



*Camera dei Deputati*

**To the President of the Republic of Kazakhstan**

H.E. Kassym-Jomart Tokayev  
Mangilik Yel st. 6, Government House  
010000, Nur-Sultan  
Kazakhstan  
Rome, 25 November 2020

Your Excellency,

As members of the Parliament of the Italian Republic, we wish to express our deep concern about the alarming deterioration of fundamental freedoms in Kazakhstan, in the hope that your government will take constructive steps to comply with its international obligations in the field of human rights.

The testimonies of human rights defenders report a worrying increase in the number of political prisoners. 23 detainees have been wrongly convicted for legitimately expressing their views on social platforms or participating in peaceful demonstrations. We, therefore, believe that the following political prisoners should be immediately released: **Maks Bokayev, Almat Zhumagulov, Kenzhebek Abishev, Aset Abishev, Yerzhan Yelshibayev, Aron Atabek, Ruslan Ginatullin, Igor Chuprina, Igor Sychev and Sanavar Zakirova.**

Unfortunately, the abuse of anti-extremism legislation by the Kazakhstani authorities is a well-known practice to the international community. The secret decision to ban the peaceful opposition movement "Koshe Partiyasy" ("Street Party" in English) does not fulfil the recommendations contained in the European Parliament's 2019 urgent resolution<sup>1</sup> and in the appeals of the Parliamentary Assembly of the Council of Europe<sup>2</sup> and of the UN Special Rapporteur, Fionnuala Ní Aoláin.<sup>3</sup> Human rights organisations report that **more than 177,000 members of the "Koshe Partiyasy" Telegram chat are at risk of imprisonment because of their support of the movement.**<sup>4</sup> Already 200 people were interrogated for their support of the "Koshe Partiyasy" and of another peaceful movement, the "Democratic Choice for Kazakhstan" (DCK). At least 67 criminal proceedings for "extremism" have been brought against social media users, peaceful protesters and representatives of civil society.

Among them are the political prisoners **Kairat Klyshev, Abai Begimbetov and Ashkat Zheksebeyev who are currently in a pre-trial detention facility, risking from 10 to 17 years in prison** for the "creation of an extremist group, as well as its management" (Art. 182, para 1 of the Criminal Code of the Republic of Kazakhstan). On the other hand, **Noyan Rakhimzhanov, Dametkan Aspandiyarova and Gulzipa Dzhaukerova** are accused of "Participation in the activity of an extremist group or crimes, committed by it" (Art. 182, para 2 of the CC) and **may face from 8 to 12 years in prison.**

The tragic news of the death of 4 human rights activists - **Serik Orazov, Amanbike Meir Khanova, Garifulla Yembergenov and Dulat Agadil**<sup>5</sup> - has shocked the international community.<sup>6</sup> The murder of Zhanbolat Agadil, one of Dulat Agadil's youngest sons and key witness to his father's arrest, on 10 November 2020 is just as shocking; Zhanbolat's family reported that their son had been under constant surveillance by the authorities. The version proposed by the state media according to which Zhanbolat died "as a result of a mass brawl" is not

<sup>1</sup> [https://www.europarl.europa.eu/doceo/document/TA-8-2019-0203\\_EN.pdf](https://www.europarl.europa.eu/doceo/document/TA-8-2019-0203_EN.pdf)

<sup>2</sup> <https://pace.coe.int/pdf/70bd3d3f85f9a4fccaecbc1e27c252616e65fcef3326667a8259ffe25682ae848428feba12/doc.%2015062.pdf>

<sup>3</sup> <https://www.ohchr.org/EN/NewsEvents/Pages/DisplayNews.aspx?NewsID=24620&LangID=Ethe>

<sup>4</sup> [https://en.odfoundation.eu/content/uploads/2020/07/10.07.2020\\_odf\\_political\\_oppression\\_during\\_the\\_pandemic\\_eng.pdf](https://en.odfoundation.eu/content/uploads/2020/07/10.07.2020_odf_political_oppression_during_the_pandemic_eng.pdf)

<sup>5</sup> <https://en.odfoundation.eu/a/32138.political-killing-in-kazakhstan/>

<sup>6</sup> [https://twitter.com/State\\_SCA/status/1232399059194929152?s=20](https://twitter.com/State_SCA/status/1232399059194929152?s=20) & [https://twitter.com/isabel\\_mep/status/1318543585923485697?s=20](https://twitter.com/isabel_mep/status/1318543585923485697?s=20)

convincing. It is necessary that the authorities investigate with no further delays the circumstances that led to these deaths, cooperate actively with the families of the victims in a transparent manner and determine those responsible for the human rights violations.

Furthermore, we strongly support the fundamental right of the family of Dulat Agadil - a well-known Kazakh blogger and activist who died in custody in circumstances not yet investigated in February 2020 - to have access to the criminal files and to learn the truth about his death. The lack of cooperation by the authorities in establishing the actual responsibility of internal state bodies for Dulat Agadil's death raises serious doubts as to the official explanation that the activist died of "heart failure".

