

**Arya Eurasia Public Foundation, Kazakhstan**

**24 Sept 2014  
Working Session 4: “Rule of law”**

*Be ashamed Free Europe  
For you had such a PM  
An errand-boy for a Kazakh dictator —  
Tony Blair.!*

Aron Atabek (The Dictator and 'Double Standards') read original at  
<http://aronatabek.com/diktator-dvojnje-standarty.html>

Aron Atabek, convicted as Aron Edigeev, a well-known Kazakh poet, writer, dissident, political prisoner. Was arrested on July 17, 2006 and on October 5, 2007 he was sentenced to 18 years in prison convicted of organisation of mass unrest. Specifically, Atabek supported the Shanyrak villagers (a settlement near Almaty) who were exposed to forced evictions to demolish their houses. Mass riots followed after series of police squads' attacks provoked people to protect physically. Many villagers were targeted as a result. 25 people together with Aron Atabek were arrested by the law enforcement officers. However, Atabek was recognized as the chief organizer of mass “riots”. He was also accused of “hostage-taking” and “murder with aggravating consequences”.

Harassment, blackmailing, tortures were used during investigation, these facts were not considered by the Court despite of the defense's appeals. In particular the main facts of the Judicial Procedure violations by the Court and the prosecution are: ignoring appeals about the use of tortures and violations during investigation and interrogation process, charging on the basis of the illegally obtained testimonials, denial to provide the jury, pressure and enforcement on the protection, limitation of independent journalists presence at the sessions, limitation for video-recording, disregard of the protection's witnesses' testimonies, refusal to question at the Court the mayor of the city of Almaty – Mr. I.Tasmagambetov and MoIA Mr. B.Mukhamedzhanov who were/are responsible for Shanyrak slums demolition and evictions.

Appealing to higher level courts left charged conviction unchanged. During last years the Ombudsman and Prosecutor's Office were not effective to protect imprisoned poet's rights.

Currently, Mr. Aron Atabek is serving his sentence in the AP 162/1 (isolation ward), where he was subjected to systematic torture and abuse by the law enforcement officers. Aron Atabek is contained under inhumane conditions in an isolation ward, the administration of the detention centre AP 162/1 refuses to transfer the prisoner to the medical unit.

Upon his arrival at the AP-162/1 on April 7, 2014, Aron Atabek was beaten and placed in an isolation ward. Despite the low temperatures in April, May and June, Aron Atabek was NOT provided, in conformity with the provisions of § 2 of Article 95 of CEC of the RK, with clothes pertaining to a particular season of the year and climatic conditions.

During a brief meeting with me, Aron Atabek was wearing only special orange robe with vertical inscription "Isolation ward". He did not have any other pieces of clothing. Administration of the prison refused to provide any clothes to the detainee, although he has demanded to get his clothes back.

More than 20 days Aron Atabek spent on the cold floor in the isolation ward, as pain triggered in the back did not allow him to raise and fix the massive iron bed to the walls of the isolation ward. Refuse to fix the iron bed is regarded as the violation of the order of the detention centre by prison's administration. *Violation of the order centre can be found in everything, even if I dare to sneeze while an officer is there*, says Atabek in his rare letters. Every day, employees of the detention centre No. AP-162/1, under the pretext of inspecting, make Aron Atabek put off the orange robe and make him squat being naked and record him on the video, the whole procedure happens more than once a day.

Long period of detention of Mr. Atabek on the cold floor in the isolation ward led to inflammation of the knee, swelling spread to the limb, which causes much pain and difficulty in movements. Administration of AP-162/1 does not provide any crutches or a cane to facilitate the movement for Atabek.

During our short-time meeting Atabek complained he was beaten with clubs: "struck him in the head and body".

An officer of the detention centre AP-162/1 refused to accept medicine for Atabek which I have brought him to ease his pain in knees, although they do not require a prescription and are not prohibited from transferring to the convicted person. On July 14, 2014, the Detention Unit was visited by the Public Monitoring Commission of Pavlodar Region (PMC), which reported that Atabek is detained in an isolation ward. The prisoner is in an isolation ward with no proper airflow and normal lighting. PMC members also reported that the administration of the AP 162/1 transferred Atabek to the ward for unknown reason.