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Kazakhstan: HRF calls on President Nazarbayev to investigate torture, release opposition leader, and cease assault on independent media

NEW YORK (December 14, 2012)—Commemorating the first anniversary of the Zhanaozen killings, the Human Rights Foundation (HRF) [submitted a letter](#) today to the president of the Republic of Kazakhstan, Nursultan Nazarbayev, requesting that he release opposition leader Vladimir Kozlov and stop the government's most recent crackdown on the independent media. One year ago, during what is widely referred to as the "Zhanaozen Massacre," at least 15 oil workers were murdered at the hands of police in a violent ending to a seven-month workers' strike.

HRF's letter also calls on President Nazarbayev to investigate credible allegations of torture and finds that by failing to exclude evidence obtained by means of torture in the 37 oil workers' trials that ensued, Kazakhstan has violated Articles 12 and 15 of the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment.

"The Zhanaozen Massacre marks the starting point of the most recent wave of serious human rights violations by President Nazarbayev's 20-year-old authoritarian government," said HRF president, Thor Halvorssen. "Although he did prosecute five police officers involved in the killings and a couple of his cronies in Zhanaozen, Nazarbayev has used the massacre as the perfect opportunity to make sweeping blows against an already 'illegal' opposition and what little remains of the independent media in Kazakhstan," concluded Halvorssen.

HRF's [letter](#) notes that the government of Kazakhstan is using the Zhanaozen killings to wrongfully prosecute political opposition figures and the independent media on charges of incitement, exhortation to overthrow the government, and agitation.

On January 26, 2012, Vladimir Kozlov, leader of the unregistered opposition party "Alga!," was detained and later charged with the crimes of "incitement of social enmity" (Article 164, Kazakhstan's Criminal Code) for distributing literature to the oil workers "promoting social discord" and "exhortations" for the forcible overthrow of the government (Article 170, KCC). On October 8, he was found guilty and sentenced to seven and a half years in prison—a decision confirmed on appeal on November 19.

Two days later, on November 21, Kazakhstan's attorney general's office announced that it had asked an Almaty court for a sweeping ban against eight newspapers and 23 websites, including the *Respublika* newspaper and associated outlets; *Vzglyad* newspaper; the *K+ satellite* TV channel; and the Internet TV station *Stan TV*. The request for the ban was based on Article 13 and Article 2(3) of Kazakhstan's Law on Mass Media, which calls for the "suspension and termination of broadcasting" when mass media is used for "propaganda or agitation of forced change of [the] constitution[al] order"—all in connection with the media coverage of the Zhanaozen Massacre.

"Nazarbayev's Kazakhstan and Lukashenko's Belarus are the only two European states that have been denied participation in the Council of Europe because of their appalling human rights records, so both presidents deserve to be equally recognized as Europe's last dictators," said Halvorssen. "If Nazarbayev wants to change this, it's time for him to release Mr. Kozlov and for his government to start respecting criticism from the media," said Halvorssen.

HRF's [letter](#) determines that these actions violate Article 19 of the International Covenant on Civil and Political Rights, which Kazakhstan ratified in 2005, and concludes by calling on President Nazarbayev to provide immediate relief for a number of human rights grievances. Specifically, HRF "(1) calls on Kazakhstan's criminal justice system to review and, if necessary, declare a mistrial in the cases in which oil workers were convicted based on confessions or testimony obtained by means of torture; (2) calls on Kazakhstan's attorney general's office to withdraw the media ban request and terminate the criminal case against them; and (3) calls on you, President Nazarbayev, to issue a pardon declaring the exemption from criminal liability in favor of Vladimir Kozlov and provide for his immediate release."

HRF protects and promotes human rights. HRF believes that all human beings are entitled to freedom of self-determination, freedom from tyranny, the rights to speak freely, to associate with those of like mind, and to leave and enter their countries. Individuals in a free society must be accorded equal treatment and due process under law, and must have the opportunity to participate in the governments of their countries; HRF's ideals likewise find expression in the conviction that all human beings have the right to be free from arbitrary detainment or exile and from interference and coercion in matters of conscience. HRF does not support nor condone violence. HRF's International Council is chaired by pro-democracy activist Garry Kasparov, and includes former prisoners of conscience George Ayittey, Vladimir Bukovsky, Palden Gyatso, Mutabar Tadjibaeva, Ramón J. Velásquez, Elie Wiesel, and Harry Wu.

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- Read the letter [here](#).

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