

KAZAKHSTAN 2023 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 Culture and Information (MCI), is responsible for religious issues.

According to multiple sources, while members of many registered religious organizations were able to practice religion without harassment or legal barriers within registered places of worship and private homes, authorities continued to fine, arrest, detain, or imprison individuals on account of their religious beliefs or affiliation. International religious freedom nongovernmental organization (NGO) Forum 18 reported eight Sunni Muslims were serving sentences connected to their religious activities or beliefs as of September. These included Dadash Mazhenov, serving an eight-year prison sentence for sharing religious talks on his social media page and denied transfer to a labor camp closer to his home as punishment for praying while standing after the lights were turned off for the evening. NGOs reported the actual number of Muslims serving prison sentences connected to peaceful religious activities or beliefs was likely higher. Freed prisoners continued to experience frozen bank accounts for extended periods and restrictions on their activities, including religious activities. The government continued not to approve the registration of Muslim groups apart from those observing the Sunni Hanafi school, although NGOs reported some non-Hanafi Muslim communities continued to worship informally without government interference. In October, the head of the

National Security Committee told parliament legislation was necessary to make laws regulating religious activity more stringent. In November, the Prime Minister told parliament the government intended to introduce legislation addressing a “destructive religious trend,” and dealing with the rehabilitation of “adherents of destructive religious currents.” The government had not proposed new legislation by year’s end.

Representatives of religious groups continued to report that in some regions, individual venues refused to rent space to them, possibly under pressure from local authorities. Jehovah’s Witnesses stated that on three occasions, authorities interrupted religious meetings held in rented facilities. Authorities continued to use the religion law to harass and restrict minority religious groups with fines and limitations on their activities. Forum 18 reported 143 administrative prosecutions for violations of the religion law in 2022 and 110 in the first half of 2023, compared with 130 in 2021. Authorities reported the most common violations were posting religious materials online without permission, offering for free or selling religious items or materials without permission, and attending worship meetings not approved by the state. Forum 18 reported that two Muslims from the ethnic Dungan community were fined for teaching children on religious topics without state permission, and at least 10 persons, all Muslims, were prosecuted and fined in the first half of the year for maintaining and using places of prayer without state permission.

New Life Church representatives reported that authorities returned properties confiscated in connection with the 2019 conviction of three Church pastors accused of using hypnotism and psychological manipulation to defraud parishioners; the three pastors remained outside the country. Local Jehovah’s Witnesses associations, some of which had had their bank accounts closed in 2021, reported no further difficulties following positive

government action in 2022. The government continued to ban import of 10 Jehovah's Witnesses religious publications, and the Church of Scientology reported cases of censorship. In November, Jehovah's Witnesses reported that a military court in Almaty had ruled in favor of a military service exemption for one of their members, the first ruling of its kind.

Sources stated a government ban on religious attire in schools continued to be implemented inconsistently. In October, the Minister of Education stated that in one region of the country, more than 150 girls were not attending school because they could not find an acceptable accommodation on headscarves. Some Muslims reported discrimination in government employment against those who wore headscarves, beards, or other Islamic dress. In October, President Kassym-Jomart Tokayev expressed support for both secularism and preservation of "traditional" forms of Kazakh religion. He described secularism as "pragmatism, commitment to a healthy lifestyle, reverence for our traditional religion, and preservation of national consciousness." Religious leaders reported that through the year, representatives of the CRA in many regions met with local communities to help resolve misunderstandings that could lead to abuses of the legal rights of religious communities.

According to observers and members of minority religious groups, religious groups regarded as "nontraditional," including Jehovah's Witnesses, Baptists and other evangelical Protestants, and Muslims who chose to wear headscarves or other identifying attire, continued to face greater societal scrutiny and discrimination. Nongovernmental sources reported generally peaceful interfaith relations, but also reported many cases of negative social attitudes within specific ethnic groups toward individuals who converted from that ethnic group's dominant religion. The Association of Religious Organizations of Kazakhstan represented minority religious groups' concerns

to the government and provided a forum for consultations among religious groups.

The U.S. Ambassador and other U.S. embassy officials engaged with the government to urge respect for religious freedom, including by raising specific cases as well as systemic issues such as the restrictive effect of laws regulating religious practice, criminal penalties for peaceful religious speech, and censorship of religious literature. The U.S.-Kazakhstan Religious Freedom Working Group provided another vehicle to express these concerns. Embassy officials continued outreach to, and maintained contact with, a wide range of religious communities, including “nontraditional” and unregistered communities, as well as their leaders, and religious freedom advocates.

