

United States Senate / U.S. House of Representatives

Washington, D.C. [ZIP Code]

[Date]

The Honorable Merrick B. Garland

Attorney General of the United States
U.S. Department of Justice
950 Pennsylvania Avenue NW
Washington, DC 20530

CC:

Director Kash Patel

Federal Bureau of Investigation

Secretary Marco Rubio

U.S. Department of State

Subject: Urgent Investigation Request: Documented Transnational Repression by Kazakhstan Against U.S. Investor Barlyk Mendygazyev

Dear Attorney General Garland:

We write to express grave concern regarding the documented transnational repression by the government of Kazakhstan against Barlyk Mendygazyev, a U.S. tax resident, investor, and founder of the Freedom Kazakhstan Foundation. Evidence provided to my office demonstrates that Kazakhstani authorities have systematically misused the U.S.-Kazakhstan Mutual Legal Assistance Treaty (MLAT) and exploited the Financial Action Task Force (FATF)'s anti-money laundering framework to target Mr. Mendygazyev and his family members who are U.S. citizens residing in Charlotte, North Carolina.

As documented by human rights organizations, Mr. Mendygazyev's case represents a clear example of how authoritarian regimes can weaponize international legal and financial mechanisms to silence critics and conduct transnational repression on U.S. soil.^{1,2} The U.S. State Department has independently documented this case in three consecutive annual Country

¹ Open Dialogue Foundation, "Report: Mendygazyev Case," March 7, 2025, https://en.odfoundation.eu/content/uploads/2025/03/2025.03.07_report_mendygazyev_new_eng.pdf.

² World Liberty Congress, "Transnational Repression Spotlight: Barlyk Mendygazyev (Kazakhstan)," <https://worldlibertycongress.org/transnational-repression-spotlight-barylk-mendygazyev-kazakhstan/> (accessed March 21, 2025).

Reports on Human Rights Practices for Kazakhstan (2021,³ 2022⁴ and 2023⁵), specifically identifying it as an example of selective justice and transnational repression. Based on direct testimony and attached supporting evidence, the Kazakhstani government's campaign against Mr. Mendygazyev has included:

1. Fabricating tax evasion, money laundering and extremist financing charges after he refused to pay bribes to regime-connected officials, and initiating an INTERPOL arrest warrant.
2. Blocking his financial accounts in Kazakhstan and seizing his U.S. investments and business assets in Kazakhstan.
3. Imprisoning his brother Bekizhan Mendygazyev as a political hostage and creating circumstances that reportedly led to the death of his older brother Kalyk Mendygazyev.⁶

Of immediate concern to U.S. national security and sovereignty interests, as documented in the above-mentioned materials:

1. Kazakhstan has filed MLAT requests with U.S. law enforcement seeking to extend its transnational repression on the U.S. soil and freeze assets of Mr. Mendygazyev and his family - U.S. citizens.
2. Kazakhstan has engaged U.S. legal firms for transnational repression within our jurisdiction.
3. Kazakhstan attempted to freeze Mr. Mendygazyev's and his family's personal and business bank accounts and funds in the United States in 2021, a request that the Department of Justice correctly rejected.

This case exposes a critical vulnerability in our financial system. U.S. financial institutions facing potential regulatory penalties for non-compliance with anti-money laundering regulations may restrict accounts based on unverified foreign allegations. This creates a pathway for authoritarian regimes to target U.S. residents, citizens, and businesses through our own financial infrastructure.

³ U.S. Department of State, "2021 Country Reports on Human Rights Practices: Kazakhstan," <https://www.state.gov/reports/2021-country-reports-on-human-rights-practices/kazakhstan/> (accessed March 21, 2025).

⁴ U.S. Department of State, "2022 Country Reports on Human Rights Practices: Kazakhstan," <https://www.state.gov/reports/2022-country-reports-on-human-rights-practices/kazakhstan/> (accessed March 21, 2025).

⁵ U.S. Department of State, "2023 Country Reports on Human Rights Practices: Kazakhstan," <https://www.state.gov/reports/2023-country-reports-on-human-rights-practices/kazakhstan/> (accessed March 21, 2025).

⁶ Atyrau City Court, "Decision on Search and Seizure Warrant," [30 July 2024]. Copy and translation attached.

We strongly urge the Department of Justice to:

1. Conduct a comprehensive review of related to this specific matter MLAT requests from Kazakhstan regarding Mr. Mendygazyev and his family, associates, entities as a form of transnational repression.
2. Determine the specific legal grounds cited in MLAT requests to develop remedies against such transnational repression in the future,
3. Establish an interagency working group with the State Department and Treasury Department to address this documented pattern of transnational financial repression and develop policy recommendations to prevent the abuse of FATF's anti-money laundering regulations by foreign governments targeting U.S. persons and entities.
4. Assess whether sanctions under the Global Magnitsky Human Rights Accountability Act are warranted for those responsible for the transnational financial repression against Mr. Mendygazyev and his family, associates both in the U.S. and those kept as political hostages in Kazakhstan, as well as for raiding Mendygazyev's American investment in Kazakhstan.
5. Provide a briefing to appropriate congressional committees on this case and the broader threat of financial transnational repression.

The documentation of this case in official State Department human rights reports for three consecutive years underscores both the credibility of these concerns and the urgent need for action.

Sincerely,

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Further information is on file with the Department of Justice, Washington, DC.