

Criminal-legal mechanisms for countering offences motivated by religious beliefs: A criminological approach

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Abstract. The aim of the study was a comprehensive analysis of criminal law mechanisms for countering crimes motivated by religious beliefs, using a criminological approach to identify contemporary trends in law enforcement practice, problems, and gaps in current legislation. In the course of the study, criminal law mechanisms for countering crimes motivated by religious beliefs were analysed using examples from Kazakhstan, Pakistan, and European countries. It was established that Kazakhstan showed a tendency towards adapting European standards, taking into account national specificities and the influence of regional factors, while in Pakistan, criminal prosecution was often accompanied by religious-political influence, which hindered an objective legal assessment of the acts. It was summarised that the effectiveness of criminal law counteraction to such crimes largely depended on the level of legal culture, the degree of secularism in the state, and the presence of an interdisciplinary approach. It was concluded that effective counteraction to crimes motivated by religious beliefs required a comprehensive approach combining criminal law, theological, and socio-preventive measures. Using the examples of Kazakhstan, Pakistan, and European countries, it was found that the most resilience in combating such crimes was demonstrated by those states where a balance was maintained between the protection of human rights, the secular nature of public order, and the possibility of state-religious dialogue. At the same time, excessive punitiveness (as in the case of Pakistan) or excessive liberalisation (in some European countries) could

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both intensify radical sentiments and hinder the criminal prosecution of offenders. Kazakhstan, being positioned between the two models, demonstrated a desire to develop its own strategy based on international experience but still required clearer theoretical and legal foundations

Keywords: religion; social tension; human rights protection; extremism; terrorism; discrimination

Introduction

Religiously motivated crimes, such as extremism, religious violence, discrimination, and terrorist attacks, occurred in many countries. Human rights, interfaith communication, and public safety were under serious threat. Most states became multinational and multi-faith in the context of globalisation and migration processes. This increased the likelihood of religiously motivated conflicts and required the creation of reliable legal safeguards against such crimes. The criminal laws of countries regulating religion-based crimes differed significantly from one another. For example, international cooperation was hindered by the fact that some states prioritised the protection of freedom of conscience over the fight against extremism. Crimes related to religious beliefs often complicated the link between public security, freedom of expression, and religious freedom. It was necessary to study these aspects to ensure justice and respect for human rights. There were no scientific studies on specific criminal mechanisms that restrained religiously motivated crimes. This especially concerned interdisciplinary approaches combining law, theology, and criminology. Therefore, the study of this topic had significant scientific, practical, and social importance, contributing to the development of more effective criminal justice measures and preventive strategies. Without proper scientific research, it was impossible to effectively prevent religion-based crimes, as this required a deep understanding of the social context, radicalisation mechanisms, and criminal motives. Countries were obliged to comply with international standards such as the Universal Declaration of Human Rights (1948) and the International Covenant on Civil and Political Rights (1966), which required the development of legislative tools to successfully combat religious crimes while respecting human rights.

As stated by D. Sharipova and S. Beissembayev (2023), the identification, suppression, investigation, prosecution, and prevention of crimes motivated by religious beliefs were part of the criminal legal mechanisms to combat such offences. Specific criminal laws were designed to prevent the use of organised religious groups as justification for unlawful behaviour. According to the scientific study by K. Begalinovala *et al.* (2020), crimes motivated by religious beliefs could take many forms, from violent offences to persecution and discrimination based on religious grounds. Terrorist attacks committed under the false pretext of religion incited hatred towards religion. In addition to the threat to national security and global stability, as noted by A.J. Chigozie (2025), these actions had a negative impact on social relations and fuelled interfaith conflict.

B.A. Kalmyrzaev *et al.* (2021) concluded that a criminological approach that combined criminological and theological methods to analyse religiously motivated crimes was a key direction in this context. These allowed the assessment of the influence of religious factors on criminal behaviour, a deeper understanding of criminal motivation, and the development of stronger countermeasures. The study and combat of religiously motivated crime required an interdisciplinary approach. One of the key components of criminal law

mechanisms to combat acts of religious hatred or hostility, examined in the work of U. Tungatova and A. Kurmanaliyeva (2023), was the establishment of increased liability for such crimes. This was due to the high social risk associated with such offences, which could incite interfaith strife, destabilise society, and violate fundamental human rights.

According to the study by K. Bishmanov and N. Orynbekov (2023), the training of specialists who could work with religious communities and identify crimes motivated by religious beliefs was necessary. The involvement of religious scholars, theologians, and other experts in the analysis of crimes with a religious context was one of the most important components of criminal legal mechanisms in the fight against crimes motivated by religious beliefs. This contributed to a better understanding of the offender's motivation, the circumstances of the offence, and the effective resolution of law enforcement issues. According to the study by L. Vidino and F. Marone (2022), theologians and religious scholars could help determine whether the offender's actions were dictated by the religious beliefs. The authors examined the suspect's texts, statements, symbols, and the context of the actions. Expert involvement increased the professionalism and impartiality of law enforcement efforts, while reducing the likelihood of escalating religious disputes. As emphasised by N. Seitakhmetova *et al.* (2024), interaction between the state and representatives of various faiths as a preventive measure against crimes based on religious beliefs was a crucial factor in preventing violence and extremism. This work aimed to foster interpersonal understanding, tolerance, and social stability.

