

article14



FV FEMINA VIRTUTE



VERITAS HUMAN RIGHTS MOVEMENT



OPEN DIALOGUE



# TOUGH YEAR FOR HUMAN RIGHTS

## 48 political prisoners in Kazakhstan, political repression and total censorship instead of reforms



13 February 2025

**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 post-Soviet area. In July 2017, the Foundation's area of interest 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, Miami and Kyiv.

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**Human Rights Protection Foundation "Qaharman"** – a Kazakhstani human rights organisation 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](mailto: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.



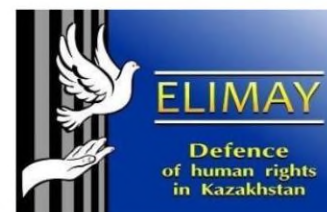
Facebook: [Femina Virtute](#); e-mail: [ulbolsynturdieva@gmail.com](mailto:ulbolsynturdieva@gmail.com)

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.



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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 for an end to all forms of political repression and the release of political prisoners in Kazakhstan.



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

Freedom Kazakhstan Foundation was founded on 13 July 2020 by the Kazakhstani businessman and philanthropist Barlyk Mendygazyev. The aim of the Foundation is to provide financial and legal assistance to victims of political repression in Kazakhstan – political prisoners, participants in peaceful protests, civil activists and human rights defenders. The Foundation supports the creation of a sanctions list of Kazakhstani officials who are involved in gross human rights violations. The leader and founder of the Foundation is Barlyk Mendygazyev.



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## SUMMARY

The year 2024 and January 2025 were record-breaking for Kazakhstan in terms of violations of human rights and fundamental freedoms. Human rights defenders of the monitoring group ActivistsNon-Extremists believe that political rights and freedoms in the country remain merely as declarations:

- The Ministry of Justice of Kazakhstan has **officially refused 25 times to register the opposition party Alga Kazakhstan**. At the same time, six leaders of the party – Marat Zhylanbayev, Askar Sembay, Asylbek Zhamuratov, Aidar Syzdykov and Asanali Suyubayev were convicted on political grounds to 5 to 10 years in prison.
- There are **at least 48 political prisoners** in Kazakhstan: 40 have been convicted in politically motivated criminal cases and are serving prison sentences, while another eight are being held in pre-trial detention facilities and could be sentenced in the near future. The authorities imprison people for years for participating in peaceful rallies, supporting peaceful opposition movements, disseminating information on human rights violations, **collecting donations or providing material assistance to political prisoners**. Financial repression is also a tool used against critics of the regime – they are deprived of financial and insurance services and have their employment opportunities restricted.
- **Torture – and impunity for its use – remain a systemic phenomenon in Kazakhstan**. The court acquitted the prison officers who brutally tortured activist Timur Danebayev. The act of torture was recorded on video and made public, but even this did not prompt the Kazakhstani authorities to conduct a fair trial and bring the perpetrators to justice.
- In 2024, the Kazakhstani authorities **issued 108 refusals** to hold peaceful protests, marches and single-person pickets in 22 cities and localities. A total of 686 refusals to hold peaceful protests, marches and single-person pickets have been documented since 2020. The Kazakhstani authorities **issued 46 refusals to hold peaceful assemblies against the construction of NPP by Russia in Kazakhstan**. To this end, they used administrative and criminal persecution, as well as conducted illegal surveillance against activists.
- Kazakhstan has dropped eight positions in the World Press Freedom Index prepared by the international organisation Reporters Without Borders,<sup>1</sup> ranking 142<sup>nd</sup> out of 179 countries. Among the reasons for persecution are **peaceful criticism of the authorities on social networks**, as in the case of journalist Daniyar Adilbekov, who was sentenced to 4.5 years, or **satirical statements on social networks** about the authorities of Kazakhstan and events in the country, as in the case of blogger Temirlan Ensebek. Information Minister Darkhan Kydyrali said journalist Duman Mukhametkarim, who was sentenced to seven years in prison, was being prosecuted “**because of his political views**” following an interview he conducted with **Mukhtar Ablyazov, leader of the opposition movement Democratic Choice of Kazakhstan (DCK)**. Criminal and administrative prosecution is used to suppress **public criticism and dissent against Kazakhstan's international policies** (in particular, assisting in financing Russia's war against Ukraine by circumventing international sanctions and Russia's construction of a nuclear power plant (NPP) in Kazakhstan).
- **Transnational killings and persecution**. Kazakhstan's special services orchestrated the **murder of prominent journalist and political refugee Aidos Sadykov** in Ukraine, who had criticised the Kazakhstani authorities and repeatedly publicly declared cooperation between Kazakhstan and Russia to circumvent international sanctions.

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<sup>1</sup> <https://www.rfi.fr/en/>

Since 2014, there have been a number of failed assassination attempts on opposition politician **Mukhtar Ablyazov in France**.<sup>2, 3, 4</sup> In June 2020, Ablyazov filed a complaint with the Paris Judicial Court in relation to “preparatory acts of kidnapping”. He reported that he was under 24-hour surveillance by unknown persons and feared an imminent armed attack.<sup>5</sup> Unfortunately, Ablyazov was not granted police protection (although the French courts have acknowledged the direct danger), nor was he notified on any investigation into the reported facts, what may be regarded as a gross dereliction of duty by the French police.

**Attorney and human rights defender Bota Jardemalie and members of her family were subjected to unlawful surveillance** in Belgium since 2017. The surveillance was conducted at the request of Kazakhstan by a private British company. A criminal case was opened in Belgium on the fact of illegal surveillance. In February 2025, the Brussels Criminal Court of First Instance sentenced a former British marine to six months imprisonment for harassment and espionage.<sup>6</sup>

**The Open Dialogue Foundation has faced prosecution for actively reporting on human rights abuses in Central Asian countries**, as well as exposing the cooperation of countries in the region with Russia to circumvent international sanctions. In 2022, a collective criminal complaint was filed in Belgium on behalf of several Kazakh police officers and their relatives against Lyudmyla Kozlovska and the Open Dialogue Foundation. The complainants demanded the removal of information disseminated by the Open Dialogue Foundation about their involvement in political repression in Kazakhstan. The legal proceedings in relation to this complaint are still ongoing. In September 2024, the Kyrgyz bank Bakai Bank filed a lawsuit against the Open Dialogue Foundation in a Belgian court. The representatives of Bakai Bank demand the removal from the Foundation's reports of information indicating that the bank was involved in actions that facilitated the circumvention of international sanctions imposed on Russia. The representatives of Bakai Bank also demand compensation for material and moral damages. **The complaint and lawsuit against the Open Dialogue Foundation and Lyudmyla Kozlovska constitute an example of a Strategic Lawsuit Against Public Participation (SLAPP)**. Such lawsuits are brought to intimidate, disempower or silence critics, human rights defenders, journalists or others who express a public position. Dictatorial regimes often use SLAPPs for transnational repressions against their critics to silence them and prevent them from disseminating “sensitive” information. Such criminal and civil cases have no real legal basis against the defendant; they are brought to divert attention away from the activities of the plaintiff and to limit freedom of speech and criticism. They are designed to wear down the defendant through litigation, wasting his or her time and resources.

