

article14



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VERITAS
HUMAN RIGHTS MOVEMENT



OPEN DIALOGUE

TRANSNATIONAL REPRESSION AGAINST BARLYK MENDYGAZIYEV



**Political persecution in response
to human rights work and eco-activism.
The role of Chevron Corporation in corporate
raiding in Kazakhstan**

5 July 2024

The Open Dialogue Foundation was established in Poland in 2009 on the initiative of Ukrainian student and civic activist Lyudmyla Kozlovska (who currently serves as President of the Foundation). Since its founding, statutory objectives of the Foundation include the protection of human rights, democracy and the rule of law in the postSoviet area. In July 2017 area of interest of the Foundation was expanded due to the rapidly deteriorating situation in Poland and other EU member states affected by illiberal policies implemented by their populist governments. The Foundation has its permanent representations in Brussels, Warsaw and Kyiv.

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Human Rights Protection Foundation Qaharman – a Kazakhstani human rights organisation which was established for the purpose of protecting fundamental human rights in Kazakhstan, in particular, the right to peaceful assembly, right to a fair trial, and right to participation in the management of state affairs, as well as freedom of speech and dissemination of information. As a public initiative, Qaharman began its activities in Kazakhstan in 2019, and in February 2020, it was officially registered. Qaharman activists monitor politically motivated trials and the right to peaceful assembly.

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The human rights movement '405' is a public initiative founded in 2019. The main goal of the movement is to protect participants of peaceful assemblies and bloggers who are subject to political prosecution under Article 405 of the Criminal Code of Kazakhstan ("participation in the activities of the organisation after its recognition as extremist"). The movement protects the right to peaceful expression, which should not be regarded by the authorities as 'extremism'.

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The Bostandyq Kz human rights movement intends to fight for the observance of the constitutional rights and freedoms of the citizens of Kazakhstan, and to inform about human rights violations in the country. The movement was founded on 14 September 2020.

Facebook: [Bostandyq Kz](#)



The human rights movement Veritas was established on 17 September 2020. The aim of the movement is to protect human rights in Kazakhstan, with special attention to freedom of speech, peaceful assembly and peaceful association. The movement monitors the implementation of Kazakhstan's commitments in the areas of human rights, environment, health and anti-corruption, and informs the EU, the UN, PACE, the OSCE, GRECO and the governments of democratic states about the results of the monitoring. Veritas conducts public campaigns to protect politically persecuted activists, political prisoners and victims of torture.

Facebook: [Veritas human rights movement](#); e-mail: veritas15.09.20@gmail.com



The "Femina Virtute" human rights movement, was established on 4 November 2020, and aims to combat discrimination against women in Kazakhstan and to document violations of women's, civil and political rights. The members of the movement conduct solidarity actions in defence of human rights and train citizens to defend their rights. Based on the monitoring results, the movement provides information to the European Parliament, the European Commission, the UN, the OSCE, the Council of Europe, governments and politicians of the EU states, as well as the USA, Canada, Australia, the UK, Norway and Switzerland.



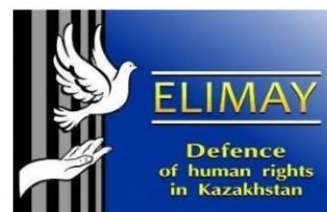
Facebook: [Femina Virtute](#) ; e-mail: ulbolsynturdieva@gmail.com

Human rights movement "Article 14" was established on 5 November 2020 with the aim of monitoring the right to fair justice in Kazakhstan. The members of the movement inform citizens of Kazakhstan and the international community about violations of the right to a fair trial, fight for greater transparency in the justice process, and draw public attention to violations during trials.



Facebook: [Article Hrm](#) ; e-mail: article14hrm@gmail.com

The Human Rights movement Elimay was established on 17 October 2020. The movement aims to protect civil and political rights and freedoms in Kazakhstan. The movement calls to put an end to all forms of political repression and release of political prisoners in Kazakhstan.



Facebook: [ELIMAY ~ defence of human rights in Kazakhstan](#) ; e-mail: elimayfreedom@gmail.com

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INTRODUCTION

The Kazakhstani authorities are trying to convince the international community that President Tokayev is carrying out democratic reforms in the country. However, the facts are to the contrary — large-scale political repression against critics of the regime continues in Kazakhstan. Moreover, Kazakhstan is resorting to international instruments and political pressure to achieve its goals. Chevron Corporation, one of the largest energy companies in the world, based in the United States, was used for reprisals against human rights activist and eco-activist Barlyk Mendygazyiev.

The Open Dialogue Foundation, together with human rights experts from the #ActivistsNoExtremists coalition, has drafted a report on the politically motivated transnational persecution of human rights defender and philanthropist Barlyk Mendygazyiev. Mendygazyiev was prosecuted for his activities in defence of human rights and the environment, as well as for providing material and financial assistance to victims of political repression in Kazakhstan. The Mendygazyiev case shows that any business in Kazakhstan can be destroyed if its founder falls out of favour with the authorities or with oligarchs close to the authorities.

The persecution of Barlyk Mendygazyiev, his relatives and colleagues has received wide international publicity as one of the examples of transnational repression committed by the Kazakhstani regime. In particular, Mendygazyiev's case is mentioned in the resolutions of the European Parliament dated 11 February 2021¹ and 20 January 2022² on the human rights situation in Kazakhstan and in the written declarations of the PACE deputies dated 27 June 2022³ and 17 October 2023.⁴ The Mendygazyiev case is also mentioned in the US State Department's annual country reports on the human rights practices in Kazakhstan for 2021⁵, 2022⁶ and 2023⁷ as an example of selective justice and transnational repression committed by the Kazakhstani authorities.

Corruption and large-scale human rights violations in Kazakhstan, including transnational repression, are detrimental not only to Kazakhstan, but also to the strategic interests of Western countries in the region. As Congressman Bennie G. Thompson⁸ rightly pointed out, corruption and kleptocracy in the implementation of large-scale infrastructure projects in Central Asia prevent Western companies from competing fairly with Chinese companies, which harms US strategic interests in the region.

1. BARLYK MENDYGAZYIEV: PHILANTHROPIST, HUMAN RIGHTS DEFENDER AND ECO-ACTIVIST

Barlyk Mendygazyiev is known in Kazakhstan as the founder of KSS⁹ (Karachaganak Support Service), which for over 25 years has been engaged in the processing of oil sludge and oily water, cleaning of oil reservoirs, and other activities in the field of oil pollution elimination. Mendygazyiev has repeatedly stated that KSS was the only company in Kazakhstan that used the most advanced technologies to process oil waste without harming the environment. KSS worked in the Tengiz oil and gas field and was one of the

¹ https://www.europarl.europa.eu/doceo/document/TA-9-2021-0056_EN.html

² https://www.europarl.europa.eu/doceo/document/TA-9-2022-0012_EN.html

³ <https://pace.coe.int/en/files/30207/html>

⁴ <https://pace.coe.int/en/files/33144/html>

⁵ <https://www.state.gov/reports/2021-country-reports-on-human-rights-practices/kazakhstan/>

⁶ <https://www.state.gov/reports/2022-country-reports-on-human-rights-practices/kazakhstan/>

⁷ <https://www.state.gov/reports/2023-country-reports-on-human-rights-practices/kazakhstan/>

⁸ <https://www.congress.gov/congressional-record/2021/5/7/extensions-of-remarks-section/article/e486-2?q=%7B%22search%22%3A%22Kazakhstan%22%7D&s=1&r=1>

⁹ <https://groupofkss.com/>

contractors of Tengizchevroil LLP. The largest shareholder of Tengizchevroil LLP is the US company Chevron Corporation, which holds a 50% stake.

