



# Karazhanbasmunai

## Summary

There are a number of noted human rights allegations related to Karazhanbasmunai, including:

### ➔ Lead-Up to Zhanaozen:

Labour Rights and Freedom of Association: Employees believed the union chairman did not represent the interests of workers, after he agreed with company management to terminate a wage dispute, without informing union members beforehand. This sparked outcry from workers. A group of twenty-to-forty men, including the union chairman, beat several union members, seemingly in retaliation for their activism within the trade union. The workers elected a new representative, but the company insisted it would only work with the former chairman, and it refused to acknowledge the election results. The workers started a strike to demand that the company increase wages, to hold negotiations about the collective agreement as well as to allow the new union leadership to access company territory without interference.

### ➔ Attacks and Criminal Proceedings Against Striking Workers:

Karazhanbasmunai filed a complaint in court about the strike, declaring it illegal. The company filed complaints against eight workers. The workers did not receive a fair trial, and they were found guilty. Despite the rulings, the strikes continued. The homes of multiple union leaders were vandalised, with one set on fire. Karazhanbasmunai employees then joined Ozenmunaigas workers at protests in Zhanaozen.



Country: **Kazakhstan**



Website



BHRRC company page

## Human Rights Commitments

- ⊕ Safety and labour protection (Russian)
- ⊕ Environmental protection (Russian)
- ⊕ Social and living conditions (Russian)
- ⊖ The company **did not respond** to our questionnaire of its human rights policies and commitments

## Human Rights Impacts

- ⚠ Health and safety
- ⚠ Environmental and water rights
- ⚠ Right to livelihood and adequate standard of living
- ⚠ Labour rights and wages
- ⚠ Access to information
- ⚠ Community, cultural and property rights
- ⚠ Deaths and/or violence
- ⚠ Attacks on human rights defenders and labour activists
- ⚠ Corruption

### ➔ **Zhanaozen Strikes and Violence:**

Although many of the below actions were taken by state authorities and not by the company itself, it is important to note that Karazhanbasmunai is partially owned by KazMunaiGas, the state oil and gas company, and, as such, it is closely intertwined with government officials. On 16 December, Kazakhstan's Independence Day, the ongoing strikes in Zhanaozen became violent as security forces opened fire upon unarmed protestors. Sixty-four people were killed and 400 people were wounded in the chaos, according to unofficial statistics. The police violence appeared premeditated, according to some witnesses. In the following months, many of those involved with the protests disappeared or turned up dead.

### ➔ **Detention and Torture of Striking Workers and Witnesses:**

Authorities prosecuted dozens of outspoken oil workers and government critics, nearly all of whom were convicted. Journalists and opposition politicians were arrested for alleged involvement with the strikes, even without evidence. Numerous allegations of torture and ill treatment emerged during the following months. Roza Tuletaeva, a worker who had been actively involved with the prior labour dispute, said she was repeatedly suffocated with a plastic bag. Others died after being beaten in police custody. Witnesses were allegedly coerced, threatened and tortured into giving false testimony against the striking workers. Many people are still missing.

### ➔ **Access to Information and Freedom of the Press:**

Authorities were accused of blocking credible reporting about the labour dispute, which made it difficult for striking oil workers to convey their message to workers in other sectors. Authorities had shut down some of the country's best-known independent and opposition media outlets after they provided extensive coverage of the events at Zhanaozen. Legislation from 2018 requires journalists to 'verify accuracy' of the information they intend to publish with relevant government bodies or officials; this presents obstacles to accurately reporting about Karazhanbasmunai, which is partially owned by the state.

### ➔ **Labour Rights After Zhanaozen:**

A 2017 labour inspection found 313 violations of industrial safety at Karazhanbasmunai.

### ➔ **Environmental Degradation and Pollution:**

In 2020, Karazhanbasmunai was fined 20 billion tenge (\$46.9 million USD) for dumping more than 36,000 tons of hazardous waste at a landfill without a permit. The company has been repeatedly fined for damaging the environment.

Karazhanbasmunai has publicly available policies for the environment and occupational safety. The company did not respond to our questionnaire of its human rights policies and commitments.