**The Kazakhstani authorities have for many years persecuted Barlyk Mendygazyev, a businessman and human rights activist, in connection with his activities in protecting human rights and the environment and providing material and financial assistance to victims of political repression in Kazakhstan.** As Barlyk Mendygazyev lives outside of Kazakhstan (in the United States), the authorities have prosecuted his relatives and business colleagues.<sup>7</sup> His brother, Bekizhan Mendygazyev, has been imprisoned since 2021 on a fabricated criminal case and is recognised as a political prisoner. In fact, he is being held as a hostage. Mendygazyev's colleagues Natalia Dauletiarova and Rinat Batkayev were also sentenced to prison terms and are still

<sup>2</sup> <https://www.standard.co.uk/hp/front/living-in-fear-in-london-the-exiled-kazakh-banker-accused-of-2-billion-fraud-6506705.html>

<sup>3</sup> <https://www.businessinsider.com/mukhtar-ablyazov-bta-bank-2010-8>

<sup>4</sup> <https://www.ft.com/content/23571482-e584-11e2-ad1a-00144feabdc0>

<sup>5</sup> [https://www.lepoint.fr/video/barbouzerie-kidnapping-piratage-l-incroyable-histoire-de-l-homme-le-plus-traque-d-europe-16-11-2021-2452243\\_738.php](https://www.lepoint.fr/video/barbouzerie-kidnapping-piratage-l-incroyable-histoire-de-l-homme-le-plus-traque-d-europe-16-11-2021-2452243_738.php)

<sup>6</sup> <https://www.lalibre.be/belgique/judiciaire/2025/02/05/lopposante-au-regime-kazakh-botagoz-jardemalie-a-bel-et-bien-ete-harcelee-et-espionnee-en-belgique-pendant-des-annees-GMP SSE7HLFH67CDTH25FO2TDLE/>

<sup>7</sup> “Coercion-by-proxy” – a tool of transnational repression used when an authoritarian government, in an attempt to influence opponents living abroad, pressures their relatives, friends, colleagues or associates back home.

imprisoned. In early 2023, the property and equipment of Karachaganak Support Services (KSS) in Kazakhstan, a company founded by Barlyk Mendygazyev, was seized in a raider seizure with the participation of the global energy corporation Chevron Corporation. In 2024, the law enforcement authorities of Kazakhstan reopened a criminal investigation against Barlyk Mendygazyev in a case that had been first initiated against him back in 2020. The basis for the resumption of criminal prosecution was the false testimony of KSS executives, which they gave in exchange for the termination of criminal cases against them and their release from prison. The Kazakhstani authorities will now attempt to use this case to prosecute Barlyk Mendygazyev in the United States.

On 5 February 2025, PACE deputies condemned multiple cases of transnational repression committed by the authorities of Kazakhstan and called on the Parliamentary Assembly to conduct an investigation into these facts, including the participation of the international energy company Chevron Corporation in the raider seizure of Barlyk Mendygazyev's business.<sup>8</sup>

- Kazakhstan extensively exploits “**injustice laundering**” – the practice of dishonest use of its own fully controlled judicial system to fabricate trials that are then transferred to Western judicial bodies. This method makes it possible to inject into Western judicial systems politically motivated allegations fabricated by Kazakhstan’s controlled law enforcement bodies and its justice system. “Injustice laundering”, as a method of transnational repression, can take the form of politically motivated Mutual Legal Assistance (MLA) requests or abusive civil and criminal complaints based on proceedings initiated in Kazakhstan. The victims of such prosecutions have included opposition politician Mukhtar Ablyazov on the territory of France, the United Kingdom and the United States, his nephew Askar Amangeldiyev in Latvia, and lawyer and human rights defender Bota Jardemalie in Belgium.
- **The key tools of political repression** at both the national and transnational levels **are anti-extremism and counter-terrorism legislation, anti-money laundering legislation, and legislation against the spread of false information and cybercrime.** Using these tools, the Kazakhstani authorities are able to freeze any bank account or crowdfunding platform or services of crypto-asset providers in a matter of minutes, even without a court decision. The same mechanism is used by the Kazakhstani authorities to close the accounts of critics of the authorities, journalists, lawyers and human rights defenders on the social networks of Meta, Instagram and YouTube.

## TORTURE AND ILL TREATMENT

Kazakhstan is a party to the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment. The National Preventive Mechanism (NPM) against torture and ill treatment is in force in the country. However, torture at the stage of investigation and in places of detention in Kazakhstan is systemic, as repeatedly stated by international human rights organisations<sup>9,10,11</sup> and UN bodies.<sup>12</sup>

<sup>8</sup> <https://pace.coe.int/en/files/34167/html>

<sup>9</sup> <https://www.notorture.kz/spravka-koalicyi-protiv-pytok-po-ekstradicyi-tungishbayeva/>

<sup>10</sup> <https://www.amnesty.org/en/documents/eur57/3345/2016/en/>

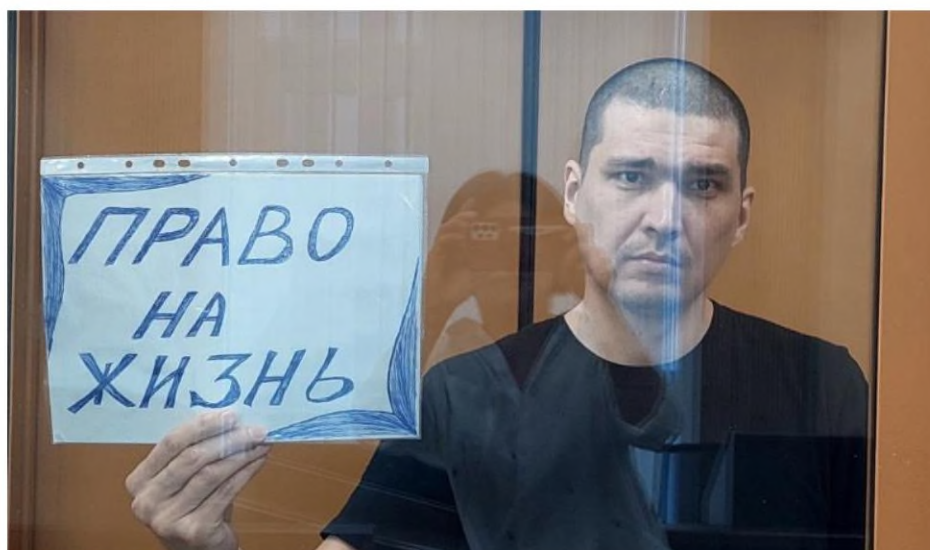
<sup>11</sup> <https://www.hrw.org/world-report/2018/country-chapters/kazakhstan>

<sup>12</sup> <http://www.omct.org/monitoring-protection-mechanisms/statements/kazakhstan/2015/10/d23421/>

The Kazakhstan NGO Coalition against Torture documents more than 200 cases of torture in detention facilities and prisons in Kazakhstan every year. According to statistics, on average, only 1–2 per cent of cases of torture in Kazakhstan reach the court.<sup>13, 14</sup> The number of cases in which those involved in torture are actually brought to justice is even lower. In 2023, the Coalition received 283 complaints of torture or ill treatment. At the same time, in 2023, only three court judgments were handed down in cases of torture (Article 146 of the Criminal Code).<sup>15</sup>

From 26 March to 1 April 2023, members of the UN Subcommittee on Prevention of Torture paid their second visit to Kazakhstan. The delegation visited prisons and pre-trial detention facilities. At the end of the visit, the members of the delegation stated that Kazakhstan had not yet succeeded in eradicating the practice of torture and ill treatment of prisoners or detainees in police stations and pre-trial detention facilities.

In August 2023, the Kazakhstani community was horrified to learn about the use of torture against prominent civil activist and political prisoner **Timur Danebayev**. A criminal case was fabricated against Danebayev after he demanded that President Kasym-Jomart Tokayev be prosecuted for ordering to “shoot to kill without warning” protesters in January 2022.<sup>16</sup>



Timur Danebayev during a court hearing

In June 2023, Danebayev was sentenced to three years' imprisonment. In detention, Danebayev was tortured for allegedly failing to comply with prison regulations. Danebayev's torture was filmed and made public in early September 2023.<sup>17</sup> The video shows Danebayev being severely beaten by at least ten officers of the correctional penal colony in the town of Atbasar (Akmola region).<sup>18, 19</sup> “I was beaten so severely that I lost consciousness,” Danebayev testified in court. He said that the penal colony staff forced him to clean the toilet, and after he refused, they beat him and dunked his head in the toilet.<sup>20</sup> **On 12 February 2025, the trial against 12 employees of the penal colony who tortured Danebayev and other prisoners was completed. All defendants were found not guilty. The trial was held with the participation**

<sup>13</sup> <https://www.notorture.kz/spravka-koalitsiyi-protiv-pytok-po-ekstradiciji-tungishbayeva/>

<sup>14</sup> <https://rus.azattyq.org/a/v-zloveschem-kruge-nasiliya-pytki-kantara-v-otsenkah-pravozaschitnikov/32255682.html>

<sup>15</sup> <https://www.notorture.kz/razryvaya-krug/>

<sup>16</sup> <https://en.odfoundation.eu/a/684292,repressions-and-political-prisoners-in-tokayevs-new-kazakhstan/>

<sup>17</sup> <https://rus.azattyq.org/a/32578782.html#player-set-time=291.323377>

<sup>18</sup> <https://rus.azattyq.org/a/32580442.html>

<sup>19</sup> <https://www.currenttime.tv/a/32577741.html>

<sup>20</sup> <https://rus.azattyq.org/a/33200966.html>

of a jury.<sup>21</sup> In protest against the court judgement, Timur Danebayev and other victims went on hunger strike.