In 2012, Barlyk Mendygazyiev's public activities in the field of environmental protection sparked resistance from the leadership of West Kazakhstan region and powerful oligarch Timur Kulibayev, son-in-law of dictator Nursultan Nazarbayev. Mendygazyiev was subjected to politically motivated persecution, and KSS and its subsidiaries came under pressure aimed at the taking over of Mendygazyiev's business.

In 2016, the company held an IPO, which resulted in 100 per cent of the company's shares being distributed among its 120 employees.^{10, 11} Mendygazyiev was forced to resort to such a move to prevent attempts by oligarchs close to Kazakhstan's top leadership to take over his business. Since then, Mendygazyiev has been an investor in KSS and a consultant to the company.¹² Mendygazyiev was forced to leave Kazakhstan. He currently resides in the United States, where he and his wife, a US citizen, run a business. He also founded a human rights foundation, the Freedom Kazakhstan Foundation, in the United States in 2020.

Barlyk Mendygazyiev's human rights activities have provoked another criminal prosecution of Mendygazyiev in Kazakhstan, as well as new takeover attacks on KSS. Since Barlyk Mendygazyiev does not reside in Kazakhstan, the authorities fabricated criminal cases against his relatives and business colleagues. At the moment, his brother Bekizhan Mendygazyiev, as well as colleagues Natalia Dauletiarova, Baurzhan Jusupov and Rinat Batkayev, are in detention and are in fact hostages of the Kazakhstani regime, which is attempting, by these means, to influence Barlyk Mendygazyiev.

According to KSS, in early 2023, with the participation of the global energy corporation Chevron Corporation, which owns 50 per cent of the shares of Tengizchevroil, the largest oil producing company in Kazakhstan, the property and equipment of KSS was taken over. The takeover was carried out in the interests of West Dala company, which is owned by Tolegen Balgimbayev, the son of former Prime Minister of Kazakhstan Nurlan Balgimbayev.

KSS was a contractor of Tengizchevroil for several years, receiving positive feedback on co-operation from the latter. However, after Barlyk Mendygazyiev fell out of favour with the Kazakhstani authorities, the contract was terminated prematurely upon the initiative of Tengizchevroil.

By participating in the illegal takeover of KSS property, Tengizchevroil and its foreign shareholders acted in cahoots with the Kazakhstani authorities, who initiated a politically motivated reprisal against Barlyk Mendygazyiev, his family, his close associates and his business.

2. ECOACTIVISM AND CONFLICT WITH OLIGARCH KULIBAYEV: THE FIRST TAKEOVER ATTACK IN 2013

In July 2012, Barlyk Mendygazyiev publicly opposed the construction of an oil waste yard in a specially protected natural area of West Kazakhstan region.¹³ At the public hearings, he stated that the construction was illegal and was being carried out under the patronage of the Akim (mayor) of the region, Nurlan Nogayev. Mendygazyiev also mentioned corruption during the implementation of the project.¹⁴

¹⁰ <https://rus.azattyq.org/a/menydgyaziev-peredacha-biznesa-kollektivu/27580495.html>

¹¹ The market value was about \$40 million.

¹² https://www.youtube.com/watch?v=XyKE78Dfao&ab_channel=TEDxTalks

¹³ <https://www.uralskweek.kz/2012/09/07/v-zko-na-obshhestvennyx-slushaniyax-selchane-zelenovskogo-rajona-vystupili-protiv-sliva-texnicheskoj-vody-v-reku/>

¹⁴ https://total.kz/ru/news/obshchestvo_sobitiya/predprinimatel_meshavshiy_stroit_neftemogilnik_na_territorii_zapovednika_peredayut_pred_priyatie_rabochemu_kollektivu

Philanthropist and eco-activist Mendygazyev believes that, by doing so, he put himself on the wrong side of companies under the control of powerful Kazakhstani oligarch Timur Kulibayev, namely ZhaikMunai and OralOilGas. Until December 2023, Kulibayev was Chairman of Kazenergy, an association of oil, gas and energy organisations. In 2011, he headed the state fund Samruk-Kazyna, which includes national companies with a total budget of about USD 80b.¹⁵

Oligarch Kulibayev is one of the most influential figures in Kazakhstan's oil and gas industry — a key industry to the country's economy. A *Financial Times* investigation published in December 2020 revealed that Kulibayev used his influence to make super-profits in the construction of a gas pipeline from Central Asia to China.¹⁶ Kulibayev acted as a supervisor for a number of state-owned companies that were involved in the construction of the pipeline.

The results of the *FT* investigation were noted by the US Congress.¹⁷ On 7 May 2021 Congressman Bennie G Thompson cited the Kulibayev case as an example of corruption and kleptocracy in the implementation of large-scale infrastructure projects in Central Asia. According to the congressman, due to corruption in Kazakhstan, Western companies cannot compete fairly with Chinese companies, which harms US strategic interests in the region. Bennie G Thompson called for adoption of the *Countering Russian and Other Overseas Kleptocracy (CROOK) Act*, which aims to help civil society activists in authoritarian states.

According to Mendygazyev, in 2012–13 Akim Nurlan Nogayev helped implement the interests of oligarch Kulibayev in the oil and gas sector of the West Kazakhstan region. Mendygazyev prevented Akim Nurlan Nogayev, acting in the interests of oligarch Kulibayev, from executing his criminal plans by raising the issue of large-scale environmental pollution and corruption in the regional authorities. Mendygazyev was then subjected to prosecution, which he points out was backed by Kulibayev and Nogayev.¹⁸

The Kazakhstani law enforcement agencies fabricated charges against Mendygazyev for alleged "non-payment of taxes". The anti-corruption agency, tax inspection, prosecutor's office, department of sanitation and fire department came to KSS with inspections. As a result of political persecution, Mendygazyev was arbitrarily arrested and kept in detention from 22 July 2013 to 17 September 2013.¹⁹ The case received publicity²⁰, which caused Mendygazyev's release from custody, but a Kazakhstani court imposed a fine and a one-year ban on entrepreneurial activity.