## Company Information

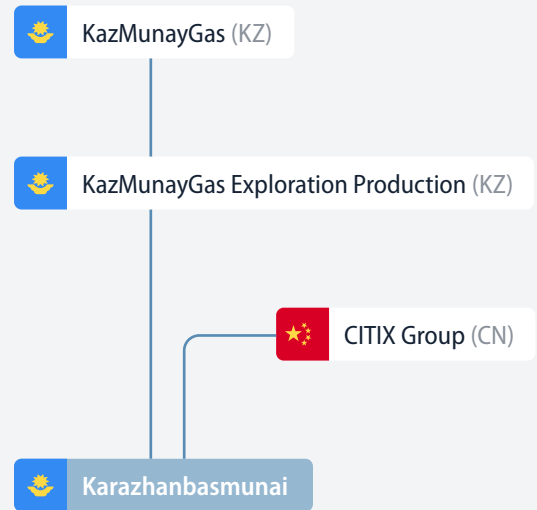
Karazhanbasmunai produces oil at the Karazhanbas field. More than 7,000 employees work at the oil field, including contractors and support staff. More than 300 domestic companies provide equipment and services to Karazhanbasmunai, and the company directly employs 2,300 workers.<sup>↗</sup>

Karazhanbasmunai is jointly owned by KazMunaiGas, the state oil company, and CITIC, a Chinese state-owned investment company.<sup>↗</sup>

Karazhanbasmunai was one of the companies involved with the 2011 Zhanaozen strikes and subsequent violence. Police opened fire upon unarmed protestors, including Karazhanbasmunai workers, resulting in up to sixty-four deaths and 400 injuries, according to some estimates. Official estimates place the deaths much lower at just fifteen.<sup>↗</sup> In the aftermath, the UN Committee Against Torture found Kazakhstan guilty of violating Article 15 of the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment.

After the violence, government authorities promised to rehire workers and to improve pay and benefits. Some officials were dismissed, including the president's son-in-law, Timur Kulibayev, who was serving as the head of Samruk-Kazyna. However, it soon moved to weaken labour unions and to tightened laws against protests and rallies.<sup>2</sup> Additionally, a law was passed that requires journalists to 'verify accuracy' of the information they intend to publish with relevant government bodies or officials. Likewise, the criminal code prohibits insulting the president and other officials.<sup>2</sup> Notably, Karazhanbasmunai is partially state-owned—a subsidiary of the state oil and gas company, KazMunayGas. Former Prime Minister of the United Kingdom, Tony Blair, advised the government on how to manage its reputation after the violence.<sup>2</sup> (See below for more information about Karazhanbasmunai's involvement; for more information about the strike and police violence, see the company profile for Ozenmunaigas.)

## COMPANY OWNERSHIP



## Human Rights Allegations

### Lead-Up to Zhanaozen: Labour Rights and Freedom of Association

In the year preceding to the Zhanaozen strikes, workers at Karazhanbasmunai expressed a series of grievances over labour rights and the situation of trade unions. The prior events that preceded the strikes began in January 2011 during a dispute between company management and workers over wages. Mediation fell apart when company management refused to allow union lawyer, Natalia Sokolova, and an independent labour activist to participate in the discussions. Sokolova was reportedly excluded from the arbitration by Erbosyn Kosarkhanov, the chairman of the Karazhanbasmunai trade union.<sup>2</sup> At Kosarkhanov's direction, the union terminated the dispute over wages; workers say Kosarkhanov did this without the knowledge of union members.<sup>2</sup> Workers sent a letter to Kosarkhanov, beginning to doubt his commitment with representing the union's interests.

One week later, a group of twenty-to-forty men beat several union members, seemingly in retaliation for their activism within the trade union. The attack occurred at the bus stop across from the oil field, and at least one assailant was armed with a gun. Workers claimed that union chairman, Kosarkhanov, was one of the assailants during the attack. The men beat deputy union chairman, Aslanbek Aidarbaev, and two other active union members. Witnesses said that Kosarkhanov punched one man and threatened the union activists, warning them not to meddle with the wage arbitrations. A different attacker pointed a gun at the activists. The victims did not immediately report the incident to police; once authorities were notified, they conducted only a preliminary investigation and not a full, criminal investigation.

