

Mandates of the Special Rapporteur on the promotion and protection of the right to freedom of opinion and expression; the Special Rapporteur on the rights to freedom of peaceful assembly and of association and the Special Rapporteur on freedom of religion or belief

Ref.: AL KAZ 3/2026
(Please use this reference in your reply)

31 March 2026

Excellency,

We have the honour to address you in our capacities as Special Rapporteur on the promotion and protection of the right to freedom of opinion and expression; Special Rapporteur on the rights to freedom of peaceful assembly and of association and Special Rapporteur on freedom of religion or belief, pursuant to Human Rights Council resolutions 52/9, 59/4 and 58/5.

In this connection, we would like to bring to the attention of your Excellency's Government information we have received concerning the **ongoing judicial harassment of Father Iakov Vorontsov, which appears to be related to his public advocacy against the Russian Orthodox Church's support for Russia's invasion and occupation of Ukraine, as well as concerning the denial of registration of the "Independent Community of Orthodox Christians in Honour of the Transfiguration of the Lord" of which Father Vorontsov was elected leader.**

According to the information received:

On 12 February 2026, Orthodox Christian minister Father Iakov Vorontsov was arrested on narcotics-related charges, and he has remained in detention since then. It is alleged that his arrest, detention, and the charges against him are directly related to his public statements against Russia's invasion of Ukraine in 2022 and the role of the Russian Orthodox Church (ROC) in support thereof, and his subsequent attempts, along with others, to establish a religious community of Orthodox Christians independent of the ROC in Kazakhstan.

Refusal to register a religious association

Following the Russian Federation's full-scale invasion of Ukraine in February 2022, Father Vorontsov signed an open letter calling for peace in Ukraine, and urged the Kazakhstani authorities to withdraw from the Collective Security Treaty Organisation and the Eurasian Economic Union. He was suspended by the ROC in Kazakhstan as a result of his statements and subsequently defrocked in August 2023.

Soon afterward, Father Vorontsov began advocating for the establishment of a new community of Orthodox Christians independent of the ROC, and for the establishment of a representative office of the Patriarchate of Constantinople in Kazakhstan. In November 2025, the local religious organisation "Independent Community of Orthodox Christians in Honour of the Transfiguration of the Lord" was established at a founding meeting of 54 Kazakhstan citizens in Almaty, and Father Vorontsov was elected as its leader.

An application to register the community was submitted to the relevant authorities on 17 December 2025 and rejected on 23 December 2025. The grounds provided for the rejection were reportedly related to the status of one of the 54 initiators as an owner of an ‘inactive’ legal entity (a limited liability company). Although Article 11(3) of the Law on State Registration of Legal Entities appears to prohibit such an inactive legal entity (itself a legal person distinct from its owners or directors) from registering a legal entity of which it is the sole founder, it is not clear that this also applies to the owner or director of such a legal entity. Moreover, this appears *prima facie* to contradict the provisions of Article 15 of the Law on Religious Activities and Religious Associations which require at least 50 Kazakh citizens to be *initiators* (as opposed to founders) of a local religious association. It is not clear why the existence of an inactive company belonging to one of the initiators constitutes grounds for the denial of the right of the 53 other initiators to constitute an association.

On 9 January 2026, Father Vorontsov filed a complaint with the Ministry of Justice alleging that the refusal to register the organisation was unlawful. The complaint was rejected by the Ministry on 16 January 2026. The first hearing on Father Vorontsov’s appeal against this decision was held on 12 February 2026.

Criminal investigations and subsequent arrest

On 12 February 2026, the same day as the appeal hearing against the Ministry of Justice’s rejection of his complaint, Father Vorontsov’s home was searched by the authorities, who allegedly found three bundles of synthetic substances. Father Vorontsov was arrested, and has remained detained since, under a two-month preventive detention order. He has been charged with narcotics-related offences under Article 302(1) and Article 296(4) of the Kazakhstan Criminal Code. It is reported that Father Vorontsov denies the charges and maintains that the substances were planted. It is further reported that while in detention, Father Vorontsov’s head was forcibly shaved, despite his insistence that it constitutes a manifestation of his religion.

It is alleged that the concerns as to the grounds for Father Vorontsov’s criminalisation reflect the history of judicial harassment against him in relation to his positions of conscience.

Father Vorontsov’s statements in defence of peace in Ukraine and his criticism of the ROC have previously been met with criminal investigation. In 2023, after his defrocking, a criminal case was opened against him under Article 174 of the Kazakhstan Criminal Code (“Incitement of social, national, tribal, racial, class or religious discord”). The investigations, which were subsequently dropped after 16 months owing to a lack of evidence, reportedly arose from a complaint made by an Orthodox parishioner.

