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Europe/Ex-USSR - Kazakhstan

Half-measure

Theatre director freed but journalist still held

4 July 2012

Theatre director and activist Bolat Atabaev was released yesterday evening in the western city of Aktau but was able to spend just a few moments speaking to journalists outside the prison before having to rush off to catch a flight to Almaty.

Atabaev, 60, was freed after prosecutors finally dropped the charges against him and reclassified him as a "witness" rather than co-defendant in the case against the journalist Janbolat Mamai, who continues to be detained. Atabaev is due to give a news conference tomorrow.

Mamai is still facing a possible sentence of three to five years in prison on charges of "inciting social discord" and "calling for the overthrow of public and constitutional order" in connection with his coverage of the police crackdown during last December's riots in the western city of Zhanaozen. He and Atabaev were arrested on 15 June.

03.07.2012 - Journalist investigating deadly riots arrested in Kazakhstan

Reporters Without Borders strongly condemns the harassment of **Janbolat Mamai**, a journalist with the newspaper *Jas Alash*, who was arrested on 15 June after writing a series of articles on [deadly riots last December in the western city of Zhanaozen](#).

He was detained together with the theatre and film director Bolat Atabaev and is currently awaiting trial.

"The uncertainty over the fate of Janbolat Mamai and Bolat Atabaev is unacceptable," Reporters Without Borders said. "The many alterations to the charges against them and the contradictory information about their detention must be explained as a matter of urgency. Otherwise, this will only serve to strengthen the impression of an arbitrary and politicized justice system.

"We are most concerned about the two men, who must be released immediately and given the benefit of a fair trial. Unfortunately, this case looks like the latest episode in the crackdown launched by the authorities on the opposition media since the Zhanaozen riots."

Mamai, who also works for the news website *zhanaozen.net*, was detained outside his home in the main city of Almaty on 15 June as a result of a ruling by the municipal court in his absence the previous day.

The 24-year-old journalist had written extensively about the police crackdown during the Zhanaozen riots. He had visited the western region of Aktau several times since last December to investigate the matter and gather evidence.

These trips, as well as his long-standing activism within the democratic movement, aroused the suspicions of the National Security Committee, the KNB. Last year he was fined and sentenced to 10 days' imprisonment for "insubordination" and for organizing a demonstration in support of striking oil workers.

Since the December riots, he has been regularly summoned by the KNB as a witness and was

placed on probation. This also applies to Atabaev, who was arrested on the same day for referring to the Zhanaozen riots in one of his stage plays.

The two men were transferred to Aktau on 17 June "for reasons of the investigation" without their lawyers or families being informed. Since then, the judicial authorities have blown hot and cold.

On 28 June, Mamai and Atabaev were charged with "inciting social hatred", under article 164 of the criminal code, and "calling for the overthrow of the public and constitutional order" under article 170. These crimes are liable to penalties of between three and seven years' imprisonment.

However, on the same day lawyers and the media announced they were about to be released and assigned the status of witnesses rather than accused. It became clear this was not the case. Local independent media reported that the justice authorities were trying to put pressure on them to testify against opposition figures, implicating them in the organization of the Zhanaozen riots.

The two men are still held in Aktau and no date has been given for their trial. The state of health of 60-year-old Atabaev is extremely worrying. He suffers from heart failure, which requires medical supervision. His lawyer Gulnar Jandosova reports that he was ill-treated at the time of his arrest and still bears the signs of beatings.

The day after their arrest, a support committee calling for their release was created under the name "Arasha". This body, comprising activists aged between 19 and 24, organized a protest march in Almaty on 28 June under the slogan "Mamai and Atabaev are not criminals!"

During this event, **Inga Amanbai**, a reporter for the *zhanaozen.net* website, and the journalism student **Anar Abildaeva** were arrested and given 10 days' detention without charge.

(Photo: Kazis Toguzbaev, RFE/RL)

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