After these events, the union decided to hold new elections over leadership. The company denied the legitimacy of the vote, and it refused to allow the union to hold elections on company property. 'We had to leave the territory of KBM to have our meeting. That's what they call an illegal meeting. But what are we supposed to do if they don't give us a meeting space?' commented one worker. Union members voted to remove Kosarkhanov and elected Aidarbaev in his place. The company replied that it would work only with Kosarkhanov and refused to recognise the results.

In April, Aidarbaev and union lawyer, Natalia Sokolova, went to the union office to take possession of important documents—including the union charter—and officially transfer authority to new leadership. Security forces prevented them from entering the building. Workers submitted complaints to local authorities, but no action was taken against the company.

Strikes began a month later. As one employee explained, ‘People were tired of [constantly] making demands [and] always coming up against a wall’. The workers demanded that the company increase wages, hold negotiations about the collective agreement and allow Sokolova to access company territory without interference. Employees told Human Rights Watch that, even though most workers from each shift went to strike, some remained to monitor the oil wells so that production did not stop. <sup>12</sup>

## Attacks and Criminal Proceedings Against Striking Workers

Immediately after the above events, Karazhanbasmunai filed a complaint at court about the strike. Just three days after the general strike began, the Tupkaragan District Court ruled that it was illegal. Additionally, Kazakhstani law prohibited strikes at ‘hazardous production facilities’ like Karazhanbasmunai; this effectively banned workers at any oil fields from holding strikes.

Karazhanbasmunai filed a complaint at court against eight workers who participated with the strike. The workers say they were taken to court without knowing what the proceedings were about; when they requested a lawyer, they were told they wouldn’t need one. Union lawyer, Natalia Sokolova, who was at the courthouse that day, offered to represent the workers when she found out about the case. The court did not approve her request. The defendants were found guilty of participating with an illegal strike. Their punishments ranged from a fine to short-term imprisonment.

Despite the rulings, the strikes continued. Between 300 and 500 workers arrived in Mangistau, planning to stage a hunger strike outside of the mayor’s office. As they approached the building, about fifty police officers and the prosecutor blocked the way. Workers then walked into the street, and several sat down. Police took dozens of protestors into custody. Witnesses said law enforcement acted aggressively by grabbing and pushing the workers. The workers were charged with disturbing public order. One worker said that his court hearing only lasted a few minutes: ‘The judge asked this question: “Were you there?” I said, “Yes”. And, that was it, then the [court’s] decision. For two words, in two minutes, they fined me’. <sup>13</sup>

In May, arsonists set fire to the home of the acting union leader, Aslanbek Aidarbaev. Aidarbaev believed the fire was set in retaliation for his activism with the Karazhanbasmunai union and involvement with labour disputes. The flat of another Karazhanbasmunai worker, Malik Mendygaliev, was vandalised after he gave a media interview and delivered a letter to government officials about workers’ demands. The vandals broke the windows and poured petrol over the door. Mendygaliev said he also received a text saying, ‘Don’t play with fire, think of your children’. <sup>14</sup> Several other workers who participated with the strikes allegedly received threats over the phone.

Protests and detentions continued through the summer and fall. Two opposition activists were arrested after making public statements about the strikes outside of Karazhanbasmunai’s offices. One activist said that the police took his phone and did not allow him to inform anyone about his location. <sup>15</sup>

During the months preceding the Zhanaozen strikes, Karazhanbasmunai workers joined forces with striking workers from [Ozenmunaigas](#), Ersai Caspian Contractor along with KazMunaiGas. Over the summer, 2,000 employees were dismissed from Karazhanbasmunai and Ozenmunaigas. <sup>16</sup> The president’s son-in-law declared all the striking workers would be banned from ever returning to their jobs. <sup>17</sup> Karazhanbasmunai workers and their supporters soon joined the protests in Zhanaozen.

## Strikes and Violence in Zhanaozen

For more information, see company profile on [Ozenmunaigas](#).