Section I. Religious Demography

The U.S. government estimates the total population at 20.1 million (midyear 2023). While a 2019 CRA study indicates that 92.8 percent of the population self-identify as religious, according to a 2019 study by the government-affiliated Kazakhstan Institute for Strategic Studies think tank, nonbelievers and atheists constitute 18.7 percent of the population. Official census data from 2021 indicate 2.3 percent of the population self-identify as nonbelievers, while 11 percent declined to answer.

According to the 2021 census data, 69.3 percent of the population identifying as religious is Muslim. While census data is not available on specific schools followed by the Muslim population, all officially registered mosques adhere to the Sunni Hanafi school. Other Muslim groups include Shafi'i Sunni, Shia, Sufi, and Ahmadi Muslims. According to 2021 census data, Christians constitute 17.2 percent of the population identifying as

religious, down from 26 percent as reported in the 2009 census. The great majority of Christians are Russian Orthodox. Other Christian groups include Catholics (Roman and Greek), Lutherans, Presbyterians, Seventh-day Adventists, Methodists, Mennonites, Pentecostals, Baptists, Jehovah's Witnesses, The Church of Jesus Christ of Latter-day Saints, the New Apostolic Church, and the Family Federation for World Peace and Unification (Unification Church). Ethnic Kazakhs and other Central Asian ethnic groups are primarily Muslim, and ethnic Russians and Ukrainians, who together constitute 17 percent of the overall population according to official data, are primarily 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.

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 religious groups, especially those considered "traditional" to Kazakh society. "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 MCI, which assumed the responsibilities of the former Ministry of Information and Social Development (MISD) on September 1, regulates the practice of religion in the country. By law, the MCI 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 MCI 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. The MCI cooperates with law enforcement bodies to ban religious groups and sanction individuals who violate the religion law, coordinates actions of local governments 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 registered areas for religious services or areas approved by the government for specific religious events via the official prenotification process, 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 for up to seven years and fines of up to 20,419,000 tenge (\$44,800). 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 (\$1,900) for officials, and 1,458,500 tenge (\$3,200) for organizations. The law provides a notification system for religious organizations participating in activities outside houses of worship, which functions in practice as an approval system, as it requires specific locations and dates to be approved before religious activities can be conducted.

The criminal code prohibits the “incitement of interreligious discord,” including “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 for 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 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 procedures for identifying a group as “terrorist or extremist,” permitting a court to render judgment 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.

The government maintains a list of foreign groups formally banned as terrorist organizations. On December 30, the government removed the Taliban from the list, bringing the total of banned organizations to 21. Most of the banned organizations follow a form of Islam other than the officially recognized Hanafi school of Sunni Islam. Banned organizations include internationally recognized terrorist organizations such as ISIS and the Islamic Movement of Uzbekistan as well as other organizations such as Tablighi Jamaat and Hizb ut-Tahrir, both banned by some countries. 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 (\$550). 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 17 regions and the cities of Astana, 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 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 (\$280 and \$1,100).

The administrative code mandates a 505,000 tenge (\$1,100) fine and a three-month suspension from conducting any religious activities for registered groups for 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 (\$280). 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 its members engage in activities not specified in its charter, the organization is subject to a warning, a fine of 252,500 tenge (\$550), 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 (\$830) 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 (\$1,100); the entity is also subject to a fine of 1,262,500 tenge (\$2,800), and its activities are banned indefinitely.

The law authorizes local authorities to "consider" and in practice to refuse locations proposed for holding religious events that are 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 that 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 if this access complies with the prison’s internal regulations. The law bans construction of places of worship within prison territory and does not allow for rooms to be provided for religious practice. Persons in detention have the right to engage in religious practices near their sleeping accommodations during their personal time. 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 if 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 MCI 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 MCI 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 bodies.

All production, publication, and dissemination of religious literature and information materials with 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, which the government generally interprets to include any religiously affiliated 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 (\$33,300) 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 of applying 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 Astana, 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. The local executive body of a region or the cities of Astana, 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 registered 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

Abuses Involving Violence, Detention, or Mass Resettlement

According to NGO Forum 18, there were eight Sunni Muslims serving sentences connected to their religious activities or beliefs as of September, two fewer than in 2022. This included three individuals whom the UN Working Group on Arbitrary Detention called on the government in September 2021 to release immediately and compensate for their imprisonment. The three were among a group of nine men imprisoned for participating in an online religious discussion group. NGOs reported the actual number of Muslims serving prison sentences connected to peaceful religious activities or beliefs was likely higher. At least six 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.

