

URGENT ACTION

SUSPENDED SENTENCE FOR ACTIVIST

On 10 April, Zhanbolat Mamay, journalist and leader of the unregistered opposition Democratic Party of Kazakhstan was given a six-year suspended sentence for a peaceful protest on charges of insulting a government representative (Criminal Code, Article 378), spreading false information (Article 274), and organizing an illegal meeting. Amnesty International believes that Zhanbolat Mamay has been convicted for the peaceful expression of his views and all restrictions imposed on him should be lifted immediately and unconditionally.

TAKE ACTION: WRITE AN APPEAL IN YOUR OWN WORDS OR USE THIS MODEL LETTER

President of Kazakhstan
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Dear Mr President,

I am writing to you concerning Zhanbolat Mamay who was sentenced to a six-year suspended sentence on 10 April 2023. I am concerned that the conviction on 10 April is retribution for his legitimate criticism of the government and his leadership of the unregistered opposition party, the Democratic Party of Kazakhstan. The suspended sentence imposes severe restrictions on Zhanbolat Mamay's rights to freedom of expression, freedom of assembly and freedom of movement. The conditions of his sentence prohibit any political or charitable activities, such as further attempts to register his political party, all journalistic activities and use of social media and restricts his freedom of movement. Any breach of these conditions could lead to a custodial sentence.

Mamay has been sentenced to a six-year suspended sentence for insulting an official (Criminal Code, Article 378.2), spreading false information (Article 274.2) and organizing mass disturbances (Article 272). All these charges relate to the legitimate exercise of his right to freedom of expression and freedom of assembly.

I urge you to take all necessary steps in your power to ensure that all restrictions against Zhanbolat Mamay are lifted immediately and all charges against him dropped.

Yours sincerely,

ADDITIONAL INFORMATION

The 10 April suspended sentence imposes severe restrictions on Zhanbolat Mamay's rights: it prohibits any political or charitable activities, such as further attempts to register his political party, journalistic activities including blogging and the use of social media. In addition, it restricts his freedom of movement and imposes a 400,000 Tenge fine (885 US\$). Any breach of these conditions could lead to a custodial sentence.

Zhanbolat Mamay is a well-known political activist and journalist in Kazakhstan. He is the former editor in chief of Tribuna newspaper (now closed). In 2019, he founded and became the leader of the Democratic Party of Kazakhstan (DPK). To date, the opposition party has been arbitrarily denied registration. Mamay took part in peaceful protests in Almaty, Kazakhstan's largest city, on 4 and 5 January. On 20 January he was summoned to a police station and was interrogated as "a witness with the right to defence", a legal status which usually leads to an indictment, in relation to those protests. This signalled the start of a criminal investigation against him on charges of organizing mass disturbances (Article 272.3, Criminal Code). On 13 February Mamay organized a peaceful public vigil in Almaty to commemorate those killed in the January violence. He was arrested on 25 February 2022 and sentenced to 15 days of "administrative detention" for "organizing or participating in an unsanctioned public meeting" (Article 488.11, Code of Administrative Offences). Zhanbolat Mamay's detention was extended for two months on 14 March. He was due to be released on 12 March, but was instead re-arrested, this time as a criminal suspect under Articles 378.2 (insulting an official) and 274.2 of the Criminal Code (knowingly spreading false information), relating to events in 2021. On 6 May his detention was extended again during an online court hearing. In October he was accused of organizing mass disturbances (Article 272, Criminal Code). In November 2022 he was transferred to house arrest. Zhanbolat Mamay has denied all the charges claiming that he never insulted any police officers directly but made general comments about those on duty during the protests in January, that he did not spread false information, and that he had the right to organize a spontaneous meeting to support the miners who were protesting in Zhanaozen in January 2022. Mamay has insisted his participation in the January protest was peaceful.

On 4 January 2022, in protest against a dramatic rise in fuel prices, thousands of people took to the streets of Kazakhstan. In Almaty and elsewhere, violence broke out. In an alarming development, as damage to property and the number of casualties grew, troops were sent to the streets, and were instructed by President Kassym-Jomart Tokayev, by his own admission, to open fire without warning. Additionally, the authorities suppressed freedom of expression and the flow of independent information, including by detaining and harassing journalists and activists, shutting down the Internet, and disabling social media and other means of digital communication. The official figures provided by the government of those killed during the protest are 238 people including 19 of whom they said were identified as law enforcement or army personnel. Authorities responded with hostility to the protestors, by targeting and silencing journalists and activists, and by suppressing freedom of expression and the flow of independent information. The government of Kazakhstan has failed to act on calls from Amnesty International and others for an independent international investigation of the January 2022 events.

PREFERRED LANGUAGE TO ADDRESS TARGET: Russian; English

You can also write in your own language.

PLEASE TAKE ACTION AS SOON AS POSSIBLE UNTIL: 16 June 2023

Please check with the Amnesty office in your country if you wish to send appeals after the deadline.

NAME AND PREFERRED PRONOUN: Zhanbolat Mamay (he/him)

LINK TO PREVIOUS UA: <https://www.amnesty.org/en/documents/eur57/5630/2022/en/>