

## How the Shocking Killing of an Ex-Minister's Wife Is Forcing Change in Kazakhstan

By Zarina Akhmatova

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Saltanat Nukenova. Social media

The name Saltanat means "triumph" in Kazakh. In posthumously published footage a beautiful, vibrant, cheerful young woman can be seen celebrating life and dancing in slow motion. Her warm gaze and Hollywood smile are already beloved by people around the world. The fragile girl in these images does not yet know that she will die or that she will rise as a symbol of the fight against domestic violence.

This is a persistent and almost indelible disease in Kazakhstan, a sore that is unpleasant to talk about publicly. And by some terrible chance, this woman, Saltanat Nukenova, has become a symbol of hope — not just in Kazakhstan, but in any place around the world where people demand justice for every hurt soul.

In November 2023, the news that former national economy minister Kuandyk Bishimbayev, 43, allegedly beat to death Saltanat, his 31-year-old wife, in the VIP room of his own restaurant in Astana exploded like a bomb.

Millions of people across Kazakhstan and other post-Soviet states have been transfixed by the live-streamed trial for Saltanat's murder. This streaming of the trial is an unprecedented case in the history of the country's independence.

If you go into the comments during the YouTube or Instagram broadcast of the court hearings, you can see messages alongside flags of various countries: "Russia is with you," "Ukraine stands for Saltanat," "Yerevan [Armenia] is for you here," "The whole world is watching too." When parts of the trial are only in Kazakh, people ask for Russian translations so they can follow along.

Rallies in support of Saltanat's family and against domestic violence have already taken place in New York, Berlin, London, and several cities in Italy. Under the hashtag "forSaltanat" (#заСалтанат) people have shown support for her family, shared videos honoring her memory, as well as composing songs, poems, art and touching dedications commemorating her. The trial was also covered by major Russian media outlets, and influencers are speaking out about the issue of domestic violence.

During an April 15 meeting with journalists, the Foreign Ministry spokesperson, Aibek Smadiyarov, <u>said</u> he did not think the outcry would damage Kazakhstan's image. "On the contrary, compared to many of our regional partners, we are ahead in terms of such novelties."

People have described the trial as a reality show that unfolds four days a week from 9 a.m. to 6 p.m. Bishimbayev faces a maximum sentence of life imprisonment. But experts say this verdict could be unlikely because it would require a majority vote from the jurors, a format he explicitly requested. Eleven people will vote – 10 jurors and the judge, who will go to the deliberation room together (a peculiarity Kazakh jury trials).

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A guilty verdict may only be possible if the prosecution can prove that Bishimbayev intentionally killed his wife "with particular cruelty," systematically subjecting her to torture and abuse. The defense has chosen a tough, contentious, but seemingly not hopeless tactic – appealing to patriarchy. Bishimbayev and his lawyers argue that it was a routine family quarrel provoked by the woman herself.

The fact that the defendant is trying to tarnish the victim and convince the court that his wife was provocative, jealous and emotionally unstable, an alcoholic, and prone to violence has caused particular public outrage. Bishimbayev insists that although he "caused the circumstances of her death," he never intended to kill her. He maintains he only slapped each of her cheeks two times and "consciously" kicked her thigh, confident that her life was not in danger. Meanwhile, Saltanat's friends and family recount that during their short, just over a year-long, unofficial marriage, the young woman was subjected to beatings, abuse and psychological violence.

Bakytzhan Baizhanov, a relative of Bishimbayev, is also facing trial. He spent the last hours of Saltanat's life helping his boss and relative to delete the CCTV footage from the restaurant's VIP room and dined with Bishimbayev as Saltanat lay dying. Today, Baizhanov claims in court that he did not realize that he was watching her final hours because his "traditional mentality" did not allow him to interfere in the family life of an elder relative.

While there was no CCTV footage in the VIP room, where the main events unfolded, the jury was shown terrifying footage from the restaurant hall. He hit her in the face, kicked her as she was lying on the floor, and pulled her by the hair.

