Muslim groups apart from those observing the Sunni Hanafi school, which the SAMK oversaw. All other schools of Islam remained unregistered and were officially unable to practice in the country, although religious leaders reported some non-Hanafi Muslim communities continued to worship informally without government interference.

The MISD and the SAMK maintained an official agreement on cooperation, and NGOs continued to state this agreement led to the government effectively exercising control over the nominally independent SAMK. By joining the SAMK, Muslim communities relinquished the right to appoint their own imams, subjected

themselves to SAMK approval regarding any property actions (such as sales, transfers, or improvements), and were required to pay 30 percent of their mosque's income to the SAMK. The SAMK also set the curriculum for religious education across the country and provided guidelines and sample texts for sermons during Friday prayers.

The SAMK continued to oversee the opening of new and restored mosques. According to the CRA, there were 2,683 mosques in the country, one fewer than reported in 2020, but the government and news media continued to report varying and occasionally inconsistent statistics on the number of mosques nationwide.

The SAMK continued to control the activities of all formally registered Muslim groups affiliated with the Sunni Hanafi school and had authority over appointment of imams as well as over the administration of qualification examinations and background checks for aspiring imams. The MISD continued to work closely with the SAMK on the training of imams, upgrading madrassahs to the status of degree-granting colleges, and controlling Hajj pilgrimages. The SAMK permitted imams to enroll in baccalaureate, masters, or doctoral programs offered at Nur Mubarak University's Islamic Studies and Religious Studies departments based on their prior education levels. In addition, there were 11 schools for religious training of Sunni Hanafi imams, and one each for Roman Catholic and Russian Orthodox clergy.

The Ahmadiyya Muslim Community remained unregistered during the year; the group had attempted to register with authorities six times since 2011 and was last rejected in 2016. Government experts had previously concluded the community's teachings were not Islamic and that it must remove the word "Muslim" from its registration materials. Some community members reported that since they were not registered, they did not engage in any religious activity.

According to local and international observers, authorities continued to impose restrictions on and conduct additional scrutiny of what the government considered "nontraditional" religious groups, including Muslims who practice a version of Islam other than the officially recognized Hanafi school of Sunni Islam, and some non-Lutheran Protestant Christian groups.

The Council of Baptist Churches reported it continued to refuse on principle to register under the law, in keeping with its policy of maintaining a distance from the government. Community representatives reported authorities continued to closely

monitor their meetings and travels and police followed and surveilled them, as in prior years.

The Church of Scientology continued to function as a registered public association rather than as a religious organization. The government allowed the Church, as a public association, to maintain resource centers/libraries where members could read or borrow books and host discussions or meetings, but it did not allow the Church to engage in public activity the government considered religious in nature, such as conducting services.

According to the CRA, as of the third quarter of 2021, there were 367 missionaries officially registered in the country. Of those, 293 were foreign nationals and 74 citizens. Of the officially registered missionaries, 95 percent were members of Christian religious organizations; the other 5 percent included members of the Krishina Consciousness Society, and Jewish and Buddhist religious organizations.

The amendments to the religion law in effect as of December 29 followed a June decree by President Tokayev on human rights that included instructions to improve religious organizations' ability to register. According to Forum 18 and some religious groups, the regulations in the amended law continued to impose onerous requirements on holding gatherings outside registered places of worship.

Religious freedom observers consistently reported that authorities continued to use the religion law to harass and restrict minority religious groups with fines and limitations on their activities. Violations included attending worship meetings not approved by the state; offering, importing, or selling religious literature and pictures, including on the internet; sharing or teaching faith; and violating procedures for praying in mosques. The CRA reported 134 administrative prosecutions for violations of the religion law in 2020, the most recent government data available, and a significant decrease from 2019, when 552 such prosecutions were reported. According to Forum 18, as of September, (latest information available) there were 90 known administrative cases against members of religious organizations for exercising their religion or belief during the year, of which 20 were for holding meetings or rituals or maintaining prayer rooms without state permission.

On January 8, police and officials of the West Kazakhstan Region Religious Affairs Department raided the Christmas service of a Baptist congregation in Oral (Uralsk in Russian). The congregation, as was the case with all other Baptist congregations in the country, was unregistered. After the service, police detained

church members and fined two, Dmitry Isayev and Vladimir Nelepin one month's wage (approximately 140,546 tenge, \$320). Church members told Forum 18 that the local authorities routinely observed the church's services.

Forum 18 reported that on April 8, authorities charged Society of Krishna Consciousness follower Timur Seitov with performing religious rituals without state permission for chanting a mantra at an intersection in central Almaty. On May 27, the Almaty Interdistrict Specialized Administrative Court found Seitov guilty, fined him one month's wages (approximately 140,546 tenge, \$320), and banned him from unauthorized activity, including singing in public, for three months, while he was on parole.

On January 28, a court in Aktobe found Muslim Mukhammed Toleu guilty of violating religious laws and conducting an unapproved business after Toleu led Friday prayers in the basement of his home in December 2020. The court fined Toleu (65,000 tenge, \$150) and banned him from maintaining a prayer room for three months. On March 25, the same court found Toleu guilty of a second offense after he held Friday prayers in his home on February 12, and it fined him an additional four month's average wages. The Aktobe Regional Court rejected his appeal of the lower court's decisions on April 12.

