



Supplementary Notebook (RTEP - Brazilian academic journal, ISSN 2316-1493)

REHABILITATION OF VICTIMS OF POLITICAL REPRESSION IN KAZAKHSTAN: HISTORICAL EXPERIENCE

Zhazira O. KHASSENOVA¹
 Tlegen S. SADYKOV²
 Samal K. KABYLTAEVA³
 Ainagul E. DANIYAROVA⁴
 Anara G. SHABAMBAYEVA⁵

¹L.N.Gumilyov Eurasian National University, Nur-Sultan, Kazakhstan. Corresponding author: khasenovaz@mail.ru.

²L.N.Gumilyov Eurasian National University, Nur-Sultan, Kazakhstan. sadikov_ts@enu.kz.

³L.N.Gumilyov Eurasian National University, Nur-Sultan, Kazakhstan. uteubaeva81@mail.ru.

⁴Karaganda Technical University, Karaganda, Kazakhstan. aina171173@mail.ru.

⁵Toraighyrov University, Pavlodar, Kazakhstan. shabambaeva.anar@mail.ru.

Abstract: *The rehabilitation of victims of political repression is certainly a complex problem in any state. The relevance of this topic in Kazakhstan is due to the task of further studying the essence of totalitarianism and repressions and preventing the social consequences of the destructive legacy of terrorism. In this context, the presented article is aimed at overcoming the stereotypes left over from the command-administrative system, the formation of respect for the individual, and the value of his honor, rights, and dignity. The leading approach to the study of this problem is a systematic approach, which provides for a comprehensive consideration of the mechanism of rehabilitation of political repression victims in Kazakhstan. The article considers the process of rehabilitation of victims of political repression in Kazakhstan as a consequence of the directives of the imperial Soviet Center (Moscow), as well as an attempt to analyze the consequences of the repressive campaigns of the Soviet regime. The authors offer conclusions that the rehabilitation process of victims of political repression in Kazakhstan appears incomplete since it lacks the access to secret procedural documents of law enforcement and other state bodies. Also, the mechanism of the state-backed terrorism has not been fully studied and fully understood; there is no accurate data on millions of repressed, both on cleared of all charges and on those who were never rehabilitated. The materials of the article are of practical value for studying the history of political repressions and rehabilitation in Kazakhstan; these materials may also be used in the writing of fundamental and specialized works on the history of political repressions, as well as in further decision-making process at the state level.*

Keywords: *USSR, Republic of Kazakhstan, the Soviet regime, political repression, rehabilitation, victimology.*

INTRODUCTION

The term 'rehabilitation' is inherent in the scientific circulation of researchers of the Soviet period and the era of the proletarian dictatorship. A special role here belongs to the Communist Party of the Soviet Union, which de jure played a leading role in the moral education of Soviet people and solely responsible for the emergence of 'enemies of the people.' However, for the very first time, this expression was used not by Bolsheviks but by Alexander Kerensky in March 1917. Lenin first mentioned the 'enemies of the people' on November 28, 1917, Stalin followed only in January 1933 at the Plenum of the Central Committee of the CPSU (b). Noteworthy that that the term 'enemy of the people' was also used in official documents, in particular, part 2 of Art. 131 of the 1936 Constitution of the Soviet Union provided that '...persons encroaching on public, socialist property are enemies of the people' (Kukushkin, Chistyakov, 1987). After Stalin's death, the concept of 'rehabilitation' became quite relevant within the framework of the process of 'restoring socialist legality.' The first steps of the rehabilitation process that began in the 50s were declared amnesty, the removal of numerous legal restrictions, the release of a huge number of innocent people from camps, prisons, and exile (along with the reimbursement or return of a part of the confiscated property), the condemnation of repressions and abuse of power, the posthumous 'return' of the honor and dignity of those victims shot, and (at least) the demonstration of attempts to punish the perpetrators of bloody crimes. In the authors' opinion, it was the political (amongst other types) rehabilitation of victims that appeared a vivid indicator of the political trends of the ruling USSR elite, determining the course of public life development towards observing constitutional rights and freedoms of citizens.

The essence of rehabilitation lies in the official recognition of citizens as victims of political repressions, followed by the restoration of their deprived and limited rights, compensation for moral and material harm, and consistent monitoring of the restoration of lost opportunities. The study of the conditional problems of rehabilitation of innocent victims of political repressions is closely related to the task of restoring social memory and its influence on social optimism and spiritual-cultural traditions. The authors are entitled to the opinion that all of the aforesaid will allow for an objective assessment of the implementation of the state rehabilitation policy for the victims of political repressions in Kazakhstan since this topic came back in the spotlight again in May this year. Thus, the main processes of rehabilitation should certainly be considered in the general context of the country's development. Initially, the issues of periodization of the rehabilitation process were studied in the works of Yu.S. Borisov and A.B. Golubeva (Borisov, Golubev, 1992). The authors have identified three stages of rehabilitation: 'The first stage is from March 1953 to 1967 (although there are other border dates). The second stage begins in 1987 with the creation of the Commission of the Politburo of the Central Committee of the CPSU for additional study of materials related to the repressions that took place in the period of the 30-40s and the beginning of the 50s until the republics of the Union gained independence. The third stage (continuing to this day) has begun in 1991' (Borisov, Golubev, 1992). The third stage of rehabilitation in Kazakhstan is associated with the adoption of the Law of the Republic of Kazakhstan 'On the rehabilitation of victims of mass political repressions,' dated April 14, 1993 (Archive of the President of the Republic of Kazakhstan. F. 5-N. Op. 1. D. 3332, n.d.). In general, the stages of rehabilitation of political repression victims in Kazakhstan have evolved in strict accordance with the given socio-political course of development of the USSR.

A surge in the study of the problems of rehabilitation of political repression victims surfaced with the collapse of the USSR and the newly gained independence of the post-Soviet republics. Numerous works and scientific articles devoted to the topic of rehabilitation have been published by the domestic scientists since then. Of particular scientific significance are monographs and articles by M.K. Kozybaev M.K. Koigeldiev, I.M. Kozybayev, T. Zhurtbay, Z.G. Saktaganova, S.A. Kasymov, A.S. Musagalieva, T.M. Khazretali, E.A. Karibzhanova, and others. Still, it should be noted that the authors basically made an attempt to analyze the reasons for the very first wave of rehabilitation of political repression victims. Also noteworthy are the scientific papers by researchers from the other former Soviet republics, namely, D.A. Amanzholova, A.G. Petrov, E.G. Putilova, O.V. Lavinskaya, V.G. Karnasevich, P.N. Matyushin, I. Yu. Stetsovsky, O.V. Khlevnyuk, V.I. Antonova, F.M. Gadaborsheva, A.M. Gonov, and others. Particular attention deserves the historical interpretation of the socio-political situation during the period of repressions and rehabilitation in the USSR depicted in the works of N. Adler, Yu.A. Stetsovsky, S.F. Cohen, and S. Kotkin; researchers gave special consideration to the social adaptation of victims of political repressions returning from GULAG and the work of the Commission for Rehabilitation. Thus, for instance, Yu.A. Stetsovsky, expressing the idea of the failure of 1954-1956 gaol delivery commissions (working on the release of both camps and jails prisoners), emphasizes that they were engaged in disburdening camps rather than issues of rehabilitation.

The official recognition of the victims of political repression in Kazakhstan took place in the late 80s of the XX century as a result of the declared course of Soviet democratization. A new stage of rehabilitation of political repression victims has begun when the Republic of Kazakhstan gained its independence. With the adoption of the Law of the Republic of Kazakhstan 'On the rehabilitation of victims of mass political repressions' of April 14, 1993, special commissions were created to review the cases and restore the rights of those rehabilitated. People gained a new hope for the restoration of rights, the honest name of the repressed, and some material compensation. The study of the problems of rehabilitation also revealed many 'blank spots' and unknown pages in the history of victims of political repressions in Kazakhstan. Despite the successes achieved in conducting the process of rehabilitation, the problem of carrying out comprehensive work to overcome the stereotypes left over from the Soviet administrative-command system remains a live issue today, especially in the light of the formation of a new concept of historical consciousness based on the principles of the national idea and the patriotic act 'Mangilik El' ('An eternal country') (Kazakhstani Way - 2050: Common goal, common interests, common future, 2014), preserving the universal values of peoples of the Great Steppe. The need to create guarantees of human rights and freedom in the face of the challenges of our time, as well as the mutual trust between the state and the citizens of our country, also remains a priority. In this regard, the study of the rehabilitation process and an appeal to this topic are quite relevant. To complete the work on restoring historical justice, the President of the Republic of Kazakhstan, Kassym-Jomart Tokayev, initiated the creation of a State Commission for the rehabilitation of victims of political repression (E-source, n.d.).

