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Europe/Ex-USSR - Kazakhstan

Judicial harassment

Prosecutor wants to close opposition weekly down for good

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Reporters Without Borders condemns the judicial system's harassment of the opposition weekly *Pravdivaya Gazeta*.

In a case that opened on 12 February and is due to resume shortly, a prosecutor in Bostandyk, a district of the business capital, Almaty, is seeking the newspaper's permanent closure on the grounds that it has been convicted of three offences in less than a year.

"This judicial persecution of *Pravdivaya Gazeta* constitutes an unacceptable violation of freedom of information," said Johann Bihl, the head of the Reporters Without Borders Eastern Europe and Central Asia desk. "The newspaper has repeatedly been convicted in sham trials and is being denied its right to due process.

"The glaring disproportion between the sentences imposed on *Pravdivaya Gazeta* and its alleged offences are indicative of a political will to silence a source of criticism. We urge the political and judicial authorities to respect procedural rights and to stop prosecuting this newspaper."

This is the fourth time that the authorities have prosecuted *Pravdivaya Gazeta* since its creation in March 2012. Shortly after it brought out its first issue, an Almaty administrative court fined it the equivalent of about 150 euros for "contravening publication regulations" by failing to state that it was a weekly on its front page. The court also ordered the seizure of 1,200 copies of the offending issue.

The newspaper is convinced that the real reason for the fine and the seizure was its reference to the publication of a book by Zamanbek Nurkadilov, a government opponent who was found dead in 2005.

Far from allowing itself to be intimidated, *Pravdivaya Gazeta* continued to broach very sensitive issues, including the activities of opposition parties and human rights defenders, the trials of news media and even the fate of the government's leading opponent, the exile oligarch Mukhtar Ablyazov.

An Almaty administrative court ordered *Pravdivaya Gazeta's* closure for three months on 7 August as a result of complaint by the police accusing the newspaper of printing only 7,000 copies of one of its issues, when the masthead referred to a print run of 8,000 copies.

The newspaper was not represented at the trial, which lasted just ten minutes. Editor **Alya Ismagulova** received no formal notification that the trial was due to be held and first learned of it by phone a quarter of an hour before the start of the hearing.

Financially weakened by the three-month forced closure, the weekly resumed operating on 22 November but was immediately the target of another complaint by the Almaty police, this time on the grounds that the latest issue was printed two days ahead of schedule and the masthead's details were illegible.

The printer acknowledged the mistake and reprinted the entire issue with a fully legible masthead. The distributor, for his part, certified that no copy had been distributed before the official publication date. *Pravdivaya Gazeta* was nonetheless sentenced on 18 December to another fine and three-month publication ban. The sentence was upheld on appeal ten days later.

The persecution of *Pravdivaya Gazeta* has come amid an overall decline in media freedom in Kazakhstan, especially [since the bloody crackdown on rioting in the southwestern city of](#)

[Zhanaozen](#) in 2011. The main national opposition media were all closed in December 2012 and January 2013.

Charges of contravening regulations are often used to harass the few remaining media that are outspoken. The newspaper *Tribuna - Sayasat Alany*, which emerged from the ashes of a newspaper ordered to close for three months last September, is currently the target of a libel suit in which the plaintiff is seeking 3 million tenge (12,000 euros) in damages.

Three independent bloggers [were sentenced to 10 days in prison](#) on hooliganism charges on 5 February after trying to participate in an event organized by the Almaty city hall with carefully selected bloggers.

Kazakhstan is ranked 161st out of 180 countries in the [2014 Reporters Without Borders press freedom index](#).

(Photo : Kazis Toguzbaev / Radio Azattyk)