200 activists who participated in the commemoration ceremony ("As" in Kazakh) and fundraising ceremony ("Asar" in Kazakh) in memory of the blogger and who documented evident traces of torture on the corpse are now victims of persecution themselves.<sup>7</sup> **At least 54 criminal proceedings have been initiated against those activists who took part in actions of solidarity for the family of Dulat Agadil.** It should be noted that the death of the blogger sparked major protests in the country; some peaceful protesters such as **Bagdat Baktybayev, Murat Baimagambetov, Marat Duysembiev, Medet Yeseenev, Askar Nurmaganov, Ulasbek Akhmetov, Askar Azhguzhinov, Serik Idyryshev, and Askar Ibrayev** are accused of "Organisation/participation of activities of an extremist group" (Art. 405, paragraph 1 or 2). 7 other demonstrators, including **Kairat Sultanbekov, Yerkin Sabanshiyev** and **Murat Bidauletov**, are under house arrest.

It is with extreme concern that we learn about **the widespread use of torture in places of detention**, whose victims are mainly political prisoners.<sup>8</sup> We, hereby, mention alarming cases of torture victims such as the case of **Asylzhan Asabayev**, a peaceful demonstrator brutally beaten in a basement by the police or the aforementioned **Murat Baimagambetov** and **Kairat Sultanbekov**, the latter without access to adequate medical care. We are equally worried about the serious health condition of the activist **Abaipek Sultanbekov**, following the suspected gas leak in the flat where the police were holding him.

These and other cases of victims of political persecution are listed in the document attached to this appeal. Moreover, those who carry out the important mission of making public the complaints of victims of torture and ill-treatment are under constant pressure. For example, we would like to bring to your attention the case of **Elena Semenova**, a well-known human rights activist and member of the "Coalition Against Torture" NGO, who is facing 7 complaints from 4 penal colonies for making information about torture on detainees public online.<sup>9</sup>

Like Elena Semenova, several human rights defenders are subjected to constant attacks and persecution both inside and outside your country for their civil engagement. In Kazakhstan, **Altynai Tuksikova, Anna Shukeeva, Roza Musayeva, Nazym Serikpekova, Aliya Zhakupova, Gulzhanat Temirkhan, Zukhra Nariman, Alma Nurusheva, Daniyar Khassenov and Daryn Khasenov** are monitoring the situation of fundamental freedoms with immediate retaliation by the authorities. In Belgium, the human rights lawyer and political refugee - **Bota Jardemalie** - has become yet another victim of the abuse of judicial cooperation instruments.<sup>10</sup> Similarly, we find inadmissible that Kazakhstan misuses INTERPOL and other judicial cooperation mechanisms against **Barlyk Mendygazyev** and persecutes his family members and associates for providing financial assistance to the families of political prisoners.<sup>11</sup> Mendygazyev is a Kazakhstani philanthropist, human rights and eco-activist, and founder of the US-based Freedom Kazakhstan Human Rights foundation.

The above-mentioned circumstances put Kazakhstan's international credibility and its intention of becoming a "listening state" - open to dialogue with civil society - at stake, right before its parliamentary election. Therefore, we call on the Kazakhstani authorities to release all political prisoners as soon as possible, to put an end to all forms of retaliation against human rights activists and to conduct an impartial and transparent

<sup>7</sup> [https://twitter.com/qaharman\\_kz/status/1304658109277917185?s=20](https://twitter.com/qaharman_kz/status/1304658109277917185?s=20)

<sup>8</sup> <https://uprdoc.ohchr.org/uprweb/downloadfile.aspx?filename=6872&file=EnglishTranslation>

<sup>9</sup> <https://twitter.com/NotExtremists/status/1317131988407619584?s=20>

<sup>10</sup> <https://www.protect-lawyers.com/en/lawyer/botagoz-jardemalie-3/>

<sup>11</sup> <https://www.facebook.com/groups/ActivistsNotExtremists/permalink/2837847499867848/>

investigation into the circumstances that led to the death of the 4 above-mentioned activists and of Dulat Agadil's son, in accordance with Kazakhstan's obligations under international human rights law. We also would like to remind you that Italy is one of the 27 Member States to have ratified the Enhanced Cooperation and Partnership Agreement between the EU and Kazakhstan; this agreement binds Kazakhstan to the respect of specific conditions regarding the protection of human rights. Finally, we firmly believe that the effective resolution of domestic human rights concerns can only benefit mutual cooperation.

Sincerely,

Lia Quartapelle MP  
Mauro Del Barba MP  
Riccardo Magi MP  
Senator Alessandro Alfieri  
Senator Roberto Rampi  
Senator Valeria Fedeli

Members of the Parliament of the Italian Republic

CC:

Minister of Foreign Affairs of the Republic of Kazakhstan, H.E. Mukhtar Tleuberdi  
Chairperson of the National Security Committee, H.E. Karim Massimov  
Chairperson of the Security Council of Kazakhstan, H.E. Nursultan Nazarbayev  
Ambassador of the Republic of Kazakhstan to Italy, H.E. Sergey Nurtayev  
Ambassador of Italy to the Republic of Kazakhstan, H.E. Pasquale D'Avino