

Strasbourg, October 11, 2017

**To: The President of the Republic of Kazakhstan**  
**Nursultan Nazarbayev**  
010000, Astana city, 6 Mangilik El Street, Government House  
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Dear Mr. President,

We, Members of the Parliamentary Assembly of the Council of Europe (PACE), address you today to express our deepest concern about deterioration of the human rights situation in Kazakhstan.

We were informed that **Mr. Tokmadi** has been arrested on June 12, 2017 in his home during the operation conducted by special forces of the Republic of Kazakhstan. From that time, Mr. Tokmadi, his family, friends and employees were subjected to disproportionate treatment by Kazakh law enforcement and governmental agencies with the intent to elicit testimonies by the means of intimidation, prolonged interrogation and unlawful arrests. On 9 October 2017, Mr Tokmadi was sentenced to three years' incarceration and confiscation of 252 million tenge (600 thousand euros).

We regret to be informed about the purpose of the pressure and persecution of Tokmadi's family is to obtain fabricated testimony against the Kazakhstani businessman and politician Mr Mukhtar Ablyazov. Mr Tokmadi is being coerced to confess to the murder, committed 13 years ago, allegedly on the instruction of Mr. Ablyazov. Thus, Ms. Dzhamilya Aimbetova-Tokmadi, the wife of the detainee, has been threatened with the criminal prosecution based on the refusal to provide false statements about her husband and forced to leave the country due to the well-founded fear for her life. It is even more warring to learn that Mr Berik Imankaliyev, one of the distant relatives of Tokmadi's family, was subjected to torture and forced to give false confession in fact a word-for-word copy of the written charges against Mr Tokmadi. It is unacceptable practice that Mr. Tokmadi's lawyers were threatened with the revocation of their professional licenses in case they continue to defend their client.

We are particularly worry about the case of political prisoner Mukhtar Dzhakishev<sup>1</sup>. Dzhakishev was sentenced to 14 years' imprisonment because he refused to sign false confession against opposition politician Mukhtar Ablyazov and deny friendship with him.

Due to excessively high blood pressure, Dzhakishev is at a constant risk of stroke and ischemia. During eight years of his detention, Dzhakishev was beaten, after which he developed kidney disease. Currently, Dzhakishev needs urgent hospitalisation in a public clinic. Dzhakishev does not receive the necessary medical care in the penal institution. As a consequence, his state of health may even lead to his death.

We support the UN Human Rights Committee's demand that the judgment of the Kazakhstani authorities be revoked and Dzhakishev be released from prison. Still, Kazakhstan

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<sup>1</sup> <http://en.odfoundation.eu/a/8357,kazakhstan-the-life-of-political-prisoner-mukhtar-dzhakishev-is-in-danger>

refused to comply with the decision of the UN Committee and once again showed disrespect for its international obligations. We call you to consider Kazakhstan's international obligations and risks for its credibility abroad.

We remind that in December 2016, by the decision of the French State Council, the case of Mr Ablyazov was declared politically motivated. In July 2017, the General Secretariat of INTERPOL recognized the case of Mr Ablyazov as politically motivated and excluded his files from the database.

We believe that it is in the best interest of the Republic of Kazakhstan to stop any practice of political prosecution and release political prisoners. Although we recognize the right of the Republic of Kazakhstan to conduct independent investigative and judicial processes, we urge the parties involved to abide by the international standards and terminate unlawful practices against Kazakhstani citizens.

*Yours sincerely,*

Members of the PACE

**Ms Petra De SUTTER**, Third Vice-Chairperson of the Committee on Migration, Refugees and Displaced Persons and General Rapporteur on conditions of reception of refugees and migrants (Belgium)

**Ms Alice-Mary HIGGINS**, a member of the Sub-Committee on Gender Equality and Sub-Committee on the Rights of Minorities; Vice-Chairperson of Socialists, Democrats and Greens Group (Ireland)

**Ms Ulla SANDBÆK**, a member of the Committee on Migration, Refugees and Displaced Persons and Sub-Committee on Co-operation with non European countries of origin and transit (Denmark)

**Mr Pieter OMTZIGT**, Vice-Chairperson of the Sub-Committee on Human Rights; a member of the Committee on Legal Affairs and Human Rights and Sub-Committee on the implementation of judgments of the European Court of Human Rights (Netherlands)

**Mr Frank SCHWABE**, Second Vice-Chairperson of the Committee on Legal Affairs and Human Rights; Vice-Chairperson of the National Delegation of Germany to PACE; Vice-Chairperson of Socialists, Democrats and Greens Group (Germany)

**Ms Gabriela HEINRICH**, a member of the Committee on Equality and Non-Discrimination (Germany)

CC:

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