According to Forum 18, Sunni Muslim Dadash Mazhenov, whom courts resentenced to eight years’ imprisonment in 2020 for sharing religious talks in 2018 on his social media page, was being beaten with truncheons. Forum 18 reported no disciplinary measures had been taken against prison officials. According to the Eurasia Review, Mazhenov was denied conditional release in June and also denied transfer to a labor camp closer to his home, in the latter case as punishment for praying while standing after the lights were turned off for the evening. Courts also denied conditional release to other prisoners serving sentences connected with religious activities, including Abdukhalil Abduzhabbarov and Galymzhan Abilkairov.

Civil society representatives reported that as of September, at least 31 individuals who had completed their prison terms or restricted-freedom sentences continued to experience difficulty accessing 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," thereby 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. Forum 18 stated the bank account freeze lasted as long as eight years after the prisoners had served their sentences and could also prevent affected individuals from finding employment. Other post-prison restrictions included bans on a wide range of public activities, including attending religious services.

Civil society observers and defense lawyers continued to report that "expert" opinions used to convict individuals who had not committed or advocated violence were often of questionable quality and that judges did not consistently allow these "experts" to be questioned about their analyses during trials. Observers reported that believers could be convicted on charges such as belonging to banned organizations despite the absence of any reliable proof they held such affiliations. Observers further stated that a majority of people convicted of extremism had expressed no support for violence or harm to others and were convicted based on suspicions they belonged to or sympathized with banned groups. They also said individuals charged with extremism did not have the right to review or respond directly to evidence provided against them, including any witness testimonies or so-called "expert" reviews of their statements or actions used to reach a verdict.

Abuses Limiting Religious Belief and Expression

Jehovah's Witnesses reported that approximately 20 members faced difficulties in obtaining statutory exemptions to military service that were legally available to them as religious ministers. In seven cases, enlistment offices

detained overnight individuals seeking exemptions to military service as religious ministers. In Almaty, the Witnesses stated that officials beat two of their members and subjected them to psychological pressure because of their conscientious objector stance. The Witnesses reported that in November, the Military Court of the Almaty Garrison approved an exemption from military service for a Jehovah's Witness from the Kostanay Region following eight court hearings. The Witnesses stated this ruling was the first of its kind in the country. The Regional Military Enlistment Office appealed the court's decision in late December, and the case was unresolved at year's end.

The government continued not to 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 NGOs reported some non-Hanafi Muslim communities continued to worship informally without government interference.

Forum 18 reported that in October, head of the National Security Committee Yermek Sagimbayev told parliament, "The initiative on the need to harshen legislation in the area of regulating religious activity has more than once been discussed at the government level." Some parliamentary deputies also advocated a stricter law to combat Islamic "sects" considered dangerous. In November, Prime Minister Alikhan Smailov told parliament the legislation would, among other provisions, introduce the concepts of a "destructive religious trend," deal with rehabilitation of "adherents of destructive religious currents," and develop a list of entities permitted to distribute religious literature. As of year's end, the government had not introduced corresponding legislation.

The MCI and the SAMK maintained an official agreement on cooperation, and NGOs stated this agreement led to the government effectively exercising control over the nominally independent SAMK as well as over all mosques, given that mosques are not permitted to operate outside the jurisdiction of the SAMK. The SAMK appointed imams, made decisions regarding any property actions involving mosques (such as sales, transfers, or improvements), and collected 30 percent of mosques' income. 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 2,834 mosques in the country, 90 more than were reported in 2022, though the government and news media continued to report sometimes inconsistent statistics on the number of mosques nationwide. Reports indicated that the number of individuals attending mosques continued to increase.

The SAMK continued to control the activities of all formally registered Muslim groups, all affiliated with the Sunni Hanafi school, and, in addition to appointing imams, exercised authority over the administration of qualification examinations and background checks for aspiring imams. The MCI 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, master's, 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 Sunni Hanafi religious training centers and one each for Roman Catholic and Russian Orthodox clergy.