Accordingly, it could be concluded that there were few comparative studies of criminal law in countries where religious motivation for crimes was pronounced (e.g., Kazakhstan, Pakistan, Saudi Arabia, Iran). Research often remained limited to Western or post-Soviet legal practice. Using the example of Kazakhstan, Pakistan, and the countries of the European Union, the study aimed to identify differences and common features in legal regulation, the level of involvement of religious factors in criminal policy, and the effectiveness of implemented counteraction mechanisms. This, in turn, contributed to the development of scientifically grounded recommendations for improving criminal law norms and formulating a balanced model for combating religiously motivated crimes, taking into account both international experience and the local features of legal systems and sociocultural contexts. The objectives were: to study existing criminal legislation in the field of countering religiously motivated crimes; to analyse existing criminal legal mechanisms aimed at preventing and suppressing religion-based crimes; to define the theoretical foundations of the criminological approach and justify its applicability in criminal law and criminological analysis.

Materials and methods

The materials of the study included legal and regulatory acts at the international, regional, and national levels governing

liability for crimes committed on the grounds of religious hatred or fanaticism. Using the method of comparative legal analysis, differences, and similarities in the criminal legislation of various countries – namely Kazakhstan, Pakistan, and the countries of the European Union – were examined. Specifically, the following were analysed: the Constitution of the Republic of Kazakhstan (1995), the Law of the Republic of Kazakhstan No. 31 “On Countering Extremism” (2005), the Law of the Republic of Kazakhstan No. 416 “On Countering Terrorism” (1999), the Law of the Republic of Kazakhstan No. 483-IV “On Religious Activities and Religious Associations” (2011), the Criminal Code of the Republic of Kazakhstan (2014), the Penal Code of Pakistan (1860), the European Council Framework Decision No. 2008/913/JHA “On Combating Certain Forms and Expressions of Racism and Xenophobia by Means of Criminal Law” (2008), the Universal Declaration of Human Rights (1948), and the International Covenant on Civil and Political Rights (1966). The study of these three regions allowed for the identification of specific problems and successful practices in combating religious crimes and contributed to the development of a more flexible and effective legal system that took into account both local characteristics and international trends in the protection of religious freedom and human rights. Including in the analysis criminal codes, anti-extremism laws, and anti-discrimination provisions enabled the identification of the features of criminal legal mechanisms in each of these countries. An important source of information was the report by the Observatory on Intolerance and Discrimination against Christians (2024), as well as data from Kazakhstani analytical portals (Decision of the District Court No. 2 of the Saryarka District of Astana, 2017; Kazakhstan took 67th..., 2021; Ismailov, 2025), which provided statistics on religiously motivated crimes.

The research methods included criminological analysis, which revealed the main causes and contributing factors to the commission of religiously motivated crimes, as well as features of law enforcement in different countries. Comparative analysis was used to assess differences and similarities in legal approaches to crimes motivated by religious beliefs. This made it possible to identify both effective and insufficient legal protection measures. Using content analysis and the historical-legal method, the largest religiously motivated crimes in Kazakhstan were examined: the attack in the city of Aktobe in June 2016 (Rowe, 2021), and the tragic case in Taraz in 2011 (Collins *et al.*, 2024). The evolution of criminal law provisions regulating liability for religiously motivated crimes was studied in the context of these incidents. The criminological approach was used to study the interaction between religious doctrines and criminal law, as well as to assess the influence of religious norms on legal mechanisms and the ability to effectively counteract crimes motivated by religious hatred. All these methods and materials made it possible to study the problem in depth and to propose recommendations for improving legal mechanisms in the countries considered.

Results

In Kazakhstan, religious diversity became an important part of the cultural heritage, helping to develop a harmonious society based on respect for the faith and traditions of each person. The main religions in Kazakhstan were Islam and Christianity, but Buddhism, Judaism, and other

denominations were also represented. State policy supported interfaith dialogue and tolerance, and the country annually hosted the Congress of Leaders of World and Traditional Religions, which testified to Kazakhstan’s commitment to the ideals of unity. The development of social relations largely depended on religion, which was one of the most important components of cultural and social life. However, religious beliefs could serve as a catalyst for disputes and hate-motivated crimes. Kazakhstan was characterised by a multi-ethnic and multi-faith population, with freedom of conscience and religion guaranteed at the constitutional level, which contributed to the formation of a sustainable model of interfaith harmony and religious tolerance in society – Article 22 of the Constitution of the Republic of Kazakhstan (1995). However, the growth of terrorism, radicalism, and religious extremism were examples of negative phenomena that reached a noticeable scale. Moreover, a significant percentage of both violent and non-violent crimes were committed by religious extremist groups. At the time, there were no precise publicly available data on the percentage ratio of violent and non-violent crimes committed by religious extremist groups in Kazakhstan, but according to the Kazakh analytical portal Finprom.kz (Kazakhstan took 67th..., 2021), 139 offences related to extremism and terrorism were recorded, which was 19.8% higher compared to the same period of the previous year. One of the main responsibilities of society was to recognise and overcome these phenomena, which posed a challenge to the state’s criminal legal policy in general and to law enforcement agencies in particular.