MATERIALS AND METHODS

The methodological basis for the disclosure of the analyzed topic was a systematic approach to the analysis of the process of rehabilitation concerning political repressions victims in Kazakhstan. The application of a systematic approach involved a

holistic consideration of the object, the identification of its structural elements and principles of its organization. The main methodological principles were objectivity, comprehensive analysis, and historicism. The article also employed such scientific techniques as chronological, comparative, and historical-descriptive methods, the method of studying documents, and content analysis of documents and scientific works. A number of special methods have been applied, including statistical, historical, and legal.

DISCUSSION AND RESULTS

Mass political repressions during the period of Stalin's personality cult became a characteristic feature of the totalitarian past of the Soviet rule. Millions of innocent people have been subjected to extrajudicial charges and arrests, following mental and physical destruction. For the period from 1921 to 1954, according to the USSR Ministry of Internal Affairs data, the OGPU Collegium (Joint State Political Directorate), NKVD 'troikas' and Special Councils, the Military Collegium of the Supreme Court and other courts, as well as military tribunals convicted 3,777,380 people for 'counterrevolutionary crimes', including 64,292 sentences to capital punishment, 2,369,220 - to convictions in camps and prisons for a term of 25 years or less, and 765 180 - for exile and deportation (Nekrasov, 1990). The Kazakhs, being a part of the united Soviet state, fully drank the cup of grief along with the peoples who, by the will of the Center, found themselves in the territory of Kazakhstan. The Kazakhs lost the best representatives of their people. The first President of Kazakhstan Nursultan Nazarbayev summed up the outcome of mass political repressions this way: 'No other country in the world, no other people have experienced such a break in the demographic situation in their country, facing the abyss of complete extinction, like Kazakhstan' (Nazarbayev, n.d.). Repressions have become a monstrous crime against humanity as a whole.

The end of Stalin's political repressions became logically possible only as a result of the death of the leader. The consequence was the beginning of the rehabilitation process of political repression victims. 'An analysis of the first months of governmental activities after Stalin's death shows the desire of Stalin's close circle to stop the repressions only as an opportunity to stay in power and maintain the previous status. The power struggle has turned to a demonstrative rehabilitation of close people of the highest power level and some more than fifty convicted generals and admirals of the Soviet Army' (Rehabilitation: Declassified materials from CPSU Central Committee plenums and other materials, 2000). At the same time, numerous appeals from prisoners, exiles, and deportees, as well as their relatives and friends, remained unanswered. Moreover, the socio-political situation in the Soviet Union demanded the need to strengthen 'the revolutionary vigilance' (Newspaper 'Pravda', 1953); there was still no hint of rehabilitation in Kazakhstan, except for the actions that followed after the Resolution of the Presidium of the CPSU Central Committee 'On amnesty', announced on March 27, 1953 (Rehabilitation: Declassified materials from CPSU Central Committee plenums and other materials, 2000). The accusations of anti-Soviet agitation continued without changing the course set by the Stalinist regime. Thus, an outstanding Kazakh literary critic Qajym Jumaliyev was arrested on March 9, 1953 (State Archive of the Russian Federation (GARF). F. 8131. Op. 31. D. 39829., n.d.). He was sentenced by the Supreme Court of the Kazakh SSR to 25 years of imprisonment in a forced labor camp with deprivation of civil rights for another 5 years for 'anti-Soviet sentiment' already on

May 27 of the same year (State Archive of the Russian Federation (GARF). F. 8131. Op. 31. D. 39829., n.d.).

At the same time, on July 20, 1953, the V Plenum of the Central Committee of the Communist Party of Kazakhstan (CPK) was held together with the party activists of the city of Alma-Ata. It was here, in the spirit of the Center's new guidelines, that for the first time a timid criticism of the personality cult was voiced. Attention was focused mainly on the intelligentsia, primarily academicians of the Academy of Sciences of the Kazakh SSR. As a result, on August 1, 1953, the CPK Central Committee adopted a resolution 'On the function of the Institute of Language and Literature of the Academy of Sciences of the Kazakh SSR.' Thus, a similar resolution of January 21, 1947, was declared unfulfilled (Archive of the President of the Republic of Kazakhstan (AP RK). F. 708. Op. 26. D. 118, n.d.). Noteworthy, that the intelligentsia was accused not of ideological but of professional mistakes. In one word, the political elite did not intend to radically change ideological standards during the first year after Stalin's death (Gurevich, 1993). Initial decisions on rehabilitation indicate that the leadership used the condemnation of Stalin's personality cult only for the purpose of a veiled demonstration of imaginary changes (Resources of Central scientific library of RSE 'Gylym Ordasy'. F.11. Op.1. D.136a, n.d.). It is quite clear that 'the Stalinist entourage, having got rid of their formidable and unpredictable patron, was full of determination to guarantee themselves against the Stalinist methods of bloody 'rejuvenation of the government'' (Gurevich, 1993). Therefore, it became very much desirable to review the cases of those repressed on political charges, and, first of all, those in respect of whom extrajudicial sentences were applied (decisions of NKVD 'troikas', 'Special Councils', etc.). However, at the initial stage, the rehabilitation process proceeded unevenly, selectively, and became one of the most controversial phenomena of the period under review.

At the beginning of 1954, rehabilitation has received a new impetus when Nikita Khrushchev was becoming an obvious leader in the political struggle for the supreme title in the country. However, Khrushchev's motives for concealing the statistics of victims of Stalinist repressions didn't just go unnoticed (Rehabilitation: Declassified materials from CPSU Central Committee plenums and other materials, 2000). But whatever goals the party leaders were guided by, the hopes of political prisoners and exiles for the return of freedom began to come true 'along with the establishment of a judicial procedure for reviewing cases (by the Decree of the Presidium of the Supreme Soviet of the USSR of September 1, 1953' (Rehabilitation: Declassified materials from CPSU Central Committee plenums and other materials, 2000). The Supreme Court received the right to revise the decisions of the OGPU Collegium, Special Councils, and 'troikas'); a simplified procedure was introduced following the protest of the USSR Prosecutor General. In May 1954, the Central Commission for the review of cases of persons convicted of 'counter-revolutionary crimes' began its work; similar commissions were created at the local level. The Central Commission received the right to review cases against persons convicted by NKVD-MGB Special Councils or by the OGPU Collegium. Local commissions were also assigned the functions of reviewing cases of persons convicted by NKVD 'troikas'. To review the status of special settlers, a commission was formed under the chairmanship of prominent Soviet military officer and politician Klim Voroshilov. The commissions' activity resulted in the well-known Resolution No. 1439-649c of July 5, 1954 'On the removal of certain restrictions in the legal status of special settlers' (Collection of legislative and regulatory acts on repression and rehabilitation of victims of political repression, 1999). By so doing the special regime for Greeks, Bulgarians, Crimean Tatars, Kurds, and several other ethnic groups,

who unwittingly found themselves on the territory of Kazakhstan, was canceled. However, this was still incomplete rehabilitation. In particular, the Chechens and Ingush could not freely return to their homeland, the Germans were also not allowed to leave the KazSSR, and besides, no one received compensation for damage, either material or moral. The Volga Germans were politically rehabilitated only in 1964, the Crimean Tatars - in 1967, but their statehood was never restored. It should be noted that it was during the years of repression that the ethnic structure of Kazakhstan acquired the brightest palette; due to this fact, the Kazakh people had the share to learn the complex lessons of interethnic dialogue.

On February 16, 1954, Ermukhan Bekmakhanov, a Kazakh historian, who objectively and impartially covered the history of the national liberation wars of the first half of the 20th century, was rehabilitated in court. He was persecuted earlier, in the second half of the 40s and sentenced to 25 years in prison later in 1952. The rehabilitation of the scientist is undoubtedly the merit of academician A.M. Pankratova (Erimbetova, 2016), an outstanding historian of the XX century. Anna Pankratova managed to see Nikita Khrushchev and in every possible way contributed to the return of the scientific heritage of the talented scientist. And yet, only after gaining independence of Kazakhstan, scientists got access to Bekmakhanov's masterwork 'Kazakhstan in the Years of 1920s-1940s' (Bekmakhanov, 1992).