The Ahmadiyya Muslim Community again did not attempt to register during the year; the group had attempted to register with authorities at least six times since 2011 and was last rejected in 2016. Government experts continued to justify their conclusion that the community's teachings were not Islamic and that it must remove the word "Muslim" from its registration materials. Human rights defenders criticized this reasoning as inappropriate for a secular government. Some community members reported that since they were not registered, they did not engage in any religious activity.

Local and international observers reported that authorities continued to impose restrictions on, and conduct additional scrutiny of, groups the government considered "nontraditional." This included some Protestant groups and Muslims who practiced any version of Islam other than the officially recognized Hanafi school of Sunni Islam. Restrictions included refusal to register new buildings as official places of worship. Observers reported local governments continued to refuse registration to some small, non-Muslim religious groups and to monitor the activities of their members, while other groups opted not to attempt registration for fear this would attract negative attention from state officials and lead to harassment of their members.

NGOs again stated the Council of Baptist Churches continued to refuse on principle to register under the law, in keeping with its policy of maintaining a distance from the government, and that authorities continued to surveil 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. Members reported a reluctance to try to register as a religious organization under the amended 2021 Law on Religion, as the law's broader definition of which experts could be employed to examine religious cases could leave organizations more vulnerable to accusations of psychological harm to current or former community members.

Religious freedom observers continued to report that notification procedures for scheduling religious events outside of registered religious buildings left communities vulnerable to government interference because the government could refuse permission for an event even if the applicants complied with all notification requirements. The CRA reported that in practice its regional offices did not deny permission to any of the groups that applied to hold religious services outside of registered religious buildings during the year. Representatives of religious groups also reported that in some regions, it was not possible to hold events outside of registered religious buildings because individual venues refused to rent space to them, possibly under pressure from local authorities or due to lack of understanding of the legal requirements for renting spaces for religious services. According to the Jehovah's Witnesses, in three instances authorities interrupted religious meetings held in rented facilities. The Witnesses also stated that among their 15 local groups in the country, only one received permission during the year to start the process to designate its place of worship as a "religious building," and five were denied because of opposition from neighbors. Without such a designation, Witnesses said they could not distribute religious literature and had difficulty holding religious meetings.

Members of some registered minority religious groups reported the CRA participated actively in NGO-organized discussions on religious freedom and religious tolerance. In addition, nongovernmental experts in religious affairs reported some regional CRA offices organized multifaith clubs and chat groups to facilitate positive relationships with local faith representatives. Several minority religious group representatives reported CRA outreach had improved cooperation with the national government, which was able to resolve minor disagreements and misunderstandings of the legal structure with minimal negative consequences for religious community members. Examples included the ability to rent premises for religious worship on a regular basis without government harassment. Religious groups also cooperated with the government to remove derogatory speech deemed illegal under the law from public platforms. CRA representatives said they maintained information hotlines and chatbots that individuals could contact to obtain information about religious issues.

Religious freedom observers reported that in other cases, authorities continued to use the religion law to harass and restrict minority religious groups with fines and limitations on their activities. Forum 18 reported 143 administrative prosecutions for violations of the religion law in 2022, compared with 130 administrative prosecutions reported in 2021. In the first half of 2023, Forum 18 reported 110 administrative violations. Of the 2022 cases, reported violations included posting religious messages or materials online without state permission (54 cases); offering for free or selling religious items or materials without state permission (40 cases); attending worship meetings not approved by the state (26 cases); teaching faith to children without state permission (eight cases); trying to import religious literature without state permission (six cases); sharing faith with others without state permission (three cases); violating procedures for praying in mosques (three cases); possession of unauthorized religious

literature (two cases); and trying to build a place of worship without state permission (one case). According to Forum 18, penalties included temporary bans on certain unspecified activities, verbal reprimands and fines. Fines were mostly between the equivalent of three weeks' to four months' average wages (107,205 tenge to 612,600 tenge (\$230 to \$1,300).

For the first time since 2018, Forum 18 reported two foreign citizens were ordered deported in 2022. Forum 18 also reported that in August 2023, four German citizens were denied renewal of missionary visas, although two of the individuals were later granted visas following reapplication.

Nongovernment observers reported that Muslim groups that did not wish to register with the SAMK for reasons including differences of belief, sometimes continued to worship informally but generally avoided public attention for fear of provoking government interference up to and including imprisonment and physical mistreatment.