Combating crimes based on religious beliefs implied the application of a set of legislative, administrative, social, and other measures by the state. Law of the Republic of Kazakhstan No. 31 (2005) established the powers of law enforcement agencies to counter and suppress terrorism, defined the responsibility of religious associations and individuals encroaching on the constitutional order and public safety. Kazakhstan’s legislation also set strict requirements for the activities of religious associations, aimed at minimising the risks of abuse of freedom of conscience and religion. Detailed requirements for the activities of religious associations in Kazakhstan were laid out in Law of the Republic of Kazakhstan No. 483-IV (2011). One of the key requirements was the mandatory state registration of all religious associations. Without undergoing the relevant procedures, the activities were considered illegal, and any gatherings or missionary activities without permission could lead to administrative or criminal liability. The state also exercised control over the activities of religious organisations, checking for compliance with the law, preventing the promotion of extremist views and the incitement of religious hatred. If such violations were identified, the organisation’s activity could be suspended or completely banned based on a court decision. Special attention was paid to monitoring the content of religious sermons, public speeches, as well as the distribution of religious literature and other materials. Kazakhstan had legal norms aimed at protecting citizens’ rights regardless of the religious beliefs. The Constitution of the Republic of Kazakhstan (1995) guaranteed freedom of conscience and religion (Article 22), and also prohibited discrimination based on religion (Article 14). The Criminal Code of the Republic of Kazakhstan (2014) included a number of articles aimed at preventing crimes on religious grounds (Table 1).

Table 1. Key norms of the Criminal Code of the Republic of Kazakhstan, designed to prevent religiously motivated offences

| Article | Provision of the article |
|--|---|
| Art. 174 – Incitement of social, national, tribal, racial, class or religious enmity. | Provides for punishment for public actions or statements that may lead to incitement of enmity or hatred on religious grounds |
| Art. 256 – Propaganda of terrorism or public calls to commit an act of terrorism. | It refers to actions related to propaganda of extremist religious ideas that may affect public safety |
| Art. 405 – Organisation and participation in the activities of prohibited organisations. | The article refers to banned religious organisations that conduct subversive or extremist activities |
| Art. 174, (2) – Propaganda of religious superiority. | Liability is envisaged for actions aimed at humiliating the dignity of representatives of other religions |
| Art. 174 (3) – Use of religious organisations to incite discord. | This may include the use of religious texts or symbols to propagate hatred |

Source: compiled by the authors based on Criminal Code of the Republic of Kazakhstan (2014)

Article 174 of the Criminal Code of the Republic of Kazakhstan (2014) provided for liability for deliberate actions aimed at inciting enmity or hatred based on the listed grounds. Acts committed publicly or using mass media and telecommunication networks were punishable by a fine ranging from 2,000 to 7,000 monthly calculated indices (MCI) or imprisonment for a term of two to seven years. Article 256 of the Criminal Code of the Republic of Kazakhstan (2014) established punishment for the promotion of terrorism or public calls for terrorist acts, including the production and distribution of materials containing such content. Sanctions ranged from five to nine years of imprisonment with confiscation of property. Article 405 of the Criminal Code of the Republic of Kazakhstan (2014) provided for liability for organising or participating in the activities of public or religious associations banned by court due to extremism or terrorism. Organising such activities was punishable by a fine of up to 6,000

MCI or imprisonment of up to six years; participation was punishable by a fine of up to 2,000 MCI or imprisonment of up to two years. These norms formed the basis of criminal legal protection against crimes related to religious intolerance.

The elements of a crime (Table 2), motivated by religious beliefs, included a set of mandatory components that characterised the offence and allowed it to be classified as an act committed on religious grounds. In qualification, it was important to establish a causal link between the offender's actions and the motives. Motives associated with religious hatred increased the degree of public danger of the act and could serve as grounds for the application of more severe punishment. In Kazakhstan, crimes motivated by religious beliefs included several common types. These offences were often related to extremist and radical expressions, violations of religious legislation, and threats to public stability (Bishmanov & Orynbekov, 2022).

