



## **DELEGATION OF THE REPUBLIC OF KAZAKHSTAN TO THE OSCE**

1010 Vienna, Wipplingerstrasse 35/floor 3,  
e-mail: [kzosce@kazakhstan.at](mailto:kzosce@kazakhstan.at)

### **Statement by the delegation of Kazakhstan to the OSCE at the 886th meeting of the OSCE Permanent Council 3 November 2011**

In response to the statement by the European Union  
on the human rights and rule of law issues in Kazakhstan

Excellencies,

#### **On the Law on Religion**

In our statement of 13 October 2011 at one of the previous meetings of the Permanent Council, in response to the statement of the USA on the Law on Religion in Kazakhstan, we already brought to the attention of the participating States the position of Kazakhstan on this issue, which remains unchanged. We do not deem it necessary to reiterate it. However, I would like to point out that the new Law on Religion is first of all directed at pseudo-religious, terrorist and extremist organizations, which often conceal their criminal activity under the guise of religious convictions.

I would like to take this opportunity to inform the distinguished delegations regarding some developments connected to the facts of the recent terrorist acts in Kazakhstan. On 31 October, as you know from the Spot report of the OSCE Centre in Astana, two explosions occurred in Atyrau City in Western Kazakhstan. The first blast was in a garbage can in Kulmanov Street. Later, a bomber - a young man of 24 - blew himself up in the Saryarka region.

On 1 November 2011, a hitherto unknown Islamic group, *Djund Al-Khalifat* (Soldiers of the Khalifat), claimed responsibility for the explosions. They posted the message accepting responsibility for the terrorist attack on jihadist forums. According to representatives of the group, the explosion was intentionally set off by a suicide bomber, and the terrorist attack “was just a warning for the government”.

A criminal case has been initiated, under charges of terrorism with the use of explosive or blasting devices. In August-September, the law-enforcement authorities in Atyrau apprehended a group of people who were planning terrorist attacks in the region. Elements of a home-made explosive device, extremist religious literature and firearms were discovered in a search during apprehension. The suicide bomber (B.

Sultangaliyev) who blew himself up in Atyrau was an associate of the suspected terrorists arrested earlier.

### **On suspension of the activities of the Communist Party of Kazakhstan**

In June 2011, the Communist Party of Kazakhstan announced that the Party was one of the founders of the *Halyk Maidany* (National Front) movement. In August of the same year, the leader of the Communist Party, G. Aldamzharov, officially confirmed that he had joined the said movement and called on members of the Communist Party of Kazakhstan (CPK) to participate actively in it.

On 29 September 2011, the members of the CPK who had joined the movement approached the Municipality of Astana on behalf of the movement with an appeal on the holding of picketing. On the same day, another CPK member, again on behalf of the movement, sent a letter to the authorities on the issue of the rising prices of food items.

The points enumerated above, among others, are proof that the leader of the CPK and its members, through their activities, incited large numbers of people to join an unregistered movement.

Thereby, the CPK has infringed the provisions of Article 13 of the Law of the Republic of Kazakhstan on Public Associations, according to which in order to register a public association, an application must be submitted within two months following its establishment.

As is known, unregistered public associations are barred from undertaking activities in the territory of the Republic of Kazakhstan. However, the Halyk Maydany movement (Narodnyi Front), which, I underline again, was initiated among others by the leader and some members of the Communist Party of Kazakhstan, although it had all the characteristics of a public association, did not apply for registration.

As a result, the Prosecutor's Office filed suit against the Head and several members of the Communist Party of Kazakhstan with reference to an administrative offence in respect of Article 374, part 2, of the Code on Administrative Offences.

According to decisions of the court of 4 and 5 October 2011, the above-mentioned individuals were found guilty of violating Article 374, part 2. They were sentenced to pay fines (up to approx.100 USD) and the activities of the Communist Party of Kazakhstan were suspended for a period of six months.

### **On Natalya Sokolova**

In accordance with the legislation of Kazakhstan, the court found Natalya Sokolova, a legal representative of the trade union *Karazhanbasmunai*, guilty of violating two articles of the Criminal Code of Kazakhstan, by inciting social, national, tribal, and racial or religious enmity (Article 164) and violating the regulations on organizing and holding meetings, rallies, picket lines, marches and demonstrations (Article 334).

As a result, on 8 August 2011, Natalya Sokolova was sentenced to six years of imprisonment in a colony of common security.

Investigation of the case with regard to Ms. Sokolova was conducted in strict accordance with the legislation on criminal procedure. All the expert examinations confirmed the definitions of elements of offence, and the testimony of the witness bore out her guilt as well.

Moreover, during the investigation, Ms. Sokolova simply ignored the requirements of the legislation on criminal procedure and tried to politicize the case.

My Government is also expressing its concern about the situation of the striking employees, their families and their representatives in the Mangistau region. We firmly believe that the only solution is a strict adherence to the norms, principles and standards laid down in the Constitution of Kazakhstan, and in other domestic and international laws and legislation. Any kind of pressure on the court is totally unacceptable.

### **On STAN-TV journalists**

I would like to stress that the Kazakh authorities are also very concerned about the physical assault on the journalists Asan Amilov and Orken Bisenov.

According to the information provided by the Office of the Prosecutor General, on 26 October 2011, the Department of the Interior of Aktau City filed a criminal suit under article 179, part 2, subsections A and D, of the Criminal Code (Brigandage committed by a group of persons following preliminary collusion and with the use of weapons or objects used as weapons).

An investigation squad has been established in the Department of the Interior of Mangystau region, and is currently conducting a search-and-investigation operation.

As a result of the squad's work, a suspect has been identified and is now being sought by the police.

The case is under the control of the Ministry of the Interior and the Office of the Prosecutor-General.

The delegation of Kazakhstan will keep the Permanent Council or interested delegations updated on the investigation.

May I also to bring to the kind attention of the distinguished delegations that all the issues described above are the focus of attention by the Kazakh Government, civil society and the mass media in Kazakhstan. Open and transparent conditions and various platforms exist in Kazakhstan to discuss these and many other issues relating to the democratic development of the country.

Thank you.