Bekmakhanov's rehabilitation gave hope to the representatives of the intelligentsia of Kazakhstan on the recognition of the vicious actions of the command-administrative system by the Soviet authorities. Those convicted under infamous Article 58 ('suspicion of counter-revolutionary activities') courageously awaited a review of criminal cases, return to families, and official restoration of civil rights and human dignity. It should be noted that the first 'thaw' phenomena manifested themselves in Kazakhstan slowly and timidly. So, the return of Bekmakhanov became the starting point for bringing back to the active life of many proclaimed scientists: Zh. Bekkhozhin and S. Kenesbaev were reinstated in the party, a severe reprimand was revoked for K. Satpayev, K. Dzhumaliev and A. Zhubanov were restored as members of the Academy of Sciences of the Kazakh SSR. The wind of change was growing in the air. Already in October 1955, historians again, without any doubt, declared the need to study and publish the problems of national liberation movements in Kazakhstan (Resources of Central scientific library of RSE 'Gylym Ordasy'. F.11. Op.1. D.136a, n.d.). At the same time, the governmental regulations and other state activities of the Alash Orda (Alash Autonomy) continued to remain a taboo subject (even though the participants of the Alash movement were granted amnesty in the early years of Soviet rule). But the process of rehabilitation that had begun could not be stopped by the previous suppressive methods. The primer for the rehabilitation was the XX Congress of the Central Committee of the CPSU, at which the personality cult of Stalin was officially recognized. This was also documented by archival sources of the Special Archive of the Ministry of Internal Affairs of the Republic of Kazakhstan (SGA MVD RK). Thus, for example, many statesmen, including those convicted on charges of belonging to the Alash Orda in the 1920s and 1930s, have been rehabilitated in the second half of the 1950s. The materials of case No. 09797 (Archived police records of the Police Department of Almaty Region. F. 6. Op. 1. D. 09797, n.d.) clearly demonstrate the authorities' attempt to quickly forget the repressions. So, according to the definition No. 22/015N, signed by the presiding judge Dosanov and members of the court Abilzhinov and Kharlamova, the Judicial Collegium for Criminal Cases of the Supreme Court of the Kazakh SSR, having considered at a meeting on February 28, 1958, a criminal case on the

protest of the Kazakh SSR against the decision of the former OGPU 'troika' dated April 20, 1932, canceled this decision and dismissed all cases against all convicts for lack of corpus delicti in their actions. It seems appropriate to list their names as they are listed in the case:

1. Mukhamedzhan Tynyshpaev, aged 52 (at the time of conviction), Kazakh, non-partisan, former chairman of the Council of Ministers of the Kokand Autonomous Government, an engineer by occupation;

2. Khalil Dosmukhamedov, 48 (at the time of conviction), Kazakh, non-partisan, professor of Kazakh State University;

3. Jagansh Dosmukhamedov, 44 (at the time of conviction), Kazakh, non-partisan, senior economist of the 'Skotovod' marketing cooperative in Moscow, convicted under Art. 58-7, 58-10, 58-11, and 59-3 of the Criminal Code of the RSFSR to 5 years of expulsion;

4. Abdrakhman Munaitpasov, 29 (at the time of conviction), Kazakh, non-partisan, incomplete secondary education, worked as the head of the fur-raw materials department of Gostorg (State Export-Import Office). Convicted under Art. 58-4, 58-7 and 58-11 to 5 years of expulsion;

5. Koshmukhamed Kemengerov, 37 (at the time of conviction), Kazakh, non-partisan, higher education, worked as a lab assistant at SAKHIPI Institute in Tashkent, convicted under Art. 58-10 and 58-11 to 5 years of expulsion;

6. Mustafa Buralkiev, 30 (at the time of the conviction), Kazakh, non-partisan, higher education (profile unknown), resided in Tashkent prior to his arrest, convicted under Art. 58-10 and 58-11 to 5 years of expulsion;

7. Dzhumakhan Kuderin, 38 (at the time of the conviction), Kazakh, non-partisan, higher education, worked in Kendyr-trust;

8. Nashir Khojamkulov, 25 (at the time of the conviction), Kazakh, non-partisan, higher education, worked as an economist at a research institute, convicted under Art. 58-11 to 5 years of expulsion (Archived police records of the Police Department of Almaty Region. F. 6. Op. 1. D. 09797, n.d.);

9. Abdulhamid Akpayev, 29 (at the time of conviction), Kazakh, non-partisan, incomplete higher education, manager in Kazgostorg (local export-import office), convicted under Art. 16-58-11 and 16-59-3 to 5 years of expulsion;

10. Dzhakup Akpayev, 55 (at the time of conviction), Kazakh, non-partisan, member of the Bar, convicted under Art. 58-10 and 59-3 to 5 years of expulsion;

11. Seidazim Kadyrbaev, 47 (at the time of conviction), Kazakh, non-partisan, incomplete higher education, senior inspector of the People's Commissariat of Justice, convicted under Art. Art. 58-7, 58-11 and 16-59-3 to 5 years of expulsion;

12. Dzhumagali Tleulin, 40 (at the time of conviction), Kazakh, non-partisan, inspector of the Regional Health Department (Okrzdrav), convicted under Art. 58-2 to 5 years of expulsion;

13. Mukhtar Murzin, 34 (at the time of conviction), Kazakh, non-partisan, incomplete higher education, department inspector at the Council of People's Commissars (SNK);

14. Aldabergen Umbetbaev, 32 (at the time of conviction), Kazakh, non-partisan, higher education, previously convicted, worked as a groom at the Dzharkent state farm Pakhta, convicted under Art. 58-7, 58-11 to 5 years of expulsion;

15. Ashim Omarov, 34 (at the time of conviction), Kazakh, non-partisan, incomplete higher education, worked in the Central Museum of Kazakhstan, convicted under Art. 58-7, 58-10 and 58-11 to 5 years of expulsion;

16. Alimkhan Ermekov, 39 (at the time of the conviction), Kazakh, non-partisan, higher education, assistant professor of the Kazakh State University;

17. Mukhtar Auezov, 34 (at the time of conviction), Kazakh, non-partisan, higher education, teacher of journalism. Convicted under Art. 58-7, 58-10 and 58-11 to 3 years of suspended sentence;

18. Valikhan Omarov, 43 (at the time of the conviction), Kazakh, non-partisan, teacher at the Pavlodar Communist Party school;

19. Bilyal Suleev, 38 (at the time of his conviction), Kazakh, member of the CPSU (b) since 1924, teacher (profile unknown);

20. Daniyal Iskhakov, 33 (at the time of the conviction), Kazakh, non-partisan, higher education. Valikhan Omarov and Bilyal Suleev were convicted under Art. 58-11 of the Criminal Code of the RSFSR, Daniyal Iskhakov - under Art. 58-10 and 58-11 with a term of punishment up to the limits they actually served in places of preliminary detention (Omarov from March 30, 1931, Suleev from September 27, 1930, and Iskhakov from March 20, 1930, to April 20, 1932) (Archived police records of the Police Department of Almaty Region. F. 6. Op. 1. D. 09797, n.d.).

Agreeing with the protest and being guided by Art. 418 of the RSFSR Code of Criminal Procedure, the Judicial Collegium for Criminal Cases of the Supreme Court of the Kazakh SSR determined that: Resolution of the former OGPU 'troika' in Kazakhstan of April 20, 1932, against Mukhamedzhan Tynyshpayev, Khalil Dosmukhamedov, Jagansh Dosmukhamedov, Abdrakhman Munaitpasov, Koshmukhamed Kemengerov, Mustafa Buralkiev, Dzhumakhan Kuderin, Nashir Khojamkulov, Dzhumagali Tleulin, Mukhtar Murzin, Aldabergen Umbetbaev, Ashim Omarov, Alimkhan Ermekov, Mukhtar Auezov, Valikhan Omarov, Bilyal Suleyev, and Daniyal Iskhakov (Archived police records of the Police Department of Almaty Region. F. 6. Op. 1. D. 09797, n.d.) to be reversed and the case against them to be dismissed for the absence of corpus delicti in their actions.

Studying the very same case revealed an important memorandum dated June 20, 1958, and signed by captain Bulatov, senior investigator of the KGB investigation department in Alma-Ata:

'Archival investigation files concerning the persons listed below, convicted to capital punishment in 1937-1938 on charges of participation in an anti-Soviet nationalist organization and dismissed by the judicial authorities after checking their cases in accordance with Art. 373-377 of the Code of Criminal Procedure of the RSFSR:

1. Ryskulov, Turar Ryskulovich, by the decision of the Military Collegium of the Supreme Court of the USSR of 11/XII-1956 under Article 4, clause 5 of the RSFSR Code of Criminal Procedure;

2. Nurmakov, Nigmat Nurmakovich, by the decision of the Military Collegium of the Supreme Court of the USSR of 11/XII-1956 under Article 4, clause 5 of the RSFSR CCP;

3. Khodzhanov, Sultanbek Khodzhanovich, by the decision of the Military Collegium of the Supreme Court of the USSR of 5/VII-1957 under Article 4, clause 5 of the RSFSR CCP;

4. Sadvokasov, Dzhanaydar Sadvokasovich, by the decision of the Military Collegium of the Supreme Court of the USSR of 16/IV-1957 under Article 4, clause 5 of the RSFSR CCP;

5. Temirbek Zhurgenev, by the decision of the Military Collegium of the Supreme Court of the USSR of 18/IV-1957 under Article 4, clause 5 of the RSFSR CCP;

6. Saken Seifullin, by the decision of the Military Collegium of the Supreme Court of the USSR of 21/III-1957 under Article 4, clause 5 of the RSFSR CCP;

7. Nurmukhamedov, Khasen Nurmukhamedovich, by the decision of the Military Collegium of the Supreme Court of the USSR of 21/XII-1957 under Article 4, clause 5 of the RSFSR CCP;

8. Kabulov, Ilyas Yusupovich, by the decision of the Military Collegium of the Supreme Court of the USSR of 25/V-1957 under Article 4, clause 5 of the RSFSR CCP;

