

EXTERNAL

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Date: 5 November 1992

MEDICAL CONCERN

**Karishal Asanov
KAZAKHSTAN**

Amnesty International is concerned about the arrest and detention of Karishal Asanov on a charge of "infringement upon the honour and dignity of the President". He was arrested on 19 August 1992 in Alma-Ata, the capital of Kazakhstan, and is currently being held in pre-trial detention. Amnesty International considers him to be a prisoner of conscience and is calling for his immediate and unconditional release. It is further concerned by reports that he was compulsorily confined to a psychiatric hospital for psychiatric evaluation shortly before his arrest.

Karishal Asanov is 59 years old and an assistant professor at the Kazakh State University in Alma-Ata. The charge against him was brought after the newspaper *Khak* published an article headed "Don't believe the President's smile" which comprised extracts from a book Karishal Asanov had published entitled "Thoughts on a People's Fate or a Word about the Phantom of Sovereignty". The newspaper *Khak* is published in Moscow by the *Alash* political party, a nationalist party which has not been granted official registration by the authorities. At least three *Alash* party leaders are currently on trial in Kazakhstan on a combination of political and criminal charges.

In July 1992 Karishal Asanov's home was searched by police on three occasions and a large number of documents were confiscated, including his book manuscripts and personal letters. In early August he was then compulsorily confined to a psychiatric hospital in Alma-Ata for psychiatric examination. He was released from the hospital after he was judged to be mentally competent.

Karishal Asanov was arrested on 19 August 1992 on the orders of the Deputy Procurator General who later told US-based human rights activists that he had sanctioned Karishal Asanov's arrest "to stop his criminal activities". For at least the first three weeks of his detention it is reported that he was not permitted access to a defence lawyer of his choosing, although it appears that this has now been resolved. Karishal Asanov suffers from hypertension. He is currently detained in a remand prison in Alma-Ata and there are reports that he is not receiving adequate medical care.

The former Soviet republic of Kazakhstan became fully independent in late December 1991 and was admitted to the United Nations at the beginning of March 1992. The charge of "infringement upon the honour and dignity of the President" was added to the country's Criminal Code in June 1991. In meetings with senior government officials in Kazakhstan in April 1992 Amnesty International delegates expressed their concern about this article of the Criminal Code and the similarly worded charge of "infringement upon the honour, dignity and personality of a

people's deputy" (Articles 170-3 and 170-4 respectively). Amnesty International is concerned that these two articles could be used to limit freedom of expression and may be invoked to punish individuals for their political opposition to the authorities.

Amnesty International is calling for Karishal Asanov's immediate and unconditional release and continues to express concern to the authorities in Kazakhstan about Articles 170-3 and 170-4 of the Criminal Code. Furthermore, the organization is seeking information about the practice of compulsory psychiatric examination of individuals arrested on charges based on expressions of political beliefs.

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To: Medical professionals
From: Medical Office / Research Department - Europe
Date: 5 November 1992

MEDICAL LETTER WRITING ACTION

**Karishal ASANOV
KAZAKHSTAN**

Keywords

Theme: POC/medical care/psychiatric examination

Summary

Amnesty International is seeking the release of Karishal Asanov, an adopted prisoner of conscience who has been charged with "infringement upon the honour and dignity of the President". He was arrested on 19 August 1992 after having previously been compulsorily confined for psychiatric examination following the publication of extracts from a book he had written which contained personal criticisms of President Nazarbayev and of his policies. Please see the details attached.

Recommended Actions

Letters are requested from medical professionals to the addresses below:

- expressing concern at the detention of Karishal Asanov following the publication of extracts from his writings critical of the President
- urging his immediate and unconditional release and expressing concern about Articles 170-3 and 170-4 of the Criminal Code which place unwarranted restrictions on the right to freedom of expression
- noting that, prior to his arrest, Karishal Asanov is reported to have been confined to psychiatric hospital for a four-day period for compulsory psychiatric evaluation; seeking clarification of the objectives of such compulsory examinations and whether *prima facie* evidence of mental disorder is a necessary condition for such examinations
- further noting reports that Karishal Asanov suffers from hypertension and seeking assurances that he will be provided with any necessary medical care while he remains in detention

Addresses

(It is advisable to add "Former USSR" on envelopes only and in a language your own national postal service will recognize to facilitate delivery.)

1. Minister of Health of the Republic of Kazakhstan, Vasily Devyatkov:

V. Devyatkov
Minister
Ministry of Health of the Republic of Kazakhstan
Alma-Ata
Kazakhstan

2. Minister of Internal Affairs of the Republic of Kazakhstan, Vladimir Shumov:

V. Shumov
Minister
Ministry of Internal Affairs of the Republic of Kazakhstan
Alma-Ata
Kazakhstan

3. Head of the Internal Affairs Directorate of Alma-Ata (responsible for supervising the conditions of Karishal Asanov's detention):

The Head
Alma-Ata City Directorate of Internal Affairs
Alma-Ata
Kazakhstan