Table 2. The elements of a crime motivated by religious beliefs

| Elements of the crime | Meaning and classification |
|-----------------------|--|
| Object | The object of the offence is public safety, public relations and rights of citizens affected by the unlawful act. <ul style="list-style-type: none"> • Main object: inter-confessional harmony, religious freedom, equality of citizens before the law. • Additional object: life, health, honour, dignity, or property of citizens, if the crime was accompanied by violence or threats. |
| The objective side | The objective side describes actions that violate the law. The main forms of actions: <ul style="list-style-type: none"> • Violence or threat of violence (for example, attacking representatives of another religion). • Insulting the feelings of believers (desecration of religious symbols, places of worship). • Propaganda of enmity and hatred, including via the Internet. • Participation in extremist or terrorist organisations using religious ideology as a cover. |
| Subject | The subject is a physical sane person who has reached the age of criminal responsibility (usually 16 years of age, in some cases 14). The particularity of the subject may be expressed in belonging to a religious organisation or fanatical devotion to an ideology. |
| The subjective side | The subjective side is characterised by guilt and motives of the crime: <ul style="list-style-type: none"> • Form of guilt: intent aimed at committing acts out of religious beliefs. • Motive: religious hatred, fanaticism, desire to impose one's beliefs on others or to humiliate representatives of another confession. |

Source: compiled by the authors based on Criminal Code of the Republic of Kazakhstan (2014)

Crimes based on religious beliefs were characterised by a high degree of public danger, as such crimes not only violated individual rights but also undermined the foundations of interfaith peace and stability. Such offences included physical violence arising from religious disagreements, desecration of places of worship, promotion of religious extremism, and insult to the religious feelings of believers. One of the main causes of such crimes was the religious radicalisation of the population (Lösel *et al.*, 2020). Radical organisations,

which often attracted young people, used ideology to control others. Boko Haram – a Nigerian Islamist group – used religious ideology to justify its violent actions and actively recruited youth to participate in its operations (Omenma *et al.*, 2020). As the internet became a platform for spreading extremist ideologies, especially among the younger generation, or by unofficial religious organisations promoting hate-based ideas, radicalisation usually occurred through social networks. For example, the Islamic State (ISIS) actively

recruited young people worldwide using propaganda on social media and other online platforms. ISIS attracted youth by offering a sense of belonging, purpose, and the promise of participation in building a “true” Islamic state.

Low living standards, unemployment, and social inequality contributed to religious crimes. According to the Kazakhstani analytical portal Finprom.kz (Kazakhstan took 67th..., 2021), in Q4 2024, the official unemployment rate in Kazakhstan stood at 4.6%. However, this indicator varied significantly across regions. The highest unemployment figures were recorded in Almaty (51.9 thousand unemployed) and Shymkent (data not provided), as well as in Turkestan region (40.9 thousand) and Almaty region (35.5 thousand). The lowest number of unemployed was observed in Ulytau region (4.2 thousand), North Kazakhstan region (13.1 thousand), and Abai region (14.5 thousand). Turkestan region recorded the highest poverty level – 7.9%, which was double the national average of 4.6%. In Almaty region, around 53 thousand young people lacked secondary specialised or higher education, of whom 21 thousand neither worked nor studied, indicating a high level of youth unemployment. A low social capital index in Kyzylorda, Turkestan, and Abai regions pointed to weak social cohesion and trust, which could foster radicalisation. Extremists often exploited individuals who saw no opportunities. Social vulnerability pushed people toward radical organisations that promised to improve the situation. The spread of extremist ideas was driven by the active operations of radical groups funded from abroad, as well as Kazakhstan’s strategic location in Central Asia, which attracted the attention of international religious and political movements. Such external forces were a major factor in spreading ideologies of hatred.

One of the most high-profile incidents was the attack in the city of Aktobe in June 2016 (Rowe, 2021). A group of radicals inspired by extremist ideology organised a series of attacks on gun shops and a military unit. As a result of the attacks, eight people died, including civilians and military personnel. The perpetrators stated that the actions were motivated by religious beliefs directed against “infidels”. Following the Aktobe incident, amendments were made to laws aimed at strengthening the fight against extremism and terrorism. Law of the Republic of Kazakhstan No. 31 (2005) and No. 416 (1999) were revised to enhance control over religious activities and radical groups. Penalties for promoting extremism and participating in illegal religious organisations were tightened (McDermott & Baizakova, 2015). In 2016, Kazakhstan established a specialised body – the National Centre for Countering Extremism and Radicalisation – which was tasked with coordinating the state’s policy on combating extremism and the radicalisation of the population. This centre was created as part of efforts to enhance internal security and reinforce state policy against terrorism and religious radicalism.

Educational measures to promote interfaith understanding and moderate religious beliefs were also strengthened. Several universities in Kazakhstan, including Nazarbayev University and Al-Farabi Kazakh National University, offered educational courses covering themes of interfaith dialogue and peaceful coexistence of different religions (Kusack, 2023). These courses taught students to respect religious diversity and contributed to social stability. Such courses included “Religion and Society”, “Interfaith Relations”, and others. Programmes were created for the repatriation and

social rehabilitation of Kazakh citizens from conflict zones, including employment and counselling. Kazakhstan developed several programmes for the repatriation of its citizens from conflict zones, particularly from Syria, Iraq, and Afghanistan. The most well-known were “Zhusan” (2019-2021) and “Rusafa” (2021-2022) (Farrell *et al.*, 2021). These programmes involved not only the return of citizens but also the subsequent social adaptation.

