

AMNESTY INTERNATIONAL

PUBLIC STATEMENT

EUR 57/0504/2019

11 June 2019

Kazakhstan: Thousands detained across the country following disputed presidential elections

On 9 June, the day of the presidential elections, the Kazakhstani authorities again demonstrated their disregard for human rights by arbitrarily detaining hundreds of peaceful protestors.

Hundreds of protestors gathered in the capital Nur-Sultan, Almaty and other cities calling for a boycott of the elections and expressing their frustration at their perceived lack of real choice in the presidential campaign. Human rights observers did not see any violent actions by the protestors who gathered in public squares to demonstrate their intention to boycott the elections. Almost as soon as the protestors gathered at 12.00 noon they were set upon by police officers and forced into police vans. Video footage of the events shows men and women, including elderly people, passively resisting detention and being physically carried into the vans by police officers. In some cases, parents were detained in front of their young children. According to observers, as many as 1,000 people were detained in Nur-Sultan and 500 in Almaty. However, reliable figures for the total number of those detained are not yet available. Arrests continued on 10 June and according to NGO estimates a further 500 people were detained in Almaty during the night of 10 – 11 June.

According to the NGO, the Kazakhstani International Bureau for Human Rights and the Rule of Law, people were detained for 10 or more hours in police stations without food or water or the opportunity to inform their relatives about their whereabouts. In most cases people were not given access to their lawyers. Judges sitting throughout the night in Nur-Sultan and Almaty ruled on whether people had taken part in an unsanctioned meeting and handed down fines or custodial sentences of up to 10 days. Detainees were not given access to lawyers of their choice, and Amnesty International observed that lawyers were not allowed into police stations in Almaty.

A. B., a taxi driver from Almaty, told Amnesty International that he joined a group of peaceful protestors at midday on 9 June near his home in Almaty. He was motivated by his frustration with high levels of corruption in the country, low living standards and unemployment. The protestors were peaceful, but police officers started to detain journalists and protestors without any warning. When he saw four police officers dragging away a young woman, he went to help her and was then detained himself. He was taken to the Medeusky police station where 65 detainees were being held in the foyer. They were not given anything to drink or eat and he was not released until 3am on Monday morning 10 June. A judge sitting in the police station found him guilty of the administrative offence of taking part in an unsanctioned rally and gave him a warning.

Dilmash Alzhanov, a civic activist and political scientist, was detained at about 11.40 on 9 June in the centre of Almaty as he was accompanying an accredited journalist who wanted to film the protests. He was taken to a police station along with the journalist who was released after her accreditation had been checked. He remained in detention for 12 hours and despite demanding to have access to a lawyer was not given the possibility of contacting one. His friends waiting outside the police station contacted a lawyer for him, however he was released before any trial. He told Amnesty International that he was questioned about his political views, his contacts and his use of social media and worries that this information can be used in the future to target him or other protesters.

Journalists covering the events were prevented from carrying out their work, with many being detained along with the protestors only to be released shortly afterwards. Chris Rickleton, a correspondent working for Agence France-Presse (AFP) and Eurasianet, and an AFP cameraman were detained by police in Almaty on Sunday while covering the protests. Chris Rickleton posted a picture of himself on Twitter in the back of a police van with a black eye, which he sustained by falling on a policeman's knee during what he described as a "rough arrest". The footage they had gathered was destroyed at the police station.

The actions of police officers on 9 and 10 June show a cynical disregard for Kazakhstan's international human rights obligations under Article 21 of the International Covenant on Civil and Political Rights and Article 32 of the country's Constitution which guarantee the right to freedom of peaceful assembly. Restrictions to this right are only permissible if they are provided by law, for the purpose of protecting certain limited public interests, and are demonstrably necessary and proportionate to that purpose. Furthermore, governments are under an obligation to allow spontaneous assemblies in response to particular events such as elections.

The presidential elections were monitored by the Organization for Security and Cooperation in Europe and its preliminary report issued on 9 June stated that there were "significant irregularities ... across the country, including cases of ballot box stuffing, group voting and series of identical signatures on voter lists. The count was negatively assessed in more than half of observations, including cases of deliberate falsification, raising serious questions about whether ballots were counted and reported honestly."

Anybody detained for the peaceful exercise of their right to freedom of expression or their right to peaceful assembly is a prisoner of conscience and should be immediately and unconditionally released.

Background

There has been growing public discontent in Kazakhstan fuelled by economic and political factors. The death of five children in a fire in Astana (later renamed Nur-Sultan) in February strengthened calls for better welfare provisions for large families. Hundreds of peaceful protesters were arrested throughout the country on 27 February as the ruling party, Nur-Otan, held its 18th annual conference. In March, President Nazarbayev announced that he was stepping aside and, while retaining his influential position on the Security Council, handed the presidency to Kasym-Zhomart Tokaev and announced that elections would be held on 9 June. On 23 March, Kazym-Zhomart Tokaev announced that the capital would no longer be named Astana, but would be known as Nur-Sultan in honour of the first President. Hundreds of people took to the streets again on 1 May to protest against the snap elections and the renaming of the capital.

The right to peaceful assembly is heavily restricted in Kazakhstan. Permission from local authorities is needed to hold any kind of street protest (including by a single protester) and this is often refused, or permission is only given to hold the event in a non-central location. Those found in violation of Article 400 of the Criminal Code (“Violation of procedures for the holding of public gatherings, meetings, processions, pickets and demonstrations”) can face a heavy fine or detention of up to 50 days.