9. Kaiser Tashtitov, by the decision of the Military Collegium of the Supreme Court of the USSR of 4/IV-1957 under Article 4, clause 5 of the RSFSR CCP;

10. Kaipnazarov, Mustafa Serikbayevich, by the decision of the Military Collegium of the Supreme Court of the USSR of 19/XII-1957 under Article 4, clause 5 of the RSFSR CCP;

11. Suleimen Eskaraev, by the decision of the Military Collegium of the Supreme Court of the USSR of 5/XI-1957 under Article 4, clause 5 of the RSFSR CCP;

12. Izmukhan Kuramysov, by the decision of the Military Collegium of the Supreme Court of the USSR of 9/VII-1957 under Article 4, clause 5 of the RSFSR CCP;

13. Dzhanyay Baymagambetov, by the decision of the Military Collegium of the Supreme Court of the USSR under Article 4, clause 5 of the RSFSR CCP;

14. Asylbekov, Nurseitov, Gataulin - by the resolution of the Presidium of the Supreme Court of the Kazakh SSR of 31/VII-1957 under Article 4, clause 5 of the Code of Criminal Procedure of the RSFSR;

15. Mukhamedgali Tatimov, by the decision of the Military Collegium of the Supreme Court of the USSR of 24/XI-1956 under Article 4, clause 5 of the RSFSR CCP;

16. Isaev, Uraz Dzhanzakovich, by the decision of the Military Collegium of the Supreme Court of the USSR of 19/V-1956 under Article 4, clause 5 of the RSFSR CCP;

17. Dosov, Abdukair Iskakovich, by the decision of the Military Collegium of the Supreme Court of the USSR of 12/V-1956 under Article 4, clause 5 of the RSFSR CCP [L.177 A.B.]

18. Sverdlov, Saul Markovich, by the decision of the Military Collegium of the Supreme Court of the USSR of 26/V-1957 under Article 4, clause 5 of the RSFSR CCP;

19. Uteпов, Sharip Gaisanovich, by the decision of the Military Collegium of the Supreme Court of the USSR of 5/XI-1955 under Article 204, clause 'b' of the RSFSR CCP;

20. Hakim Dyusenov, by the decision of the Military Collegium of the Supreme Court of the USSR of 21/I-1958 under Article 4, clause 5 of the RSFSR CCP;

21. Zainulla Toregozhin, by the decision of the Military Collegium of the Supreme Court of the USSR of 30/V-1957 under Article 4, clause 5 of the RSFSR CCP;

22. Karasayev, Kasen Mukhamedzhanovich, by the decision of the Military Collegium of the Supreme Court of the USSR of 5/XI-1955 under Article 204 clause 'b' of the RSFSR CCP;

23. Birmukhamed Aybasov, by the decision of the Military Collegium of the Supreme Court of the USSR of 22/II-1958 under Article 4, clause 5 of the RSFSR CCP;

24. Akhmetzhanov, Sultan Sofich, by the decision of the Military Collegium of the Supreme Court of the USSR of 6/VII-1957 under Article 4, clause 5 of the RSFSR CCP;

25. Idris Koshkunov, by the decision of the Military Collegium of the Supreme Court of the USSR of 5/XI-1955 under Article 204, clause 'b' of the RSFSR CCP;

26. Sultanbekov, Zhagfar Sultanbekovich, by the decision of the Military Collegium of the Supreme Court of the USSR of 3/X-1957 under Article 4, clause 5 of the RSFSR CCP;

27. Nurpeisov, Sadyk Nurpeisovich, by the decision of the Military Collegium of the Supreme Court of the USSR under Article 4, clause 5 of the RSFSR CCP;

28. Trofimov, Kuzma Vasilievich, by the decision of the Military Collegium of the Supreme Court of the USSR of 28/VII-1956 under Article 4, clause 5 of the RSFSR CCP;

29. Nurzhakup Nurseitov, by the decision of the Military Collegium of the Supreme Court of the USSR of 1/II-1958 under Article 4, clause 5 of the RSFSR CCP;

30. Ashimzhan Nurzhanov, by the decision of the NKVD of the East Kazakhstan region of June 11, 1939, for lack of evidence of the charges brought;

31. Kulenov, Zakiy Khusainovich, by the decision of the Military Collegium of the Supreme Court of the USSR of 1/II-1958 under Article 4, clause 5 of the Code of Criminal Procedure of the RSFSR' (Archived police records of the Police Department of Almaty Region. F. 6. Op. 1. D. 09797, n.d.).

'Archival investigation files on the persons listed below, convicted to capital punishment in 1937-1938 on charges of participation in an anti-Soviet nationalist organization, after reviewing their cases in accordance with Art. 373-377 of the Code of Criminal Procedure of the RSFSR were submitted to prosecuting and judicial authorities.

1. Shakir Yusupov, 17/X-1957 with No. 3/2-3042 - to the Chief Military Prosecutor's Office under Article 4, clause 5 of the Code of Criminal Procedure of the RSFSR;

2. Uzakbay Kulumbetov, 6/II-1958, No. 3/2-353 - to the Military Prosecutor's Office (Turkestan Military District) under Article 204, clause 'b' of the RSFSR CCP;

3. Magzum Asambaev, 1/IV958, No. 3/1-736 - to the Chief Military Prosecutor's Office under Article 204, clause 'b' of the RSFSR CCP;

4. Khasen Koshanbayev, 29/III-1958, No. 3/2-722 - to the Chief Military Prosecutor's Office under Article 4, clause 5 of the RSFSR CCP;

5. Kabylbek Sarymuldaev, 23/XI-1957, No. 01076 - to the Chief Military Prosecutor's Office under Article 204, clause 'b' of the RSFSR CCP;

6. Nigmatulla Syrgabekov, 4/X-1957 - to the Chief Military Prosecutor's Office under Article 204, clause 'b' of the RSFSR CCP;

7. Khalik Isengeldin, 20/V-1958, No. 3/4552 - to the Chief Military Prosecutor's Office under Article 4, clause 5 of the RSFSR CCP;

8. Zarap Temirbekov, 25/IX-1957, No. 3/2-2844 - to the Chief Military Prosecutor's Office under Article 4, clause 5 of the RSFSR CCP;

9. Bek-Ali Madaliev, 1/II-1958, No. 3/2-329 - to the Chief Military Prosecutor's Office under Article 204, clause 'b' of the RSFSR CCP;

10. Sugurov, Rakhim Sugurovich, 2/II-1957 - to the Military Prosecutor's Office (Turkestan Military District) under Article 4, clause 5 of the RSFSR CCP;

11. Ikhlas Yeleusizovich Kareneev, 16/IX-1957, No. 32/7048 - to the Prosecutor's Office of the Karaganda region under Article 4, clause 5 of the Criminal Procedure Code of the RSFSR' (Archived police records of the Police Department of Almaty Region. F. 6. Op. 1. D. 09797, n.d.).

The memorandum data allows concluding that the tendencies of the 'thaw', which were more pronounced in the Center, finally reached Kazakhstan. Many convicts were somewhat lucky to get into the stream of 'thaw' phenomena, which quite recently seemed inconceivable. Nevertheless, the analysis of archival documents proves the half-heartedness of the measures of the rehabilitation process of the 1950s and the first half of the 1960s. For example, the official recognition and access to the scientific works, as well as the professional activities of many rehabilitated academicians, remained prohibited. Besides, the political rehabilitation of the leaders and active figures of the Alash Orda took place much later, in the late 1980s. At that time, the Plenum of the Supreme Court of the USSR by its resolution had rehabilitated several prominent Soviet

party, economic, and military functionaries (Bulletin of the Supreme Court of the USSR, num 2, 1988; Bulletin of the Supreme Court of the USSR, num 5, 1988).

The rehabilitation of representatives of the creative intelligentsia of the first half of the 20th century gave a positive impetus to the reboot of the national consciousness of the Kazakh people in the late 1980s. Thus, the struggle for the rehabilitation of the name and works of Shakarim Adayberdyuly continued for several decades. An important role in this struggle belongs to Kayum Mukhamedkhanov, who himself went through the millstones of the Stalinist camps (Central State Archive Republic of Kazakhstan (TsGARK). F. 2196. Op. 1. 62 archive files, 1938-1996). He and his fellow-thinkers from the Kazakh SSR Writers' Union courageously sought the rehabilitation of Shakarim's scientific heritage from the 1940s-50s. (certificate of rehabilitation dates back to 1958), up to the release of the Resolution of the Central Committee of the Communist Party of Kazakhstan of April 7, 1988, on his complete rehabilitation (Mukhamedkhan, n.d.).