Although many of the below actions were taken by state authorities and not by the company itself, it is important to note that Karazhanbasmunai is 50% owned by KazMunaiGas, the state oil and gas company, and as such, is closely intertwined with government officials. Additionally, Ozenmunaigas – the other company involved in the strikes – is a fully owned subsidiary of KazMunaiGas. Kazakhstan's reliance on oil and gas resources – as well as the government's reputation for taking bribes related to oil and gas projects (see the Kazakhgate scandal in the company profile for Tengizchevroil) – created an overall environment ripe with the potential for violence and harsh crackdowns on protestors. Additionally, the UN raised concern over the role of corruption in the following events.<sup>1</sup>

On 16 December, Kazakhstan's Independence Day, the ongoing strikes in Zhanaozen (see above) became violent as security forces opened fire on unarmed protestors. Sixty-four people were killed and 400 people were wounded in the chaos, according to unofficial statistics.<sup>2</sup> (Official statistics claim the casualties were lower, only fifteen.)<sup>3</sup> One resident later said, 'We saw with our own eyes how police were literally showering the people with bullets.'<sup>4</sup> An eyewitness told the BBC about how one man died in her arms after the police shot him in the chest.<sup>5</sup> The hospital in Zhanaozen was overwhelmed by the injuries. According to one report, seventy-five out of the ninety-nine patients admitted that night had sustained gunshot wounds.<sup>6</sup> Many victims were taken to a hospital 150 km away.<sup>7</sup>

Nevertheless, the government said the shootings were accidental or considered self-defense after an 'aggressive crowd' attacked.<sup>8</sup> The government further attempted to justify the violence against protestors by claiming that 'oil workers attacked police officers and innocent bystanders'. The Moscow Times pointed out that no policemen were seriously wounded during the conflict, undermining the government's accusations.<sup>9</sup> Additionally, videos of the incident appear to show police advancing toward unarmed protestors and opening fire, leaving one protestor on the ground. Police then hit another protestor with truncheons.<sup>10</sup>

The police violence appeared premeditated, according to some witnesses. The Moscow Times reported that one senior police officer testified at court that security forces were dispatched to Zhanaozen with weapons and live rounds instead of 'nonlethal' equipment like tear gas, rubber bullets or water cannons. The officer alleged that the interior minister had given the order to open fire at the protestors.<sup>11</sup>

Over the course of the day, several buildings were set on fire, including Ozenmunaigas offices.<sup>12</sup> A twenty-day state of emergency was declared, during which all rallies, strikes and protests were prohibited.<sup>13</sup>

Those who were injured during the clashes faced extreme difficulty receiving compensation. One victim, who said he was shot while walking past the square toward his sister's house, suffered damage to his lower spine and bladder. He was told he would not be compensated, and without a job, he had no money for medical treatment. In the mass detention and intimidation in the aftermath of the violence (see below), many witnesses withdrew evidence and did not seek compensation for damages they sustained during the rioting.<sup>14</sup>

In the following months, many of those involved at the protests disappeared or turned up dead. A journalist witnessed a hundred soldiers at the square where the shootings had happened. A closed military barracks reopened afterwards, and soldiers would march and sing every night at the square where the shootings took place. The community lived with fear, and many people would not speak with journalists.<sup>15</sup>

## Detention and Torture of Striking Workers and Witnesses

Arrests and detention of activists and protestors began before the massacre on 16 December 2011 and intensified thereafter. Authorities prosecuted dozens of outspoken oil workers and government critics, nearly all of whom were convicted.<sup>16</sup> Journalists and opposition politicians were arrested for alleged involvement with the strikes, even without evidence.<sup>17</sup> Others who publicly spoke for the behalf of striking workers were also put brought to court.<sup>18</sup> After the strike, oil workers and other outspoken critics were detained en masse.