It should be noted that from 21 to 23 August 2023, a few days before the beating of Danebayev, a delegation of the European Parliament headed by the Chair of the Committee on Foreign Affairs (AFET) David McAllister (Germany) paid a visit to Kazakhstan.<sup>22</sup> During meetings with MEPs, Kazakhstan's State Counsellor Yerlan Karin, Chair of the Committee on Foreign Affairs, Defence and Security of the Mazhilis of the Parliament of Kazakhstan Aigul Kuspan, Commissioner for Human Rights Artur Lastayev, and the heads of a number of state bodies assured European politicians that "political and economic reforms" were being carried out in Kazakhstan. In reality, Danebayev's case demonstrated that, despite the statements of the authorities, torture and political repression in Kazakhstan remain extremely widespread.

Unfortunately, after the last visit of the Delegation of the European Parliament for the relations with Central Asia (DCAS) to Kazakhstan, which took place from 31 October to 2 November 2024, there was no clear public statement of the European deputies regarding the human rights situation in the country.<sup>23</sup>



Delegation of the European Parliament in Kazakhstan

## FREEDOM OF PEACEFUL ASSEMBLY AND ASSOCIATION

Kazakhstan's legislation does not officially prohibit peaceful assemblies and political associations of citizens. However, in reality, there is an unspoken ban on peaceful protests and the right of citizens to form associations in opposition to the authorities.

According to the legislation, Kazakhstan has a notification system for holding peaceful assemblies and marches. In order to hold a peaceful assembly, it is necessary to submit a notification to the local executive

<sup>21</sup> <https://rus.azattyq.org/a/pytki-v-kolonii-v-atbasare-sud-opravidal-vseh-12-podsudimyh/33312335.html>

<sup>22</sup> [https://www.eeas.europa.eu/delegations/kazakhstan/central-asia-foreign-affairs-meps-conclude-visit-kazakhstan-and-kyrgyzstan\\_en](https://www.eeas.europa.eu/delegations/kazakhstan/central-asia-foreign-affairs-meps-conclude-visit-kazakhstan-and-kyrgyzstan_en)

<sup>23</sup> <https://www.europarl.europa.eu/delegations/en/product/product-details/20241022DPU39552>

authority. However, in most cases, in response to the notification, citizens receive a refusal to hold a public assembly under various pretexts (most often due to there already being an event allegedly scheduled in the declared place). From July 2020 to December 2024, human rights defenders of the #ActivistsNonExtremists monitoring group documented at least 686 refusals to hold peaceful protests, marches and single-person pickets in different cities of Kazakhstan. In 2024, 108 refusals were documented.

Kazakhstani journalists pointed out that, according to official statistics, 120 peaceful assemblies (4 assemblies per day) are allegedly held in Astana every month. At the same time, there are four specially designated areas in the city for public assemblies, marches and other events. Obviously, the city authorities falsify the statistics of peaceful assemblies in order to have a pretext for refusing to hold real peaceful assemblies.<sup>24</sup> On 20 January 2025, the Constitutional Court of Kazakhstan issued a decision, recognising as illegal the refusal to hold an event on the pretext of unavailability of the venue specified in the notification due to it already being occupied by another event.<sup>25</sup>

To prevent peaceful protests from taking place, the authorities widely use the practice of **preventive detention and arrest of activists under the pretext of combating extremism, terrorism and threats to national security**. On similar grounds, activists are arrested and fined for announcing peaceful protests<sup>26</sup> on social media and reposting them.<sup>27</sup> On the day of a peaceful assembly, police officers are placed outside the homes of known activists. There were cases when activists were arrested for 15<sup>28</sup> and 25 days<sup>29</sup> just because they were mentioned in social media posts announcing a peaceful assembly.

The authorities also use the method of **delayed punishment** – when an activist is prosecuted for an administrative offence after a long period of time has passed. For example, in March 2024, activist Aidar Syzdykov was arrested for 15 days for participating in a protest rally a year ago. This was done on the eve of the protests announced for 8 March 2024.<sup>30</sup>

Only seven political parties officially exist in Kazakhstan. None of them is really in opposition to the current authorities. The creation of new political parties is obstructed by specially created complex bureaucratic procedures. The Kazakhstani authorities systematically deny official registration of the opposition parties Alga Kazakhstan, Atazhurt Partiyasy and other associations.

**Attempts to register the independent opposition party Alga Kazakhstan resulted in large-scale repressions against its members.** Participants of the initiative group for the creation of the party collected all the necessary documents and from May 2022 to November 2024 submitted 25 applications to the Ministry of Justice of Kazakhstan to start the official registration of the party. However, all applications were rejected due to alleged “discovered inconsistencies” – allegedly the party members are military or members of other political parties, and even dead.<sup>31</sup> According to activists, more than three thousand signatures of party supporters were collected (with a minimum of 700 signatures required by law). One thousand six hundred signatories confirmed on video that they had personally signed.<sup>32</sup>

Moreover, members of Alga Kazakhstan have been subjected to politically motivated criminal prosecutions on trumped-up charges. On 29 November 2023, Chair of the Organising Committee of Alga Kazakhstan **Marat Zhylanbayev** was sentenced to seven years in prison on charges of “financing terrorist

<sup>24</sup> <https://tirik.info/kak-chinovniki-manipuliruyut-statistikoi-po-mirnym-sobraniyam/>

<sup>25</sup> <https://bureau.kz/goryachee/akimaty-ne-smogut-zapreshhat/>

<sup>26</sup> <https://rus.azattyq.org/a/32674701.html>

<sup>27</sup> <https://rus.azattyq.org/a/32651960.html>

<sup>28</sup> <https://rus.azattyq.org/a/32676382.html>

<sup>29</sup> <https://www.facebook.com/toregozhina/posts/pfbid0HP5PTmxFNBYtdbddWWWeMk9kCWky59qNstZV8MEAgwHthB4s7nJMPYnXD4hvNpkuol>

<sup>30</sup> <https://rus.azattyq.org/a/32845824.html>

<sup>31</sup> <https://rus.azattyq.org/a/32101600.html>

<sup>32</sup> <https://rus.azattyq.org/a/aktivisty-alga-kazakhstan-vnov-podali-zayavku-v-minyust-na-registratsiyu-partii-33209646.html>

or extremist activities” (Article 258 of the Criminal Code) and “participation in the activities of an extremist organisation” (Article 405 of the Criminal Code). The charges of “extremism” were based on Zhylanbayev's support and contacts with members of the opposition movement Democratic Choice of Kazakhstan (DCK), which was banned in 2018 as “extremist” by court order. The European Parliament and international human rights organisations have repeatedly recognised the peaceful nature of DCK's activities.<sup>33, 34, 35</sup>

Following Zhylanbayev, activists **Askar Sembay** (6 years imprisonment), **Asylbek Zhamuratov** (7 years imprisonment), **Aidar Syzdykov** (5 years imprisonment), and **Asanali Suyubayev** (10 years imprisonment) were convicted. It should be noted that criminal cases were fabricated against Syzdykov and Suyubayev for alleged possession of narcotic drugs. This demonstrated that the Kazakhstani authorities will go to any lengths to neutralise their opponents. After a wave of criminal cases against Alga Kazakhstan members, the party's activities were effectively paralysed.

## FREEDOM OF SPEECH AND THE MEDIA

Like other dictatorial regimes in the region, Kazakhstan has narrowed the space for the free flow of information. In the World Press Freedom Index prepared by the international organisation Reporters Without Borders,<sup>36</sup> Kazakhstan ranked 142<sup>nd</sup> out of 179 countries in 2024. Compared to the previous year, Kazakhstan dropped eight places.

