
amnesty

international

CONCERNS IN EUROPE

January - June 2002

KAZAKSTAN

This country entry has been extracted from a document, *CONCERNS IN EUROPE: January - June 2002* (AI Index: EUR 01/007/2002) issued by Amnesty International. Anyone wishing further information on other AI concerns in Europe should consult the full document.

Detention of opposition leaders

In the period under review, criminal cases were opened on charges of “abuse of office” and financial crimes against two well-known leaders of the opposition party Democratic Choice for Kazakstan (DCK), Mukhtar Ablyazov - the former Minister of Energy, Industry and Trade - and Galymzhan Zhakiyanov - the former Governor of the Northern Pavlodar region. There were reports that the charges were brought to punish them for their peaceful opposition activities. Mukhtar Ablyazov was detained on 27 March, and on 28 March a criminal case was reportedly opened against Galymzhan Zhakiyanov. Galymzhan Zhakiyanov subsequently sought refuge in the French embassy in Almaty from 29 March to 3 April. He reportedly agreed to leave the embassy and be placed under house arrest on condition that he had free access to lawyers and that embassy representatives of European Union states could visit him freely. On 10 April police transferred him to the town of Pavlodar, where he was also kept under house arrest.

AI was concerned at allegations that Galymzhan Zhakiyanov’s state of health severely deteriorated several times as a result of interrogations, and that the investigator reportedly nevertheless insisted on interrogating him despite interventions by senior doctors in the cardiology department of hospital No. 1 in Pavlodar who pointed out the detrimental effect of such interrogations on the patient’s health. In the night of 17 to 18 May Galymzhan Zhakiyanov, who has a long-standing heart disease, had to be taken to this hospital by ambulance after he had collapsed following an eight hour-long interrogation. He was reportedly admitted to hospital with a sudden severe attack of cardiac pain and severely elevated blood pressure. On 6 June the investigator reportedly insisted on interrogating Galymzhan Zhakiyanov despite doctors’ attempts to prevent this; Galymzhan Zhakiyanov was transferred to the intensive care unit of the hospital the same day.

The trial against Mukhtar Ablyazov started on 24 June in the Supreme Court of Kazakstan in Astana. There were allegations that journalists from media outlets close to the opposition were refused access to the courtroom. Yevgeny Zhovtis, head of the Kazakhstan International Bureau for Human Rights and Rule of Law (KIBHR), was reported by the news agency Reuters on 24 June as saying: “In my opinion, the trial is politically motivated, because this man is being prosecuted irrespective of whether these charges are founded or not... He is facing this trial only because at a certain moment he joined the opposition and demanded democratic and political reforms.”

The death penalty

New death penalty statistics

No official, comprehensive statistics on the application of the death penalty have been published since 1998, although Kazakhstan is a member of the Organization for Security and Cooperation in Europe (OSCE), which calls upon its member states to “make available to the public information regarding the use of the death penalty”¹. However, on 27 June the newspaper *Stolichny Prospekt* wrote that in the first six months of 2002, 40 men were sentenced to death. According to the newspaper 11 of the men were on death row in Almaty. The newspaper also carried statistics according to which 63 executions were carried out in 1999, 40 in 2000 and 39 in 2001. The source of these statistics was not cited in the article.

In the period under review President Nursultan Nazarbaev has spoken in favour of a review of the policy on the death penalty in Kazakhstan. At a meeting with senior law enforcement officials on 26 March, the news agency Agence France Presse quoted him as saying: “Perhaps it is worth announcing a moratorium on the use of the death penalty and then discussing this issue with society and parliament and abolishing the death sentence altogether in Kazakhstan.”

Kazakhstan is applying for Observer Status at the Parliamentary Assembly of the Council of Europe (PACE), which would allow Kazak delegates to attend Assembly sessions, but not to vote on resolutions. PACE resolved on 25 June 2001 that it would “only recommend the granting of Observer status with the Organisation as a whole to states which strictly respect a moratorium on executions or have already abolished the death penalty.”

Death sentences

(update to AI Index: EUR 01/002/2002)

At the end of June an appeal was still pending with the Supreme Court against the death sentences passed on Mikhail Vershinin, Sergey Kopay and Evgeniy Turochkin, who had been sentenced to death in September 2001.

At the trial in September Mikhail Vershinin had stated in court that after he was arrested police officers had pressurized him physically and psychologically to force him to confess, at Ilysky police station in the town of Energeticheskiy, some 20km from Almaty. The police reportedly questioned him for three days, and kept him in an iron cage at night. His father told AI that Mikhail Vershinin had not been given any food for three days and was not allowed out of the cage to go to the toilet. His limbs reportedly became numb while he was held in the cage because it was too small for him to move around in. The police reportedly beat him on the back of the head, and threatened to pull out his toenails. Sergey Kopay claimed during the trial that police had beaten him and Evgeniy Turochkin on the soles of their feet before and during interrogations.

Mikhail Vershinin’s father told AI that since his son was put on death row in the investigation-isolation prison No. 1 in Almaty in September 2001, 13 of his fellow prisoners have been executed.

¹ Point 17.8 of the Document of the Copenhagen Meeting of the Conference on the Human Dimension of the OSCE, 1990.