According to Jehovah's Witnesses, in 2020 (most recent information), authorities detained 63 members of the community on charges of illegal missionary activity between January and October. Authorities issued oral warnings to 38 members, written warnings to 14, and took 11 to court for allegedly violating the religion law. Of those 11, nine were acquitted and two were found guilty under the country's administrative code and fined 277,800 tenge each (\$640).

As part of COVID-19-related public health restrictions, local officials in regions with high incidences of COVID-19 transmission prohibited large gatherings, including religious ceremonies. All religious organizations had to comply with region-specific public health-related restrictions that changed frequently as authorities sought to limit the spread of the virus. In September, the government announced new regulations permitting large gatherings, including weddings, funerals, and activities in houses of worship, with restrictions on the number of participants based on the level of COVID-19 transmission in the region. According to religious leaders, COVID restrictions were often applied in practice at a local level more strictly to nontraditional groups than to traditional or registered groups. Religious leaders reported some clergy were arrested under the

regulations for attempting to conduct services. Some observers stated authorities used COVID-19 pandemic restrictions to discriminate against them.

The government maintained its policy of banning religious attire in schools. In September, a group of 1,640 parents wrote an open letter to President Tokayev requesting legislative changes to allow girls to wear the *kimeshek*, a traditional Kazakh head covering, in school and to allow prayer rooms in schools. In response, CRA Chairman Erzhan Nukezhanov told media on September 7 that the 2016 Ministry of Education decree on mandatory school uniforms for both public and private educational facilities remained in force, in accordance with the country's secular form of government. The decree does not permit students to wear traditional clothing.

According to Forum 18, in the first eight months of the year, authorities fined 26 persons for offering religious literature or other religious objects for sale without state permission. Authorities fined 11 individuals and warned two others for selling religious literature and objects on the shopping website OLX.kz.

The Kordai District Court fined three ethnic Dungan (ethnic Chinese) Muslims, Sherba Yuburov, Kharsan Yasyrov, and Kelir Nusyrov, 291,700 tenge (\$671) each in February, March, and July, respectively, for illegal religious teaching after finding them guilty of instructing children about the Quran at unsanctioned gatherings in Kordai District of Zhambyl Region. Religious freedom observers noted that Kordai District, on the country's southeastern border with Kyrgyzstan, experienced a disproportionate number of religious freedom prosecutions, with Forum 18 stating that half of all illegal religious instruction cases in the country from 2018 to 2021 were from the district.

The international Christian NGO Open Doors continued to cite the country on its World Watch List for the government's control over religious expression, including surveillance, raids on church meetings, and arrests. The NGO said reports of violence against Christians decreased in 2021 compared with 2020. The NGO said Christians from a Muslim background bore the worst persecution, much of it from the community rather than from authorities.

Some religious minority groups faced attempts by local governments to seize their property. On January 21, the Supreme Court overturned a 2020 lower court decision to seize buildings of the New Life Church in Almaty and stopped the seizure of two buildings used by the Church to support the needy. Church representatives welcomed the ruling after previously expressing fears that some

who lived in the buildings would have no place to go if the local government confiscated the buildings. Authorities were still seeking to sell a former residence of one of three New Life pastors convicted in 2019 for using hypnotism and psychological manipulation to defraud parishioners in order to pay the 26 million tenge (\$59,500) in damages awarded in the earlier court decision.

In February, representatives of the Presbyterian Grace Church and the Pentecostal Agape Church of Nur-Sultan agreed to financial and land compensation from Nur-Sultan city and complied with a court order to vacate their existing property and leases in that city after all appeals were exhausted. This ended a legal dispute begun in 2020 when the mayor of Nur-Sultan attempted to confiscate the Churches' property.

On September 30 and October 14, government authorities administratively extended without delay for an additional year (the maximum time allowed by law) the asylum status of four Muslim ethnic Kazakh Chinese citizens who fled persecution in Xinjiang. The four individuals first received asylum status in Kazakhstan in October 2020 on the grounds of credible fear of persecution if they returned to China. On January 21, however, unidentified persons attacked two of these individuals nearly simultaneously in the cities of Nur-Sultan and Almaty. The victims stated publicly that local authorities and PRC contacts had warned them repeatedly not to speak about the situation in Xinjiang. Kaster Muskan and Murager Alimuly, two other Muslim ethnic Kazakh refugees from China, also said living in Kazakhstan had become more difficult. They said "Our main goal was to stay in Kazakhstan. At first, the authorities told us, 'We will give you citizenship, just keep a low profile.' We got used to it and kept quiet. But eventually, we were told that we would never be granted citizenship. Now the only option is to go to a third country. If they would give us citizenship, we would be glad to live in Kazakhstan."

The Church of Scientology reported that during the year, authorities continued to harass and intimidate its members, including through frivolous lawsuits and extrajudicial searches, destructive raids of their premises, and seizure of literature.