On 14 January 2026, however, representatives of the ROC in Kazakhstan made a video appeal to President Tokaev demanding that the criminal case be re-opened against him. On 15 January, Father Vorontsov received text messages

via an unknown number on WhatsApp informing him that he was under “active surveillance”.

While we do not wish to prejudge the accuracy of these allegations, we express serious concern that the criminalisation of Father Vorontsov and the ongoing denial of registration to the Independent Community of Orthodox Christians in Honour of the Transfiguration of the Lord represent violations of international human rights standards, and appear to arise as a direct consequence of Father Vorontsov and the other initiators’ manifestation of their religion or belief and exercise of their right to freedom of expression. In this regard, we recall that States have a duty to put in place effective measures to protect against attacks of all kinds aimed at silencing those exercising their right to freedom of expression (CCPR/C/GC/34, para. 23).

In connection with the above alleged facts and concerns, please refer to the **Annex on Reference to international human rights law** attached to this letter which cites international human rights instruments and standards relevant to these allegations.

As it is our responsibility, under the mandates provided to us by the Human Rights Council, to seek to clarify all cases brought to our attention, we would be grateful for your observations on the following matters:

1. Please provide any additional information and/or comment(s) you may have on the above-mentioned allegations.
2. Please provide the factual and legal grounds for the arrest and detention of Father Iakov Vorontsov and the charges against him. Please explain whether any due diligence measures have been taken to review this case and examine the alleged connection between these charges and Father Vorontsov’s statements and activities, to ensure compliance with Kazakhstan’s obligations under international human rights law.
3. Please provide factual and legal grounds for the denial of registration to the Independent Community of Orthodox Christians in Honour of the Transfiguration of the Lord.
4. Please indicate what measures are taken to ensure that persons belonging to religious minorities, including those opposed to the ROC’s position with respect to the Russian invasion of Ukraine, can freely and without discrimination exercise their rights to freedom of expression and freedom of religion or belief.

This communication, and any response received from your Excellency’s Government, will be made public via the communications reporting [website](#) at the 60 days mark. Should Your Excellency’s Government respond within 60 days, both the communication and the response, may be published before the 60 days mark. The communications and responses will also be made available in the subsequent periodic report to be presented to the Human Rights Council.

While awaiting a reply, we urge that all necessary interim measures be taken to halt the alleged violations and prevent their re-occurrence and in the event that the

investigations support or suggest the allegations to be correct, to ensure the accountability of any person(s) responsible for the alleged violations.

Please accept, Excellency, the assurances of our highest consideration.

Irene Khan

Special Rapporteur on the promotion and protection of the right to freedom of opinion and expression

Gina Romero

Special Rapporteur on the rights to freedom of peaceful assembly and of association

Nazila Ghanea

Special Rapporteur on freedom of religion or belief

Annex

Reference to international human rights law

In connection with above alleged facts and concerns, we would like to refer your Excellency's Government to international human rights standards and jurisprudence concerning the right of individuals and organisations to manifest their religion or belief, including through the establishment of an association. These include articles 18, 19, 21 and 22 of the International Covenant on Civil and Political Rights (ICCPR), ratified by Kazakhstan on 24 January 2006, which provide for the rights to freedom of thought, conscience and religion, freedom of expression, peaceful assembly and freedom of association.

Articles 21 and 22 of the ICCPR guarantee the rights to peaceful assembly and to freedom of association, allowing individuals to form and join associations freely. The Declaration on the Elimination of All Forms of Intolerance and of Discrimination Based on Religion or Belief (resolution 36/55 1981), provides in Article 6 that the right to freedom of thought, conscience, religion or belief shall include, inter alia, among others, the freedoms to i) worship or assemble in connection with a religion or belief, ii) to establish and maintain places for these purposes, iii) to make, acquire and use to an adequate extent the necessary articles and materials related to the rites or customs of a religion or belief. Therefore, it establishes an interdependency with the guarantee of freedom of assembly, and freedom of seek, access and use of resources, which is part of the right to freedom of association.

As stated in a report by the Special Rapporteur on the rights to freedom of peaceful assembly and of association, States not only have a negative obligation to abstain from unduly interfering with the rights of peaceful assembly and of association but also have a positive obligation to facilitate and protect these rights in accordance with international human rights standards [A/HRC/17/27, para. 66; and A/HRC/29/25/Add.1]. This means ensuring that the rights to freedom of peaceful assembly and of association are enjoyed by everyone, without discrimination on the basis of race, colour, sex, language, religion, political or other opinion, national 8 or social origin, property, birth or other status (article 2(1) of the International Covenant on Civil and Political Rights).

