

'New Kazakhstan'? Frustration At 'Bloody January' Injustice Peaks In Bizarre Almaty Airport Trial

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ALMATY — “There is no ‘new’ Kazakhstan. What they are doing is not just! No matter what they give me — four years or more — I will not bow my head, I will not bend my knee! The fight goes on!”

Such were the words by activist and professional translator Aigerim Tleuzhan after she was given a four-year prison term for what prosecutors said was her role in seizing the country's largest airport during the worst unrest in Kazakhstan's independence some 18 months ago.

Public skepticism about the state investigation into the bloody violence that killed at least 238 people — overwhelmingly civilians — runs deep.

But the verdicts this week that saw five people handed real sentences of up to eight years over one of the most dramatic and convoluted chapters of those events has shocked even the most pessimistic observers.

Tleuzhan, after all, had been held under house arrest prior to the July 11 verdict, which in the world of Kazakh justice usually hints at a lighter sentence, perhaps one without any jail time.

The activist herself was not surprised, however.

She had predicted that the judge would likely fulfill the prosecutors' demands for tough sentences in comments to journalists prior to sentencing.

“I think they want to punish us in the strongest way possible so that other people don't take the initiative, or attend rallies, so that they will shut up and sit in fear, so to speak,” Tleuzhan said.

“But our people are not the same as before the January [2022] events. You cannot scare us,” she added.

When the verdicts were eventually read, the court descended into chaos, with dozens of supporters of the defendants chanting “freedom” as soldiers sealed them off, allowing Judge Martdek Qaqimzhanov to make a hasty exit.

“Since the citizens gathered here will not allow the court the opportunity to explain the essence of the verdict, the pronouncement of the verdict is over,” Qaqimzhanov said, according to a courtroom report by RFE/RL's Kazakh Service on July 11.

“Everybody is free to leave! Goodbye!”

Siding With The State

After surviving the unrest of January 2022 and emerging as a more confident and powerful president, Toqaev offered his theory as to how the airport in Kazakhstan's financial capital briefly fell out of state control.

In an interview with state television that same month, the president said the airport was attacked by bandits and terrorists who wanted to paralyze its work and welcome "militants who had flown in under the guise of guest workers from [another] Central Asian city."

Almaty's City Hall, known as the Akimat, released a statement during the unrest that noted "the high level of organization of the bandits [that] testifies to their serious training abroad."

But authorities have provided no evidence confirming the participation of "well-trained" militants in the events of January 5, either during the chaos at the airport or in the city as a whole.

As regards the idea of "foreign" fighters descending on the city, an early attempt to make that case on state television collapsed in embarrassing fashion.

Kyrgyz citizen Viktor Ruzakhunov was paraded before the cameras with bruises and cuts on his face, making a "confession" that he was unemployed and had accepted cash to incite chaos in Almaty.

Indignant Kyrgyz back in Bishkek recognized him as a well-known musician who sometimes traveled to Kazakhstan to perform concerts, and Kazakhstan's "Jazz Revolution" soon began trending on Kyrgyz Twitter.

Ruzakhunov's confession was, of course, extracted under duress. Some months after he returned to Kyrgyzstan he would tell the real story of how he was forced to make the statement.

Not that Kazakhstan has ever made up for the "mistake."

In May, Ruzakhunov wrote on Instagram that his legal challenge to force the Interior Ministry to acknowledge their depiction of him as false and issue a public apology had been thrown out by a judge in the Kazakh capital, Astana.

Ruzakhunov's case is just one of several examples of the courts siding with the government in the January violence, sometimes to the point of absurdity.

In total, only a handful of state officers have been convicted in connection with the abuses perpetrated during what has come to be known as "Bloody January."

And that is without even getting into the widely held theory that the worst of the violence that followed peaceful protests against a fuel price spike was caused by warring factions in the Kazakh elite.

At any rate, it was a so-called peacekeeping intervention by Russian-led troops under the banner of the Collective Security Treaty Organization that stabilized the country by bolstering Toqaev's control over the situation.

That in turn enabled him to sideline allies and relatives of former President Nursultan Nazarbaev to complete a Kazakh leadership transition that began in March 2019 but never really felt real until after the January 2022 events.