In 2014, there was another episode of pressure on Barlyk Mendygazyev's business. According to Mendygazyev, the head of the board of the National Chamber of Entrepreneurs of Kazakhstan "Atameken" Ablay Myrzakhmetov demanded that Barlyk stop engaging in eco-activism, sell all his business to him and leave Kazakhstan. Mendygazyev refused. After that, KSS building LLP, a company belonging to the KSS group, came under attack. In 2015, KSS building LLP's main client came under pressure from the government of Kazakhstan to cease its co-operation with KSS building LLP. As a result, KSS building LLP was forced into bankruptcy. At the time, the Chairman of the Atameken was Timur Kulibayev.²¹ Thus, Mendygazyev emphasises, oligarch Kulibayev destroyed part of his business.²²

¹⁵ <https://www.sk.kz/>

¹⁶ <https://www.ft.com/content/80f25f82-5f21-4a56-b2bb-7a48e61dd9c6>

¹⁷ <https://www.congress.gov/congressional-record/2021/5/7/extensions-of-remarks-section/article/e486-2?q=%7B%22search%22%3A%22Kazakhstan%22%7D&s=1&r=1>

¹⁸ <https://informburo.kz/novosti/delo-barlyka-mendygazieva-gde-biznes-a-gde-kriminal-996.html>

¹⁹ <https://www.youtube.com/watch?v=XyKE78Dfeao>

²⁰ <https://www.uralskweek.kz/2013/07/12/pochti-500-chelovek-v-zko-mogut-ostatsya-bez-raboty-iz-za-vystupleniya-ix-rabotodatelnya-protiv-stroitelstva-neftemogilnika/>

²¹ <https://atameken.kz/ru/pages/6-prezidium>

²² <https://www.facebook.com/groups/ActivistsNotExtremists/permalink/2938980286421235/>

3. MENDYGIZIYEV'S HUMAN RIGHTS AND OPPOSITION ACTIVITIES

In March 2020, Barlyk Mendygazyev founded Freedom Kazakhstan Foundation, which was officially registered in the USA on 1 September 2020.²³ The purpose of the organisation is to provide financial and legal assistance to victims of political repression in Kazakhstan and to promote the inclusion of high-level Kazakhstani officials and members of Nursultan Nazarbayev's family on the list of sanctions under the *Magnitsky Act*. Freedom Kazakhstan Foundation, with funds donated by Mendygazyev, provided financial assistance to help pay attorneys' fees for politically persecuted individuals. It has also paid fines imposed on participants of peaceful assemblies and provided financial support to the families of political prisoners.²⁴

In addition, Barlyk Mendygazyev has been involved in raising awareness about human rights violations, large-scale corruption schemes and corporate raids in Kazakhstan during meetings and events with members of the EU states, members of the European Parliament, US congressmen and senators, and representatives of international human rights organisations.^{25, 26, 27, 28}

Mendygazyev has publicly expressed his support for the peaceful opposition movements Democratic Choice of Kazakhstan (DCK) and Koshe Partiyasy ("Street Party"). The Kazakhstani authorities labelled these movements "extremist", accusing them of "inciting social discord", "forming a negative image of the authorities" and "provoking protest sentiments". The Kazakhstani court passed the verdicts secretly, without the right of defence or appeal. Over 10,000 supporters of DCK and Koshe Partiyasy across Kazakhstan have been persecuted since 2017. In its resolutions, the European Parliament has repeatedly recognised the peaceful nature of the activities of DCK and Koshe Partiyasy and condemned the political persecution of activists of these movements.^{29, 30, 31} The US State Department's 2023 country reports on the human rights practices in Kazakhstan³² notes that among the political prisoners in Kazakhstan there are members of the DCK and Koshe Partiyasy. The same report indicates that Kazakhstan has resorted to selective justice against Bekizhan Mendygazyev and other relatives and colleagues of Barlyk Mendygazyev in order to pressure him in this way.

4. CRIMINAL CASE AGAINST BARLYK MENDYGIZIYEV AND KSS EMPLOYEES

Barlyk Mendygazyev's human rights, charity and opposition activities caused another politically motivated persecution, as well as a corporate raid on KSS.

On 6 November 2020, armed persons in masks and not displaying signs of identification broke into the territory of KSS in Aksay. They are presumed to have been officers of the Ministry of Internal Affairs and

²³ <https://freedomkazakhstan.com/>

²⁴ <https://www.facebook.com/barlyk.mendygazyev/posts/1317944278590688>

²⁵ <https://www.youtube.com/watch?v=sd5UXv60I6U>

²⁶ <https://www.facebook.com/groups/ActivistsNotExtremists/permalink/2966201070365823/>

²⁷ <https://www.facebook.com/groups/ActivistsNotExtremists/permalink/2865747420411189/>

²⁸ <https://www.facebook.com/groups/ActivistsNotExtremists/permalink/2856362368016361/>

²⁹ https://www.europarl.europa.eu/doceo/document/TA-9-2021-0056_EN.html

³⁰ https://www.europarl.europa.eu/doceo/document/TA-8-2019-0203_EN.html

³¹ https://www.europarl.europa.eu/doceo/document/TA-9-2022-0012_EN.html

³² <https://preview.state.gov/reports/2023-country-reports-on-human-rights-practices/kazakhstan/>

National Security Committee (KNB). In the absence of attorneys, searches were conducted and computers, company seals, documentation, as well as money of KSS and its employees, were seized.³³

After that, it became known that the Economical Investigate Department (DER) of the Financial Monitoring Agency of the Republic of Kazakhstan started an investigation on suspicion of "tax evasion" (Article 245 Part 3 of the *Criminal Code*) and "management of an organised criminal group" (Article 262 Part 1 of the *Criminal Code*). According to the KNB and DER, Barlyk Mendygazyev "organised a criminal group", "which included" his relatives and employees of KSS.

The persecution was initiated by the head of Kazakhstan's National Security Committee (KNB), Karim Massimov, who threatened Mendygazyev.³⁴ Through an intermediary — businessman Bergey Ryskaliyev — Massimov demanded that Mendygazyev renounce his public and charity activities and publicly "repent". Otherwise, as Ryskaliyev reported, KSS would be destroyed, the company's employees and Barlyk's relatives would be imprisoned, and he would be extradited from the United States.³⁵ Mendygazyev firmly refused to comply with Massimov's conditions.³⁶

On 26 October 2020, a Kazakhstani court arrested Barlyk Mendygazyev *in absentia*, and on 7 November 2020, the Kazakhstani authorities put him on an international wanted list. In December 2020, Interpol removed the Red Notice against Barlyk Mendygazyev and removed him from the wanted list. This was followed by a court decision *in absentia* in Kazakhstan to revoke Mendygazyev's Kazakh citizenship. According to Mendygazyev, based on this decision, a takeover of the agricultural lands of KSS Farming was conducted in favour of Timur Kulibayev's companies ZhaikMunai and OralOilGas.

Notably, the KNB and DER linked the current case against Barlyk Mendygazyev to a previous prosecution he faced back in 2013. The indictments noted that after his conviction in 2013, Barlyk Mendygazyev "did not draw the proper conclusions for himself" and "consciously decided to continue engaging in criminal activity". It should be noted that the sentence received by Barlyk Mendygazyev in 2013 was cancelled three years later. However, eight years later, the Kazakhstani authorities decided to use this conviction as an aggravating circumstance in a new political prosecution.

From November 2020 to May 2021, investigators and KNB representatives, without identifying themselves, interrogated KSS employees without the presence of defence attorneys and referred to them as "members of a criminal group". The interrogations were conducted even at night. KSS employees were forced to give false testimony against themselves and Barlyk Mendygazyev, and were intimidated that their families would face criminal prosecution or physical danger if they refused.³⁷ Criminal cases were initiated against Barlyk Mendygazyev's colleagues — **Natalia Dauletiarova, Baurzhan Jusupov and Rinat Batkayev.**

The authorities completely paralysed the activities of KSS. KSS bank accounts were frozen: the company could not pay contractors, remit taxes or pay salaries.