Another case occurred in 2011 in Taraz. A suicide bomber affiliated with a radical group carried out a series of explosions and attacks that killed seven people, including police officers (Collins *et al.*, 2024). This was Kazakhstan’s first instance of a suicide attack motivated by religion. This incident prompted the need to strengthen measures against religiously motivated crimes. It became a catalyst for the development and implementation of legislative measures. Amendments were made to the Criminal Code of the Republic of Kazakhstan (2014), aimed at tightening penalties for crimes related to extremism and terrorism – for example, expanding the list of articles covering religious extremism and terrorism. In practice, these changes were intended to improve the fight against terrorist activity. Legislation gave law enforcement agencies additional tools to suppress crimes, but in reality, everything depended on how these changes were interpreted and applied. A lack of experience or qualifications in law enforcement, or abuse of power, could result in unjustified arrests or persecution of individuals unconnected to terrorist activities but held accountable for sharing certain ideas. In addition to amending the Criminal Code, new legal acts were adopted, such as Law of the Republic of Kazakhstan No. 31 (2005) and No. 483-IV (2011), aimed at strengthening control measures and preventing extremist manifestations. These laws introduced measures to combat extremism and radicalism, but the problem lay in the potential expansion of the definition of extremism, which could lead to its application to actions not always linked to violent activities. This could pose a risk of abuse by law enforcement, who might apply these norms to restrict freedom of expression, which contradicts fundamental human rights. However, it was important to emphasise the need for ongoing monitoring and adaptation of approaches, given the evolving challenges and threats associated with religious extremism.

It could be concluded that the state had intensified security measures and developed programmes to counter radicalisation as a result of these crimes. Increased oversight of religious activity, implementation of preventive initiatives, and raising youth awareness were among the most important steps. To prevent such cases in the future, Kazakhstan also actively cooperated with international organisations. Kazakhstan also actively employed preventive approaches to counter religious extremism. State agencies such as the National Security Committee and the Ministry of Information and Social Development monitored internet content and social media for extremist propaganda (Seitakhmetova *et al.*, 2024).

Special attention was paid to improving religious literacy (Tiilikainen & Mankkinen, 2020). This was achieved through educational programmes, training sessions, and lectures aimed at explaining the foundations of traditional religions and preventing manipulation of religious dogmas. Ignorance of the basics of traditional religions made individuals vulnerable to the influence of destructive movements. Pseudo-religious organisations actively spread the ideas through unofficial channels, including social media and underground meetings.

An important component was work with individuals influenced by extremist ideologies (Amit & Kafy, 2022). In rehabilitation centres, theologians and psychologists helped such individuals rethink the views, based on traditional religious values. Strengthening mutual understanding between representatives of different religious groups also played an important role in reducing conflict (Mazyra *et al.*, 2024). Kazakhstan developed dialogue platforms to discuss issues of tolerance and mutual respect. Effective combat against religiously motivated crimes required coordination between various state bodies. The prosecutor's office, police, security services, and religious organisations cooperated to identify and neutralise threats. For example, the Council for Relations with Religious Associations under the Ministry of Information and Social Development played a significant role in establishing dialogue between religious groups and the state (Buribayev *et al.*, 2024). Such cooperation helped identify problem areas and resolve such problems in a timely manner.

Kazakhstan actively participated in international initiatives aimed at combating religious extremism and terrorism. As part of cooperation with the United Nations (UN), the Organisation for Security and Co-operation in Europe (OSCE), and other organisations, trainings, conferences, and experience exchanges were held. This made it possible to introduce the best global practices into national systems. Kazakhstan also actively cooperated with partners within the Shanghai Cooperation Organization (SCO) through the Regional Anti-Terrorism Structure (RATS) to exchange intelligence information and jointly counter crimes related to religious extremism.

Pakistan was one of the countries where religious beliefs and the enforcement had significant influence on the social and legal system (Yilmaz, 2019). Criminal law mechanisms for combating religiously motivated crimes in Pakistan were built on a combination of criminal legislation, Islam, and the cultural-historical context. The Pakistani legal system included a combination of British common law, Islamic law (Sharia), and its own normative acts (Ishfaq *et al.*, 2024). The main legislative document was the Penal Code of Pakistan (1860). Sharia courts, which had the authority to review the decisions of regular courts, also considered cases related to religious crimes. There were severe punishments for blasphemy, including the death penalty. Pakistan had no official statistical data on religiously motivated crimes for the specified period. However, international human rights organisations regularly reported cases of persecution of religious minorities, including Christians, Shia Muslims, and Ahmadis. These incidents included blasphemy accusations, violent attacks, and discrimination, indicating a persistent problem of religious intolerance in the country.

