

APPENDIX 6

KAZAKHSTAN PRISONER LIST 2016

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Thirteen known alleged members of Tabligh Jamaat (all men) have been jailed as prisoners of conscience for exercising the right to freedom of religion or belief since December 2014.

| | NAME | DATE OF SENTENCING AND COURT | CRIMINAL CODE ARTICLES | SENTENCE |
|----|--------------------------------------|--|---|---|
| 1 | Mamurzhan Rashidovich Turashov | 2 Dec 2014, Sairam District Court, South Kazakhstan Region | 337-1, Part 1 of old Criminal Code (equivalent of Article 405 of current Criminal Code) | 3 years' imprisonment. |
| 2 | Bakyt Narimanovich Nurmanbetov | 14 Jan 2015, Taldykorgan City Court, Almaty Region | 337-1, Part 2 of old Criminal Code (equivalent of Article 405 of current Criminal Code) | 20 months' imprisonment (reduced to one year on appeal, freed in August 2015 on completion of sentence). |
| 3 | Aykhan Samarkanovich Kurmangaliyev | 14 Jan 2015, Taldykorgan City Court, Almaty Region | 337-1, Part 2 of old Criminal Code (equivalent of Article 405 of current Criminal Code) | 20 months' imprisonment (reduced to one year on appeal). |
| 4 | Sagyndyk Mazhenovich Tatubayev | 14 Jan 2015, Taldykorgan City Court, Almaty Region | 337-1, Part 2 of old Criminal Code (equivalent of Article 405 of current Criminal Code) | 20 months' imprisonment (reduced to one year on appeal, freed in August 2015 on completion of sentence). |
| 5 | Kairat Amangeldinovich Esmukhambetov | 14 Jan 2015, Taldykorgan City Court, Almaty Region | 337-1, Part 2 of old Criminal Code (equivalent of Article 405 of current Criminal Code) | 20 months' imprisonment (reduced to one year on appeal, freed in August 2015 on completion of sentence). |
| 6 | Ruslan Sadvakasovich Kairanov | 14 Jan 2015, Taldykorgan City Court, Almaty Region | 337-1, Part 2 of old Criminal Code (equivalent of Article 405 of current Criminal Code) | 18 months' imprisonment (reduced to one year on appeal). |
| 7 | Saken Peisenovich Tulbayev | 2 July 2015, Almaty's Bostandyk Court No. 2 | 174, Part 1 and 405, Part 2 | 4 years 8 months' imprisonment and banned from exercising freedom of religion or belief until the end of 2022, 3 years after his release. |
| 8 | Orazbek Kabdrashovich Apakashev | 29 Sep 2015, Temirtau City Court, Karaganda Region | 405, Part 1 | 3 years' imprisonment. |
| 9 | Erbolat Kabzakievich Omarbekov | 18 Feb 2016, Astana's Saryarka District Court No. 2 | 405, Part 1 | 2 years' imprisonment. |
| 10 | Bolatbek Kambarovich Kozhageldinov | 18 Feb 2016, Astana's Saryarka District Court No. 2 | 405, Part 1 | 2 years' imprisonment. |
| 11 | Khalambakhi Khalym | 18 Feb 2016, Astana's Saryarka District Court No. 2 | 405, Part 2 and 174, Part 1 | 2 and a half years' imprisonment. |
| 12 | Nurzhan Beisembayevich Nuradilov | 18 Feb 2016, Astana's Saryarka District Court No. 2 | 405, Part 1 | 2 years' imprisonment. |
| 13 | Kubaidolla Abishevich Tyulyubayev | 18 Feb 2016, Astana's Saryarka District Court No. 2 | 405, Part 1 | 2 years' imprisonment. |
| 14 | Aidin Zulfukarovich Shakentayev | 28 March 2016 Karaganda's Kazybek Bi District Court | 405, Part 1 | 2 and a half years' imprisonment |
| 15 | Bauyrzhan Omirzhanovich Serikov | 28 March 2016 Karaganda's Kazybek Bi District Court | 405, Part 1 | 2 years' imprisonment |
| 16 | Murat Askarovich Shopenov | 28 March 2016 Karaganda's Kazybek Bi District Court | 405, Part 1 | 2 years' imprisonment |

Twelve known alleged members of Tabligh Jamaat (all men) were given terms of restricted freedom for exercising the right to freedom of religion or belief since December 2014.