On 17 May 2021, Atyrau City Court No. 2 sentenced Natalia Dauletiarova and Baurzhan Jusupov to five years of restriction of liberty, and Rinat Batkayev, Dauletiarova's assistant, to three and a half years of restriction of liberty. They were found guilty of "tax evasion" (Article 245 of the *Criminal Code*) and/or "issuing false invoices" (Article 216 of the *Criminal Code*). They were also charged with "organisation and participation in an organised criminal group" (Article 262 of the *Criminal Code*), but the court acquitted

³³

https://www.youtube.com/watch?v=wzz9H6Vee1M&ab_channel=%D0%90%D1%81%D0%BA%D0%B0%D1%80%D0%A8%D0%B0%D0%B9%D0%B3%D1%83%D0%BC%D0%B0%D1%80%D0%BE%D0%B2

³⁴ <https://www.youtube.com/live/gVMH1O50Msc>

³⁵ https://www.facebook.com/permalink.php?story_fbid=91957492223678&id=100025135371568

³⁶ <https://www.facebook.com/lyudmyla.kozlovska/videos/10219790941106435/>

³⁷ https://www.youtube.com/watch?v=It7hRLpXP0A&ab_channel=KSSKSS

them of these charges. However, on 26 July 2021, the Atyrau Court of Appeal overturned the decision of the court of first instance and found Dauletiarova, Jusupov and Batkayev guilty also of "organisation and participation in an organised criminal group" and replaced the restriction of liberty with real prison sentences. Jusupov was sentenced to five and a half years' imprisonment, Dauletiarova to seven years' imprisonment and Batkayev to five years' imprisonment.³⁸

A politically motivated criminal case was also fabricated against Barlyk Mendygazyev's older brother, **Bekizhan Mendygazyev**. Bekizhan provided supply services for KSS, including food deliveries. He also made money transfers at Barlyk's request to pay politically motivated fines issued for participation in peaceful assemblies and to support the families of political prisoners. During Bekizhan's interrogations, secret services, police and prosecutors asked about these money transfers.

In November 2020, during a search in the temporary accommodation room at KSS, police allegedly "found" a bag of marijuana in one of the work jackets. Investigators stated that this jacket "belonged to Bekizhan Mendygazyev".³⁹ During the search, no one was present in the room except police and KNB officers. A team of six investigators from Atyrau, Uralsk and Nur-Sultan was set up to prosecute Bekizhan Mendygazyev in the case of the allegedly found bag of marijuana. The number of investigators involved was grossly disproportionate for this type of case and confirms the political motivation of the prosecution.

In June 2021, Bekizhan Mendygazyev faced new political charges of "participation in an organised criminal group" (Article 262 Part 2 of the *Criminal Code*), "tax evasion" (Article 245 Part 3 of the *Criminal Code*), "money laundering" (Article 218 Part 3 of the *Criminal Code*) and "invoicing without actually performing work" (Article 216 of the *Criminal Code*). It is noteworthy that Bekizhan Mendygazyev did not have any labour relations with KSS, nor did he have any tax reporting authority.

On 3 June 2021, Bekizhan Mendygazyev was arbitrarily detained. On 5 June 2021, he was placed by a court ruling in the pre-trial detention facility, where he was kept under arrest for more than one and a half years. The court ignored the fact that Bekizhan has chronic hepatitis C, kidney failure, chronic colitis and an intervertebral hernia. Since November 2020, Bekizhan has been hospitalised twice as his health deteriorated due to numerous interrogations and pressure from the KNB and the DER.

The trial of Bekizhan Mendygazyev was conducted with an accusatory bias, without ensuring the right to a fair and independent trial. As a result, Bekizhan Mendygazyev was found guilty of all politically motivated charges. The case with a bag of marijuana planted by police officers was dropped. On 19 December 2022, Bekizhan Mendygazyev was sentenced to five years and one month in prison.

On 7 February 2023, the appellate court of the Atyrau Regional Court, in violation of the right to a fair and independent trial, upheld the sentences of Bekizhan Mendygazyev and Baurzhan Jusupov.⁴⁰ The case of Bekizhan Mendygazyev is highlighted in the US State Department's 2023 country reports on the human rights practices in Kazakhstan⁴¹ as an example of transnational repression by the Kazakhstani authorities. The report indicates that Kazakhstan has resorted to selective justice against Bekizhan Mendygazyev and other relatives and colleagues of Barlyk Mendygazyev in order to influence the latter in this way.

According to Kazakhstani law, the convicts were eligible for parole from 2023, but their applications were rejected. This was another confirmation that the Kazakhstani regime is in fact using them as hostages to have leverage over Barlyk Mendygazyev.⁴² In June 2024, Salavat Tashtemirov, a director and one of the owners of KSS, reported that the company's employees were again being interrogated by the KNB and

³⁸ <https://www.facebook.com/groups/ActivistsNotExtremists/posts/3047690492216880/>

³⁹ <https://www.uralskweek.kz/2020/11/09/rabotniki-kompanii-barlyka-mendygazeva-vozmushheny-obyskom-v-ofise-kompanii-foto/>

⁴⁰ <https://rus.azattyq.org/a/32260333.html>

⁴¹ <https://www.state.gov/reports/2023-country-reports-on-human-rights-practices/kazakhstan/>

⁴² https://www.youtube.com/live/H97NwtTrp_4

DER in order to exert pressure and obtain false testimony against Bekizhan Mendygazyev and Baurzhan Jusupov. The authorities probably intend to press new criminal charges against them. According to Tashtemirov, police officers threatened to deprive him of parental rights to his four adopted children if he did not co-operate with the KNB. Other KSS employees were also pressured.

The European Parliament, in its resolution dated 20 January 2022⁴³ on the situation in Kazakhstan, recognised **Bekizhan Mendygazyev, Natalia Dauletiarova, Baurzhan Jusupov** and **Rinat Batkayev** as political prisoners and called for their immediate release. Additionally, the case of Bekizhan Mendygazyev was mentioned in the written declarations of PACE deputies from 27 June 2022⁴⁴ (that calls for all political prisoners of Kazakhstan to be released) and from 17 October 2023⁴⁵ (that calls on the Parliamentary Assembly to pay attention to the cases of political repression in Kazakhstan).

Political persecution of other relatives of Barlyk Mendygazyev

Apart from Bekizhan Mendygazyev, other relatives of Barlyk Mendygazyev have faced political persecution and pressure.

- On 21 December 2020, police officers and armed officers of special police units searched the houses and flats of Barlyk Mendygazyev's brothers **Kalyk** and **Erik Mendygazyev**. The formal basis for the searches was a fabricated criminal case of alleged "theft of ten horses". At the same time, the police refused to inspect the premises where horses could be kept, but did search the rooms in the house, including wardrobes and under beds. Kalyk was additionally accused of "stealing 300 metres of electric cable".⁴⁶ Both fabricated cases were incredibly absurd: Kalyk Mendygazyev's property was searched while he was in hospital. Kalyk Mendygazyev's wife, children and grandchildren were pressured. Due to a serious illness, Kalyk was practically blind at the time, both of his legs were amputated, and he was wheelchair-bound. The police interrogated Kalyk directly in the hospital, which can be regarded as ill-treatment and torture.⁴⁷ Political persecution, pressure by the secret services, and endless interrogations in the hospital became decisive factors in the significant deterioration of Kalyk Mendygazyev's health and, in March 2023, led to his death.
- **Arman Mendygazyev** is the nephew of Barlyk Mendygazyev, who was in charge of material supply coordination for KSS shift workers. The DER stated that he was "involved in criminal acts" that had been "committed by Barlyk Mendygazyev and Bekizhan Mendygazyev". On 3 June 2021, Arman's house and car were searched without court authorisation, and his phone was seized.⁴⁸ A politically motivated investigation was launched against Arman on charges of "participation in an organised criminal group" (Article 262 of the *Criminal Code*), "tax evasion" (Article 245 of the *Criminal Code*) and "money laundering" (Part 3, Article 218 of the *Criminal Code*). However, the case was later closed.
- **Bulat Dushanov** is the nephew of Barlyk Mendygazyev's wife, who was in charge of logistics at KSS. On 24 June 2021, DER officers subjected Bulat Dushanov to interrogation, demanding he testify against Bekizhan Mendygazyev, saying that in 2019 Bulat allegedly transported illegal cash for Bekizhan.⁴⁹