Forum 18 reported that two Muslims from the ethnic Dungan community in the southern Zhambyl Region were fined for teaching children on religious topics without state permission, bringing the number of ethnic Dungan Muslims fined for teaching children to read the Quran to 13 since 2018. Also, according to Forum 18, at least 10 persons were prosecuted in the first half of 2023 for maintaining and using places of prayer without state permission. Eight of these cases, all involving Muslims, ended with fines. According to public reports, Zakirzhan Rozmetov was fined for leading evening prayers during Ramadan in a Shymkent mosque stripped of registration in 2021. A court ruled that Rozmetov's action in leading prayers was "contrary to [legal requirements]" because he "does not work as an imam or teacher in the representative office and is not registered as a clergyman in the local executive bodies."

According to the 2023 Jehovah's Witnesses Religious Freedom Report published in November and other reporting from the Witnesses, 80 Witnesses were stopped or taken to police stations for sharing religious beliefs with others, 28 received written warnings for conducting "illegal missionary activity," and three were found guilty and fined. Witnesses also reported that 20 members were found not guilty on charges related to missionary activity and distribution of religious literature. Most of the cases involved conducting evangelization efforts that were deemed to have contravened the law, such as conducting Bible discussion sessions and distributing contact cards with the Jehovah's Witnesses website address.

The Jehovah's Witnesses reported that the Department of Religious Affairs for the city of Almaty produced leaflets and a video that provided a misleading interpretation of national law on missionary activities. According to the Witnesses, the pamphlets were distributed outside Jehovah's Witnesses religious buildings, while the video was distributed by police officers and through the Almaty Education Department and school administrations, which required teachers to share the video with parents.

New Life Church representatives reported that following additional legal review, authorities returned properties confiscated in connection with the 2019 conviction of three New Life Church pastors accused of using hypnotism and psychological manipulation to defraud parishioners. The three pastors continued to live outside Kazakhstan due to outstanding convictions that parishioners said were politically motivated.

Jehovah's Witnesses reported they had no significant issues with banking services and most local associations of Witnesses had active bank accounts following their September 2021 removal from the government list of "high-

risk entities for second tier banks.” The government had closed the bank accounts of some local Jehovah’s Witnesses associations in November 2021 on grounds of combating money laundering. In their annual report, the Jehovah’s Witnesses noted that their removal from the high-risk entities listing followed productive meetings with the Ombudsman and the CRA.

Religious groups continued to report government surveillance, including sometimes sending government representatives to monitor services. Some religious group representatives reported religious literature was confiscated but returned without fines if government representatives deemed it was not “extremist.” Sources reported that government representatives in practice applied the extremist label to Muslims exclusively among religious groups, sometimes using the terms “extremist” and “Salafist” interchangeably.

Civil society representatives reported prisoners and detainees were not always provided access to state-approved religious literature or allowed to pray in accordance with their belief systems, even when their religious practices did not otherwise interfere with prison routines. Experts on prisoner rights stated regulations for worship in places of detention were discriminatory, as they allowed religious practice only during personal time, effectively prohibiting Muslims from praying at required times throughout the day. While administrators sometimes allowed persons held in places of detention to pray at required times, experts stated that this could leave religious believers in detention vulnerable to subsequent abuse, for example refusal to allow visitors or grant early release to prisoners who prayed outside of these allowed times.

The government continued to ban import of 10 Jehovah’s Witnesses religious publications, despite views published by the UN Human Rights Committee in March 2021 that the publications should be allowed, and the

authors compensated. The Witnesses reported they had not yet received a UN decision regarding 12 additional banned publications.

The Church of Scientology reported cases of censorship, including one instance in which their representatives were prevented from participating in an open book fair in Almaty, and one case in which customs officials seized personal copies of Scientology scriptures from a member of the organization entering the country. Representatives of the Church of Scientology reported the books were returned to the member following dialogue with government representatives.

The government maintained its policy of banning religious attire in schools, although observers reported this policy was not consistently enforced and in practice, some school administrations allowed girls to study in headscarves or wear hoods as a compromise. In October, Minister of Education Gani Beisembayev stated that in the Atyrau Region alone, more than 150 girls were not attending school because they could not find an acceptable accommodation with regard to wearing headscarves. According to an October report in Deutsche Welle, opponents of the ban on headscarves organized flash mobs on social media, with schoolgirls burning exercise books and demanding to wear Islamic attire. In September, an activist in favor of allowing headscarves in schools stated he had collected survey data showing that more than 13,000 girls wore headscarves at school in practice.