Numerous allegations of torture and ill treatment emerged during the following months. Roza Tuletaeva, a worker at Ozenmunaigas who had been actively involved with the prior labour dispute, said she was repeatedly suffocated with a plastic bag. 'You cannot imagine how it feels when there is not enough air to breathe. My eyes were popping out', she told the court. 'They hung me by my hair... There were other things done to me but I am too ashamed to talk about it here'.<sup>2</sup> Another trade union activist was allegedly sexually assaulted with a steel bar. The activist asked her family to leave the courtroom before she gave disturbing testimony. After the activist was found guilty, her daughter fled town and hid her younger siblings from authorities.<sup>2</sup> Others said that they were threatened with rape.<sup>2</sup>

Bazarbai Kenzhebaev was detained during the riots and beaten while in custody. He died of internal injuries two days after he was released. His daughter said that he was not a participant in the strike, and was a passerby while traveling to visit a family member at a Zhanaozen hospital.<sup>2</sup> Zhenisbek Temirov, the head of the detention facility, was later found guilty of illegally holding Kenzhebaev in custody and failing to ensure he was given medical treatment within a timely manner.<sup>2</sup>

Kenzhebaev's daughter, Asem Kenzhebaeva, was arrested while looking for her father, who she did not know was in police custody. 'That day police were arresting anyone they saw in the street', she said. She went on to say that she witnessed the torture, abuse and humiliation of dozens of people in custody. Girls were stripped naked. Some were dragged by their hair into another room, where Kenzhebaeva heard them scream. Kenzhebaeva was beaten around her pelvis and strangled, but eventually released. When she returned with investigators less than a week later, the police station where she had been beaten was cleaned and the girls were gone. 'I wonder what has happened to all those people, the detainees -- women, young girls, and boys. Where did they go?' she said. 'Dozens of people are still looking for their loved ones in morgues and hospitals, and cannot find them.' She went on to accuse authorities of trying to cover up police abuses.<sup>2</sup>

In March 2012, most of the thirty-seven workers and critics at court for their participation with the Zhanaozen strikes asserted that they had been tortured or abused while in detention. They went on to say that the evidence against them was faulty, as authorities had used coercion to extract confessions. The judge ignored these claims and said that the defendants were trying to avoid justice.<sup>2</sup> Thirty-four were found guilty, and thirteen were given prison sentences.<sup>2</sup>

Released detainees say that they were beaten, stripped naked, kicked, and doused with cold water in a courtyard in sub-zero temperatures. Dozens of people were allegedly kept in overcrowded cells, and they were not allowed to make outside contact. Independent monitors were generally not permitted to enter the police stations to investigate the situation. When they were allowed access, they were not able to privately interview detainees.<sup>2</sup>

Witnesses were allegedly coerced, threatened and tortured into giving false testimony against the striking workers. Orphan Alexander (Sasha) Bozhenko was one such witness. Bozhenko said that police had tortured him, beaten him and broke his arm during an attempt to get him to falsely testify against Zhannat Murinbayev, an oil worker who acted as a father figure to Bozhenko. During the trial, he left and refused to testify against the workers. One journalist who later met with Bozhenko described his hand as 'crippled' by the encounter. Bozhenko was later murdered by being beaten with steel bars. Some activists have raised questions around the circumstances of his murder; one said that 'Anything can be arranged. Although proving something, in this case, was not possible'.<sup>2</sup> Another witness, Muqan Toykeliev, testified at court that interrogators threatened him during an attempt to get a false statement. He retracted all evidence he had given. Other witnesses say that they had been suffocated with gas masks or beaten with batons.<sup>2</sup>

Aluatdin Atshibayev killed himself after repeated questioning by the authorities about the strike. Atshibayev did not take part at the strike, but his friends had, and the authorities pressed him with interrogations. Locals also told reporters about another man who hung himself after the strikes. Allegedly, security forces showed up at the wake and warned the family not to talk too much.<sup>2</sup>

One presiding judge ordered an investigation into the allegations of torture. The General Prosecutor's Office of Kazakhstan responded that; at present, no objective evidence has been found to support these allegations'. Regional authorities also denied the allegations.<sup>↗</sup>

In December 2013, the UN Committee Against Torture found Kazakhstan guilty of violating Article 15 of the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment. The committee reported that Kazakhstan 'failed to ascertain whether or not statements admitted as evidence in the proceedings have been made as a result of torture'.<sup>↗</sup>

Karazhanbasmunai did not respond to the allegations in the Human Rights Watch report.<sup>↗</sup>

