

19 January 2017

Kazakhstan: Criminal charges against human rights defender, Marat Dauletbayev

On 15 January 2017, human rights defender Mr **Marat Dauletbayev** received a summons to appear before the Baikonur City Court in a criminal case initiated against him by the Head of the city administration. Marat Dauletbayev has been accused of slander under Article 130 of the Criminal Code of Kazakhstan.

[Marat Dauletbayev](#) is the Chairman of the human rights organisation **Baikonur for Civil Rights**. The organisation was founded in 2009 and works on social and economic rights, focusing particularly on the rights of disadvantaged communities in Baikonur. According to the 1995 Status of the Baikonur Agreement between Kazakhstan and Russia, Baikonur is an administrative territorial unit of Kazakhstan while also being a federal city of Russia. Baikonur is rented and administered by the Russian Federation for a period until 2050; it hosts the Baikonur Cosmodrome.

On 15 January 2017, the Baikonur City Court summoned Marat Dauletbayev for a hearing in a trial against him where he stands accused of slander towards the Head of the city administration, Mr Nikolai Avdeev. The court hearing is scheduled for 24 January 2017.

On 17 November 2016, the Baikonur police notified the human rights defender that a criminal investigation had been initiated against him following a claim made by Nikolai Avdeev. In September 2016, Marat Dauletbayev filed a complaint addressed to the President of the Russian Federation accusing Nikolai Avdeev of exceeding his authority after he transferred 55 plots of city land to several businessmen, deputies of the City Council and other governmental officials gratuitously. In Marat Dauletbayev's view, Nikolai Avdeev's actions violated the moratorium on the sale and lease of land in Baikonur to foreign nationals and citizens of Kazakhstan passed by the President of Kazakhstan, Mr Nursultan Nazarbayev, in August 2016.

Prior to filing the complaint, Marat Dauletbayev requested the city administration to provide information on Nikolai Avdeev's decision. However, the administration refused and referred him to Article 152 of the Federal Law on Personal Information of the Russian Federation, under which the requested information cannot be provided.

Marat Dauletbayev's complaint was first considered by the Public Prosecution Office of the Russian Federation and afterwards returned for further consideration by the city administration of Baikonur - the same institution Marat Dauletbayev issued complaint against.

According to Article 130 of the Criminal Code of Kazakhstan, in the case of conviction, Marat Dauletbayev could be sentenced to up to 10 years of imprisonment.

This is not the first time the human rights defender and his organisation have faced harassment and intimidation. In December 2016, the human rights organisation 'Baikonur for Civil Rights' received a

notice from the police of Baikonur stating that in accordance with Russian jurisdiction, the organisation's operation within the territory of Baikonur is illegal as it is not registered with Russian authorities. Marat Dauletbayev asserts that prohibiting the work of the organisation directly violates his right to freedom of association guaranteed by the Constitution of Kazakhstan. In December 2012, after submitting an application for holding a public demonstration in Baikonur during Kazakhstan's Independence Day, Marat Dauletbayev was interrogated and was advised to leave the city by city policemen.

Front Line Defenders is concerned about the lawsuit against Marat Dauletbayev, which it considers to be in retaliation to his exposure of corruption and to his peaceful human rights work in Baikonur.

Front Line Defenders urges the authorities in Kazakhstan and the Russian Federation to:

1. Immediately close the criminal case against Marat Dauletbayev against him, as Front Line Defenders believes that the human rights defender is being targeted solely because of his legitimate work in defence of human rights in Baikonur;
2. Cease all further harassment and targeting of Marat Dauletbayev,
3. Guarantee in all circumstances that all human rights defenders in Baikonur are able to carry out their legitimate human rights activities without fear of reprisals and free of all restrictions.