

Statement by the Prosecutor General of the Republic of Kazakhstan on the event that took place in the town of Zhanaozen on the 16th of December 2011.

On the 16th of December 2011 in the town of Zhanaozen in Mangystau province during the celebration of the Independence day of the Republic of Kazakhstan on the Central square a group of former (previously fired) workers of the "OzenMunaiGaz" oil producing enterprise with the support of the hooligan youngsters started mass insurgencies leading to debacles, looting, setting fire and violence against civilians and police officers.

As a result of that 125 facilities have been set on fire, damaged and looted, including offices of mayors of town of Zhanaozen and Tenge village, Pension distribution center, police stations, office of "OzenMunaiGaz", "Aruana" hotel, "Sulpak", "Atlant" and "Sholpan" shopping centers, 5 banks offices, 9 ATM machines, 21 vehicles, apartment buildings and numerous facilities that belong to small and medium size business.

The damage caused to the state, companies and individuals estimates by billions of tenges.

In order to end mass disorder and to protect civilians, command of the Department of Internal Affairs of the province sent to the scene of the events a police squad that was attacked by the crowd that used firearms and knives, stones, sticks and bottles with Molotov cocktail.

In the given conditions the police squad after several warning shots had to use weapons against activists of the insurgency.

As a result of the clashes 64 persons received gunshot wounds, 14 persons died. The death of other two persons is not related to the mass disorder on the streets.

35 police officers received various bodily injures and wounds.

By the instruction of the Head of the State, in order to investigate the facts of mass disorder as well as the reasons and conditions of its development, an inter-agency investigation team under the special prosecutor has been established and is operating now.

As for today 6 organizers of mass disorder has been identified – Saktaganov, Dzharylgasinov, Irmuhanov, Dosmagambetov, Utkilov and Tuletaeva, who are charged with Part 1 Chapter 241 of the Criminal code and are all under arrest.

Along with those 23 active participants of mass disorder and 11 individuals that set fire and looted has been identified and arrested. Most of them confirmed the fact of organizing and participating in insurgencies.

In particular, they stated that have been preparing for the insurgencies in advance and for that involved a group of young people who prepared bottles of Molotov cocktail and armed themselves with improvised weapons.

In the course of the investigation following the appeal of the specially established public commission and considering the personal characteristics, extent of guilt and marital status, measures of restraint for 11 individuals has been changed to a softer one, not related to arrest.

The work to identify and detect other organizers and participants of the mass disorder continues.

Simultaneously, by the order of the Head of the State, the legitimacy of the actions of the police officers that took part in restoring public order is being checked.

Special attention is given to the use of weapons.

The investigation has shown that in most cases police officers acted in accordance with law under a real threat to the lives and health both of the civilians as well as the police officers themselves.

Nevertheless, in some cases use of weapons and special devices by the police was of disproportional character, reaction to the acts of the attackers was unequal to the threat thus leading to the death and injuries of people.

For the improper performance of his duties resulting in the absence of action to prevent illegal actions of his subordinate, deputy head of the Department of Internal Affairs (DIA) of Mangystau province Utegaliev, who was in charge of the police squad, is being brought to criminal account.

For the use of weapon with the excess of authority that lead to the death of people the following are being brought to criminal account:

- head of the anti-extremist division of the DIA of Mangystau province Bagdabaev;
- first deputy head of the Office of the Internal Affairs of the town of Zhanaozen Bakytkaliuly;
- police inspector of DIA of Mangystau province Zholdybaev.

Investigation has given evaluation of the death of Kenzhebaev Bazarbai, who according to the statement of his relatives died because of the bodily injuries that he suffered in the Temporary Detention Facility of the Office of the Internal Affairs of the town of Zhanaozen.

On this fact, Head of the Temporary Detention Facility of the Office of the Internal Affairs of the town of Zhanaozen Temirov who allowed illegal detention of Kenzhebaev and did not arranged timely hospitalization for the latter is being brought to criminal account.

Along with that, measures are taken to identify those who have beaten the deceased.

Illegal actions of the local executive officials and heads of oil enterprises contributed to the growth of the social tension and long-lasting strike of the oilers resulting in mass disorder.

Financial police discovered that the abovementioned officials, contrary to the interests of the people of the town, for several years has been stealing finances allocated for social and economic support of the local population and workers of the oil industry.

The investigation reveals that both the former and the current mayors of the town of Zhanaozen Babahanov and Sarbopeev has been stealing finances through the “Zhanashyr” and “Zharylkau” public endowments.

The endowments accumulated sponsorship money of JSC “EP “Kazmunaigaz” allocated for the social support of the townsfolk.

Most of the money later would be turned in cash and embezzled.

The mentioned officials and heads of endowments are being brought to criminal account.

A criminal case on clause “b” of part 3 of chapter 176 of the Criminal code has been started against heads of JSC “EP”Kazmunaigaz” and “Kompaniya Munai Ecologiya” LTD Mirishnikov and Baimuhambetov on the fact of the theft of 335 million tenges that belong to JSC “EP”Kazmunaigaz”.

A criminal case on clause “b” of part 3 of chapter 176 of the Criminal code is under investigation against former director of “OzenMunaiGaz” Eshmanov, his deputy Markabaev, who are accused of stealing 127 million tenges that belong to JSC “EP”Kazmunaigaz” in collusion with director of “Burgylau” LTD Seitmagambetov.

One of the reasons of the mass disorder was active efforts of some individuals who persuaded fired workers to continue protests and to violently oppose the authorities.

Experts found evidence of the call to enkindle social hatred in the propaganda materials that the mentioned individuals distributed.

On this fact Committee of national security has started and is investigating a criminal case in accordance with part 3 of chapter 164 of the Criminal Code.

During the investigation a number of leaders and active members of the unregistered public unions “Alga” and “Halyk Maidany” Kozlov, Amirova and Sapargali, who are suspected in enkindling social hatred, have been detained.

Events that took place in the village of Shetpe need a separate comment.

On the 17th of December 2011 a group of people blocked railroad connection, disassembled the rail road sections and damaged facilities of transport infrastructure at a railroad station of Shetpe in Mangystau province.

These actions infringed normal operation of the transport, 7 passenger and 9 cargo trains had to halt for several hours.

When police tried to prevent the illegal actions they have been attacked by individuals who used weapons, bottles of Molotov cocktail and stones; 5 police officers received various injuries and burns.

After several warning shots police was forced to use weapons. 11 of the attackers were wounded, 1 died.

The investigation had come to the decision that in this case the use of weapons was legal.

As for today 3 individuals – Bakytzhan, Sabirbaev and Zhilkishiev are being brought to criminal account for organizing mass disorder and use of violence against the representatives of the authority.

Another 12 individuals are charged with participation in mass disorder, use of violence against the representatives of the authority and damaging means of transportation and railroads.

Investigations on all the mentioned cases continue. The results of the investigations will be reported regularly.