In June 2024, a new law “On Mass Media” came into force in Kazakhstan, which was criticised by the Kazakhstani public at the draft stage.<sup>37</sup> The law introduces the concept of “information sovereignty” and also provides for the creation of an authorised body to monitor the mass media “to ensure that they do not harm the moral development of society and do not violate universal, national, cultural and family values”.<sup>38</sup>

In August 2024, the Ministry of Foreign Affairs prepared draft amendments to the accreditation rules for journalists of foreign media outlets. According to the draft, it is proposed to expand the number of grounds for revoking accreditation and to introduce an accreditation validity period of three years (under the current rules, accreditation is valid indefinitely).<sup>39</sup> The proposed changes will create additional levers of pressure on independent media in the country. It should be noted that, in early 2024, the Kazakhstani editorial office of Radio Liberty (Radio Azattyq) faced a case of mass denial of accreditation of its staff by the Ministry of Foreign Affairs of Kazakhstan,<sup>40</sup> which can be regarded as an attempt to put pressure on this media outlet. The situation with the accreditation of Radio Azattyq staff was not resolved until the end of April 2024.<sup>41</sup>

Kazakhstani journalists are victims of criminal and administrative prosecution on various charges, including “dissemination of knowingly false information” and “defamation”.

- On 2 August 2024, journalist **Duman Mukhametkarim** was sentenced to seven years' imprisonment after being prosecuted in connection with an interview he conducted with

<sup>33</sup> [https://www.europarl.europa.eu/doceo/document/TA-9-2021-0056\\_EN.html](https://www.europarl.europa.eu/doceo/document/TA-9-2021-0056_EN.html)

<sup>34</sup> [https://www.europarl.europa.eu/doceo/document/TA-8-2019-0203\\_EN.html](https://www.europarl.europa.eu/doceo/document/TA-8-2019-0203_EN.html)

<sup>35</sup> [https://www.europarl.europa.eu/doceo/document/TA-9-2022-0012\\_EN.html](https://www.europarl.europa.eu/doceo/document/TA-9-2022-0012_EN.html)

<sup>36</sup> <https://www.rfi.fr/en/>

<sup>37</sup> <https://rus.azattyq.org/a/32268363.html>

<sup>38</sup> [https://online.zakon.kz/Document/?doc\\_id=38665430&pos=3;-109#pos=3;-109](https://online.zakon.kz/Document/?doc_id=38665430&pos=3;-109#pos=3;-109)

<sup>39</sup> <https://legalacts.egov.kz/npa/view?id=15173553>

<sup>40</sup> <https://rus.azattyq.org/a/davlenie-na-vsyo-grazhdanskoe-obschestvo-chto-pishut-v-seti-v-podderzhku-azattyka/32797789.html>

<sup>41</sup> <https://tirik.info/azattyk-i-mid-kazahstana-dostigli-soglasheniya-po-voprosu-akkreditatsii-zhurnalistov/>

opposition politician Mukhtar Ablyazov. The journalist was tried in a closed trial and convicted of “financing extremism” and “participation” in a banned organisation.<sup>42</sup> Information Minister Darkhan Kydyrali explicitly stated that Mukhametkarim was being persecuted “because of his political views”.<sup>43</sup> While in detention, Mukhametkarim repeatedly went on hunger strike to protest against the unfair trial and violation of his rights. He also cut himself as a sign of protest. In detention, Mukhametkarim's health deteriorated severely.<sup>44</sup> Earlier, in 2023, the journalist was repeatedly arrested for 25 days on charges of “disrupting a peaceful assembly” for posting information on his YouTube channel about opposition rallies.<sup>45</sup>

- On 4 October 2024, journalist **Daniyar Adilbekov**, who ran his own news channel on Telegram, where, in particular, he covered corruption issues, was sentenced to 4.5 years in prison. He was accused of “dissemination of knowingly false information” and “knowingly false denunciation”.<sup>46</sup> Members of the Kazakh public said Adilbekov was the victim of a punishment disproportionate to the offence of which he was accused.<sup>47</sup>
- On 17 January 2025, activist **Temirlan Ensebek**, author of the popular (over 64,000 followers) satirical blog QazNews24 on Instagram, which published fictitious news of a humorous nature about the authorities of Kazakhstan and events in the country, was detained. A criminal case was opened against Ensebek on charges of “inciting ethnic hatred” (Article 174 of the Criminal Code) for posting material that allegedly insulted “representatives of an entire ethnic group”.<sup>48</sup> On 18 January 2025, Ensebek was arrested for two months. The criminal case against Temirlan Ensebek caused a wave of outrage among Kazakhstan's civil society. Members of the public said that the activist was being prosecuted not because of a specific publication, but in general for his ridicule of the Kazakhstani authorities. Single-person protests were held across the country to demand an end to the persecution of Temirlan Ensebek. Single-person protesters Akmaral Dzhakibayeva, Asem Zhapisheva and Ruslan Biketov were detained and imprisoned for 15 days, and several other activists were fined.<sup>49</sup>



Rallies in support of Temirlan Ensebek

<sup>42</sup> <https://rus.azattyq.org/a/33195030.html>

<sup>43</sup> <https://ulymedia.kz/news/17010-dumana-mukhametkarima-presleduiut-za-ego-politicheskie-vzgliady-kydyrali/>

<sup>44</sup> <https://rus.azattyq.org/a/zhurnalista-dumana-muhammedkarima-etapirovali-v-kyzylordu/33246621.html>

<sup>45</sup> <https://rus.azattyq.org/a/32431394.html>

<sup>46</sup> <https://rus.azattyq.org/a/33163754.html>

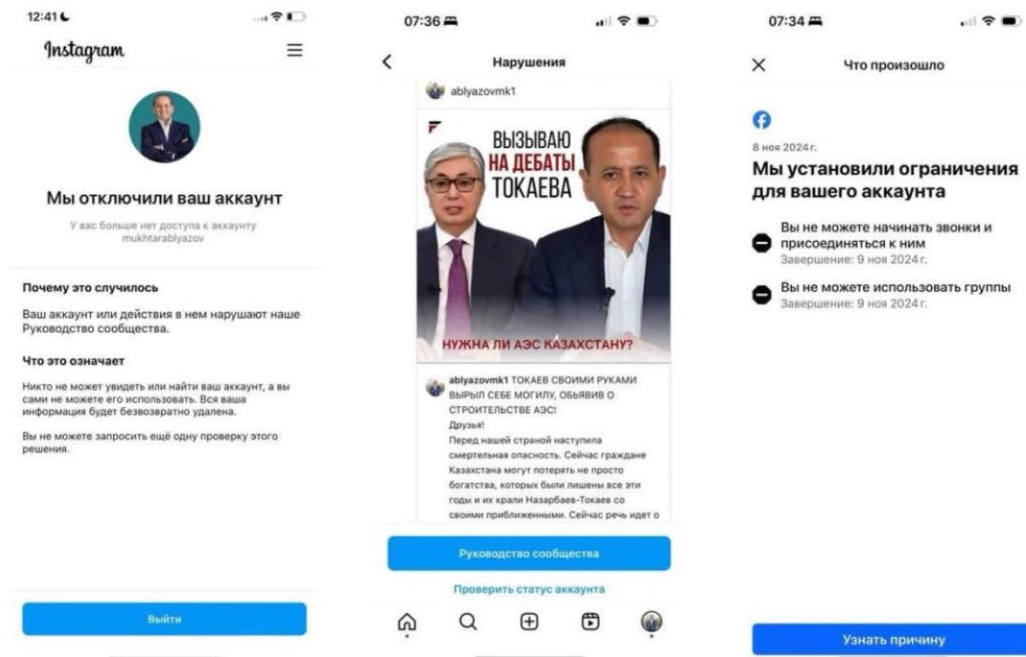
<sup>47</sup> <https://bureau.kz/goryachee/sbor-podpisej-v-zashhitu/>