According to the writer Tursyn Zhurtbai, a great contribution to the rehabilitation process was made by famous poet Olzhas Suleimenov, along with the Chairman of the Supreme Court of the Kazakh SSR T. Aitmukhambetov, judge K. Kenzhebaev, prosecutor G. Yelemesov, party officials O. Dzhanibekov and S. Kaskabasov (Mukankyzy, n.d.). Thus, complete political rehabilitation was achieved in the case 'On the exposure of the counter-revolutionary and secret terrorist organization of the leaders of Alash Orda', allegedly created for the purpose of the armed overthrow of the Soviet government in 1927-28. 'In accordance with the Art. 375 of the Code of Criminal Procedure of the Kazakh SSR, the Judicial Collegium for Criminal Cases of the Supreme Court determined: Resolutions of the OGPU Collegium under the Council of People's Commissars of the USSR of April 4, 1930, and January 13, 1931, in relation to Akhmet Baitursynov, Mir-Yakub Dulatov, Dzhusupbek Aimautov, Mirza-Gaza Ispulov, Khalil Gabbasov, Dinmukhamed Adilev, Gazymbek Beremzhanov, Akhmed-Safy Yusupov, Magzhan Dzhumabaev, Eldes Omarov, Damulla Bitleuov, Khairtdin Bolgambaev, Abdulla Baytasov, and Karim Jalenov, are to be reversed, and proceedings for this case are to be discontinued due to the absence of the event of a crime. The protest of the Prosecutor General of the Kazakh SSR is to be satisfied' (GARF. F. 8131. Op. 31. D. 86105, n.d.).

The complicated mechanism of the rehabilitation process of the Alash Orda leaders can be traced to the example of the revision of the cases of Akhmet Baitursynov and Alikhan Bukeikhan - the leaders of the Alash Orda and prominent representatives of the Kazakh intelligentsia of the first half of the 20th century. Baitursynov was arrested and convicted three times:

1) In 1909-1910 Baitursynov answered the question on the reasons for his detention as follows: 'I was sentenced to imprisonment from 1909 to 1910 just for the fact that, to the best of my ability, I helped to write a petition to the tsar, in which I defended the interests of the Kazakh people' (Borisov, Golubev, 1992);

2) In 1929-1934, 'by the decree of the OGPU Collegium dated 14/IV-1930 A. Baitursynov was sentenced to capital punishment, which on 8/01-1931 was replaced by another OGPU resolution sentencing him for 10 years of imprisonment. By the decree of the OGPU Collegium of 4/XI-1932, he was paroled early with the expulsion to the Northern Krai (Arkhangelsk) for 3 years' (GARF. F. 8131. Op. 31. D. 86105, n.d.). Akhmet Baitursynov, 'who headed the national-bourgeois counter-revolutionary conspiracy', was the first in Kazakhstan convicted under Art. 58 for treason ('betrayal of Motherland') on political grounds;

3) Baitursynov was arrested again in October 1937 during the Great Purge. He was sentenced to capital punishment again and executed on December 8, 1938.

The complex process of rehabilitation on the example of Baitursynov's case was described in detail in the article 'Akhmet Baitursynov: from repression to rehabilitation' (Khasenova, Zherebtsov, 2019). The only conclusion is quite simple: despite the Khrushchev Thaw, A. Baitursynov was denied rehabilitation. And yet, the rehabilitation mechanism was launched. An important element in this process was A. Bektasov's active civic position, set out in a letter to the XIV Congress of the Communist Party of Kazakhstan (AP RK. F. 811. Op. 23. D. 463, n.d.). Ashimbek Bektasov, the first People's Commissar of Agriculture of the Kazakh SSR, since 1965 addressed the leadership of the Central Committee of the Communist Party of Kazakhstan three times with the issue of rehabilitation of the great leaders of the Kazakh people: A. Baitursynov, Zh. Aymautov, Sh. Kudaibergenov (so in original, but no doubt this refers to Sh.Kudaiberdyuly), M. Zhumabaev, M. Dulatov. 'All of them were left without attention and response' (AP RK. F. 811. Op. 23. D. 463, n.d.). Moreover, in January 1965, Bektasov was severely reprimanded due to the accusations of nationalism; accusations were withdrawn only in August 1971. Having survived difficult years of humiliation, Bektasov again raised the question about the rehabilitation of A. Baitursynov, Zh. Aymautov, Sh. Kudaibergenov, M. Zhumabaev, and M. Dulatov before the upcoming XIV Congress of the Communist Party of Kazakhstan through the Bureau of the Central Committee.

Bektasov wrote in his communication of October 31, 1975: 'Their fault lies in the fact that their active years coincided with the turbulent turns of history ... I am surprised by the fact that no one in the Central Committee contacts me even at the written request; my letters are not discussed; they are just filed and put on the back of back burners' (AP RK. F. 811. Op. 23. D. 463, n.d.). A new stage in the process of A. Baitursynov's rehabilitation began during the restructuring of Soviet society of perestroika-era. On September 28, 1987, the Resolution of the Politburo 'On the establishment of the Commission of the Politburo of the Central Committee for the additional study of materials related to the repressions that took place in the period of the 30-40s and early 50s' was adopted (Rehabilitation: Documents of the Politburo of the CPSU Central Committee, transcripts of the meeting of the Politburo Commission of the CPSU Central Committee for additional study of materials related to the repressions that took place in the period of the 30-40s and the beginning of the 50s, and other materials, 2004).

The message of the content of this resolution gave hope for the long-awaited rehabilitation: 'To allow the Commission, if necessary, to study the relevant materials available in ministries, departments, and local party and state bodies, as well as to receive testimony from certain selective citizens on this issue' (Rehabilitation: Documents of the Politburo of the CPSU Central Committee, transcripts of the meeting of the Politburo Commission of the CPSU Central Committee for additional study of materials related to the repressions that took place in the period of the 30-40s and the beginning of the 50s, and other materials, 2004). At the beginning of 1988, an appeal from M.O. Auezov Institute of Literature and Art of the Kazakh Academy of Sciences was filed to the Politburo of the Central Committee and the Commission for the consideration of cases of illegally repressed with a request to review the cases of repressed representatives of the national intelligentsia of Kazakhstan. Among the latter names was A. Baitursynov.

In May 1988, a statement was issued by his adopted daughter Sholpan Akhmetovna Baisalova (Baitursynova), demanding a review of her father's case (GARF. F. 8131. Op. 31. D. 86105, n.d.). 'I'm asking the Commission of the Politburo of the

Central Committee of the CPSU to bring back the good name of a citizen of the Soviet Union ... and to remove the ban from the literary and scientific works of Akhmet Baitursynov and restore his copyright' (GARF. F. 8131. Op. 31. D. 86105, n.d.). The activities of the supervisory authorities and the Commission on the Baitursynov case ended with a positive decision in favor of the applicants in the fall of 1988. On November 4, 1988, in Alma-Ata, a meeting of the Judicial Collegium for Criminal Cases of the Supreme Court of the Kazakh SSR chaired by T.K. Aitmukhambetov with the participation of the board members E.L. Grabarnik and K.T. Kenzhebaev, and the Chief Prosecutor of the Kazakh SSR G.B. Yelemisov established the following definition No. II/2nkr-18/88.

'The protest of the republic's prosecutor raises the question of reversing the 'troika' decision against A. Baitursynov and dismissing the case due to the absence of corpus delicti in his actions ... The protest should be sustained' (GARF. F. 8131. Op. 31. D. 86105, n.d.). No evidence concerning A. Baitursynov's connections with counterrevolutionary organizations was ever 'obtained'. He was unjustifiably prosecuted and punished ... 'In accordance with Article 375 of the Code of Criminal Procedure of the Kazakh SSR, the judicial board determined: To reverse the decision of the NKVD 'troika' of the Alma-Ata region of November 25, 1937, and dismiss the case against Akhmet Baitursynov due to the absence of corpus delicti in his actions. The protest of the Prosecutor of the Kazakh SSR is to be sustained' (GARF. F. 8131. Op. 31. D. 86105, n.d.). Sholpan Baisalova received a certificate of her father's rehabilitation on November 10, 1988 (GARF. F. 8131. Op. 31. D. 86105, n.d.). Thus, the difficult path of Akhmet Baitursynov's rehabilitation ended half a century after his death. It was a major victory of the Kazakh people in returning the honest name of the national hero.

The case of the rehabilitation of Alikhan Bukeikhan was even more complicated. Another son of the Great Steppe, Bukeikhan is known as the initiator of the establishment of the Kazakh nationalist party 'Alash'. Until his tragic death, he remained under constant monitoring by the Soviet security agencies; Bukeikhan was arrested and convicted on political grounds several times. However, in the first half of the 30s, the NKVD did not dare to take tough measures against him for a long time - given the standing of the Alash Orda leader among the Kazakh people, his political capital and backing, and despite previous arrests and convictions. But the Great Purge did not pass him by. Bukeikhan was arrested in Moscow on July 26, 1937. The order of the pre-trial detention as a preventive measure decree of September 3, 1937, indicated that 'Bukeikhanov, Alikhan Nurmukhamedovich, was sufficiently exposed that he was a counter-revolutionary, nationalist, and carried out active anti-Soviet, nationalist activities and also had counter-revolutionary ties with the leaders of the anti-Soviet pan-Turkist center' (Khristoforov, n.d.). On September 25, 1937, the indictment was approved by the USSR Prosecutor General Andrey Vyshinsky. On September 26, Bukeikhan was handed a copy of the indictment against his signature on being brought before the Military Collegium of the USSR Supreme Court. Already on September 27, 1937, the Collegium, under Art. 17-58, cl. 8, and Art. 58, cl. 11 of the Criminal Code of the RSFSR, sentenced A. Bukeikhan to capital punishment with confiscation of all personal property. He was executed by a firing squad in Moscow on the very same day.