Instead of calling an ambulance, Bishimbayev, the man once responsible for the entire national economy, called a fortune teller. The fortune teller assured him that Saltanat would be okay, and he claims he felt reassured. He shows no tears or remorse. With a fresh haircut and three lawyers by his side, he is fighting for his future, showing not a shadow of a doubt that he deserves a better fate.

Like many other men in Kazakhstan and similarly toxic masculine communities, he claims Saltanat was not perfect. She was not a perfect wife, woman, or human being. Does the Kazakh Criminal Code allow for "imperfect" people to be killed? No, certainly not. Kazakhstan declares itself a secular state that respects the rule of law. But victim-blaming — saying that things are not so straightforward or that the woman is to blame for her own death — still works.

It's important to know for context that Bishimbayev was sentenced to 10 years in prison in 2018 for accepting bribes on an "especially large scale," as well as embezzlement or misappropriation of state money. But already in January 2019, he was conditionally released on parole and pardoned by former President Nursultan Nazarbayev.

When talking about Saltanat's death, the subjunctive mood is often used: "If he hadn't been released, they wouldn't have met. She would still be alive." But she's no longer here, and that's why the part of society that is following the trial so closely doesn't want the court to show mercy this time.

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This trial is a watershed moment for Kazakhstan. It's a battle between the old world — where women are to blame for the violence against them and marriage at any cost is a measure of whether a woman has fulfilled her duty — and the new world. A world where killing and hitting women is not acceptable, and a loving marriage should be more important than the public shame of divorce. Saltanat's brother Aitbek desperately tried to save her from her marriage, and is now fighting for justice in her killing. His Instagram page has almost 800,000 followers. He is helping victims of domestic violence and is defending the memory of his sister at every court hearing.

According to UN statistics, <u>400 women</u> in Kazakhstan die from domestic violence every year.

The actual number is likely even higher. Before 2017, domestic violence cases in Kazakhstan fell under the jurisdiction of two articles of the Criminal Code: Article 108 (intentional infliction of minor harm to health) and Article 109 (physical assault), which prescribed penalties such as arrest, fines, and correctional or community service.

However, on July 3, 2017, then-President Nursultan Nazarbayev effectively decriminalized these articles. This decision, supported by the Interior Ministry and the Prosecutor General's Office, aimed to "enhance preventative measures against offenders and streamline the legal process for prosecuting them."

Ever since then, defenders and human rights activists have been struggling to criminalize domestic violence in Kazakhstan. Four years ago, a law on the prevention of domestic violence was almost passed, but a huge smear campaign put pressure on Kazakhstan authorities to abandon it. Its opponents claimed that it contradicted national traditional values. These values have cost the lives of many Kazakhstani women.

After Saltanat's death, a petition to criminalize domestic violence gathered 120,000 signatures.

More than 5,000 appeals were sent to the upper house of parliament requesting the adoption of a law unofficially named "Saltanat's Law."

When the Kazakh Parliament passed this law on April 11, many wrote that it was a symbolic gift from Saltanat, as it was passed on Bishimbayev's birthday. On April 15, President Kassym-Jomart Tokayev signed the law on the protection of women and children from domestic violence.

The law establishes criminal liability for assault and intentionally causing minor harm to health. People convicted of torture can be sentenced to up to 600 hours of community service or imprisoned for up to three years. Offenses that cause moderate harm carry a penalty of up to two years imprisonment, and three to eight years in prison for causing serious harm to health.

We still have a lot of work to do. Human rights activists say that the law is not perfect, as we still do not have a comprehensive program for working with victims of violence and abusers. But if laws are written in blood, this one was written in capital letters like those we now see on hundreds of hashtags and posters at rallies around the world: "For Saltanat." She has become a symbol of every woman who may not have become a victim if the law had been there to protect them.

*The views expressed in opinion pieces do not necessarily reflect the position of The Moscow Times.* 

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