<sup>48</sup> <https://kaztag.kz/ru/news/ugolovnoe-delo-avtora-pabluka-qaznews24-temirlana-ensebeka-politsiya-ne-svyazyvaet-s-satiroy>

<sup>49</sup> <https://rus.azattyq.org/a/satira-ne-prestuplenie-v-kazahstane-prodolzhayut-presledovat-za-pikety-v-podderzhku-arestovannogo-avtora-populyarnogo-pabluka/33285388.html>

**The Kazakhstani authorities are struggling with freedom of speech not only in the media, but also on social networks.** In July 2023, Kasym-Jomart Tokayev signed a series of laws regulating the activities of bloggers on social networks and messengers. Bloggers were obliged to “co-operate with state authorities in the fight against inaccurate information” and to remove “unlawful content”. Changes were also made to the Code of Administrative Offences. Administrative liability in the form of large fines was introduced for spreading “false information on social networks”.<sup>50</sup> The Kazakhstani authorities widely use the tool of heavy fines to prevent the spread of undesirable information. For example, in February 2025, a blogger from Astana was fined more than 700,000 Tenge (USD 1,377) for posting a video on a social networking site showing a mansion and claiming that it belonged to the chief imam of Astana. He was later accused of “spreading false information”.<sup>51</sup>

Mukhtar Ablyazov, leader of the DCK opposition movement, systematically faces cases of publications blocking on social networks and even cases of blocking of his accounts. One of the ways in which the authorities achieve this is by means of filing mass complaints by fake accounts (bots) against Mukhtar Ablyazov's publications on social networks. It also appeared that the Google search service received requests to remove search results related to key phrases used by Kazakhstan's opposition (e.g., “Tokayev-furniture”).



**Examples of blocking Mukhtar Ablyazov's publications on social networks**

<sup>50</sup> <https://www.zakon.kz/sobytiia/6399561-v-kazakhstane-budut-privlekat-k-admotvetstvennosti-za-lozhnye-svedeniya-v-internete.html>

<sup>51</sup> <https://orda.kz/za-video-o-roskoshnom-osobnjake-glavnogo-imama-astany-oshtrafovali-blogera-397843/>

## TRANSNATIONAL REPRESSION

Kazakhstan persecutes critics of the Nazarbayev-Tokayev regime around the world in flagrant violation of the sovereignty of other states. The Kazakhstani authorities resort to methods of intimidation, surveillance, kidnapping, hostage-taking, beatings, attempts on the life and even murder of their critics. In June 2024, Kazakhstan's security services assassinated prominent journalist **Aidos Sadykov** in Ukraine.<sup>52</sup> Sadykov was known for investigating Kazakhstan's assistance in circumventing sanctions against Russia and criticising Tokayev.

The Kazakhstani authorities also systematically abuse mechanisms of international legal co-operation, especially in the framework of anti-money laundering and counter-terrorism, to prosecute opponents of the regime outside the country.

The Kazakhstani authorities use a method of “**injustice laundering**” – the unfair use of its own fully controlled judicial system to fabricate Kazakhstani proceedings that are then passed on to Western judiciaries. As a result, a politically motivated criminal case fabricated in Kazakhstan acquires all semblance of legality in Western jurisdictions. A striking example of “injustice laundering” is the issue of Red Notices by Interpol against opponents of the Kazakhstani regime in order to secure their extradition to Kazakhstan in fabricated criminal cases. Using the international cooperation mechanisms, Kazakhstan obtains confidential information about the persecuted persons and seeks to have them interrogated and searched. The information obtained may be used for further political persecution and even torture against relatives and associates of the persecuted persons.

The Kazakhstani authorities also use political pressure and make the issue of economic co-operation with another state dependent on assistance in prosecuting opponents of the regime. The Kazakhstani authorities are exerting pressure on France in connection with the case of opposition politician **Mukhtar Ablyazov**, who is currently residing in France. In particular, according to media reports, during the meeting between Kassym-Jomart Tokayev and Emmanuel Macron at the end of 2022 in the context of the development of Kazakh-French relations, the “Ablyazov problem” was discussed.<sup>53</sup> At the moment, Ablyazov is trying to defend his right to political asylum in France through the court. The French President assured his Kazakh counterpart that despite the fact that the Ablyazov case is under the jurisdiction of the French judicial system, he is “closely following its development”. In November 2024, President Tokayev made a state visit to France, during which the presidents of the two countries announced the strengthening of their strategic partnership.<sup>54</sup>



Mukhtar Ablyazov

In early January 2025, President Tokayev signed a law ratifying an agreement with France “on the functioning of the French Development Agency group in the Republic of Kazakhstan”.<sup>55</sup> **The deepening co-operation between France and Kazakhstan indicates that Mukhtar Ablyazov may become a bargaining chip in relations between the two countries. Kazakhstan's systemic abuse of international cooperation in criminal proceedings and mutual legal assistance, as well as the use of economic leverage to pressure Western countries to politically prosecute Mukhtar Ablyazov, as well as his loved**

<sup>52</sup> <https://rus.azattyq.org/a/sled-idet-v-kazahstan-kiev-nazval-podozrevaemyh-v-pokushenii-na-zhurnalista-aydosa-sadykova-/33003932.html>

<sup>53</sup> <https://www.lefigaro.fr/international/moukhtar-ablyazov-le-refugie-politique-kazakh-qui-valait-sept-milliards-de-dollars-20221128>

<sup>54</sup> <https://www.inform.kz/ru/opublikovana-sovmestnaya-deklaratsiya-prezidentov-kazahstana-i-frantsii-5e7948>

<sup>55</sup> [https://tengrinews.kz/kazakhstan\\_news/tokayev-ratifikiroval-soglashenie-kazahstanom-frantsiei-559165/](https://tengrinews.kz/kazakhstan_news/tokayev-ratifikiroval-soglashenie-kazahstanom-frantsiei-559165/)

ones, has become a regular practice since 2011.<sup>56</sup> Over the years, numerous organisations and international bodies have spoken in defence of Mukhtar Ablyazov: the Office of the UN High Commissioner for Human Rights,<sup>57</sup> members of the European Parliament,<sup>58,59</sup> members of the Parliamentary Assembly of the Council of Europe (PACE),<sup>60,61</sup> the International Federation for Human Rights,<sup>62</sup> Amnesty International,<sup>63</sup> Human Rights Watch,<sup>64</sup> Chief Executive Officer of Hermitage Capital Management William Browder, The Moscow Helsinki Group, Russian Historical, the Educational and Human Rights Society “Memorial”, the All-Russian Movement “For Human Rights”,<sup>65</sup> the Kazakhstan International Bureau for Human Rights,<sup>66</sup> the Ukrainian Helsinki Human Rights Union, the Ukrainian Human Rights Information Centre, Kyiv House of Human Rights, the Association of Ukrainian Human Rights Monitors on Law Enforcement, and the Centre for Civil Liberties (Ukraine).<sup>67</sup>

In order to put pressure on Mukhtar Ablyazov, the Kazakhstani authorities persecute his relatives who live outside Kazakhstan. In January 2025, it became known that Ablyazov's nephew **Askar Amangeldiyev** was summoned several times for questioning by the Latvian police under a request for mutual legal assistance from Kazakhstan. As part of the criminal case in connection with which the request was made, in 2017, businessman Iskander Yerimbetov, brother of Mukhtar Ablyazov's lawyer Botagoz Jardemalie, was subjected to arbitrary arrest, severe torture and politically motivated criminal prosecution in Kazakhstan on charges of money laundering.<sup>68</sup> **This criminal case is a prime example of how Kazakhstan abuses anti-money laundering legislation to pursue its opponents outside the country.** Latvian law enforcement authorities cooperated with Kazakhstani law enforcement authorities without the slightest hesitation, seeing no political motives in this case.

One of the reasons why the Kazakhstani authorities persecute their critics around the world, in particular Mukhtar Ablyazov, is to **conceal the facts of co-operation between Kazakhstan and Russia** to circumvent international sanctions. Ablyazov has waged a systematic public campaign to expose the massive assistance of the Kazakhstani authorities in circumventing sanctions and financing the war against Ukraine. Kazakhstan, as a member of the Collective Security Treaty Organisation (CSTO) and the Eurasian Economic Union (EEU), is one of Russia's closest allies in the international arena. Thanks to Kazakhstan's assistance, Russia has been able to supply sanctioned goods and dual-use goods. Kazakhstan also participates in joint transport and logistics as well as industrial and manufacturing projects with Russia, provides access to the international financial system and supports Russian companies in relocating to Kazakhstan.

