

## REVERSE OF THE COIN

*For months now at the web-site of “Azattyk” radio information about horror of detention of prisoners in Kazakh prisons and pretrial detention centers was issued. When reading these materials sometimes hair stands like a mountain. Indeed, the information about situation in our places of imprisonment is not for nervous people. Tortures, mockery, danger to life, animal imprisonment conditions represent a traditional set of a convicted life. As a person having the first-hand knowledge of it I can confirm that everything is indeed so.*

However, illegal, repressive methods of work of the Committee of the correctional system staff represent only one side of the problem. The second side is represented by the prisoners, i.e. their part, which does not wish to endure all these, but at the same time trying to assert their right “to rule” in places of imprisonment.

All information at “Azattyk” about the first coin side is about incorrect, inhumane treatment of the prisoners on the part of administrations of the colonies. In other words, we are talking about how they “meet” newly arrived people to the prison, how they make them to walk on half-bent legs, for hours march on the ground, how they press in the press huts, what food do they give, in what conditions do they hold, how they bring to “obedience” by means of clubs and punishment isolation cells, etc. All these, so to speak, represent an input to creation of a problem on the part of those, providing enduring the punishment.

But there is also another side of the coin; it is an input of those, who serve a sentence.

Convicted in a cage are a uniform mass. According to the cage (prison) self-identification they are divided into two categories – men and trusties. The first category is here to come back to freedom and never to come back here after completing the sentence. The second are those, who, so to say, “are moving on the thieves’ life”. Prison for them is a native home. Thereafter they are trying to live in places of imprisonment relatively comfortably and be masters there in a very real sense of this word.

For this purpose they are settling in the colonies “their own established order”. That means that they can move within the territory of the prison without limitation, they can eat in addition to the feeding area, have special conditions of living, right to hold a court over prisoners, etc. In a word, they arrange their lives according to own gangs rules. In certain cases according to secret understanding with the leadership of the colony they take the responsibility for maintaining order in the prison and in exchange for the fact that the administration closes the eyes to all their free actions. Such prisons where the trusties are ruling are called “black”, as opposed to red, where the situation is strictly controlled by administration.

It is a long and painstaking process to make a prison “black” and regain it from administration. It is no less difficult to “break the prison” and return in it the order of administration.

Each of the parties pursues its interests: the “black” – comfort living conditions and, the “red” – maintenance of the order and control suiting them. Transformation of the “red” prison into the “black” as a rule an obscure process and, it is possible to say, evolutionary. On the contrary, transformation of the “black” into the “red” is practically always a conflict, shock connected with disorders and even victims. The history knows examples when for suppression of the prisoners, unwilling of “reddening” of the prison the troops were engaged.

On the part of the uninitiated people, this continuous fight between the administrations of the colonies and the gangs is the underwater part of iceberg. Only few people know about it. On the surface, as a rule, are those disorders, about which the society knows from the news and messages of the human rights activists. At its best, the society will learn that in some colony a definite number

of the prisoners committed cutting, and that's all!

All these mass campaigns of self-injury and as they are called – cutting are manifestations of this exact fight for influence in the prison. Such campaigns of pressure are implemented by means of which the trustees are trying to stop attack over their rights to live “on the black rules”.

By the way, what are these cuttings? The way of doing it is the following: the skin of the belly is pulled and by means of moyka (a half of the edge of the safe razor) cut the fat tissues of the belly is made. There is a lot of blood, but the risk to life is minimal.

They often do it to avoid beating and tortures. For example, when “dubaks” (prison staff, beating prisoners) are beating and it is impossible to endure it, from the creases of the clothes they extract a moyka and that's done! Blood splashing in all sides and saving their uniforms the “dubaks” stop execution and orderlies drag the cut man to the medical unit.

Another variant is when protesting against some actions of administration a group of prisoners commits cutting. It is a campaign initiated by a gang. It is important here that in liberty people learn about it. The greater public response is needed here. The purpose is information in the newspapers, addresses of the human rights activists; information given by the commission arrived from the prosecutor's office and the Committee of the correctional system with regard to the essence of the protest and about many other factors, that's fortune, in each colony there is too much of violations. The more the violations, the more problems may have the principal. It is their intention. In this sense every principal (head) before starting to “break the prison” will recon “Does he really need it?”

