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## Appeals Court to Hear Vladimir Kozlov's Case

**NOVEMBER 16, 2012**

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### November 19, 2012 Update

(Berlin) – On November 19 an appeals court in Aktau upheld the Aktau City Court's ruling sentencing Vladimir Kozlov to seven and a half years in prison. The court's ruling upheld the prosecutor's request to uphold the lower court's judgment without providing any grounds or argumentation.

Kozlov plans to file an appeal with the court of cassation.

(Berlin) – Kazakh authorities should ensure that a political opposition leader whose lengthy prison sentence was a blow to freedom of expression and political pluralism in [Kazakhstan](#) is given a fair and impartial appeals hearing, Human Rights Watch said today. The appeals hearing is scheduled for November 19, 2012, in Aktau, an oil town in western Kazakhstan.

Vladimir Kozlov, 52, head of the unregistered political opposition party *Alga!*, was sentenced on October 8 to seven and a half years in prison for his alleged role in [violent clashes](#) in western Kazakhstan in December 2011 following extended [labor strikes](#). Human Rights Watch found that his trial was marred by serious procedural violations and that the [conviction](#) was based on vague and overbroad criminal charges that are incompatible with human rights law.

"Kozlov's conviction is unsound, given that the charges against him are vague and overbroad and are fundamentally incompatible with human rights treaties Kazakhstan has signed," said [Hugh Williamson](#), Europe and Central Asia director at Human Rights Watch. "The Kazakh authorities should take this into consideration when reviewing Kozlov's conviction and guarantee him a fair hearing."

Independent observers, including Human Rights Watch, had raised concerns about an [investigation](#) shrouded in secrecy and an unfair trial that appeared to be politically motivated.

Kozlov and his lawyers were given only one day to review the approximately 700-page Russian-language indictment before his case moved to court. The court failed to summon some witnesses for questioning, despite permitting their written testimony to be entered into evidence, violating Kozlov's right to cross-examine witnesses. The court also denied key motions put forward by Kozlov's lawyers without explanation. Poor and, at times, incomplete interpretation from Kazakh, a language Kozlov does not speak, into Russian also seriously undermined his right to a fair trial.

Human Rights Watch has repeatedly expressed concern about the authorities' misuse of the overbroad criminal charge of "inciting social discord" to target government critics such as Kozlov, and has urged the authorities to repeal or amend this charge under article 164 of Kazakhstan's [criminal code](#) as it can be used to criminalize protected speech and the legitimate exercise of freedom of association.



Enlarge  
Vladimir Kozlov, leader of the unregistered Alga! party, looks out from a glass-walled cage during his trial in Aktau, in western Kazakhstan, on October 8, 2012.  
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Hugh Williamson, Europe and Central Asia director

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The charge of “calling for the forcible overthrow of the constitutional order,” also brought against Kozlov, is similarly vague and should be amended so that it meets standards set by international conventions to which Kazakhstan is party, Human Rights Watch said.

“Kazakhstan’s judiciary has a real opportunity to set a new precedent by overturning a conviction on these problematic criminal charges,” Williamson said.

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Human Rights Watch  
350 Fifth Avenue, 34th Floor  
New York, NY 10118-3299  
USA  
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