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Members of European Parliament

The President of the Republic of Kazakhstan
H.E. Kassym-Jomart Tokayev
Mangilik Yel st. 6, Government House
010000, Nur-Sultan - Kazakhstan

Brussels, 16 October 2020

Your Excellency,

We, Members of the European Parliament, are writing to you to express our deep concern about the authorities' backlash against human rights in your country. In particular, we wish to emphasise that the government's proclaimed intention of making Kazakhstan a 'listening state'¹ - eager to respond to the citizens' needs - does not correspond to the deteriorating human rights situation routinely reported by international and local NGOs.

We are appalled by the death of three activists, namely **Dulat Agadil**,² **Amanbike Meir Khanova** and **Serik Orazov**, whose political activism was well known to Kazakhstani and international human rights watchdogs. In many instances, Kazakhstani law enforcement agencies pressured and persecuted them on political grounds. Now, the authorities are intimidating the family members of Dulat Agadil, a blogger and civil society activist who was found dead in a Kazakhstani pre-trial detention facility, which coincided with the very first day of a visit of a European Parliament delegation in February 2020. We believe that the requests that Dulat Agadil's closest relatives have put forward deserve serious consideration. These requests are: carrying out an impartial investigation into his death and bringing to justice those responsible for the ill-treatment and torture of the blogger. Every possible step must be taken to carry out an effective and transparent investigation into these deaths, deliver justice to the victims and their families and grant them full access to the criminal files.³

Moreover, we regret that, from 30 July to 27 September 2020, **more than 200 cases of political persecution**,⁴ **including 39 criminal cases**,⁵ have been initiated against those activists who paid tribute to Dulat Agadil. After his death, several hundred activists took part in the traditional procession in honour of the blogger (As in Kazakh) and collected humanitarian aid (*Asar* in Kazakh) in solidarity with his family.

Equally, overly broad definitions of "extremism" have been arbitrarily used to threaten **more than 177,000 subscribers of the Telegram chat group of the "Koshe Party"** (*Koshe Partiyasy* in Kazakh) - a peaceful opposition movement banned by a secret court decision in May 2020 - which provided an

¹ https://www.akorda.kz/en/addresses/addresses_of_president/president-of-kazakhstan-kassym-jomart-tokayevs-state-of-the-nation-address-september-2-2019

² https://twitter.com/State_SCA/status/1232399059194929152?s=20

³ <https://twitter.com/NotExtremists/status/1270001221085077504?s=20>

⁴ https://twitter.com/qaharman_kz/status/1304658109277917185?s=20

⁵ The full list of individual cases of political prosecution in connection with the solidarity actions in support of Dulat Agadil's family is attached to this letter.

online space for discussion about the political and social challenges in the country. Despite the numerous appeals of the European Parliament and the UN Special Rapporteur Fionnuala Ní Aoláin⁶, which called for the review of the anti-extremism legislation, 5 persons - mostly peaceful protesters and social media users - are facing unfounded charges for “participation in an extremist organisation” (Article 405, part 2, of the Criminal Code of the Republic of Kazakhstan). 200 more have been already detained and interrogated for adhering to the “Koshe Partiyasy” manifesto.⁷ The list of persons charged with extremism offenses in relation to their support to the “Koshe Partiyasy”, as well as other individual cases of political persecution mentioned in this appeal, is attached to this letter.

We are also disheartened by the rise in the number of political prisoners. Since May 2020, 9 activists have been imprisoned; among them are 8 supporters of “Koshe Partiyasy” who have all been accused of extremism offenses. Their names are Kairat Klyshev, Abai Begimbetov, Askhat Zheksebeyev, Serik Idyryshev, Askar Ibrayev and Medet Yeseneev,⁸ Murat Baimagambetov and Marat Duysembiev, in addition to Nurbol Onerkhan and Dametkan Aspandiyarova who are under house arrest.⁹ Still, 10 other political prisoners, namely Maks Bokayev, Almat Zhumagulov, Kenzhebek Abishev, Aset Abishev, Yerzhan Yelshibayev, Aron Atabek, Ruslan Ginatullin, Igor Chuprina, Igor Sychev and Sanavar Zakirova are kept in prison in contravention of the European Parliament’s demand to free them all.

The widespread use of torture in Kazakhstani places of detention remains alarming, worrying figures on the incidents of torture collected by the Coalition Against Torture NGO show that approximately **200 incidents of torture**¹⁰ are being registered annually. What’s more, human rights defenders denouncing torture crimes in Kazakhstani prisons are threatened with lawsuits. The case of **Elena Semenova**, a member of the civic organisation “Relatives Against Torture”, who is facing 7 lawsuits for exposing complaints of torture victims, is exemplary of this trend.¹¹

Lastly, we were informed that the authorities misused anti-crisis measures to crack down on those human rights defenders who exposed the government’s inefficiency in dealing with the COVID-19 outbreak or took part in peaceful rallies. Their names are **Dana Zhanay, Altynai Tuksikova, Anna Shukeyeva, Nazym Serikpekova, Zukhra Nariman, Alma Nurusheva** and **Daryn Khasenov**.

Therefore, we urge the government of Kazakhstan to demonstrate its full commitment to human rights, ensure thorough and transparent investigations into the three deaths, release all political prisoners and put an end to all forms of political repression against civil society activists, social media users and human rights defenders. We hereby reiterate that Kazakhstan’s compliance with the human rights conditions set by the Enhanced Partnership and Cooperation Agreement is an absolute necessity to advance the cooperation with the EU.

Yours sincerely,

Helmut Scholz, GUE/NGL
Brando Benifei, S&D
Niklas Nienaß, GREENS/ALE

⁶ <https://www.ohchr.org/EN/NewsEvents/Pages/DisplayNews.aspx?NewsID=24620&LangID=Ethe>

⁷ https://en.odfoundation.eu/content/uploads/2020/07/10.07.2020_odf_political_oppression_during_the_pandemic_eng.pdf

⁸ https://www.instagram.com/p/CE66BvDAFxF/?utm_source=ig_web_copy_link

⁹ The criminal grounds of the politically motivated prosecution of Murat Baimagambetov, Marat Duysembiev, Nurbol Onerkhan and Dametkan Aspandiyarova are included in the list of individual cases attached to this letter.

¹⁰ <https://uprdoc.ohchr.org/uprweb/downloadfile.aspx?filename=6872&file=EnglishTranslation>

¹¹ https://twitter.com/qaharman_kz/status/1280537703407386625?s=20

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Annex list of individual cases

Copy:

H.E. Mukhtar Tleuberdi, Minister of Foreign Affairs of the Republic of Kazakhstan
H.E. Karim Massimov, Chairperson of the National Security Committee
H.E. Nursultan Nazarbayev, Chair of the Security Council of Kazakhstan
H.E. Aigul Kuspan, Ambassador of the Republic of Kazakhstan to the Kingdom of Belgium
H.E. Sven-Olov Carlsson, Head of the Delegation of the European Union to Kazakhstan
MEPs Helmut Scholz, Brando Benifei, Niklas Nienaß, Dietmar Köster, Jordi Solé, Nicolae Stefanuta, Andrius Kubilius, Assita Kanko, Rasa Juknevičienė, Ivan Sinčić, Helmut Geuking, Giuseppe Ferrandino, Dimitrios Papadimoulis, Christophe Grudler, Ville Niinistö, Alviina Alametsä