The “hot summer” of 2010 of the Kazakh correctional system is, evidently, induced by the fact, that the Committee of correctional system organized a campaign under the conditional name “disillusionment of authorities”. Within the framework of war against the “blacks” the officials decided to start discrediting of the authorities of the gangs world. According to hearsays, the procedure is the following. The authority is placed before the dilemma – he takes a rag and cleans the toilet sink, or he is immediately humiliated by a specially trained queer. Both actions are shot on a camera. The choice is not rich – either the authority loses his status of a gangster and becomes a gofer or goes to the prison “harem”. Then this video is demonstrated to the prisoners with the annotation “Watch! This will happen to everyone who refuses to obey to the administration”.

Notably, in this case the administration takes openly prisoners' methods of influence, i.e. starts to live according to the gangs rules. Is it necessary to explain, that in the case of opposition between the gangs and administration, appeal to the law is not relevant at all. Here wins only who is stronger and more arrogant.

It is natural that as a response to such lawlessness on the part of administration the “blacks” start cutting. They don't have other means of protesting. I think that in the given situation, people with shoulder straps, openly violating the law, are responsible for provoking this current “hot” in Kazakh colonies.

This is the second side of the problem, which, as a rule, remains off-screen of the Kazakh media, including “Azattyk” radio.

And how wrong I was! I think that without considering this, it is impossible to estimate what is going on in conflict situations in the places of imprisonment.

### *And now we turn back to the information at “Azattyk”*

Recently, **Vadim Kuramshin** notably activated on the given subject. Hardly a week goes by that there appears a material at “Azattyk” where he is one of the main figures. Moreover the keynote of his addresses in press is the critics of the Kazakh Office for Human Rights. It is possible to say that Kuramshin introduced a new direction in the given subject.

Everything about this direction and the conversation.

Today his attacks to the employees of the Office already deserve a new subject. So, one of the latest round tables of “Azattyk” was directly dedicated to fight of Kuramshin with the employees of the Kazakh Office for Human Rights.

The narrator of “Azattyk” radio, opening the round table, pointing at more often cases of cutting among the prisoners, directly announced that “Against the background of such cases, discontent **on the part of some interested persons** by the actions, more precisely by “nonfeasance” of Kazakh human rights activists”. We would like to know who these interested people are. It is unlikely that it is Kuramshin. Everything is clear with him; he settles accounts with the human rights activists of the Office, who, according to him did not help him when he was in the colony.

By the way, about this statement, which Kuramshin always remembers, I gave myself the trouble, found it and read. I confess it was very difficult to cope with this flow of multiloquence, conjectures and uncertainty. In his claim all conflicts of his life in the colony are stated in detail, but from all this it is impossible to understand what he wants. I wouldn't like to offend Vadim, but, frankly, what I have read suggests the inadequacy of the one who wrote this claim. How could we have helped him? Publish this on the Internet or in the newspaper? Though, nobody will ever publish this. Send it to the prosecutor's office? They wouldn't read it at all. I understand perfectly human rights activists who weren't able to set in motion this claim. This claim, to put it lightly, inspires absolutely no confidence. Before dealing with some matter, any journalist or human rights activist wants to be sure that the person to be helped is, mildly saying, in his senses. I recall that one day I was approached by a woman that was convinced she was illuminated with infrared rays – within her home, in the bus and outside. Besides, she even showed me pictures of some people whom she shot on her cell phone. In fact, pictures show a man with a weird device in his hands directed at the one with the camera. If you ask whether I helped her, my answer is no. Well, after that she walked around groaning what a bad person I was. I beg your pardon, but the claim of Kuramshin is the same type.

Today, thanks to radio “Azattyk”, he is a former political prisoner and a human rights activist. Don't make me laugh, gentlemen. The occupation of Kuramshin before he was sent to prison had nothing to do with politics. If Kuramshin is the former political prisoner, then Amantay-Kazhy is a future Pope of Rome. Speaking about Kuramshin as a human rights activist – it is a separate topic. Of course, anyone can call oneself as he or she wishes. However, what Kuramshin does nowadays is not the protection of human rights, but an open lobbying. He lobbies (through media) the interests of prisoners. To be more precise, he lobbies the segment called “bratva” (criminal brotherhood or hoods). If you ask me what the difference between lobbying and protection of human rights is, I will tell you that the difference is big. Human rights activists advocate only those rights that a person is provided by law, but the law took those rights; a lobbyist promotes the interests of one's clients, regardless of their legal conditionality.