In European Union countries, several directives required EU Member States to introduce laws prohibiting incitement to religious hatred (European Council Framework Decision No. 2008/913/JHA, 2008). In Kazakhstan, the fight against extremism was regulated solely by national laws, as the country did not belong to supranational organisations with similar levels of regulation. In Germany, programmes such as "EXIT" aimed to help people leave extremist organisations (Daugherty, 2019). France had radicalisation prevention centres that worked with youth influenced by extremist ideologies (Sas *et al.*, 2020). In Kazakhstan, deradicalisation was mainly carried out through religious enlightenment centres. These centres helped individuals involved in radical or extremist movements understand the consequences of the

actions and return to traditional values. The centres held lectures, seminars, and educational courses aimed at promoting respect for legal and moral standards of society.

In the EU, technologies and databases were actively used to monitor extremist activity on the internet. For example, the European Police Agency (EUROPOL) coordinated Member States' efforts to track hate crimes, including religiously motivated ones (Vieth-Ditlmann, 2025). Platforms for removing extremist content in cooperation with IT companies (e.g., Facebook, Google) were in place. In Kazakhstan, such systems were being developed, but the scale and integration with international initiatives remained limited. Specialised agencies operated in the country, monitoring extremist and radical content on the internet. This included analysis of websites, social networks, messengers, and other digital platforms. Automated systems and software tools were used to detect potential threats. Despite efforts, integration with international initiatives and expanding the scale of monitoring systems were still in development, due to the need to ensure human rights and maintain a balance between security and freedom of expression.

In the EU, significant attention was paid to educational programmes promoting respect for various religious traditions (Suyatno *et al.*, 2020). Examples included Erasmus+, "Living Together", and the EU Strategy on combating antisemitism and Islamophobia. These were linked to the importance of integration, prevention of discrimination, and promotion of shared European values such as respect for human rights, tolerance, and diversity. In Kazakhstan, educational initiatives were also developing, but were not as systematic or internationally oriented. In Europe, there was a marked rise in religiously motivated crimes, especially against Christians. According to the Observatory on Intolerance and Discrimination against Christians (2024), 2,444 anti-Christian crimes were recorded in 2023 across 35 European countries, including 232 personal attacks. This represented a 44% increase compared to the previous year. The situation was particularly alarming in France (about 1,000 cases), the United Kingdom (more than 700), and Germany (an increase of 105% – from 135 to 277 cases). These differences reflected the historical and cultural legacy of each country, the level of institutional development, and the specifics of international integration. While the severity of punishment might be less consistent than in EU countries – where it was considered a serious offence, often resulting in large fines or lengthy prison terms – incitement of religious hatred remained a criminal offence punishable by law in Kazakhstan.

Such criminal legal mechanisms as regulatory measures, prevention, and punishment addressed the threat of religiously motivated crimes to public order and interfaith harmony. Liability was provided for inciting religious hatred, promoting extremism, and joining banned religious organisations. Special attention was given to preventing radicalisation through educational programmes, monitoring of internet space, rehabilitation of individuals involved in extremism. For the effective implementation of these mechanisms, it was necessary to constantly improve legislation, enhance the qualifications of law enforcement officers, and promote a culture of tolerance.

Discussion

The study of criminal legal mechanisms to counter crimes motivated by religious beliefs in Kazakhstan, Pakistan, and

Europe showed that despite differences in legal systems, all three regions faced the necessity of balancing the protection of freedom of religion with ensuring public safety. In Kazakhstan, there was a tendency to integrate international standards into the legal system, although there was a need to improve legislation for clearer regulation of religiously motivated crimes. In Pakistan, the emphasis on religious law and strict criminal measures often led to limitations on civil liberties, making fair justice more difficult. In Europe, by contrast, the prevailing approach focused on preventing extremism through prevention and integration; however, existing gaps in legislation and law enforcement practice continued to leave vulnerable population groups susceptible to radicalisation.

J. Abbink (2020) noted that religious beliefs became a motive for crimes in cases where: the ideology of a religious group included calls for violence; religious intolerance provoked discrimination or physical attacks; and manipulation of religious beliefs was used to justify terrorism or radicalism. For example, E. Johnson (2019) indicated that modern religious crimes often took the form of extremist activity directed against people of other faiths or atheists, underlining the need for enhanced legal regulation. According to the present study, in Kazakhstan, religious beliefs could become a motive for crimes in several cases, usually associated with radicalisation, religious intolerance, or the misuse of religious ideas for personal or group purposes. There were cases in Kazakhstan where individuals or groups, under the influence of extremist ideologies, committed terrorist acts or participated in the activities of banned religious organisations. The use of religion to justify violence: Crimes such as attacks on government officials or civilians were sometimes justified by ideologists (Hunko, 2023). In regions with diverse religious communities, conflicts could arise between representatives of different faiths, sometimes escalating into violent actions, including insults, attacks, or the arson of places of worship (Zaiets *et al.*, 2024). Some crimes were related to violations of citizens' rights due to the religious affiliation or views. This could manifest as bullying, physical attacks, or restrictions in social and employment rights. The promotion of ideas inciting violence or undermining national security was also considered a serious crime in Kazakhstan. Some offences involved the use of religious organisations for money laundering or the financing of terrorist activities (Vatral, 2023).