⁴³ https://www.europarl.europa.eu/doceo/document/TA-9-2022-0012_EN.html

⁴⁴ <https://pace.coe.int/en/files/30207/html>

⁴⁵ <https://pace.coe.int/en/files/33144/html>

⁴⁶ <https://www.facebook.com/groups/ActivistsNotExtremists/permalink/2874950042824260/>

⁴⁷ <https://www.facebook.com/groups/ActivistsNotExtremists/permalink/3009958602656736/>

⁴⁸ <https://www.facebook.com/groups/ActivistsNotExtremists/permalink/3010248609294402/>

⁴⁹ <https://www.youtube.com/watch?v=YEYxmpRrXhI>

5. ILLEGAL TAKEOVER OF KSS PROPERTY WITH THE PARTICIPATION OF CHEVRON CORPORATION OIL COMPANY

Since January 2017, KSS has been a contractor of Tengizchevroil LLP ("Tengizchevroil"), handling automated cleaning of oil reservoirs and processing of oil sludge and oily water at the Tengiz field.⁵⁰ KSS invested financial and material resources in the construction of an industrial depot on the territory of the Tengiz field.

As stated by KSS [Attachment 1], in early April 2023, with the participation of the global energy corporation Chevron Corporation, which owns 50% of the shares of Tengizchevroil, the largest oil producing company in Kazakhstan, representatives of Tengizchevroil took over the property and equipment of KSS, which was located on the territory of the industrial depot of KSS. The takeover was carried out in the interests of West Dala and Expert Diagnostics. West Dala is owned by Tolegen Balgimbayev, son of former Prime Minister of Kazakhstan Nurlan Balgimbayev. Also by means of bribing KSS engineers, the business process for automated cleaning of oil tanks and processing of oil sludge and oily water developed by KSS Company was stolen. KSS management decided to dismiss these engineers, but immediately afterwards, Salavat Tashtemirov, the director of KSS, came under pressure from the police and the authorities of the Burlin District of West Kazakhstan region. Following the theft of KSS property and process technology, its leading specialists were employed by West Dala. This happened through the mediation of Tengizchevroil.

KSS states that Tengizchevroil has not yet fulfilled its contractual obligations to KSS. In order to drive KSS into bankruptcy and not fulfil its contractual obligations Tengizchevroil filed a civil lawsuit against KSS in December 2022 in the Atyrau Regional Court. As of April 2023, when the illegal takeover of KSS's industrial depot and property took place, the court had not yet passed a final judgement. It was not until August 2023 that a politically motivated judgement was handed down on the appropriation of KSS's industrial capacity. KSS reportedly repeatedly warned Tengizchevroil against taking over KSS's industrial facilities without a final court judgement. It is likely that Tengizchevroil was certain that the court decision would be favourable for them, which may indicate a criminal conspiracy with the Kazakhstani authorities. In fact, KSS was purposefully driven into bankruptcy to facilitate its illegal takeover in the interests of West Dala.

It is worth noting that before Barlyk Mendygazyev fell out of favour with the Kazakhstani authorities and the politically motivated prosecution was initiated against him, Tengizchevroil characterised KSS as "a reliable professional contractor in the field of automated cleaning of oil reservoirs and oil sludge processing" and had no complaints about KSS's performance [Attachments 2, 3].

After Tengizchevroil unilaterally terminated its contract with KSS, Tolegen Balgimbayev's company West Dala was awarded the tender to process oil sludge and oily water. According to KSS, West Dala specified in its bidding documents the list of technical staff and equipment that actually belonged to KSS. Tengizchevroil ignored these facts and awarded the contract to West Dala [Attachment 1]. According to West Dala, they have been co-operating with Tengizchevroil, providing waste management services since 2012.⁵¹

According to KSS, in the two and a half years after Tengizchevroil unilaterally breached the contract, West Dala did not actually process oil sludge and oily water, but simply buried these hazardous toxic oil sludges near the settlements of Kulsary and Dossor in the Atyrau region. At the same time, as KSS notes, West Dala provides processing services for oil sludge at prices inflated by at least 50 per cent compared to KSS. One example of an improper and dangerous approach to oil waste disposal was recorded in October 2023

⁵⁰ The Tengiz field has been developed since 1993 by the joint venture Tengizchevroil, whose shareholders are Chevron (50% of shares), ExxonMobil Kazakhstan Ventures Inc (25%), KazMunayGas (20%) and LUKArco (5%)

⁵¹ <https://www.westdala.kz/project/tengizshevroil-11/>

— journalists and Kazakhstani officials recorded on video⁵² that oil waste was simply poured onto the ground near the village of Kulsary in the Atyrau region.

In the context of the severe floods that occurred in Kazakhstan in the spring of 2024, this method of disposal of oil industry waste is particularly dangerous and threatens a large-scale environmental disaster.⁵³ The Mangistau region was one of the regions of Kazakhstan most affected by the 2024 floods.⁵⁴

The tragic incident that occurred in February 2023 at the Tengiz field is a vivid example of West Dala's violations of safety standards for oil waste management. At that time, a tanker of one of West Dala's vacuum truck exploded while transporting oil sludge. As a result, one worker died and another was seriously injured. West Dala confirmed that the incident occurred "at the waste management facility".⁵⁵

Unfortunately, the global energy company Chevron Corporation, which owns a 50% stake in Tengizchevroil, Kazakhstan's largest oil production company, and in fact has become involved in the transnational prosecution of Mendygazyev and his associates, has not commented on the illegal takeover of KSS property and equipment organised by Tengizchevroil. In addition, it is not publicly known whether Chevron Corporation has conducted an independent investigation into possible environmental violations by West Dala during the processing of oil sludge and oily water and the disposal of toxic oil industry waste near the Kulsary and Dossora communities in the Atyrau region.