## Access to Information and Freedom of the Press

Prior to the clashes in Zhanaozen, government media outlets allegedly discredited strikers by focusing on the 'greed' of the oil workers. Authorities were accused of blocking credible reporting about the labour dispute, which made it difficult for striking oil workers to convey their message to workers at other sectors. During the mass protests in December, the company cut internet and phone communications to control the flow of information.<sup>↗</sup> Individuals in Kazakhstan faced difficulties accessing Twitter and independent news websites;<sup>↗</sup> immediately afterwards, a reporter said that there was no mobile phone coverage in the area and that internet access had been disconnected altogether.<sup>↗</sup> BBC reporting suggested these blocks were an attempt to control media reporting of the incident.<sup>↗</sup>

After the strikes, the crackdown of the media became even more intense. Authorities shut down some of the country's best-known independent and opposition media outlets after they provided extensive coverage of the events at Zhanaozen.<sup>↗</sup>

In 2010, Journalist Igor Larra claimed he was attacked while covering a nineteen-day strike by Ozenmunaigas workers. Three unidentified men broke his nose and jaw and inflicted several head injuries. Larra said he did not file a complaint because he did not trust authorities to adequately investigate.<sup>↗</sup>

Legislation from 2018 requires journalists to 'verify accuracy' of the information they intend to publish with relevant government bodies or officials. Likewise, the criminal code prohibits insulting the president and other officials.<sup>↗</sup> As Karazhanbasmunai is partially state-owned – a subsidiary of the state oil and gas company KazMunaiGas – it has close ties to government authorities, including the family of former president Nursultan Nazarbayev. (For more information, see the company profile on KazMunaiGas.) This raises questions about the ability of journalists to adequately investigate and report on events at the company.

## Labour Rights After Zhanaozen

A 2017 labour inspection found 313 violations of industrial safety at Karazhanbasmunai.<sup>↗</sup>

During the Covid-19 pandemic, Karazhanbasmunai switched workers to a thirty-day work schedule. Workers complained and demanded a return to the previous ten-day schedule.<sup>↗</sup>

## Environmental Degradation and Pollution

In 2020, Karazhanbasmunai was fined 20 billion tenge (\$46.9 million USD) for dumping more than 36,000 tons of hazardous waste at a landfill without a permit. The company appealed at court. At first, the prosecutor's office supported the environmental authorities; although, within a few days, the office changed its decision and requested the cancellation of the fine.<sup>↗</sup>

The company has been repeatedly fined for damaging the environment.<sup>↗</sup> A 'gas-water mixture' was released from an oil well during 2016.<sup>↗</sup> The following year, the company was found in violation of environmental law.<sup>↗</sup>

# Human Rights Commitments

Karazhanbasmunai has a number of policies and documents related to human rights topics, including:

- ➔ [Safety and labour protection](#) (Russian)
- ➔ [Environmental protection](#) (Russian)

According to the company, 'The main direction of the policy of Karazhanbasmunai is to prioritise preservation of life and health of employees, and also provide safe working conditions'.

Karazhanbasmunai says its objectives are:

- ➔ Achieving full compliance with the requirements of the legislation of the Republic of Kazakhstan and other regulatory legal acts, the collective agreement in the field of labour safety and protection, ecology, health protection during the operation of the Karazhanbas field;
- ➔ Ensuring the operation of equipment, devices, tools that meet the requirements for safety and labour protection, thereby ensuring the safety, preservation of the life and health of workers in the course of their work;
- ➔ Pollution prevention and environmental protection;
- ➔ Ensuring the priority of effective use and prevention of pollution of water resources;
- ➔ Timely detection of the initial signs of diseases, prevention of the spread of diseases;
- ➔ Prevention of industrial injuries and accidents, occupational diseases at work, early identification of hazards and risks in the workplace.

The company says it monitors air, land, water, and flora and fauna to 'ensure environmental safety at the Company's facilities'.

Karazhanbasmunai did not respond to our questionnaire on its human rights policies and commitments. The company also did not respond to the allegations in the Human Rights Watch report on Zhanaozen. [↗](#)