Here's a vivid example. There are disorders in the pretrial detention center in Almaty. Several people committed a cutting in protest. In protest of what? Of bad nourishment? Alas! Despite bad food and beastly treatment, it is rarely a case to cut oneself. Cutting is usually committed in protest, when the administration begins to infringe “informal rights” of prisoners earned by them through bribes, palm-greasing, tacit agreements with the staff of a detention center or a prison. The system of order of the Almaty pretrial detention center is one hell of a system. Well-informed people will tell you that you can get anything there - you just need to pay for it. At nighttime you can get a drink and even have a woman delivered from Saina Street. And at this point the administration made up its mind to ban it all, including visiting each other's cells, playing cards, and even (frightful to think of)... using cell phones. By the way, the lobbyist Vadim Kuramshin speaks of the latter as the violation of human rights of prisoners, while cell phones aren't legally allowed for the detainees of the center - basically, drinks, and girls, and many other things as well. I understand that people want to enjoy worldly pleasures even while in prison. Though, do human rights activists have anything to do with it? This matter totally pertains to lobbyists.

And for God's sake! There must be somebody to lobby the interests of this segment of prisoners as well. Let it be Kuramshin. You just shouldn't use a high title of a human rights activist as a cover. Everyone must do his own thing. It will be more honest.

There is one more point. We are done with lobbying, but why would you need to throw mud at other human rights activists. Even if we suppose that they are doing something in a wrong way,

then every incomer to the human rights field has a chance to benefit from the contrast and prove to everyone that he or she is the best and most rightful human rights activist. You just need to start and finish. And we will see.

In this regard, it is not understandable why the respected editorial staff of the “Azattyk” radio is exerting a serious effort to promote Kuramshin in the role of some kind of an overthrower of human rights traditions in Kazakhstan.

In fact, who is interested in the showdown between Kuramshin and the Office representative in Astana? Where does a wish to disparage another representative of this organization from Karaganda come from? Well, this is all because of people from the Office of Zhovtis who have said something like “who did he hire there?” Is it something other than discrediting the Office?

Glancing from outside, it doesn't look that nice - at a time when the authorities put to jail the head of the Office, someone unleashed a campaign to discredit the Office. Not themselves, of course, but by giving this opportunity to “the former political prisoner” who, in all the articles, has been trying hard to prove the human rights inconsistency of the Zhovtis's Office.

Since when has the issue of quality of Office's work to protect human rights of prisoners become the leading topic in the work of “Azattyk” radio? For me, this topic is not worth a darn. However, Kuramshin is persistently provided with the platform not just to lobby the human rights of prisoners (this is on the background), but to “whack” human rights activists from the Zhovtis's Office.

I have a feeling that somebody extremely needs this hassle to discredit the organization of Yevgeniy Zhovtis in his absence.

On the whole, in my view, critical attitude towards human rights activists is due to the misunderstanding of tasks that these human rights activists need to accomplish. There is a stereotype of mundane perception, when people perceive the human rights organization as a type of the law office, where you can get free aid. Say, a person comes with his problem – he needs help. Well, they explain to him what and how he must do it, but this is often not good enough for him. Supposedly, he comes for help, but instead is advised where to go and what to do. Does this, really, help?

There are thousands seeking help, but there are very few human rights activists. At best, strength is only enough to give consultations. But this is not good enough for most, moreover, when it all comes down to dealing with the court in any way. And you know what our court is. As a result, they leave unsatisfied – human rights activists didn't help. This is misconception to assume that human rights activists should take the hands of every person who has come for help and defend their rights together with them. The person must defend his rights himself. In this case, human rights activists are simply professional prompters and consultants. All the rest is up to the person, his or her persistence and resolution to go all the way.

The same is with the outrage of law enforcement bodies, torture, other instances of human rights violation, including in prisons. Everyone is convinced that in all cases human rights activists are obligated to help a person. I will let you dream a little bit! And who are human rights activists for the police, judges and prosecutors, staff of penitentiaries? Nobody! There is no such law to let them enter penitentiaries or give them comprehensive information. Human rights activists have no authority, special additional rights and opportunities for that. All kinds of aid are based on advices, or at best, on involvement in the civil trial process.

Speaking about Kazakhstan's Office for Human Rights, such advisory assistance is just a part of work of the Office. The main task of the organization is to monitor the general human rights situation in Kazakhstan; monitor the implementation of international commitments to respect human rights; criticize actions of authorities allowing for human rights and freedoms limitations; and lobby legislation ensuring better respect of human rights and freedoms.

Well, this is the work that authorities of Kazakhstan don't like. Strictly speaking, Zhovtis has been imprisoned because of this. Seemingly, he and his Office dealt with it too honestly and professionally. Somebody got sick of it and, availing of the opportunity, put Zhovtis to jail for four years. Well, now this is the politics!

It is clear why authorities did it, but the question is why others would get mad at the Office.