Environmental emergencies and violations of environmental standards by Tengizchevroil's contractors are not uncommon in the Tengiz field, but have also gone uninvestigated:

- In 2022, 14 fatalities were reported at the Tengiz field. In 2023, at least two fatalities were reported.⁵⁶
- In March 2022, a fire occurred in the oil sludge processing plant of Nasar Solutions LLP, a contractor organisation of Tengizchevroil, in the Tengiz rotational village in the Atyrau region.⁵⁷ The Department of Ecology of the Atyrau region appointed an inspection for non-compliance with the requirements of environmental legislation.⁵⁸
- In August 2023, Tengizchevroil was fined a total of approximately KZT 2.8b (approximately USD 6.3m) for violating environmental regulations.⁵⁹

It is also worth mentioning that the development of the Tengiz oil and gas field, which is Kazakhstan's second-largest oil reserve, is linked to a major corruption scandal involving former Kazakh President Nursultan Nazarbayev and former Prime Minister Nurlan Balgimbayev. The scandal became internationally known as "Kazakhgate". In 2003, US law enforcement agencies accused American businessman James Giffen of paying bribes to Nursultan Nazarbayev and Nurlan Balgimbayev in the early 1990s to secure oil production contracts at the Tengiz field for the benefit of Chevron Corporation. One could argue that Kazakhgate gained momentum when Nurlan Balgimbayev's son's company obtained contracts from Tengizchevroil under dubious circumstances.

⁵² <https://www.facebook.com/100041405685685/posts/1327991865257657/?mibextid=WC7FNe&rdid=NgtZLQg1B0K7ep3R>

⁵³ <https://www.facebook.com/100041405685685/posts/1327991865257657/?mibextid=WC7FNe&rdid=NgtZLQg1B0K7ep3R>

⁵⁴ <https://www.dw.com/ru/navodnenie-v-kazahstane-gde-obavlen-rezim-cs-i-cego-ozidat/a-68770155>

⁵⁵ <https://rus.azattyq.org/a/32262382.html>

⁵⁶ <https://rus.azattyq.org/a/32262382.html>

⁵⁷ <https://ulysmidia.kz/news/5755-v-atyrau-na-baze-utilizatsii-opasnykh-otkhodov-proizoshel-pozhar/>

⁵⁸ <https://hangs.org/news/upstream/pozhar-na-tengize-ekologi-provedut-vneplanovuyu-proverku>

⁵⁹ <https://kapital.kz/gosudarstvo/118251/na-2-8-mlrd-tenge-oshtrafovali-tengizshevroyl-za-ekologicheskiye-narusheniya.html>

CONCLUSIONS

The case of Barlyk Mendygazyev and the company he founded, KSS, is a warning to international investors that Kazakhstan is not a safe country in which to conduct business. Any business can be ruined if its representative falls out of favour with the authorities or takes the path of fighting the authoritarian regime.

The Kazakhstani regime is trying to block Barlyk Mendygazyev's human rights and opposition activities, to force him to stop supporting Kazakhstan's civil society and to engage internationally in the defence of human rights in Kazakhstan.

The authoritarian Tokayev-Nazarbayev regime is persecuting Mendygazyev and destroying his business, involving the global energy company Chevron Corporation. In doing so, the regime is sending a warning to other entrepreneurs who dare to support civil society in Kazakhstan that it has sufficient tools to carry out repression on a transnational level.

The US Department of State's 2023 report on the investment climate in Kazakhstan notes that, despite institutional and legal reforms, corruption, excessive bureaucracy and arbitrary law enforcement remain a significant problem in Kazakhstan. The report also notes that it is difficult for investors to defend their interests in Kazakhstan's courts, and that there are still instances of owners of thriving and developed businesses being forced to sell their businesses to companies affiliated with high-ranking and influential individuals. There is a continuing trend for the Kazakhstani authorities to strengthen their regulatory role in relations with investors.⁶⁰

Kazakhstan's oil and gas industry, which is localised mainly in the Caspian Sea region, involves multiple environmental risks and is causing significant environmental damage to the entire Caspian Sea region.⁶¹ To neutralise this negative impact, it is necessary to invest in high-tech companies that process oil and gas industry waste. However, the Kazakhstani authorities give profitable business to those close to the regime and push out of the market independent and technological companies that create competition for them. As a result of such actions, environmental and social problems are accumulating in the region, with tragic consequences in the future.

The transnational repression against Mendygazyev demonstrates the extremely dangerous influence and ability of Kazakhstan's dictatorial regime, both for the United States and Western countries in general, to engage and use global companies such as Chevron Corporation for political persecution. Thus, global corporations, in exchange for access to the development and extraction of resources in Kazakhstan, actually become hostages and accomplices to the criminal actions and corruption of the Kazakhstani regime, and also share with it the responsibility for the environmental damage and related social problems.

⁶⁰ <https://www.state.gov/reports/2023-investment-climate-statements/kazakhstan/>

⁶¹ https://www.youtube.com/watch?v=prGq3nbvChI&ab_channel=%D0%93%D0%98%D0%9F%D0%95%D0%A0%D0%91%D0%9E%D0%A0%D0%95%D0%99

Attachment 1. Notification letter from KSS to Tengizchevroil LLP on the situation with the illegal takeover of KSS property



Кому:	Лайон Кевину Генеральному Директору ТОО «Тенгизшевройл»	To:	Kevin Lyon General Director «Tengizchevroil» LLP
Копия:	Джексону Дэниель, Бэйкеру Генеральному Менеджеру Производства ТОО «Тенгизшевройл»	Copy:	Baker Jackson Daniel General Manager - Operations «Tengizchevroil» LLP
Копия:	Грегори Скотту, Гэйбл/ Стивен Томасу, Ковачевич Менеджеру Производства ТОО «Тенгизшевройл»	Copy:	Gabel Gregory Scott / Kovacevich Steven Thomas - Production Operations Manager «Tengizchevroil» LLP
От:	ТОО «Karachaganak support services»	From:	«Karachaganak support services» LLP
№:	28	Ref.No:	28
Дата:	22.07.2022 г.	Date:	22.07.2022
Предмет:	Уведомительное письмо	Subject:	Notification letter

Нам стало известно о том, что в начале апреля 2023 года, после многочисленных угроз и попыток рейдерского захвата имущества KSS со стороны представителей компании TCO;

- Yermekbayev Serik / Ермекбаев Серик Амангельдиевич, Badge number 10015625, Field Export Superintendent / Суперинтендант экспортных операций;
- Tlegenov Kenzhetay / Тлегенов Кенжетай Токсанович, Badge number 10016158, Field Export Superintendent / Суперинтендант экспортных операций;
- Kzylbayev Rafael / Кзылбаев Рафаэль Каиржанович, Badge number 10036681, Tank Program and Projects Supervisor;
- Filyushkin Maksim / Филюшкин Максим Николаевич, Badge number 10546779, Tank Program and Projects Supervisor;
- Uteshov Bakhtiyar / Утешов Бахтияр Талгатович, Badge number 10646420, Maintenance Execution Coordinator / Координатор технического обслуживания;
- Ereshev Murat / Ерешов Мурат Сабитович, Badge number 10008276, Maintenance Execution Coordinator / Координатор технического обслуживания;
- Bakytzhan Kusainov, TCO lawyer;
- Dauren Bazarkulov, TCO lawyer, Badge number – 1335366,

We became aware of that at the beginning of April in 2023 after many threats and attempts of an illegal takeover of the KSS property by TCO representatives::

- Serik Yermekbayev, Field Export Superintendent, Badge number 10015625;
- Kenzhetay Tlegenov, Field Export Superintendent, Badge number 10016158;
- Rafael Kzylbayev, Tank Program and Projects, Supervisor, Badge number 10036681;
- Maksim Filyushkin, Tank Program and Projects Superviso, Badge number 10546779;
- Bakhtiyar Uteshov, Maintenance Execution Coordinator, Badge number 10646420;
- Murat Ereshev, Maintenance Execution Coordinator, Badge number 10008276;
- Bakytzhan Kusainov, TCO lawyer;
- Dauren Bazarkulov, TCO lawyer, Badge number – 1335366,

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действовавших в интересах компании "West Dala" и "Expert Diagnostics", все же осуществили незаконный взлом, захват имущества и оборудования принадлежащего компании KSS на территорию промышленной базы KSS, в районе Старого Аэропорта.