It was Toqaev's request for the CSTO intervention, according to 38-year-old Tleuzhan, that motivated her and others angered by the news to travel to the airport on January 5, where they were expecting to see Russian soldiers arriving.

Witnesses Pressured?

Sentenced to jail on July 11 in the airport case along with Tleuzhan were schoolteacher and activist Qalas Nurpeisov and three other Almaty residents: Nurlan Dalibaev, Yermukhamet Shilibaev, and Zhan-Aidar Qarmenov.

Of that trio, one was a man with irregular employment, another a self-employed entrepreneur, another unemployed.

As a group, they hardly fit the profile of the well-trained militants that Toqaev spoke about both during and after the crisis.

But that isn't the only thing that felt off about the process, according to lawyers of the defendants and observers who spoke to RFE/RL's Kazakh Service after the process.

Ainara Aidarkhanova, Tleuzhan's lawyer, explained that the case against her client rested on witness testimony, with 13 people giving evidence in court.

"But none of them said that Aigerim was guilty, and no one recognized Tleuzhan as an active participant [in the unrest at the airport]," Aidarkhanova said.

Moreover, two of the defendants who received prison sentences — Nurpeisov and Dalibaev — said "that the investigators persuaded them to accept [a deal] in exchange for testimony against Tleuzhan," Aidarkhanova noted.

Shynquat Baizhanov, who defended Shilibaev and Dalibaev at the trial, questioned the nature of charges against his clients centering around an "attack" on an airport that wasn't defended.

Airport security disappeared into thin air that day, and soldiers earlier positioned close to the airport took their leave — apparent symptoms of a regime with divided loyalties.

Baizhanov points out that this means Shilibaev and Dalibaev's crime should, in the worst case, have been qualified as "trespassing," since even another article in the criminal code, "trespassing on a guarded object," would also appear inapplicable.

The judge did not want to hear about such distinctions, he complained. Moreover, he argued that video evidence of Shilibaev and Dalibaev's crimes was inconclusive.

"There is no capture [of the airport]. They gathered, entered the building, talked to some people, and then left," the lawyer argued.

'The Fight Goes On'

Discrepancies like these have appeared in many trials where protesters and others who claimed no involvement in the events are being tried.

The vast majority of cases concerning torture of protesters in detention by security officers have, in contrast, been ignored or are otherwise stalled.

But the airport unrest trial has resonated because of the high profile and contested nature of the

event and because Tleuzhan was well known to the city's community of activists and journalists, guaranteeing an outpouring of anger on social media and at the trial itself.

Perhaps feeling the need to push back, the office of the Almaty city court released a video stressing the guilt of the five defendants.

Tleuzhan and Nurpeisov "organized mass riots accompanied by pogroms, arson, destruction of property, and theft of official vehicles," the court affirmed in the video.

The other three, "having learned of the planned arrival of CSTO aircraft [carrying] a military contingent, decided to prevent this by attacking and seizing the control center. Then, threatening violence, they demanded that employees turn off the runway lights in order to prevent planes from landing."

Several Kazakh airlines, who figured in the court case as injured parties, did not respond to requests to comment on the trial's outcome.

But in the court of public opinion, it is Kazakhstan's Bloody January prosecutors who are under suspicion.

Serik Beisembaev, director of the Almaty-based think tank Paperlab, told RFE/RL's Kazakh Service that his group's research earlier this year had found that more than 60 percent of the public do not believe that justice is being served in the trials connected to the January events.

Writing on Facebook, Beisembaev called the verdicts against the five defendants "another step toward the end of the regime" due to the widespread uproar over the vote.

"After verdicts like that one, the level of distrust will, of course, increase," he said.

In the cases of Tleuzhan and Nurpeisov, there were additional concerns that Prosecutor-General Berik Asylov had prejudiced the outcome by referring to both defendants in public as "religious extremists" — a designation that doesn't appear to have any grounding in reality — earlier this year.

And Toqayev, who issued a "shoot to kill order" during the violence, put out his own influential opinion in November about the role political activists played in the bloody events, referring to people who "deliberately shook up the situation in the country."

"They fueled protest moods in various ways and pursued the goal of splitting our society. Many of them are also indirectly responsible for the January tragedy," he said.

In her comments after sentencing, as her speechless mother cried beside her, Tleuzhan argued that both men — Toqayev and Asylov — should be facing justice instead of her.

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