

On September 28, an authorised protest of Kazakhstan feminists was held in Almaty. This was the first authorised protest action after the message of President Kassym-Zhomart Tokayev to the people of the country, in which he told to permit peaceful protests.

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Photo: CABAR.asia

The protest was held in the afternoon of September 28, in the only place permitted for peaceful gatherings - on the square behind the Sary Arka cinema theatre at Almaty. This is not the suburb, yet not the centre. The head of the feminist group KazFem, **Veronika**



By the way, men were also holding the banners. They protested against the violence against women and called prostitution “a paid rape.” Rally participants dispersed after an hour of speeches.

### **Fines and detentions for protests**

Aggressive response of the authorities in Kazakhstan to rallies is known not only domestically, but also abroad. Images from rallies, when security officers brassily twisted hands of women and older people and pushed them into a police van, scattered across all independent global media.

However, that was not the end for the detained. The lucky ones were detained at the police station for several hours and released with a warning that they should no longer “attend rallies.” But often those who were detained at rallies were subjected to administrative punishment: they were fined for a considerable amount, locked up in a special detention centre for 15 days, or even involved as a witness and even a suspect in criminal cases.



### **Numbers of Convicted for Inciting Hatred Increase in Kazakhstan**

For example, in 2016, participants in a land protest in the West Kazakhstan town of Atyrau, Maks Bokaev and Talgat Ayan, were sentenced to 5 years, including under article 174 of the Criminal Code “Incitement of social, national, tribal, racial, class or religious hatred”.

This May, a young man who went out to the central square with a blank poster was detained in Uralsk (west of the country). Thus, he wanted to show that in Kazakhstan there is no freedom of speech and democracy.

And on May 30, the day before the visit of the head of the European Council to Nur Sultan, activists complained to the president of the European Council Donald Tusk of “glaring violations of human rights and civil liberties” in Kazakhstan. It did not help, and in June, during and after the presidential election, according to official data of the Ministry of

Interior Affairs, four thousand people were detained. Then, the department reminded that rallies may be held only with the permission of local executive bodies.”



Post-Election Kazakhstan. How Authorities Respond to Protests?

According to the law, to hold a peaceful protest in Kazakhstan, one should submit an application to the akimat (city hall) no later than 10 days before the date of the protest. However, the reality is that citizens submit an application on time, fulfil all the requirements of the application, but local authorities still refuse. Moreover, refusal is never given directly. Almost always, in their replies, officials write that it’s impossible to hold the protest on the scheduled day because of the “cleaning of the territory”, “holding a ceremony” or “pipeline repair”.

The venues for rallies are strictly regulated by law. Even in the largest, two million city of Almaty, peaceful actions are permitted in one place only. **Yevgeni Zhovtis**, director of the Kazakhstan International Bureau for Human Rights, noted that demonstrations became impossible in Kazakhstan due to the limited locations for peaceful gatherings as they mean people moving across the city.

### **Tactical ploy by authorities**

However, this September, President Kassym-Zhomart Tokayev during his message to the people of Kazakhstan instructed that more space should be given for rallies.

“If peaceful actions don’t seek to violate the law and peace of citizens, we should allow them and provide special venues for them in accordance with the law. Not in the suburbs of towns. However, any calls for unconstitutional acts, violence actions would be stopped within the law,” Tokayev [said](#) then.

The mechanism of society democratisation seems to have been successfully launched. However, experiences human rights defenders, activists and political analysts don’t see any

true steps of the authorities towards protesters.

“This [message of Tokayev about the permit for protests] is populism. Of course, there will be some exemptions, but nothing will change dramatically. The authorities will decide who should be allowed to hold a rally, and who should be punished. The key criterion for the decision is the loyalty to the authorities. So, once there are political opponents, the [rally] would be banned,” **Galym Ageleuov**, head of the Liberty public fund, said.



*Photo courtesy of Galym Ageleuov. Personal account on Facebook*

According to him, it is meant to split the protesters so that one part of the opposition blames the other one in collusion and loyalty to the authorities just because of the permit to hold a rally.

Political analyst **Tolganai Umbetalieva** is also sceptical about the president’s words and thinks they mostly relate to the main political party of Kazakhstan Nur Otan.

“For some reason, Nur Otan has a right to hold rallies at central squares, and opposition can do it only in the suburbs. Therefore, when he said that protests may be and should be held on central streets, he probably meant the protests held by Nur Otan,” Umbetalieva said.

After the message of Tokayev, the country started active discussion of the changes for the better. They mainly came from the state machine. The media reported that police officers would be trained to hold more polite dialogues with protesters. Later on, police officers received new police vans with more comfortable conditions for the detainees.



*Dimash Alzhanov. Photo: the-village.kz*

The message of the president and the following actions were called by activists a tactical ploy by the authorities. It does not mean the law on protests would be amended, but additional venues would be specified for authorised rallies. This was the request of the akim of Almaty, Bakhytzhan Sagintaev, to the maslikhat, according to **Dimash Alzhanov**, political analyst and participant of the civil movement Oyan Qazaqstan.

“To drop the level of protests, they have changed the police behaviour – more people in civilian clothing would participate in rallies so that the media couldn’t fix the obvious presence of the police. All measures taken by the authorities don’t mean that citizens may exercise their right to peaceful gatherings freely. All possibilities and mechanisms, detentions for 10-15 days are still there. Therefore, the authorities can turn to these methods in case of mass actions,” Alzhanov said.

When speaking about possible motives of Akorda to demonstrate the changes, Alzhanov reminded that the negative image of the regime was shaped after the suppression of rallies during presidential election.

“Now they are taking measures to improve [the image], yet without any fundamental changes. The media lay special emphasis on the change in the authorities’ policy as if we are on our way to changes. However, it should not be taken seriously until the law is amended, until we have the guaranteed notification system, without any reservations like special venues for rallies,” Alzhanov summarised.

### **Authorities fear unauthorised rallies**

The recent events in September showed that Kazakhstan still has no prerequisites to a drop in protests. After the message of Tokayev, unauthorised rallies against “Chinese expansion” were held in some towns of Kazakhstan, including both capitals, which participants were not detained. However, more than 30 people were arrested afterwards in the towns of those protests.

The versions of arrests vary. According to one version, these were consequences of participation in anti-Chinese rallies; another version was that they were arrested not to let them attend other unauthorised rallies on September 21, where police officers detained 57 participants.

The authorities, just like before, reported that detentions during unauthorised rallies were made because citizens followed the call of the leader of the Democratic Choice of Kazakhstan Movement, which is found extremist in Kazakhstan, Mukhtar Ablyazov, “despite the warning by the Prosecutor General’s Office not to yield to provocations from outside.” The same explanations were given after [summer rallies](#).

Despite the fact that authorities report positive changes regarding the civil rights and liberties, many international human rights organisations, including Human Rights Watch, still [call](#) on the president of Kazakhstan to revise the laws on peaceful protests and to stop detaining peaceful protesters.

While activists, as before, are going to hold peaceful protests without permit as they follow the principle “we don’t need any permit to speak out.”

“We need to keep holding unauthorised protests. We should maintain our position in a right and consistent way,” Dimash Alzhanov said.

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*This article was prepared as part of the Giving Voice, Driving Change - from the Borderland to the Steppes Project.*



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