| | NAME | DATE OF SENTENCING AND COURT | CRIMINAL CODE ARTICLE | SENTENCE |
|----|--------------------------------------|--|-----------------------|--|
| 1 | Bakitkali Urazovich Konirbayev | 29 April 2015, Aktobe City Court No. 2 | 405, Part 2 | 2 years' restricted freedom. |
| 2 | Samat Koishykulovich Shadmanov | 29 April 2015, Aktobe City Court No. 2 | 405, Part 2 | 2 years' restricted freedom. |
| 3 | Adi Bakytovich Bakyt | 29 April 2015, Aktobe City Court No. 2 | 405, Part 2 | 2 years' restricted freedom. |
| 4 | Nurulan Mukhanbetrakhimuli Koyshybai | 29 April 2015, Aktobe City Court No. 2 | 405, Part 2 | 1 year's restricted freedom. |
| 5 | Bakytzhan Zhasuzakovich Nuskabayev | 16 September 2015, Shymkent's Al-Farabi District Court | 405, Part 2 | 1 year's restricted freedom. |
| 6 | Yerbol Nurzhigituli Zhaylymysov | 16 September 2015, Shymkent's Al-Farabi District Court | 405, Part 2 | 1 year's restricted freedom. |
| 7 | Serik Baimanovich Otyنشyn | 16 September 2015, Shymkent's Al-Farabi District Court | 405, Part 2 | 1 year's restricted freedom. |
| 8 | Rashid Mubarakovich Erimbetov | 10 December 2015, Shu District Court, Zhambyl Region | 405, Part 2 | fined court fee and given 1 year's restricted freedom. |
| 9 | Ruslan Sirgebayevich Abirov | 10 December 2015, Shu District Court, Zhambyl Region | 405, Part 2 | fined court fee and given 1 year's restricted freedom. |
| 10 | Toktasyn Narikbayevich Artykbayev | 10 December 2015, Shu District Court, Zhambyl Region | 405, Part 2 | fined court fee and given 1 year's restricted freedom. |
| 11 | Erbol Seidybekovich Sharipov | 10 December 2015, Shu District Court, Zhambyl Region | 405, Part 2 | fined court fee and given 1 year's restricted freedom. |
| 12 | Serik Amangeldinovich Seitzhaparov | 12 February 2016, Tselinograd District Court, Akmla Region | 405, Part 2 | 2 years' restricted freedom. |

One alleged member of Tabligh Jamaat is detained as a prisoner of conscience awaiting criminal trial for exercising the right to freedom of religion or belief.

| | NAME | FIRST PRE-TRIAL DETENTION ORDER DATE AND COURT | CRIMINAL CODE ARTICLE | INITIAL PRE-TRIAL DETENTION PERIOD | PLACE OF PRE-TRIAL DETENTION |
|---|----------------------------|---|-----------------------|------------------------------------|---------------------------------|
| 1 | Murat Kazbekovich Takaumov | 20 November 2015 Astana's Saryarka District Court No. 2 | 405, Part 2 | 2 months' initial detention | Astana KNB Investigation Prison |

The Criminal Code of the Republic of Kazakhstan

Article 174: Evasion of the Draft upon Mobilization

1: Evading conscription to mobilize the Armed Forces, other troops and military formations of the Republic of Kazakhstan-shall be punished by imprisonment for a term not exceeding five years.

2: The same offense, as well as avoidance of further appeals to staff of the Armed Forces of the Republic of Kazakhstan, committed in wartime -shall be punished by imprisonment for a term of five to ten years.

Article 337 (old)/Article 405 (current): Creation or Participation in the Activity of Illegal Public Associations

1: Creation or guidance of a religious or public association the activity of which is associated with violence against citizens or other causation of damage to their health, or with inducing citizens to refuse to perform their civil obligations or to commit other illegal actions, as well as the creation or guidance of a party on a religious basis or a political party or a trade union which are financed by foreign states, or foreign citizens or by foreign or international organisations, - shall be punished by a fine in an amount from two hundred up to five hundred monthly calculation bases, or in an amount of wages or other income of a given convict for a period from two to five months, or by correctional labour for a period up to two years, or by detention under arrest for a period up to four months, or by imprisonment for a period up to three years with deprivation of the right to hold certain positions or to engage in certain types of activity for a period up to three years.

2: Creation of a public association which proclaims or carries out in practice racial, national, tribal, social, class, or religious intolerance or exclusiveness, or which calls for the subversion of the constitutional order, disruption of safety of the state, or infringements upon the territorial integrity of the Republic of Kazakhstan, as well as the guidance of such an association, -shall be punished by correctional labour for a period up to two years, or by restriction of freedom for a period up to five years, or by detention under arrest for a period up to six months, or by imprisonment for a period up to three

years with deprivation of the right to hold certain positions or to engage in certain types of activity for a period up to three years.

3: Active participation in the activity of public associations indicated in the first or second part of this Article, -shall be punished by a fine in an amount from one hundred up to three hundred monthly assessment indices, or in an amount of wages or other income of a given convict for a period from one to two months, or by correctional labour for a period up to one year, or by detention under arrest for a period up to four months or imprisonment for a period up to one year.