In September, parliamentary deputy Aidarbek Khojanazarov spoke in favor of permitting religious clothing in schools, commenting that “It doesn’t matter – it’s a hijab, a cross, a *tumar* [decorative neckpiece with religious significance in Kazakh culture], whatever. This is everyone's constitutional right. And then there is intraschool regulation. They must determine. In

general, isn't it written into our constitution to practice one's religion? And any restriction is a restriction of constitutional rights."

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.

Abuses Involving Discrimination or Unequal Treatment

Some Muslims reported that discrimination in government offices and schools against those who wore headscarves, beards, or other Islamic dress prevented them from working in government service or public education. Civil society and academic sources reported that accordingly, many Muslims chose to work in the private sector, where discrimination based on religious appearance was far less pervasive, experts reported. These sources viewed government tenders for programs to prevent "destructive" or "radical" Islam as discriminatory and not appropriate for a secular government, as they provided state support to advance specific religious views and interpretations.

In October, President Tokayev expressed support for both secularism and preservation of "traditional" forms of Kazakh religion, commenting that "I think it would be right if the child makes his choice when he grows up and has formed his own worldview. The most important thing is to raise a generation with an open worldview, clear consciousness, and true to traditions. The content of the word "secularism" is very deep. Speaking about the worldview of our people, we can characterize secularism as

pragmatism, commitment to a healthy lifestyle, reverence for our traditional religion, and preservation of national consciousness.”

In October, Minister of Culture and Information Aida Balayeva stated the government might pursue a ban in public places on religious clothing that covers the face, such as niqabs, but was not considering a public ban on hijabs.

Section III. Status of Societal Respect for Religious Freedom

Nongovernmental sources continued to report individuals were wary of “nontraditional” religious groups, particularly those that proselytized or whose dress or grooming, including Islamic headscarves and beards, suggested “nontraditional” beliefs. According to these sources, while the law prohibits many forms of derogatory speech about religious groups formally and in practice, citizens regularly used derogatory speech with regard to Muslims whose personal appearance suggested more “nontraditional” religious beliefs.

Members of minority Christian religious communities said CRA counterparts removed articles they considered derogatory and potentially in violation of the law from nongovernment internet pages, including social media.

Jehovah’s Witnesses continued to report the appearance of defamatory articles in private and government-run media outlets during the year. Other groups reported fewer instances of negative media coverage than in some previous years.

During the year, the Talgar Association of the New Life Church reported local banks continued to refuse to open accounts for the organization. The Church was forced to suspend staff salaries and cease operations due to its inability to pay taxes.

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

Nongovernmental sources reported generally peaceful interfaith relations, including among the leaders of some religious communities, but also reported many cases of negative social attitudes within specific ethnic groups toward individuals who converted from that ethnic group’s dominant religion. Observers reported mixed societal reactions towards a publicly broadcast Christian Easter service partially delivered in Kazakh. While some native Kazakh speakers welcomed the service as inclusive, others said they regarded it as offensive because they believed it was intended as a step to convert ethnic Kazakhs from Islam to Christianity.

According to Christian NGO Open Doors International, Christians who converted from Islam experienced the harshest societal reaction for their religious beliefs. The organization’s reports indicated that in some instances, measures taken against them included converts’ families locking them up for long periods of time, communities expelling them, or local imams preaching against them.

Section IV. U.S. Government Policy and Engagement

The Ambassador, other embassy officers, and visiting senior U.S. government representatives met with senior government officials in the Ministry of Foreign Affairs, the former MISD, CRA and the Presidential Administration to urge respect for religious freedom, emphasizing both general issues and specific cases. The U.S.-Kazakhstan Religious Freedom Working Group, comprising officials from both countries, provided an additional forum for raising U.S. government concerns. Topics discussed included the practical effects of the country's laws regulating religious practice that were adopted in December 2021 and their restrictive effects on religious freedom, especially concerning criminal penalties for peaceful religious speech and praying without registration and censorship of religious literature. 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, 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 "extremism" and other religious freedom issues 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 further amend the religion law to enhance 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. Embassy officials continued to monitor selected cases of concern, and in some cases to monitor court proceedings.

Embassy officials continued to maintain contact with a wide range of religious communities, leaders, and religious freedom advocates. These communities included those considered “nontraditional” by the government. Embassy officials underscored the importance that 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, regardless of whether they were part of a registered religious group.