And only after the process of de-Stalinization has begun and the voices of the relatives of the convicted repression victims became more boldly heard, Bukeikhan's daughter E.A. Sadvokasova in April 1957 dispatched a statement to the USSR Prosecutor General and Chief Military Prosecutor with a request to review his case and report the results. Scientist T. Zhurtbai wrote that 'despite the 'thaw' in Moscow, it was not easy to

raise questions about the rehabilitation of victims of Stalinist repressions in Kazakhstan; it was a touchy point' (Mukankyzy, n.d.). Also, the mechanism of the rehabilitation process was delayed by the bureaucratic examination of the archival criminal case of A. Bukeikhan. 'On May 27, 1957, the Moscow City Civil Registry Office, the USSR Ministry of Internal Affairs, and the Chief Military Prosecutor were given the order to register the date of A. Bukeikhan's death as of May 16, 1938. Further, the archival investigation of Bukeikhan's files went through several stages of verification by the Chief Military Prosecutor's Office (GVP) and the Military Prosecutor's Office of the Turkestan Military District (VP TurkVO), where his 'guilt' in the alleged crimes was 'proved by the case materials'. In 1958, the GVP concluded to dismiss the complaint of E.A. Sadvokasova to reconsider Alikhan Nurmukhamedovich Bukeikhanov's case' (Khristoforov, n.d.).

The perestroika-era restructuring of public consciousness in the USSR entailed the adoption and implementation of new laws concerning the victims of political repressions. At the beginning of 1988, the Kazakh writers and staffers of the Literature and Art Institute of the Kazakh Academy of Science appealed to the USSR Prosecutor General and Politburo Commission to review the cases of repressed representatives of the national intelligentsia of Kazakhstan. On January 5, 1989, the Central Committee of the CPSU adopted a Resolution 'On additional measures to restore justice in reference to victims of repressions that took place in the period of the 30-40s and the beginning of the 50s.' This Resolution was followed by an eponymous decree of the Presidium of the Supreme Soviet of the USSR issued on January 16 of the same year (Vedomosti of the Supreme Soviet of the Soviet Union, 1989). At the beginning of 1989, the action was supported by Bukeikhan's nephew, Raimzhan Azikhanuly Bukeikhan, who also appealed to review the archival criminal case of A. Bukeikhan. The materials of the case were personally examined by the then USSR Prosecutor General A.Ya. Sukharev. On April 11, 1989, Sukharev issued a resolution (in the exercise of supervisory functions), in which he asked the Plenum of the Supreme Court to vacate the judgment of the Military Collegium of 27, 1937. Thus, on May 16, 1989, 'The Plenum of the Supreme Court of the USSR considered Prosecutor General's protest against the case of A. Bukeikhan and, recognizing the conviction under Art. 58-2, 58-8, and 58-11 of the RSFSR Criminal Code as unfounded ruled to overturn a sentence of the Military Collegium against Bukeikhan Alikhan Nurmukhameduly and dismiss the case for lack of corpus delicti' (Khristoforov, n.d.).

However, even after official rehabilitation, scientists had to be careful with studying the scientific heritage of A. Bukeikhan. Thus, M.K. Koigeldiev, in January 2018, gave an interview to Radio Azattyk, in which he told how he was criticized and 'sorted out' at a party meeting in the early 1990s., when he published in the Republican communist newspaper the article 'Kuandym tunde zhurip, kun shykar' about A. Bukeikhan (Mukankyzy, n.d.). The foundations of communist ideology among society were still quite strong. Notably, the rehabilitation in Kazakhstan also concerned foreign citizens. Thus, on June 7, 1999, an opinion was handed down on the archive-criminal case No. 3592 against Kim Herbert (Jing-Tsang-Hu); the story of Kim Herbert is described in detail in the article 'To the problem of political repressions of Koreans in Kazakhstan in the 1930s (in the case of Herbert Kim's life)' (Khassenova, Mazhitova, Khassenova, 2019). 'Kim Herbert (Jing-Tsang-Hu) is subject to rehabilitation and is currently officially considered rehabilitated' (Special State Archive of the Ministry of Internal Affairs the Republic of Kazakhstan, 2017).

With the collapse of the USSR and acquisition of independence, many post-Soviet republics, including Kazakhstan, have issued laws on rehabilitation. In the authors'

opinion, it was during this period that justice began to be restored in relation to victims of political repression on a legal basis. However, not only a new law was required to carry out the enormous work on the rehabilitation of the innocent victims of the Soviet rule, but also several legislative acts, each of which would solve in a complex all the issues related to the rehabilitation of various categories of repressed during the age of lawless deeds. Over the years of its existence, many amendments and additions have been made to the Law 'On the rehabilitation ...'; several bylaws aimed at the rehabilitation of former political prisoners have been issued and adopted.

It should be also noted that officially before 1993, that is, before the adoption of the Law of the Republic of Kazakhstan 'On the rehabilitation ...', the supervisory authorities had already rehabilitated 75 thousand of the repressed. Accordingly, with the entry into force of this law, the process of rehabilitation of political repression victims has noticeably intensified. Operational analysis of the application of Kazakhstani Presidential Decree of 12.12.91 'On the rehabilitation of citizens held accountable for participation in the events of December 17-18, 1986, in Kazakhstan' (*Decree of the President of the Republic of Kazakhstan No. 540 of December 12, 1991*) showed that 103 of such persons were brought to criminal responsibility. During the fulfillment of this Decree, the republican prosecutor's office had received 92 appeals from applicants belonging to this category, all of them were rehabilitated ('On the constitutionality of decisions taken by the state authorities of the Kazakh SSR, as well as the law enforcement practice of administrative, judicial and law enforcement agencies and the actions of their senior officials during the December (1986) events in Alma-Ata and some regions Kazakhstan', n.d.). In addition, considering numerous appeals of citizens, public associations, and organizations of the Republic, and in order to strengthen national accord, social and political stability, President Nazarbayev signed the Decree No. 3299 of December 30, 1996 'On declaring 1997 the Year of National Accord and the victims of political repression' (Decree of the President of the Republic of Kazakhstan 'On declaring 1997 the Year of National Accord and the victims of political repression', 1997).

Some annual reports on this topic and information letters of the General Prosecutor's Office of the Republic of Kazakhstan were revealed in the funds of the State Archive of Karaganda region (GAKO). According to the documents, in February 1997, designated working groups were created in all regions of the republic to supervise the precise and uniform application of the Decree of the President of the Republic of Kazakhstan 'On the rehabilitation of citizens held accountable for participation in the events of December 17-18, 1986, in Kazakhstan' (State Archive of Karaganda region (GAKO). F. 205. Op. 6. D. 1381, n.d.). In lockstep with the above Decree and to perpetuate the memory of the political repression victims the then Kazakh President Nursultan Nazarbayev issued a decree № 3443 on April 5, 1997, officially proclaiming May 31 as the Day of Remembrance of Victims of Political Repressions, to which the analysis of the implementation of the Law 'On the rehabilitation ...' was timed to coincide with. This also explains the surge in citizens' appeals for rehabilitation issues and their consideration by the relevant authorities.

In 1997, the prosecutor's office examined 3118 archival criminal cases against 5392 people and rehabilitated 4419 persons in 2545 criminal cases; 973 requests were dismissed (587 cases). Of these, the designated department of the Prosecutor General's Office examined 737 cases against 2199 persons, 211 citizens were denied rehabilitation (61 cases) (GAKO. F. 205. OP. 6. D. 1416, n.d.). The reports indicate that the largest number of criminal cases was reviewed in 1997 by the prosecution authorities in the

Kyzylorda region (813 cases). At the same time, prosecution authorities of the North Kazakhstan region reviewed 229 cases, East Kazakhstan region - 134, and the central office of the Prosecutor General - 737 (GAKO. F. 205. OP. 6. D. 1416, n.d.). 9381 criminal cases involving 14960 people were reviewed in 1998; 12901 people were rehabilitated, 2059 were denied rehabilitation (GAKO. F. 205. OP. 6. D. 1416, n.d.). As of January 1, 1998, for the whole of the republic 7298 archival criminal cases remained pending (GAKO. F. 205. OP. 6. D. 1416, n.d.). The Decree declaring 1998 the Year of national unity and national history was among the first issued by President Nazarbayev in the new capital Astana (now city of Nur-Sultan) (Decree of the President of the Republic of Kazakhstan N 3790 of December 10, 1997). Still, the scientists had to investigate the 'blank spots' of the Homeland history, analyze archival materials on the topic of repression and rehabilitation, etc.