According to the conclusions of R.D. King (2019), many states included provisions in criminal legislation aimed at combating crimes based on religious hatred or hostility. For instance, articles prohibiting incitement to religious hatred, insulting religious feelings, and extremist activity. The study found that many states took legislative measures to combat crimes related to religious hatred or hostility, as such acts threatened public order, interfaith peace, and human rights. In Kazakhstan, for example, criminal legislation included measures against inciting religious hatred. One such provision was Article 174 of the Criminal Code of the Republic of Kazakhstan (2014), which provided liability for actions aimed at inciting social, racial, religious, or other enmity. In EU countries, European Council Framework Decision No. 2008/913/JHA (2008) required member states to criminalise hate speech, including religious hatred.

H. Dachak (2021) emphasised that punishments for crimes motivated by religious beliefs must be fair and proportionate. These punishments should take into account the severity of the act, public danger, and the motives behind

the crime. The application of rehabilitative measures and deradicalisation programmes for those involved in criminal activity for religious motives was considered an effective strategy. The current study established that in Kazakhstan, as in other countries, punishments for crimes motivated by religious beliefs were regulated by criminal law, with the main focus placed on justice, proportionality, and preventing religious intolerance. Punishments for such offences in Kazakhstan fairly combined strict criminal liability with preventive approaches. This enabled not only the punishment of offenders but also the prevention of incitement to religious hatred, preserving peace and stability in society. T. Ellington (2024) believed that criminal penalties for crimes motivated by religious hatred needed to be tightened to enhance the preventive effect. However, Y. Ben Yair and N. Ronel (2024) believed that the focus should be on rehabilitation and educational methods rather than punitive measures.

According to the conclusions of S. Litvak *et al.* (2024), apart from repressive mechanisms, preventive measures were important: educational work among religious communities, the involvement of religious leaders in preventing radicalisation, and countering religious propaganda justifying violence. Preventive activities played a key role in preventing crimes motivated by religious beliefs. These activities were aimed at eliminating the causes and conditions that contributed to radicalisation, religious intolerance, and other manifestations of criminal behaviour. According to the study, in Kazakhstan, preventive measures to prevent crimes motivated by religious beliefs were an important component of state policy in the field of security and religious relations. These measures were aimed at combating radicalisation, extremism, and creating a harmonious interfaith environment. These measures aimed to create an environment in which interfaith harmony and respect for diversity formed the foundation of public life. This approach helped minimise the risk of radicalisation and ensured stability in the country.

As J. Fox (2021) noted, excessively strict laws on crimes motivated by religious beliefs could indeed limit freedom of speech and religion. This raised serious debates among lawyers, human rights activists, and religious communities. Laws aimed at combating religious hatred sometimes contained overly broad or vague language. Misinterpretation of terms, such as "insulting religious feelings", could be subjective and used to suppress criticism. There was a risk that laws would be used to restrict criticism of religion or secular views, which undermined democratic principles. The study found that in Kazakhstan, freedom of speech and religion was officially guaranteed by the Constitution of the Republic of Kazakhstan (1995), but in practice, laws aimed at combating extremism and crimes motivated by religious beliefs could sometimes limit these freedoms. Strict laws against religious extremism: Kazakhstan introduced a series of legislative acts to combat extremism. Law of the Republic of Kazakhstan No. 31 (2005) and other acts regulated the activities of religious organisations. Some provisions required mandatory registration of religious groups, restricted preaching without authorisation, and imposed strict rules on religious materials. Restrictions on freedom of expression: laws such as the Criminal Code of the Republic of Kazakhstan (2014) included articles related to inciting religious hatred (e.g., Article 174). These articles aimed to prevent extremism, but were sometimes applied broadly, including to criticism of authorities or religious debates.

As D. Holbrook and J. Horgan (2019) stressed, it was important to pay special attention to combating religious extremism, which often served as the ideological basis for terrorist acts and other serious crimes. International agreements and standards, such as UN recommendations on counter-terrorism linked to religious motives, played a key role (Lytvyn & Ahmadov, 2024). The current study established that Europe actively applied international standards and agreements aimed at preventing terrorist activity and radicalisation. One key document was the Universal Declaration of Human Rights (1948), which, while guaranteeing religious freedoms, strictly condemned violence and discrimination based on religion. The European Union also developed its own internal mechanisms, including directives and regulations, aimed at combating terrorism and preventing violent extremism (Makhambetsaliyev *et al.*, 2024). In particular, European Council Framework Decision No. 2008/913/JHA (2008) included measures to improve information exchange between states, combat recruitment and extremist propaganda, as well as rehabilitation measures for radicalised individuals.

