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## Attacks on the Press in 2011 - Kazakhstan

### Key Developments

- Assaults, politicized lawsuits, newspaper confiscations limit press freedom.
- Convictions in 2009 murder mark a high point in anti-impunity efforts.

The convictions of three men in the 2009 murder in Almaty of prominent Kyrgyz journalist Gennady Pavlyuk was a bright spot in Kazakhstan's otherwise grim press freedom record. The government had yet to reform its media laws in line with international standards, despite its promises to the Organization for Security and Co-operation in Europe, or OSCE. To the contrary, the upper chamber of parliament approved a bill in December requiring international broadcasters to register with the government and imposing limits on foreign content aired by local cable carriers. Editor Ramazan Yesergepov continued to serve a three-year prison term on fabricated charges of collecting state secrets after a local court denied him early release. In November, an Almaty court convicted reporter Valery Surganov on defamation charges stemming from an article alleging police improprieties; the court imposed severe restrictions on his movements as penalty. The cases were a sobering reminder of the cost of critical journalism. In April, President Nursultan Nazarbayev won a fourth term in an election so uncompetitive that he took 95 percent of the vote, according to official results. OSCE monitors criticized the restrictive media climate in the run-up to the vote.

*[Refworld note: The sections that follow represent a best effort to transcribe onto a single page information that appears in tabs on the CPJ's own pages, which also include a number of graphics not readily reproducible here. Refworld researchers are therefore strongly recommended to check against the original report: [Attacks on the Press in 2011](#).]*

### Convictions in 2009 murder: 3

In October, an Almaty court found a former Kyrgyz security agent and two accomplices guilty in Pavlyuk's abduction and murder, sentencing them to prison terms ranging from 10 to 17 years, international press reports said. The court said the killing was motivated by Pavlyuk's journalism, but it did not specify a reason or name a mastermind, the regional news website *Fergana News* reported.

### Pavlyuk case timeline:

**December 16, 2009:** Pavlyuk was hospitalized in a coma after being abducted and thrown out of a sixth-floor window in Almaty, regional press reports said.

**December 22, 2009:** Pavlyuk died in an Almaty hospital, *Fergana News* reported.

**November 29, 2010:** Kazakh prosecutors brought charges against ex-Kyrgyz security agent Aldayar Ismankulov, regional press reports said.

**October 11, 2011:** Ismankulov and two accomplices, Almaz Igilikov and Shalkar Urazalin, were convicted.

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#### **Imprisoned on December 1, 2011: 1**

Ramazan Yesergepov, editor of the independent weekly *Alma-Ata Info*, remained in prison on antistate charges, according to CPJ research. Yesergepov's newspaper published two memos from the KNB, the Kazakh security service, that showed high-ranking agents conspiring to influence a prosecutor and a judge in a tax-evasion case.

#### **Yesergepov case timeline:**

**November 2008:** Yesergepov's article, titled "Who Rules the Country – The President or the KNB?" was published in *Alma-Ata Info*. Alongside his commentary, Yesergepov published two internal KNB memos.

**January 2009:** KNB agents seized Yesergepov from an Almaty hospital and placed him in detention.

**August 2009:** A Taraz regional court convicted Yesergepov on "collecting state secrets" charges, sentencing him to three years in prison.

**October 2009:** A regional court denied Yesergepov's appeal.

**June 2010:** A CPJ representative was barred from visiting Yesergepov in prison.

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#### **Assailants in brutal attack: 4**

The unidentified men used baseball bats and a non-lethal traumatic pistol against Orken Bisen and Asan Amilov of the Internet-based opposition broadcaster Stan TV. The two were covering a strike by oil and gas company workers in the western city of Aktau. The assailants stole the journalists' equipment and video footage in the October attack, Stan TV said.

#### **Attacks over time, according to CPJ and Adil Soz, the Almaty-based media foundation:**

**2007:** 1 independent journalist assaulted in the southern city of Shymkent.

**2008:** 1 opposition journalist stabbed in Almaty.

**2009:** 2 journalists attacked, 1 murdered in Almaty.

**2010:** 1 journalist beaten in western Kazakhstan.

**2011:** 2 Stan TV journalists attacked.

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**Billion tenge damages awarded: 5**

An Almaty court ruled in favor of Saltanat Akhanova, wife of Kazakhstan's financial police head, in a defamation lawsuit against editor Gulzhan Yergaliyeva and her news website *Guljan*. The damages, equivalent to US \$33,800, stemmed from *Guljan* articles that described foreign assets allegedly held by Akhanova. The plaintiff had sought 2.6 billion tenge.

**Notable damage awards, according to Adil Soz:**

**2008:** 30 million tenge (US\$200,000) against journalist Almas Kusherbayev and the independent newspaper *Taszhargan*. Member of Parliament Romin Madinov filed suit over an article that said his business interests had benefited from his legislative work.

**2009:** 60 million tenge (US\$400,000) against the independent daily *Respublika*. Plaintiff BTA Bank filed suit over an article saying the institution was facing financial pressure from foreign investors.

**2010:** 20 million tenge (US\$135,000) against journalist Lukpan Akhmediyarov and the independent newspaper *Uralskaya Nedelya*. The plaintiff, a company named TengizNefteStroy, later decided to withdraw its claim.

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**Newspaper confiscations: 3**

On three occasions – in January, March, and October – authorities confiscated or bought off the print runs of the independent weekly

*Respublika-Delovoye Obozreniye*, according to the press freedom group Adil Soz. Authorities did not provide an explanation, Adil Soz reported. The critical outlet had long been at odds with authorities, CPJ research shows.

**Harassment of *Respublika* over time:**

**2005:** The Information Ministry ordered

*Respublika* to be shut down. Using ever-changing titles and Web addresses, the paper's staff continued to publish.

**2009:** Authorities seized the weekly's print run and froze its bank accounts in an attempt to enforce a politicized court verdict that ordered *Respublika* to pay 60 million tenge to BTA Bank.

**2010:** *Respublika*'s website was blocked by the state Internet provider and subjected to denial-of-service attacks.

**2011:** Alla Zlobina, *Respublika*'s regional correspondent in Uralsk, received threatening phone calls; authorities ignored her complaint.

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