In this context, research interest is aroused by the quantitative data of the 'Generalizations of the application performance of the Law of the Republic of Kazakhstan 'On the rehabilitation ...' by the Department for the supervision of the legality of the sentence enforcement and rehabilitation for 1998 - 1st quarter of 1999 and the Office for the supervision of the legality of the sentence enforcement and rehabilitation of citizens of May 20, 2005'. Thus, for 1998 and the first quarter of 1999 'the prosecution authorities examined **6086** archival criminal cases (and **3132** in 1997) involving **6073** people, **6213** of whom were rehabilitated (4419 in 1987), **1567** persons were denied rehabilitation. **27,496** file materials on special settlers (and 38320 in 1997) were reviewed, **21,877** of former special settlers were rehabilitated, **2579** were denied rehabilitation, and **2659** cases were given official interpretation. **21,416** citizens were seen at personal reception. As of 01.04.1999, **2263** cases remained pending in the archives of the General Prosecutor's Office of the Republic of Kazakhstan, and **903** cases - in the archives of the Chief Military Prosecutor's Office, which represents a total of **3166** cases (as of 01.01.98 - **7298** cases). Meanwhile, the prosecution authorities continue to receive newly identified cases of this category from the National Security Committee (KNB) of the Republic of Kazakhstan and other neighboring states. Thus, 1026 cases were received by the archive of the General Prosecutor's Office of the Republic of Kazakhstan from KNB only in 1998. Consequently, over **219 thousand** extrajudicially punished citizens have been rehabilitated throughout the republic since the adoption of the Law 'On the rehabilitation of victims of mass political repressions', i.e. from April 14, 1993, to the present (Generalization of the results of work on the application of the Law of the Republic of Kazakhstan 'On Rehabilitation ...' by the Department for supervision over the execution of sentences and rehabilitation of citizens for 1998 - 1st quarter of 1999 and the Office for supervision of the legitimacy of the execution of sentences and the rehabilitation of citizens of May 20, 2005).

Further, as of January 1, 2000, the prosecutor's office reviewed 20,524 archival criminal cases against 31,666 people, 25,924 of whom were rehabilitated, including 92 participants in the December events of 1986. Also, 240,004 file materials on special settlers were examined, and 204,389 of former special settlers rehabilitated (Newspaper 'Kazakhstanskaya Pravda', 2000). The generalization of May 20, 2005, showed that 'since the adoption of the Law 'On the rehabilitation ...' in Kazakhstan, i.e. from 04/14/1993 to the present, the prosecutor's office examined **20,540** archival criminal cases against **31,784** persons, **25,938** of which were rehabilitated. Over **269,349** materials on special settlers were reviewed, according to which **225,015** persons were rehabilitated. Thus, over **325 thousand** extrajudicially punished citizens have been rehabilitated in Kazakhstan, including **75 thousand** that were rehabilitated

before the adoption of the specified Law' (Generalization of the results of work on the application of the Law of the Republic of Kazakhstan 'On the rehabilitation of victims of mass political repressions' of May 20, 2005). The Information and Analytical Center of the Ministry of Internal Affairs of the Republic of Kazakhstan issued a memorandum containing answers to the requests of the former Soviet republics about the existence of archival criminal cases on the repressed (rehabilitated and not subject to rehabilitation) on account of their ethnic descent. Thus, the archives of the internal affairs bodies contained '799 archival criminal cases against persons of Chechen-Ingush nationality, of which 727 were rehabilitated, and 72 were considered not subject to rehabilitation. Also, 128 cases involved Georgians (all rehabilitated); 6327 - Ukrainians; 1224 - Koreans; 83 -Azerbaijanis, 113 - natives of Azerbaijan; 59 - Kyrgyz, 100 - natives of Kyrgyzstan; 299 - Estonians, and 40 - natives of Estonia (all of the above were rehabilitated) (The data provided by D. Alikyzy, the head of the Special State Archive of the Ministry of Internal Affairs of the Republic of Kazakhstan (SGA MVD RK)). Information on the rehabilitation of persons of Jewish descent has not been fully processed yet.

At the same time, there is a list of 231 repressed of Kazakh nationality, whose archival criminal cases are kept by the state bodies of the Republic of Uzbekistan (The data provided by D. Alikyzy, the head of the Special State Archive of the Ministry of Internal Affairs of the Republic of Kazakhstan (SGA MVD RK)). The Kazakhs were convicted in Uzbekistan under different articles of law, therefore not all of them were rehabilitated. For example, it is known that there were no cases of rehabilitation of those convicted under Art. 59 of the Code of Criminal Procedure of the RSFSR. K. Abdrakhmanova witnessed that '583 archival criminal cases against 740 citizens of Kazakhstan convicted by military tribunals deployed on the territory of the Kazakh SSR, as well as 17,000 materials on special settlers resided in the South Kazakhstan region, are still kept in Uzbekistani archives' (Abdrakhmanova, 2017). The list of natives of Kazakhstan repressed on the territory of Armenia includes 7 people (2 Kazakhs and 5 Russians, all rehabilitated) (The data provided by D. Alikyzy, the head of the Special State Archive of the Ministry of Internal Affairs of the Republic of Kazakhstan (SGA MVD RK)).

To date, 3430 criminal cases and 6216 items involved 5480 rehabilitated are stored in the Special State Archives (SGA) of the MIA/KNB of the Republic of Kazakhstan (SGA MVD RK. F. 6. Op. 1, n.d.). Also, 384 criminal cases (inv. 603 persons) are not subject to rehabilitation (SGA MVD RK. F. 1. Op. 1, n.d.); these are mainly cases of persons convicted under Art. 58-1a - a betrayal of Motherland (capital punishment with confiscation of property, or 10 years of imprisonment also with confiscation), and 58-1b - war treason (capital punishment with confiscation of property). Noteworthy that the SGA at the regional level also has its own list of cases of rehabilitated and non-rehabilitated persons. It seems that with an integrated approach it would have long been possible to deduce the exact number of repressed, rehabilitated, and non-rehabilitated citizens in Kazakhstan. However, it is still difficult to calculate the data of non-rehabilitated persons according to the categories of the repressed; none of the archives has this data. There is also no data on the exact number of repressed and rehabilitated citizens of Kazakh nationality, in contrast to the above-mentioned citizens of Kyrgyz, Azerbaijani, Georgian, Korean, and Estonian descent.

Investigating the problems of the theory and practice of rehabilitation in Kazakhstan, the authors revealed some distortions in the rehabilitation process; this clearly seen through the prism of studying the reaction of the relevant authorities on the

implementation of the Law of the Republic of Kazakhstan ‘On the rehabilitation of victims of mass political repression.’ The contents of this law give the right to the descendants of repressed to familiarize themselves with the details of their ancestors’ life journey (this refers, however, only to the materials of a non-procedural nature). We believe that this means that an impartial analysis of repression and rehabilitation in Kazakhstan has not yet been completed. In a meeting held on October 16, 2018, Zh.M. Temekov, colonel of justice and senior assistant to the Chief Military Prosecutor of the Republic of Kazakhstan, shared his thoughts: ‘It was announced five years ago that the matter of rehabilitation of political repression victims was settled. However, there are still unrehabilitated and somewhat forgotten victims of repressions. We do our best to complete the rehabilitation. The problem is that, firstly, the Kazakhstan Law on State Secrets is not being implemented - given that according to this law, archival investigative files should be declassified after 30 years. Secondly, the ‘top secret’ stamp has never been removed from secret documents and files in Kazakhstan; therefore, they cannot be accessible to the public. I hope this problem will be solved in the nearest future.’ Unfortunately, the analysis of archival documents showed that the issue of rehabilitation of victims of political repression in Kazakhstan is still open.

CONCLUSION

Thus, in Kazakhstan (as in the entire Soviet Union) hopes for the restoration of justice and truth began to gradually come true only after Stalin’s death. Time has shown the absurdity of political accusations. Hundreds of innocent convicts were released and returned to their families. Prominent Kazakhstan statesmen were (mostly posthumously) rehabilitated, along with representatives of the Kazakh intelligentsia. However, the rehabilitation process of political repression victims in the second half of the 60s was curtailed and not completed for reasons of political conjuncture. Thus, the high-profile political processes of the 1930s-1940s were generally not revised at all. ‘Rehabilitation was limited only to certain categories of cases. In essence, it did not include the huge masses of the administratively repressed, deported on ethnic grounds or for social, class hatred, and other reasons. Moreover, a new round of political repression began, in particular against those who were later called ‘prisoners of conscience’ (Rehabilitation and remembrance. Attitude towards victims of Soviet political repressions in the countries of the former USSR, 2014).

The subsequent activity of the rehabilitation process in the late 80s, early 90s, and especially during the period of Kazakhstan independence, has set a challenge before society and the state to make new decisions that are relevant to this day. In the context of the development of state programs proposed by the First President of the Republic of Kazakhstan, Elbasy N.A. Nazarbayev, in the programmatic articles ‘Looking into the future: modernization of public consciousness’ and ‘Seven Facets of the Great Steppe’ the issue of addressing the restoration of the historical justice for the past of the Kazakh people, the return of forgotten names, and the preservation of historical and social memory is becoming more and more relevant. The responsibility for the implementation of the tasks set largely depends on the historical scientific community and the creative intelligentsia of modern Kazakhstan.