The Kazakhstani authorities have been fighting against **the Open Dialogue Foundation and its President Lyudmyla Kozlovska** for many years, as the organisation is actively engaged in highlighting cases of human rights violations in Kazakhstan and incalling for personal sanctions against the top leadership of Kazakhstan. After the launch of Russia's full-scale military invasion of Ukraine, the Open Dialogue Foundation, together with other human rights organisations in Kazakhstan, prepared a number of reports

<sup>56</sup> <https://en.odfoundation.eu/a/699337,statement-of-international-human-rights-and-rule-of-law-defenders-mukhtar-ablyazovs-expulsion-from-france-must-be-stopped/>

<sup>57</sup> <https://www.ohchr.org/fr/2016/12/dissident-kazakh-risque-torture-extrade-france?LangID=F&NewsID=20997#sthash.gnBpJNH>

<sup>58</sup> <https://en.odfoundation.eu/a/6070,the-social-democrats-intervene-on-mukhtar-ablyazovs-case/>

<sup>59</sup> <https://www.anagomes.eu/PublicDocs/4ae63fc1-2c9a-4f0b-9aea-162afd7ea5c6.pdf>

<sup>60</sup> <https://pace.coe.int/en/files/23716>

<sup>61</sup> <https://pace.coe.int/fr/files/34167/html>

<sup>62</sup> <https://www.fidh.org/en/region/europe-central-asia/kazakhstan/kazakhstan-open-letter-to-mr-valls-and-mr-fabius-concerning-the-potential-13908>

<sup>63</sup> <https://www.amnesty.org/en/latest/press-release/2014/01/france-stop-extradition-threatening-kazakhstani-dissident-torture/>

<sup>64</sup> <https://www.hrw.org/news/2015/05/21/france/kazakhstan-letter-french-prime-minister-manuel-valls-case-mukhtar-ablyazov>

<sup>65</sup> <https://en.odfoundation.eu/a/7508,prominent-russian-human-rights-activists-salled-for-preventing-the-extradition-of-mukhtar-ablyazov/>

<sup>66</sup> [https://bureau.kz/en/sobstvennaya-informacziya-po-angl/article\\_6665/](https://bureau.kz/en/sobstvennaya-informacziya-po-angl/article_6665/)

<sup>67</sup> <https://en.odfoundation.eu/a/6264,international-community-calls-on-france-to-prevent-extradition-of-opposition-politician-mukhtar-ablyazov/>

<sup>68</sup> <https://ru.odfoundation.eu/a/8556,otchet-iskander-erimbetov-politicheskij-zalozhnik-rezhima-nazarbaeva/>

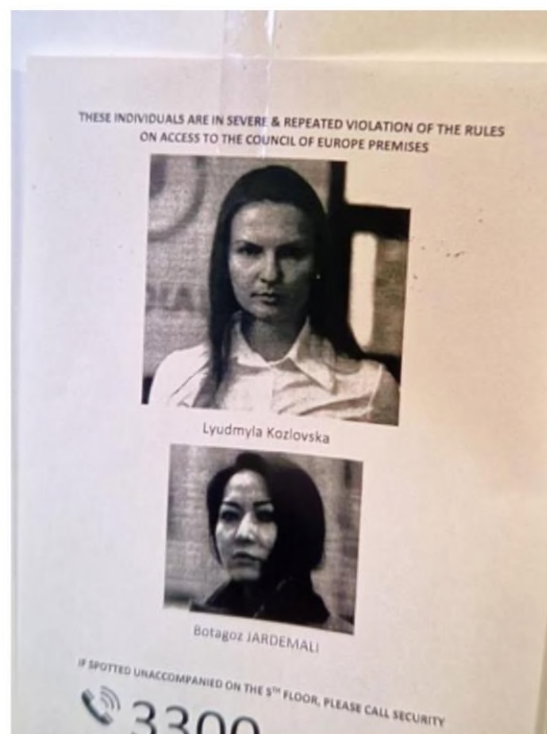
that compiled evidence of cooperation between Central Asian countries and Russia in order to circumvent international sanctions imposed against Russia.<sup>69, 70, 71, 72, 73, 74, 75</sup>

In 2022, a collective criminal complaint was filed in Belgium against Lyudmyla Kozlovska and the Open Dialogue Foundation. The complaint was filed on behalf of Kazakhstani law enforcement officials and their relatives (about 20 people) who were allegedly affected by the activities of Lyudmyla Kozlovska and the Open Dialogue Foundation. There is no doubt that the Kazakhstani authorities are behind the collective complaint.

Claude Moniquet, a former French intelligence officer, represents the Kazakhstani side in Belgium. He is acting on the basis of a power of attorney granted to him by a Kazakhstan lawyer. Claude Moniquet runs a private intelligence and lobbying company, the European Strategic Intelligence and Security Centre (ESISC).<sup>76</sup> In 2017–18, ESISC and Claude Monique were the targets of an investigation by an independent investigative body into allegations of corruption within PACE in connection with possible lobbying of Azerbaijan's interests (so-called “caviar diplomacy”).<sup>77</sup> There is reason to believe that Claude Moniquet was involved in attempts to block the activities of the Open Dialogue Foundation in PACE in 2022–23. At that time, several letters were sent to the PACE President demanding that representatives of the Open Dialogue Foundation not be allowed to participate in PACE activities. The letters repeated false slanderous accusations against the Open Dialogue Foundation and Lyudmyla Kozlovska that are used by Kazakhstani propaganda. It is known that one of the letters to the PACE President was received by Claude Moniquet from “an anonymous source in PACE” on the same day when it was prepared – 22 January 2023. This indicates that Moniquet may have been involved in the preparation of the letter.

Claude Moniquet sent copies of these letters through his lawyers to the investigating judge in Belgium in an attempt to discredit Lyudmyla Kozlovska in the eyes of Belgian justice. Also in October 2022, unknown persons put up posters in the PACE building with the photos of Lyudmyla Kozlovska and Botagoz Jardemalie and the message that “these individuals are in severe violation of the rules on access to the Council of Europe premises”.

In September 2024, the Kyrgyz bank Bakai Bank filed a lawsuit against the Open Dialogue Foundation in a Belgian court. The representatives of Bakai Bank demand that information indicating that the bank was involved in actions that facilitated the circumvention of international sanctions imposed on Russia be



**Discrediting banners at the Council of Europe depicting Lyudmyla Kozlovska and Bota Jardemalie.**

<sup>69</sup> [https://en.odfoundation.eu/a/494919\\_kremlins-secret-ally-how-tokayev-is-helping-putin-circumvent-sanctions/](https://en.odfoundation.eu/a/494919_kremlins-secret-ally-how-tokayev-is-helping-putin-circumvent-sanctions/)

<sup>70</sup> [https://en.odfoundation.eu/a/508247\\_the-secret-of-tokayev-and-putin-how-to-circumvent-the-oil-embargo/](https://en.odfoundation.eu/a/508247_the-secret-of-tokayev-and-putin-how-to-circumvent-the-oil-embargo/)

<sup>71</sup> [https://en.odfoundation.eu/a/570712\\_everything-for-the-front-everything-for-victory-how-tokayev-helps-putin-while-fooling-ukraine-and-the-west/](https://en.odfoundation.eu/a/570712_everything-for-the-front-everything-for-victory-how-tokayev-helps-putin-while-fooling-ukraine-and-the-west/)

<sup>72</sup> [https://en.odfoundation.eu/a/624385\\_the-beneficiaries-of-russias-war-against-ukraine-how-the-nazarbayev-tokayev-regime-is-helping-putin/](https://en.odfoundation.eu/a/624385_the-beneficiaries-of-russias-war-against-ukraine-how-the-nazarbayev-tokayev-regime-is-helping-putin/)

