

To: Nursultan Nazarbayev
The President of the Republic of Kazakhstan
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Brussels, 12 July 2018

***Open letter on human rights and the freedom of peaceful assembly
in the Republic of Kazakhstan***

In view of the ongoing restrictions on civil liberties and cases of politically-motivated persecution in Kazakhstan, we, members of the European Parliament, are addressing you, President Nazarbayev with the following appeal:

We are aware that freedom of expression and peaceful assembly has been sharply eroded in Kazakhstan in the past few years, as proven by the constant increase in the number of political prisoners. Recently the situation worsened as a consequence of the decision of a Kazakhstani court, on 13 March 2018, to label the peaceful opposition movement Democratic Choice of Kazakhstan an 'extremist organisation' and ban its activity in the country. After this decision, a wave of repression targeted numerous activists and citizens of Kazakhstan who participated in peaceful protests against political prosecution and tortures. During March-June 2018 more than 300 people were detained and more than 40 subjected to administrative arrests. Dubious criminal cases were initiated against poet Kenzhebek Abishev and the DCK supporters Almat Zhumagulov, Aset Nurzhaubay, Muratbek Tungishbayev, Zhanara Akhmetova, Akmaral Tobylova, Ablovas Dzhumayev, Arman Alakayev and Bakiza Halelova.

Currently, Abishev, Zhumagulov, Nurzhaubay and Dzhumayev are being arrested, while blogger Tungishbayev, who needs urgent hospitalisation for surgery, was arrested on 10 May 2018 in Bishkek (the Kyrgyz Republic) and is now at risk of extradition to Kazakhstan for participation in DCK groups on social media, as well as for 'provoking discussion of urgent and sensitive topics in support of the DCK'. The misuse of INTERPOL, extradition and mutual assistance is obviously damaging the reputation of the Kazakhstani authorities, such as in cases of political prosecution of victims of the criminal case against oppositionist Mukhtar Ablyazov: Anatoliy Pogorelov, Tatiana Paraskevich, and the Khrapunov family (Viktor, Leila and Ilyas Khrapunov).

By reiterating that freedom of expression is a fundamental value for society, we firmly condemn the use of brutal practices such as 'punitive psychiatry', which was used, for instance, against the blogger Ardak Ashim and the use of political prosecution, as in the cases of bloggers Sanat Dosov, Ruslan Ginatullin and journalist Yaroslav Golyshkin.

The systemic use of torture in detention facilities and the lack of investigation into allegations of torture are also matters of grave concern, as evidenced by a number of high-profile cases of political prisoners: Maks Bokayev and Aron Atabek, Mukhtar Dzhakishev who is suffering from poor health and may die at any moment, is being kept in isolation and been denied visits by international observers. We particularly assume as undermining trust in the judicial system of the Kazakhstani authorities the facts of the harassment and political prosecution of lawyers and their relatives. The case of Iskander Yerimbetov who has been stripped of any right to a fair trial and kept as a hostage in order to put pressure on his sister Bota Jardemalie, a prominent lawyer and human rights defender, is a clear example. We regret to learn that these political prisoners have not been released nor had their measure of restraint changed to one unrelated to detention. Many appeals have been issued by prominent human rights organisations and UN bodies to urgently demand their release, improve their detention conditions and grant the detainees appropriate medical care.

We regret that participants in the peaceful protests on 10 May and 23 June were persecuted for exercising their right to peacefully demand an end to political repressions and torture and advocated for free education. On 10 May 2018 more than 150 people were detained and more than 30 were subjected to administrative arrests. On 23 June 2018 more than 160 people were detained. The participants of the protests were threatened and warned to stop supporting DCK.

We welcome the release of political prisoners Vladimir Kozlov, Gyuzyal Baydalinova, Talgat Ayan, Amin Eleusinov and Nurbek Kushakbayev, who nonetheless remain under restriction of freedom, as well as the release on bail of Akmaral Tobylova.

In the light of Kazakhstan's international commitments, which were also reiterated in the recently ratified Enhanced Partnership and Cooperation Agreement between the EU and Kazakhstan (EPCA), we underline the cruciality of abiding by the conditions set out in this important understanding.

We strongly condemn any form of repression of civil liberties, such as freedom of speech, freedom of assembly or freedom of conscience being carried out in Kazakhstan. We call on the authorities of Kazakhstan to release all political prisoners and to cease the practice of intimidating, harassing, and prosecuting citizens, journalists, bloggers, social media users and civil society activists for exercising their profession and fundamental freedoms.

Yours sincerely,

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