REFERENCES

- 1) Abdrakhmanova, K.K. (2017). The mechanism of rehabilitation of victims of political repression in Kazakhstan. Scientific-practical conference 'New names and facts in the history of mass political repressions in Kazakhstan and Western Siberia in the 1920s-1950s'. Astana: 'Enter Group'.
- 2) AP RK. F. 811. Op. 23. D. 463.
- 3) Archive of the President of the Republic of Kazakhstan. F. 5-N. Op. 1. D. 3332.
- 4) Archive of the President of the Republic of Kazakhstan (AP RK). F. 708. Op. 26. D. 118.
- 5) Archived police records of the Police Department of Almaty Region. F. 6. Op. 1. D. 09797.
- 6) Bekmakhanov, E. (1992). Kazakhstan in the Years of 1920's-1940's. Almaty.
- 7) Borisov, Yu.S., Golubev, A.B. (1992). Western historiography coverage of the political rehabilitation in the USSR (1950-1960s). 'Russian History' journal, 5, 205-209.
- 8) (1988). Bulletin of the Supreme Court of the USSR. Num 2. Moscow; (1988). Bulletin of the Supreme Court of the USSR. Num 5. Moscow.
- 9) (1938-1996). Central State Archive Republic of Kazakhstan (TsGARK). F. 2196. Op. 1. 62 archive files
- 10) (1999). Collection of legislative and regulatory acts on repression and rehabilitation of victims of political repression: in 2 parts. Ed. and foreword by G.F. Vesnovskaya. Public Prosecution Service of the Russian Federation, Kursk, Part II.
- 11) Decree of the President of the Republic of Kazakhstan No. 540 of December 12, 1991, 'On the rehabilitation of citizens held accountable for participation in the events of December 17-18, 1986, in Kazakhstan'. Retrieved from: https://online.zakon.kz/Document/?doc_id=1000791#pos=1;-219.
- 12) (1997). Decree of the President of the Republic of Kazakhstan 'On declaring 1997 the Year of National Accord and the victims of political repression'. Collection of normative legal acts on the rehabilitation of victims of massive political repressions. Almaty: Zheti zhargy.
- 13) Decree of the President of the Republic of Kazakhstan N 3790 of December 10, 1997 'On declaring 1998 the Year of national unity and national history'. Retrieved on 05.08.2020 from: [/https://online.zakon.kz/Document/?doc_id=1008457](https://online.zakon.kz/Document/?doc_id=1008457).
- 14) Erimbetova, K.M. (2016). 'USSR Academician, historian Anna Pankratova', vol. 2. Astana.
- 15) E-source. Retrieved on 03.08.2020 from: <https://top-news.kz/obrashhenie-glavy-gosudarstva-kasym-zhomarta-tokaeva-po-sluchaju-dnja-pamjati-zhertv-politicheskikh-repressij-i-goloda/>.
- 16) GAKO. F. 205. OP. 6. D. 1416.
- 17) GARF. F. 8131. Op. 31. D. 86105.
- 18) Generalization of the results of work on the application of the Law of the Republic of Kazakhstan 'On Rehabilitation ...' by the Department for supervision over the execution of sentences and rehabilitation of citizens for 1998 - 1st quarter of 1999 and the Office for supervision of the legitimacy of the execution of sentences and the rehabilitation of citizens of May 20, 2005 (The data provided by the senior assistant to the Chief Military Prosecutor of the Republic of Kazakhstan, Colonel of Justice Zh.M. Temekov).
- 19) Generalization of the results of work on the application of the Law of the Republic of Kazakhstan 'On the rehabilitation of victims of mass political repressions' of May 20,

2005 (The data provided by the senior assistant to the Chief Military Prosecutor of the Republic of Kazakhstan, Colonel of Justice Zh.M. Temekov)

20) Gurevich, L.Ya. (1993). The intelligentsia of Kazakhstan and the policy of totalitarian state in the sphere of science and higher education (1946–1985): author's abstract of Doctor of Historical Sciences thesis. Almaty.

21) (2014). Kazakhstani Way - 2050: Common goal, common interests, common future. State of the Nation Address of the President of the Republic of Kazakhstan N.Nazarbayev. January 17. Retrieved on 17.03.2018 from: http://www.akorda.kz/ru/addresses/addresses_of_president/poslanie-prezidenta-respubliki-kazahstan-nnazarbaeva-narodukazahstana-

22) 17-yanvarya-2014-g.

23) Khasenova, Zh.O., Zherebtsov, I.L. (2019). 'Akhmet Baitursynov: from repressions to rehabilitation'. Journal of the Komi Scientific Center, Ural Branch of the RAS, 2 (38), 82-88.

24) Khassenova, Zh.O., Mazhitova, Z.S., Khassenova, T.B. (2019). 'To the problem of political repressions of Koreans in Kazakhstan in the 1930s (in the case of Herbert Kim's life)'. Social sciences in the modern world: political science, sociology, philosophy, history: collection of articles based on the materials of the XVII International Scientific and Practical Conference, 1(13), 51-61. Moscow: 'Internauka' publishers.

25) Khristoforov, V.S. Review of Sultan-Khan Akkuly's monograph 'Alikhan Bukeikhan': Retrieved on 02.08.2019 from: <https://cyberleninka.ru/article/n/retsenziya-na-monografiyu-sultan-hana-akkuly-alihan-bukeikhan/viewer>.

26) Khristoforov, V.S. Alikhan Bukeikhanov: 'I don't like the Soviet rule...'

27) Kukushkin, Yu. S, Chistyakov, O. I. (1987). Ocherk istorii Sovetskoy Konstitutsii [Essay on the history of the Soviet Constitution]. 2nd ed. Moscow: Politizdat, 1987.

28) Mukankyzy, M. Alash's legacy has not yet been fully disclosed. Retrieved on 29.07.2019 from: <https://rus.azattyq.org/a/alash-nasledie-reabilitacia/28970789.html>.

29) Mukhamedkhan, D. Today, 23 July, is Shakarim's birthday. Retrieved on 23.07.2019 from: https://m.facebook.com/story.php?story_fbid=2863019950406767&id=100000963702713.

30) Nazarbayev, N.A. No other country was facing abyss of complete extinction like Kazakhstan. Retrieved on 03.08.2019 from: <https://www.zakon.kz/4971718-nazarbaev-ni-odna-strana-ne-stoyala.html>.

31) Nekrasov, V. (1990). 'Sergei Kruglov'. 'Sovetskaia militsiia' journal, 5, 21-24.

32) (1953). Newspaper 'Pravda', July 15.

33) (2000). Newspaper 'Kazakhstanskaya Pravda', May, 30.

34) 'On the constitutionality of decisions taken by the state authorities of the Kazakh SSR, as well as the law enforcement practice of administrative, judicial and law enforcement agencies and the actions of their senior officials during the December (1986) events in Alma-Ata and some regions Kazakhstan', case files vol. 1-12. Almaty.

35) (2000). Rehabilitation: Declassified materials from CPSU Central Committee plenums and other materials, in 3 volumes, Vol. 1, March 1953 - Feb. 1956. Comp. by A.N. Artizov, Yu.V. Sigachev, V.G. Khlopov. Moscow: MFD.

36) (2004). Rehabilitation: Documents of the Politburo of the CPSU Central Committee, transcripts of the meeting of the Politburo Commission of the CPSU Central Committee for additional study of materials related to the repressions that took place in

the period of the 30-40s and the beginning of the 50s, and other materials. Volume III. Mid 80s - 44

37) (2014). Rehabilitation and remembrance. Attitude towards victims of Soviet political repressions in the countries of the former USSR. 'Long echo of dictatorship. Victims of political repressions in the former USSR countries - rehabilitation and remembrance': materials of the International conference, September 10-12.

38) 1991. Comp. by A.N. Artizov, A.A. Kosakovsky, V.P. Naumov, I.N. Shevchuk. Moscow: MFD.

39) Resources of Central scientific library of RSE 'Gylym Ordasy'. F.11. Op.1. D.136a.

40) SGA MVD RK. F. 6. Op. 1.

41) SGA MVD RK. F. 1. Op. 1.

42) (2017). Special State Archive of the Ministry of Internal Affairs the Republic of Kazakhstan. Archival reference № 19-5-82-19-3808, dated July 10.

43) State Archive of Karaganda region (GAKO). F. 205. Op. 6. D. 1381.

44) State Archive of the Russian Federation (GARF). F. 8131. Op. 31. D. 39829.

45) The data provided by D. Alikyzy, the head of the Special State Archive of the Ministry of Internal Affairs of the Republic of Kazakhstan (SGA MVD RK).

46) (1989). Vedomosti of the Supreme Soviet of the Soviet Union, 3, 19.