Effective criminal legal mechanisms to counter crimes motivated by religious beliefs should strike a balance between protecting public safety and respecting freedom of religion. The criminological approach allowed for an in-depth examination of these issues and the development of more flexible and fair measures. Further research was needed into the causes and circumstances contributing to the commission of crimes on religious grounds, improvement of legislation aimed at preventing such crimes, strengthening of international cooperation in the fight against terrorism and extremism, and the development of effective programmes for the prevention of terrorism and extremism.

Conclusions

Religiously motivated crimes were complex, as such crimes involved religious, sociocultural, and ideological elements. Extremism, incitement of religious hatred, and citizens' participation in the activities of banned groups were examples of such crimes that could occur in Kazakhstan and threaten the stability of the state and society. This study examined the criminal legal response to crimes motivated by religious beliefs in the context of Kazakhstan, Pakistan, and European countries, using the criminological approach. The aim was to identify features of law enforcement practice, legislative problems, and to propose recommendations for improving existing mechanisms to combat religious extremism. The goal of the study was achieved, as a detailed analysis of the legal systems of different regions was carried out, existing problems were identified, and specific solutions were proposed.

During the research, an analysis was conducted of the legal systems of Kazakhstan, Pakistan, and European Union

countries, with a focus on religiously motivated crimes. At the first stage of the work, the legal characteristics of such crimes in each of these regions were considered, as well as the differences in approaches to qualifying religious motives and applying relevant criminal legal norms. In the second stage of the study, attention was focused on problems related to legal regulation, the key ones being the lack of clear criteria for qualifying crimes based on religious motives, contradictions in national legislation, and differences in law enforcement.

The results obtained deepened the understanding of the problem of countering crimes motivated by religious beliefs and highlighted the importance of considering sociocultural and religious factors when developing legal mechanisms. In Kazakhstan, the criminal legal system was aimed at combating religious extremism and radicalisation. The state applied measures aimed not only at suppressing violent crimes but also at prevention and the early deterrence of the spread of religious intolerance. Legislative tools were actively used to control the activities of religious organisations, prevent youth radicalisation, and ensure compliance with the principles of religious freedom. In Pakistan, the situation was more complex due to a combination of religious, cultural, and political factors. Laws related to religious crimes, such as blasphemy laws, were widely applied in the country. These laws often led to abuse, as such laws could be used to persecute religious minorities and justify violence. The criminal legislation of the European Union focused on criminal liability for violence, discrimination, and incitement to religious hatred. Unlike Kazakhstan and Pakistan, where the primary focus was on preventing extremist threats, European countries focused on supporting inclusiveness, diversity, and respect for religious minorities, while actively applying measures against violence and religious persecution. Of particular importance was the integration of the criminological approach, which took into account not only legal but also religious aspects, allowing for a more comprehensive approach to addressing this issue.

Future research on this topic should focus on studying the effectiveness of sanctions applied to individuals who committed crimes on religious grounds (e.g., imprisonment, mandatory educational programmes), and exploring the possibilities of applying probation or rehabilitative measures to prevent reoffending.

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Кримінально-правові механізми протидії злочинам, мотивованим релігійними переконаннями: кримінотеологічний підхід

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Анотація. Метою даного дослідження був комплексний аналіз кримінально-правових механізмів протидії злочинам, мотивованим релігійними переконаннями, з використанням кримінотеологічного підходу для виявлення сучасних тенденцій правозастосовної практики, проблем та прогалин чинного законодавства. У ході дослідження було проаналізовано кримінально-правові механізми протидії злочинам, мотивованим релігійними переконаннями, на прикладі Казахстану, Пакистану та країн Європи. Було встановлено, що в Казахстані спостерігається тенденція до адаптації європейських стандартів з урахуванням національної специфіки та впливу регіональних факторів, тоді як у Пакистані кримінальне переслідування найчастіше супроводжується релігійно-політичним впливом, що ускладнює об'єктивну правову оцінку діянь. Було узагальнено, що ефективність кримінально-правової протидії цим злочинам великою мірою залежить рівня правової культури, ступеня світськості держави й наявності міждисциплінарного підходу. Зроблено висновок, що ефективна протидія злочинам, мотивованим релігійними переконаннями, потребує комплексного підходу, що поєднує кримінально-правові, теологічні та соціально-профілактичні заходи. На прикладі Казахстану, Пакистану та країн Європи встановлено, що найбільшу стійкість у боротьбі з подібними злочинами демонструють ті держави, де дотримується балансу між захистом прав людини, світським характером правопорядку та можливістю державно-релігійного діалогу. У той же час надмірна карність (як у випадку з Пакистаном) або надмірна лібералізація (у деяких європейських країнах) можуть як посилювати радикальні настрої, так і ускладнювати кримінальне переслідування винних осіб. Казахстан, перебуваючи між двома моделями, демонструє прагнення вироблення власної стратегії, що спирається на міжнародний досвід, але потребує більш чітких теоретико-правових засад

Ключові слова: віросповідання; соціальна напруженість; захист прав людини; екстремізм; тероризм; дискримінація