<sup>73</sup> [https://ru.odfoundation.eu/a/677216\\_desjatiletnjaja-vojna-rossii-protiv-ukrainy-kak-uskorit-pobedu-ukrainy/](https://ru.odfoundation.eu/a/677216_desjatiletnjaja-vojna-rossii-protiv-ukrainy-kak-uskorit-pobedu-ukrainy/)

<sup>74</sup> [https://ru.odfoundation.eu/a/719688\\_usilenie-osi-zla-diktatury-protiv-ukrainy/](https://ru.odfoundation.eu/a/719688_usilenie-osi-zla-diktatury-protiv-ukrainy/)

<sup>75</sup> [https://ru.odfoundation.eu/a/719546\\_brilliantny-ne-navsegda-analiz-neeftivnosti-almaznogo-embargo-dlja-nanesenija-ushcherba-rossijskoj-ekonomike/](https://ru.odfoundation.eu/a/719546_brilliantny-ne-navsegda-analiz-neeftivnosti-almaznogo-embargo-dlja-nanesenija-ushcherba-rossijskoj-ekonomike/)

<sup>76</sup> <http://www.esisc.org/about-us/our-mission>

<sup>77</sup> <https://assembly.coe.int/Communication/IBAC/IBAC-GIAC-Report-EN.pdf>

removed from the Foundation's reports. The representatives of Bakai Bank also demand compensation for material and moral damages.

The complaint and lawsuit against the Open Dialogue Foundation and Lyudmyla Kozlovska in Belgium is a prime example of a **Strategic Lawsuit Against Public Participation (SLAPP)**. Such lawsuits are brought to intimidate, disempower or silence critics, human rights defenders, journalists or others who express a public opinion. Dictatorial regimes often use SLAPPs for transnational repression against their critics to silence them and prevent them from disseminating “sensitive” information. Such criminal and civil cases have no real legal basis against the defendant; they are brought to divert attention away from the plaintiff's activities and to limit freedom of speech and criticism. They are designed to wear down the defendant through litigation, wasting his or her time and resources.<sup>78</sup>

The victims of transnational repression by Kazakhstan in recent years have also included:

- Barlyk Mendygazyev** is a Kazakhstani businessman, human rights defender and environmental activist. The Kazakhstani authorities have subjected Mendygazyev to politically motivated criminal prosecution in connection with his activities in defence of human rights and the environment, as well as providing material and financial assistance to victims of political repression in Kazakhstan.<sup>79</sup> He was forced to leave Kazakhstan. In order to force Mendygazyev to cease his human rights and opposition activities, the Kazakhstani regime persecuted his relatives and business colleagues. Coercion-by-proxy is a common tactic of transnational repression, where an authoritarian government, in an attempt to influence opponents living abroad, pressures their relatives, friends, colleagues or associates who remain at home.<sup>80</sup> In 2021, his brother Bekizhan Mendygazyev, as well as colleagues, were sentenced to prison terms of five to seven years in a fabricated criminal case. Another brother of Mendygazyev, Kalyk Mendygazyev, who had a serious illness, died in March 2023 as a result of the pressure exerted by the security services and endless interrogations.



**Barlyk Mendygazyev**

In April 2024, the Department of Economic Investigations reopened a pre-trial investigation against Barlyk Mendygazyev on suspicion of “creation of an organised criminal group for tax evasion”. Notably, the “new investigation” is actually a reopened old criminal case that was initiated against Barlyk Mendygazyev, his relatives and colleagues back in 2020. The criminal prosecution was reopened based on the testimony of former KSS director Bauyrzhan Jusupov and other employees of the company. In 2021, Jusupov, as well as other colleagues of Mendygazyev, was sentenced to 5.5 years in prison on trumped-up charges. However, he later co-operated with the investigation and was released on parole. In fact, Jusupov was blackmailed into giving false testimony against Barlyk Mendygazyev.<sup>81</sup>

It is also worth noting that, in early 2023, with the participation of the global energy corporation Chevron Corporation, which owns 50% of the shares of Kazakhstan's largest oil producing company Tengizchevroil, the property and equipment of the company KSS, created by Barlyk

<sup>78</sup> [https://www.law.cornell.edu/wex/slapp\\_suit](https://www.law.cornell.edu/wex/slapp_suit)

<sup>79</sup> <https://ru.odfoundation.eu/a/35314,politicheskoe-presledovanie-barlyka-menydgyazieva/>

<sup>80</sup> <https://freedomhouse.org/report/special-report/2020/home-and-abroad-coercion-proxy-tool-transnational-repression>

<sup>81</sup> [https://www.facebook.com/story.php?story\\_fbid=2324860374565735&id=100011253845678&mibextid=wwXlfr&rdid=AT40nx1JkLqGCCV](https://www.facebook.com/story.php?story_fbid=2324860374565735&id=100011253845678&mibextid=wwXlfr&rdid=AT40nx1JkLqGCCV)

Mendygazyev, was raided. The raid was carried out in the interests of West Dala, which is owned by Tolegen Balgimbayev, the son of former Prime Minister of Kazakhstan Nurlan Balgimbayev.<sup>82</sup> In fact, the international company was involved in the reprisals against a businessman undesirable to the Kazakhstani authorities. According to Barlyk Mendygazyev, the current management of KSS, under pressure from the special services of Kazakhstan, is trying to bring the company to bankruptcy in order to seize its assets.

In February 2025, PACE deputies called for an investigation into transnational repression organised by Kazakhstan, including the involvement of legal entities such as the Chevron Corporation in the political persecution of Barlyk Mendygazyev.<sup>83</sup>

- **Botagoz Jardemalie** is a former lawyer of BTA Bank who defended opposition politician Mukhtar Ablyazov and other politically persecuted and torture victims in Kazakhstan. Kazakhstan charged her as part of the Mukhtar Ablyazov case and put her on an international wanted list. In October 2013, Belgium granted Jardemalie political asylum. In 2014–15, three individuals, two former agents of the STASI (the East German secret police) and a Russian national, came under scrutiny by the Federal Police of Belgium for criminal conspiracy, forgery and use of false documents, impersonation of public authorities – all of which were allegedly committed in order to locate and/or kidnap Jardemalie. On 29 November 2019, a Brussels court sentences three men who spied on Jardemalie to two years in prison, partly with a suspended sentence.<sup>84</sup> On 15 September 2021, the Brussels Court of Appeal toughened the sentence. The Court found that the defendants' activities were part of “an even broader plan to seek out dissidents wanted by the Kazakhstani authorities, like [Jardemalie]”.



**Botagoz Jardemalie**

In 2016, Kazakhstan's BTA Bank filed a civil lawsuit against Botagoz Jardemalie in Belgium, accusing her of laundering EUR 500 million in Belgium.<sup>85</sup> BTA Bank was used by the Kazakhstani regime to simulate the private nature of the claim against Jardemalie. As evidence of Jardemalie's “criminal activity”, the Kazakhstani side provided copies of various rulings and decisions of Kazakhstani investigators, prosecutors and judicial authorities, as well as several interrogation protocols. On 25 April 2023, the Chamber du Conseil of the Tribunal of the First Instance of Brussels **dismissed the criminal investigation against Jardemalie**,<sup>86</sup> rejected BTA Bank's vague and belated request to perform additional duties and found no grounds for money laundering charges. However, in May 2024, BTA Bank appealed this decision, providing new “evidence” that was allegedly obtained during the investigation of a criminal case in Kazakhstan. As part of the criminal case referred to by the Kazakhstani side, in 2017, Botagoz Jardemalie's brother, Iskander Yerimbetov, was arbitrarily detained, prosecuted and severely tortured in Kazakhstan. He was placed in a pre-trial detention facility, tortured and de facto held hostage. Yerimbetov was

<sup>82</sup> <https://en.odfoundation.eu/a/726307,transnational-repression-against-barlyk-mendygazyev/>

<sup>83</sup> <https://pace.coe.int/fr/files/34167/html>

<sup>84</sup> <https://www.lecho.be/economie-politique/belgique/general/deux-ex-agents-de-la-stasi-condamnes-a-bruxelles/10186717?fbclid=IwAR3tOZ0ymEtFa3cmlDw16pvddkABH5yeetxibIT0aZsVMe8erGsK3xmotQi0>