Несмотря на наши неоднократные письменные уведомления и предостережения Вас, как первых руководителей компании TCO о не допущении подобного рода коррупционного сговора, рейдерского захвата имущества, промышленного и экономического шпионажа в отношении нашей компании KSS и его руководства в интересах швейцарской компании "Expert Diagnostics" и компании "West Dala" принадлежащего Толегену Балгимбаеву, который в свою очередь является сыном бывшего Премьер Министра Казахстана Нурлана Балгимбаева.

Тем не менее, компания TCO не только проигнорировала, но по сути и по факту санкционировала все вышеперечисленные противоправные действия против компании и руководителей KSS и в нарушение как казахстанских законов, так и законов США.

Компания KSS будучи подрядчиком TCO на протяжении пяти лет безукоризненно, профессионально и безопасно делала свою работу по автоматизированной очистке нефтяных резервуаров и по переработке нефтешлама и нефтесодержащей воды, инвестировала огромные финансовые, материальные и трудовые ресурсы в строительство промышленной базы на территории Старого аэропорта и поэтому захват территории и находящегося там оборудования и имущества KSS без окончательного решения суда, является ничто иное как рейдерский захват в интересах компании West Dala и в пользу компании TCO.

Напоминаем Вам, что действие контракта между KSS и TCO еще не прекращены, так как TCO не исполнила свои контрактные обязательства перед KSS.

Именно с целью не исполнения своих контрактных обязательств перед KSS и с целью доведения до банкротства компании KSS, Вами был подан гражданский иск против KSS и который все еще находится на стадии рассмотрения в суде Атырауской области.

acting in favor of "West Dala" and "Expert Diagnostics" Companies, broke and entered, captured the property and equipment owned by KSS Company from KSS industrial depot in the area of an Old Airport.

Despite the fact that we have notified and warned you many times as TCO top executive officers about a zero tolerance to this kind of collusive corruption, illegal takeover of property, industrial and economic espionage with respect to KSS Company and its management in favor of Swiss "Expert Diagnostics" Company and "West Dala" owned by Tolegen Balgimbayev who in his turn is a son of Nurlan Balgimbayev, ex-Prime Minister of Kazakhstan.

Nonetheless, TCO Company both ignored and per se and in fact authorized all the above wrongful conduct against KSS Company and management in breach of both Kazakhstan and USA laws.

KSS Company being a contractor of TCO for five years irrefragably, professionally and safely did its work in automated cleaning of oil tanks and processing of oil sludge and oily water, invested enormous financial, material and human resources in the construction of the industrial depot in the Old Airport and therefore, acquisition of the territory and equipment which is there and KSS property without a final judgement is nothing else but an illegal takeover in favor of "West Dala" Company and in favor of TCO Company.

Please, be reminded that the contract between KSS and TCO is still valid as TCO has not fulfilled its contract obligations towards KSS.

Just for the purpose of not fulfilling its contractual obligations towards KSS and pushing KSS Company to bankruptcy, you have initiated a civil claim against "KSS" and which is still at the stage of consideration in the Court of Atyrau region.

Таким образом, Вы продемонстрировали свою уверенность в том, что решение Атырауского суда будет принята именно в пользу компании TCO, что ещё раз доказывает участие компании TCO в коррупционном сговоре с правительством Казахстана против компании KSS, его руководства и членов моей семьи из-за моей правозащитной деятельности и защите экологии в Казахстане.

Мы неоднократно предостерегали Вас от любых попыток участия компании TCO и вас как первых руководителей и как Граждан США о недопущении подобных попыток промышленного и экономического шпионажа в интересах как компании TCO, так и в интересах компании Толегена Балгимбаева "West Dala".

Тем не менее, Вы помогли компании West Dala осуществить рейдерский захват индустриальной базы KSS, оборудования и имущество KSS, похитить разработанный компанией KSS технологический процесс по автоматизированной очистке нефтяных резервуаров и по переработке нефтешлама и нефтесодержащей воды с подробными техническими спецификациями заводов, путем подкупа и трудоустройства в компанию Толегена Балгимбаева ведущих супервайзеров KSS Рината Зайниева, Нурлана Шувалиева, Абая Манкеева, Армана Ибраева и других ведущих специалистов нашей компании.

(См. приложение 1, список персонала West Dala на тендере TCO и персональные бейджи West Dala/TCO)

Компания Толегена Балгимбаева "West Dala" получила контракт на переработку нефтешлама и нефтесодержащей воды с сильно завышенными ценами по сравнению с KSS, сразу же после того, как TCO прервала контракт с KSS по надуманным на то основаниям. В результате этого фиктивного тендера TCO, компания West Dala в своих тендерных документах указала список оборудования и технического персонала принадлежащего компании KSS, тем не менее TCO зная об этом производственном шпионаже, присудила контракт West Dala.

(См. приложение 2 Скриншоты тендерного предложения West Dala со списком персонала и оборудования KSS)

In doing so, you have demonstrated your confidence in that the judgment of Atyrau Court will be made in favor of TCO Company that proves one more time a direct participation of TCO Company in a collusive corruption with Kazakhstan Government against KSS Company, its management and the members of my family because of my Human Rights activity and protection of the ecology in Kazakhstan.

We have warned you many times against any attempts of TCO Company participation and you as the top executive officers and as the citizens of USA about a refusal to admit in such attempts of industrial and economic espionage in favor both TCO Company and in favor of "West Dala" Company of Tolegen Balgimbayev.

Nonetheless, you did help "West Dala" Company to carry out the illegal takeover of KSS industrial depot, equipment and KSS property, to steal the business process for automated cleaning of oil tanks and processing of oil sludge and oily water developed by KSS Company with detailed technical specifications of the plants by means of bribery and employment of Tolegen Balgimbayev, KSS lead supervisors: Rinat Zainiyev, Nurlan Shuvaliyev, Abai Mankeyeva, Arman Ibrayeva and other lead specialists of our Company.

(See. Attachment 1, a list of "West Dala" personnel in TCO bid (tender) and West Dala /TCO personal badges)

"West Dala" Company of Tolegen Balgimbayev obtained a contract for processing of oil sludge and oil water with high prices compared to KSS, right after TCO had terminated the contract with KSS for weak reasons. As a result of this fictitious tender of TCO, "West Dala" Company specified in its bidding documents, the list of technical staff and equipment owned by KSS Company, nonetheless, TCO knowing about this industrial espionage, awarded the tender with "West Dala".

(See. Attachment 2 Screenshots of "West Dala" bid proposal with a list of KSS personnel and equipment).

На протяжении двух с половиной лет после одностороннего разрыва контракта с KSS, компания "West Dala" не осуществляла переработку нефтешлама и нефтесодержащей воды, а попросту захоранивала опасные токсичные нефтешламы вблизи населенных пунктов Кульсары и Доссора в Атырауской области из Резервуарного Парка Сырой Нефти, Тенгизского месторождения, в результате которого даже погиб один водитель компании West Dala перевозящий нефтешлам, а второй водитель с серьезными увечьями попал в больницу. Об этом факте TCO намеренно умалчивает в пользу West Dala.

