

# Human Rights Watch

## Torture, Former Combatants, Political Prisoners, Terror Suspects, & Terrorists

<https://www.hrw.org/news/2005/01/24/opposition-leader-mistreated-custody>

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On Friday, January 21, 2005, authorities at the Shiderty settlement colony (a minimum security detention facility) placed Galymzhan Zhakianov, the co-founder of the Democratic Choice of Kazakhstan (DVK) party and chairman of the DVK political council, in a punishment cell for allegedly shirking his required prison work duty on a cattle farm.

On Friday, January 21, 2005, authorities at the Shiderty settlement colony (a minimum security detention facility) placed Galymzhan Zhakianov, the co-founder of the Democratic Choice of Kazakhstan (DVK) party and chairman of the DVK political council, in a punishment cell for allegedly shirking his required prison work duty on a cattle farm.

According to a press release issued by the DVK, on the morning of January 21, authorities at the colony refused Zhakianov medical treatment for a severe toothache. Colony authorities have repeatedly refused Zhakianov necessary medical treatment during his time at the facility, according to the DVK. Zhakianov reportedly proceeded to work duty on a nearby cattle farm as required, but then left the site for a few minutes to take a pill to treat the toothache. The prison authorities accused him of avoiding the work and later the same night ordered him to be placed in a punishment cell for two days. Zhakianov was taken immediately to the cell following the order. The DVK alleged that the colony's authorities forced other inmates to testify that Zhakianov was absent from work duty.

Zhakianov was released from the punishment cell on January 22. He spoke to the Almaty Bureau of Radio Azattyk (Radio Liberty) that same day, saying he believed he was released from the punishment cell one day earlier than originally ordered because of his poor health. He noted, however, that despite his release the charges against him have not been annulled. The chief of the Shiderty settlement, Azamat Esmukhanov, denied that Zhakianov has suffered from poor health while in the settlement, saying that he lacks the medical records to prove this. Kazakh parliamentary deputy Zauresh Battalova stated that she shares Zhakianov's concerns that these trumped up violations will be used as a pretext to transfer the DVK leader from the settlement colony back to a prison facility.

In the past, colony authorities have accused Zhakianov of other violations of the internal rules of the colony; such charges provide authorities grounds for issuing demerits and denying privileges. Zhakianov's wife, Karligash Zhakianova, has expressed concern that the colony authorities would use her husband's alleged misconduct as a pretext to reduce the number of visits he is allowed to have with family members and other visitors. DVK members and other opposition activists have reportedly traveled several times in recent months to meet with Zhakianov at the colony and to get his input regarding a joint political strategy.

Zhakianov's punishment for allegedly breaching colony rules follows a January 6 court order to permanently close the DVK. On January 6, the Special Economic Court in Almaty ruled to liquidate the DVK on the basis that a statement by the party allegedly posed a threat to national security. The statement in question, issued by the DVK at its second party congress on December 11, 2004, said that the conduct of the parliamentary elections of September 2004 had dashed the last hope for the possibility of political reform in Kazakhstan. It stated that the DVK does not view the existing government of Kazakhstan as either its president or parliament as legitimate and called on suitable segments of society to take decisive action, including civil disobedience, in protest. As we [wrote](#) to President Nazarbaev on January 7, Human Rights Watch urges the government of Kazakhstan to withdraw the petition for liquidation of the DVK.

As you are aware, Zhakianov is serving the remainder of a seven-year term at the Shiderty settlement colony located on the isolated Kazakh steppe in Pavlodar province. He was convicted in 2002 on charge of abuse of office and sentenced to a seven-year prison term, following a trial that international observers labeled as grossly flawed. Zhakianov was transferred in August 2004 from a general regime prison to the settlement colony at Shiderty. Zhakianov has reported that authorities opened new criminal cases against him when he refused to disavow his political affiliation and halt his political activities in exchange for his freedom.

We urge you to use your good offices to ensure that Galymzhan Zhakianov is treated fairly and humanely while in custody. We further repeat our earlier calls for Zhakianov's timely release.

Thank you for your attention to this important matter.

Sincerely,

Rachel Denber  
Acting Executive Director  
Europe and Central Asia division

Police Torture and Abductions in Turkey

Turkeys Post-Coup Suspension of Safeguards Against Torture

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