Media reported that on October 2, the Taraz City Court awarded two million tenge (\$4,600) to a married couple who sued Jehovah's Witnesses for causing mental harm. According to the expert testimony of two psychiatrists and a psychologist introduced at the trial, the couple's membership in Jehovah's Witnesses and study of the religious group's literature resulted in their mental illness, characterized as an obsessive-compulsive disorder with the formation of mental dependence on

being members of Jehovah's Witnesses. Forum 18 and other observers stated the court's decision was flawed, particularly because much of the expert testimony was plagiarized from a 2008 analysis used in a case against Jehovah's Witnesses in Russia. Observers also noted that the government had previously approved much of the literature that was cited as harmful.

According to the Penitentiary Committee of the Ministry of Internal Affairs, all prisons continued to have dedicated specialists charged with creating programs to counter religious extremism, in accordance with a 2017 order issued by the Minister of Internal Affairs as part of a national counterterrorism program. Lawyers familiar with the program said most of the specialists lacked education or specialized training.

In August, the MISD, CRA, Association of Religious Organizations of Kazakhstan, and the U.S.-based interfaith NGOs Love Your Neighbor Community and Multi-Faith Neighbor Network cosponsored a workshop to promote greater religious tolerance in the country. The workshop equipped local faith leaders and city government officials with best practices to help build relationships across faiths. Muslim, Orthodox and Protestant faith leaders from nine major cities around the country participated.

President Tokayev in his September 1 state of the nation address said the harmonious development of interethnic relations had always been and would remain a primary government policy. Tokayev called on all citizens to realize the importance of harmonious interethnic and interfaith relations as an invaluable facet of the country's identity.

In September, CRA Chairman Nukezhanov announced to media that the government would propose legislative amendments to protect the right of nonbelief for atheists. The government took no further action before year's end.

Section III. Status of Societal Respect for Religious Freedom

Observers and members of minority Christian religious communities continued to express concerns regarding negative articles and broadcasts about minority religious groups that private and government-run media described as "nontraditional."

Jehovah's Witnesses continued to report the appearance of defamatory articles in private and government-run media outlets during the year. The Church of

Scientology also received negative media coverage. In an August interview on antivaccine movements, editor-in-chief Pavel Bannikov of the news website *Factcheck.kz* said the Church was not very active in spreading antivaccine propaganda, but he equated Scientology with foreign disinformation campaigns because of the group's campaign against elements of the country's health code and, in particular, its opposition to psychiatric care.

NGOs continued to report individuals were wary of “nontraditional” religious groups, particularly those that proselytized or whose dress or grooming, including the use of Islamic headscarves and beards, suggested “nontraditional” beliefs.

According to the NGO Open Doors, Christians who converted from Islam continued to be persecuted by family, friends and their community.

The Association of Religious Organizations of Kazakhstan, which includes many of the Protestant groups deemed “nontraditional” by the government, represented those minority religious groups' concerns to the government and provided a forum for consultations among those groups.

Section IV. U.S. Government Policy and Engagement

The Ambassador, other embassy officers, and senior U.S. government officials met with senior government officials in the Ministry of Foreign Affairs, MISD, and CRA to urge respect for religious freedom, both in general and regarding specific cases. They discussed government-proposed changes to the country's law regulating religious practice and raised concerns, before the law was amended, about its restrictive effects on religious freedom, especially concerning criminal penalties for peaceful religious speech, praying without registration, and censorship of religious literature. U.S. officials made recommendations to improve the amendments, but the government did not accept many of them. U.S. officials also raised concerns about the government's inconsistent application of the religion law and the criminal and administrative codes, depending on whether the government considered a religious group to be nontraditional or traditional.

In bilateral meetings, including during the virtual meeting of the U.S.-Kazakhstan International Religious Freedom Working Group in June and the U.S.-Kazakhstan Enhanced Strategic Partnership Dialogue in December, U.S. officials continued to encourage the government to respect individuals' rights to peaceful expression of religious belief and free practice of religion. U.S. officials continued to express concern about vaguely written laws related to religious freedom that were broad in

scope and lacked specific definition of legal terms that enabled authorities, particularly at the local level, to apply them in an arbitrary manner. They encouraged the government to eliminate burdensome registration requirements for religious communities and to take other steps to further amend the religion law to increase the ability of believers to practice their faith. U.S. officials encouraged fair and equal treatment for faith organizations in land disputes with the government. An embassy officer took part in an August multifaith workshop cosponsored by MISD, CRA, U.S.-based interfaith NGOs, and the Associations of Religious Organizations of Kazakhstan, at the request of the organizers, to show U.S. interest in, and support for, religious tolerance efforts. On social media, the embassy engaged in outreach to urge respect for religious freedom.

Embassy officials continued outreach to, and maintained contact with, a wide range of religious communities, their leaders, and religious freedom advocates. They underscored the importance freedom of religion plays in countering violent extremism, expressed concern about further government restrictions on religious freedom, and encouraged reform of relevant laws and guidelines so all citizens could conduct peaceful religious activities freely, whether or not they were part of a registered religious group.