Одним из основным требований на прошлом тендере TCO в 2017 году по переработке нефтешлама и нефтесодержащей воды, на котором участвовала компания KSS и по результатам которого мы стали победителем, было то что подрядчик должен был максимально переработать нефтешлам и нефтесодержащую воду и вернуть очищенную нефть и воду обратно в производственный процесс TCO.

В течении пяти не полных лет компания KSS в рамках обязательств перед TCO выполняла свою работу безукоризненно в сфере безопасности, предотвращая загрязнение окружающей среды и экологии Атырауской области и при этом мы еще приносили многомиллионный доход в компанию TCO, когда из 100% переработанных нефтешлама и нефтесодержащей воды KSS возвращала более 60% чистой товарной нефти и более 21% готовой щелочной воды обратно в процесс производства TCO.

(См. приложение 3 Отчет KSS по возврату готовой продукции в TCO в течении 5 лет)

Получается, что Компания TCO намеренно участвовала не только в коррупционном сговоре в пользу компании Толегена Балгимбаева West Dala, но и намеренно участвовала в загрязнении окружающей среды и экологии нанося урон флоре и фауне, животному миру и здоровью местным жителям Жылыойского района, Атырауской области.

Сегодня у нас есть полное основание полагать, что компания TCO изначально была непосредственным участником вместе со

During two and a half years after the unilateral breach of contract with KSS, "West Dala" Company did not process oil sludge and oily water, but simply buried hazardous toxic oil sludges close by populated places Kulsary and Dossor in Atyrau region from the Crude Tank Farm, Tengiz Field, resulted even in the fatality of one driver of "West Dala" Company transporting oil sludge, and the second driver with serious injuries was hospitalized. TCO is concealing this fact intentionally in favor of "West Dala".

One of the main requirements, in 2017, in TCO last tender for processing of oil sludge and oily water KSS Company participated in and upon the results of which we become a winner, was that a contractor was supposed to process oil sludge and oily water as much as practical and return the cleaned oil and water back into TCO process.

For five full years, KSS Company within the obligations to TCO did its work immaculately in the sphere of safety, preventing pollution of the Environment and the ecology of Atyrau region and furthermore, we brought a multimillion return to TCO Company when 60 % of clean commercial oil and over 20 % of ready alkali water back into TCO process.

(See. Attachment 3, KSS report for return of crude (finished products) to TCO for 5 years).

It turns out that TCO Company intentionally both participated in a collusive corruption in favor of "West Dala" Company of Tolegen Balgimbayev and intentionally participated in the pollution of the Environment and the Ecology damaging flora and fauna, animal life and health of locals of Zhylyoi district of Atyrau region.

Today we have a reason to suppose that TCO Company initially was a direct participant together with security services of Kazakhstan in

спецслужбами Казахстана в специально спланированной операции против компании KSS на территории индустриальной базы KSS, Тенгизского месторождения, еще в Марте 2020 года когда были организованы ночные допросы и обыски с целью запугивания акционеров и работников KSS, с целью оказания давления на руководителей компании KSS и далее чтобы осуществить подкуп ведущих специалистов KSS в пользу компании West Dala.

an on purpose planned operation against KSS Company on the territory of KSS industrial depot, Tengiz Field, a way back in March of 2020 when the night interrogations and searches (visits) were organized to intimidate the stakeholders and KSS employees, to put pressure on KSS Company management and further to make a corrupt payment of KSS lead specialists in favor of "West Dala" Company.

По сути компания TCO была звеном одной цепи в подавлении Прав и Свобод Человека в Казахстане в интересах казахского авторитарного режима Назарбаева и Токаева, когда они захватывали членов моей семьи в качестве политических заложников.

In fact, TCO Company was a link in a chain in suppression of the Human Rights and Freedoms in Kazakhstan in favor of Kazakh autocratic regime of Hazarbayerev and Tokayev when they captured the members of my family as political hostages.

(См. приложение 4 Резолюции Европарламента и Госдепа США)

(See. Attachment 4, Resolution of the European Parliament and United States Department of State)

В 1993 году компания TCO начал строить свой "бизнес" в Казахстане с коррупционного скандала с участием бывшего Президента Казахстана Нурсултана Назарбаева и с бывшего Премьер Министра Казахстана Нурлана Балгимбаева, которая стала достоянием Казахстанского общества благодаря уголовному расследованию в США под названием "Kazakhgate"

In 1993, TCO Company started building its "business" in Kazakhstan with a corruption scandal involving with the then-President of Kazakhstan Nursultan Nazarbayev and ex-Prime Minister of Kazakhstan, Nurlan Balgimbayev that became available to Kazakhstan public owning to the criminal investigation in USA named "KazakhGate".

Это письмо носит уведомительный характер, потому что мы понимаем и осознаем что компания TCO в течении 30 лет демонстрирует свою твердую приверженность "корпоративной политике" по обходу законов и санкций США, нанося своим действиями и бездействиями колоссальный ущерб не только экономике Казахстана, но и экономике США.

This letter is of notification nature because we understand and recognize that TCO Company demonstrate its strong commitment to "Corporate Policy" for 30 years in evasion of laws and sanctions of USA inflicting with their action and failure to act a colossal damage on both Kazakhstan and USA economy.

Основатель и бизнес-менеджер компании TOO «Karachaganak support services» Барлык Мендыгазиев

Barlyk Mendygazyev, Founder and Business Manager "Karachaganak support services" LLP



Attachment 2. Evaluation of KSS as a reliable and professional contractor by Tengizchevroil LLP

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On the 10th of January 2017 "TENGIZCHEVROIL" Company and "KARACHAGANAK SUPPORT SERVICES" LLP have signed a Contract #1520139 for services that include automated cleaning of crude tanks off oil sludge with further treatment.

Over 3 months KSS have accomplished automated cleaning of three tanks at Tengiz Oilfield: T-200 (10,000 m³), T-1551 (5,000 m³) and T-801 (3,000 m³) and in parallel treated the oil sludge at KSS mobile Plant.

The main complexity of the tank cleaning was high content of H₂S – above 1000 ppm, presence of pyrophoric compounds, water and solid remains with the level of oil sludge 2 meters high above manway.

All works have been carried out by automated system of tank cleaning with parallel removal of pyrophoric compounds and H₂S inside the tanks.

As a result of oil sludge treatment at KSS mobile Plant we have received 90% of sale oil and 7% of process water from T-200 tank, 20% of sale oil and 20% of process water from T-1551 tank and 98% of process water from T-801 tank.

2017 season of three crude tanks cleaning has been successfully completed before Turnaround start on the 1st of August 2017, as planned.

In close cooperation with TCO Special Projects and Turnaround, KSS have completed crude tank cleaning and oil sludge treatment works efficiently and as safely as possible with maximum retrieval of secondary products, with no harm to Environment and what is more important – with no need for people to get into the confined space.

"TENGIZCHEVROIL" Company characterizes KSS Company as a reliable and professional Contractor in sphere of automated cleaning of crude tanks and oil sludge treatment.

Kzylbaev. R.

Attachment 3. KSS Company's Recognition Certificate "For Improvement of KPI Metrics"