The right to religious practices and manifestations is provided by article 18(1) of the ICCPR, which stresses that “[e]veryone shall have the right to freedom of thought, conscience and religion. This right shall include freedom [...] either individually or in community with others and in public or private, to manifest his religion or belief in worship, observance, practice and teaching.” General comment No. 22 of the Human Rights Committee further explains that “[t]he freedom to manifest religion or belief in worship, observance, practice and teaching encompasses a broad range of acts. The concept of worship extends to ritual and ceremonial acts giving direct expression to belief, as well as various practices integral to such acts, including the building of places of worship [...] the display of symbols [...] In addition, the practice and teaching of religion or belief includes acts integral to the conduct by religious groups of their basic affairs, such as freedom to choose their religious leaders, priests and teachers, the freedom to establish seminaries or religious schools and the freedom

to prepare and distribute religious texts or publications.” (CCPR/C/21/Rev.1/Add.4, para. 4).

It is further recalled that, in the same general comment, the Human Rights Committee explained that “[p]ersons already subject to certain legitimate constraints, such as prisoners, continue to enjoy their rights to manifest their religion or belief to the fullest extent compatible with the specific nature of the constraint.” In its Views in *Mukhlisov v Kazakhstan* (CCPR/C/130/D/2457/2014) the Committee reiterated this position, noting that while on the facts of the given case, which concerned a prisoner forced to remove his beard against his stated religious preferences, “according to the internal order regulations of correctional institutions, those convicted should have a tidy appearance, including short hair up to 1.5 centimetres long (with the exception of women), well-maintained moustaches and shaved beards, it does not explain why those measures are necessary [...] the Committee recalls that in interpreting the scope of permissible limitation clauses, States parties should proceed from the need to protect the rights guaranteed under the Covenant. Limitations imposed must be established by law and must not be applied in a manner that would vitiate the rights guaranteed in article 18. Limitations may be applied only for those purposes for which they were prescribed and must be directly related and proportionate to the specific need on which they are predicated” (para. 9.5).

In addition, while the manifestation of religion or belief may be restricted as per article 18(3) of the ICCPR, to protect public safety, order, health, morals and the fundamental rights and freedoms of others, any such limitation must fulfil a number of obligatory criteria of legality, proportionality and necessity, including being non-discriminatory in intent or effect and constitute the least restrictive measure.

Article 19 of the ICCPR guarantees the right to hold opinions without interference and the right to freedom of expression, which includes the right “to seek, receive and impart information and ideas of all kinds, either orally, in writing or in print, in the form of art, or through any other media”. This right applies online as well as offline and includes not only the exchange of information that is favourable, but also that which may criticize, shock, or offend. In its [general comment No. 34](#), the Human Rights Committee stated that States parties to the ICCPR are required to guarantee the right to freedom of expression, including “political discourse, commentary on one’s own and on public affairs, canvassing, discussion of human rights, journalism, cultural and artistic expression, teaching, and religious discourse” (CCPR/C/GC/34, para. 11).

The Committee further asserts that there is a duty of States to put in place effective measures to protect against attacks aimed at silencing those exercising their right to freedom of expression (para. 23). Recognizing how journalists and persons who engage in the gathering and analysis of information on the human rights situation and who publish human rights-related reports, including judges and lawyers, are frequently subjected to threats, intimidation and attacks because of their activities, the Committee stresses that “all such attacks should be vigorously investigated in a timely fashion, and the perpetrators prosecuted, and the victims, or, in the case of killings, their representatives, be in receipt of appropriate forms of redress” (para. 23).

Any restriction on the right to freedom of expression must be compatible with the requirements set out in article 19(3) of the ICCPR. Under these requirements,

restrictions must (i) be provided by law; (ii) pursue one of the legitimate aims for restriction, which are the respect of the rights or reputations of others and the protection of national security or of public order (*ordre public*), or of public health or morals; and (iii) be necessary and proportionate for those objectives. The State has the burden of proof to demonstrate that any such restrictions are compatible with the Covenant, and restrictions must always be “the least intrusive instrument among those which might achieve their protective function” ([CCPR/C/GC/34, para. 34](#)).

Article 19(3) may never be invoked to justify the muzzling of any advocacy of democratic tenets and human rights (para. 23). Nor, under any circumstance, can an attack on a person, because of the exercise of their freedom of opinion or expression, including such forms of attack as arbitrary arrest and torture, be compatible with article 19 (para. 23)

In thematic reports, Special Rapporteurs on freedom of religion or belief have raised concerns about unnecessary bureaucratic restrictions, denial or delays in registration processes, and the acquisition of a legal status for religion or belief communities. It has been noted with concern that recognition procedures may be lengthy and overtly complicated, with the intentional or non-intentional effect of discouraging certain minorities from even applying. Administrative procedures for obtaining legal personality status should be established in a spirit of facilitating the full enjoyment of freedom of religion or belief for all religion or belief communities, including minorities. States should ensure that such procedures are facilitated in a quick, transparent, fair and non-discriminatory manner. In addition, they should favourably take into account the specific conditions for minorities, for example in defining quota and thresholds (A/HRC/22/51, paras. 42, 43, and 69).