<sup>85</sup> <https://ru.odfoundation.eu/a/720414,transnacionalnoe-presledovanie-boty-dzhardemali-so-storony-kazahstanskogo-rezhima-i-ego-agentov-v-es-istorija-dela/>

<sup>86</sup> Available upon request.

required to persuade his sister to stop her human rights work and return to Kazakhstan. In October 2018, Yerimbetov was sentenced to seven years in prison on a fabricated “fraud” case. He spent more than two years in prison<sup>87</sup> and was released on 27 December 2019. This was due to the prisoner's serious health condition, which deteriorated as a result of severe torture. Iskander Yerimbetov was forced to leave Kazakhstan. **Botagoz Jardemalie and her family members were under illegal surveillance** in Belgium since 2017. The surveillance was conducted by a private British company at the request of Kazakhstan. A criminal case was opened on the fact of illegal surveillance in Belgium. In February 2025, the Brussels Criminal Court of First Instance sentenced a former British marine to six months imprisonment for harassment and espionage.<sup>88</sup>

- Daniyar Khassenov** is a Kazakhstani human rights defender who was forced to leave Kazakhstan in 2019 due to politically motivated criminal prosecution. The Kazakhstani authorities continue transnational repression against Khassenov because of his human rights and expert work. In July 2023, the Lithuanian Migration Department refused to grant Daniyar Khassenov asylum or subsidiary protection. His second application is currently under consideration. Daniyar Khassenov's human rights and expert activities will be the reason for a new prosecution in Kazakhstan in case he returns to his homeland. Since 2022, Daniyar Khassenov, together with the Open Dialogue Foundation, has been involved in collecting information and preparing expert reports on how Central Asian countries (mainly Kazakhstan and Kyrgyzstan) help Russia circumvent international sanctions and obtain resources to continue its war against Ukraine.



**Daniyar Khassenov**

- Zamanbek Tleuliyev** and **Yeldos Nasipbekov** are members of the coordination headquarters of the opposition movement DCK, which was based in Kyiv. Activists of the Ukrainian headquarters of the DCK were subjected to pressure and threats from unknown persons and were constantly under surveillance. In 2018, unknown persons tried to seize equipment from the DCK office. On 6 January 2022, officers of the Security Service of Ukraine (SBU) arbitrarily detained Zamanbek Tleuliyev. They attacked Tleuliyev near the entrance of the house where he lived. This indicates that Tleuliyev was under surveillance. The activist was severely beaten – he had four teeth knocked out and sustained multiple bruises. The SBU officers interrogated Tleuliyev without the presence of a lawyer. He was threatened with deportation from Ukraine and ordered to cease his opposition activities. Yeldos Nasipbekov was forced by SBU officers to sign a statement that he would refuse to engage in opposition activities. Tleuliyev and Nasipbekov



**Zamanbek Tleuliyev and Yeldos Nasipbekov**

<sup>87</sup> [https://www.ohchr.org/Documents/Issues/Detention/Opinions/Session83/A\\_HRC\\_WGAD\\_2018\\_67.pdf](https://www.ohchr.org/Documents/Issues/Detention/Opinions/Session83/A_HRC_WGAD_2018_67.pdf)

<sup>88</sup> <https://www.lalibre.be/belgique/judiciaire/2025/02/05/lopposante-au-regime-kazakh-botagoz-jardemalie-a-bel-et-bien-ete-harcelee-et-espionnee-en-belgique-pendant-des-annees-GMPSS7HLFH67CDTH25FO2TDLE/>

were constantly under surveillance in Ukraine.<sup>89</sup> Due to a direct threat to their lives and safety, they were forced to leave the country and move to Lithuania.

In April 2024, Zamanbek Tleuliyev and Yeldos Nasipbekov were granted asylum in Lithuania. The Kazakhstani authorities organised a smear campaign against them in an attempt to obstruct the process of granting asylum. In particular, the information website Ekspertai.eu published several publications that reported inaccurate information about Zamanbek Tleuliyev's "treatment for drug addiction" and that a criminal case had been opened against him in Lithuania. Tleuliyev and Nasipbekov were also called provocateurs who "try to spoil relations between Lithuania and Kazakhstan". In March 2024, unknown persons beat up Zamanbek Tleuliyev. This incident was also misrepresented on the website Ekspertai.eu. The investigation into the beating of Zamanbek Tleuliyev was suspended.

The U.S. Department of State's Human Rights Report 2023 notes that transnational repression of individuals outside of Kazakhstan is a key human rights concern with regard to Kazakhstan.<sup>90</sup>

On 2 October 2024<sup>91</sup> and 5 February 25,<sup>92</sup> PACE deputies signed written declarations calling on the Kazakhstani authorities to stop abusing international legal co-operation and to stop acts of transnational repression against human rights defenders and opponents of the regime.

### THREE YEARS AFTER THE SHOOTING OF PEACEFUL JANUARY PROTESTORS: VICTIMS UNABLE TO SEEK JUSTICE

The presidency of Kasym-Jomart Tokayev has been marred by the largest peaceful anti-government protests in the history of independent Kazakhstan, which took place in January 2022. During the protests, more than 200 civilians were shot and killed by military and law enforcement agencies on the orders of President Tokayev. More than 10,000 people were arbitrarily detained. Peaceful protesters were tortured en masse. In February 2022, the Open Dialogue Foundation released a detailed report on the repression unleashed by the Kazakhstani authorities to suppress mass protest: "Mass shootings and torture of peaceful protesters in Kazakhstan: Country's authorities cannot be trusted. The need of independent international investigation".<sup>93</sup> **A military contingent from the Collective Security Treaty Organisation (CSTO), at the personal request of President Tokayev, provided support in suppressing the protests.** According to official data, the CSTO sent some 3,600 military personnel to Kazakhstan, most of whom were from Russia.<sup>94</sup> The CSTO operation in Kazakhstan was led by Russian Andrey Serdyukov. The troop deployment was carried out by a formation of more than 70 aircraft created by the Russian Ministry of Defence.<sup>95</sup> The official position alleges that the CSTO military did not take part in the suppression of the protests. However, video footage from Almaty airport has been leaked to the media showing the military brutally beating and detaining civilians.<sup>96</sup> Almaty airport was one of the facilities that were under the protection of the CSTO military contingent. It is worth noting that the CSTO operation in Kazakhstan was used by Russia to demonstrate its military might ahead of a full-scale military invasion of Ukraine. The

<sup>89</sup> <https://argumentua.com/stati/uroki-kazakhskogo>

<sup>90</sup> <https://www.state.gov/reports/2023-country-reports-on-human-rights-practices/kazakhstan/>

<sup>91</sup> <https://pace.coe.int/en/files/33814/html>

<sup>92</sup> <https://pace.coe.int/en/files/34167/html>

<sup>93</sup> <https://en.odfoundation.eu/a/207747,mass-shootings-and-torture-of-peaceful-protesters-in-kazakhstan-countrys-authorities-cannot-be-trusted-the-need-of-independent-international-investigation/#6-how-civilians-are-turned-into-terrorists-under-torture>

<sup>94</sup> <https://www.bbc.com/russian/features-64121146>

<sup>95</sup> <https://vz.ru/news/2022/1/7/1137646.html>

<sup>96</sup> [https://www.youtube.com/watch?v=4nuo4QH3vkM&ab\\_channel=%D0%91%D0%90%D0%A1%D0%95](https://www.youtube.com/watch?v=4nuo4QH3vkM&ab_channel=%D0%91%D0%90%D0%A1%D0%95)

CSTO's involvement in suppressing the protests demonstrated Russia's full support for President Tokayev. **President Tokayev has dismissed calls by the European Parliament, the US Senate and the OSCE for an international investigation into the mass shooting and torture of protesters and the role of the CSTO troops during the peaceful protests in January 2022.**<sup>97, 98, 99</sup>

Following the suppression of the peaceful January protests and related events, **a minimum of 1,273 people were convicted on criminal charges.** Due to international pressure and strong public outrage inside the country related to the shooting of protesters, mass arbitrary arrests and torture, the authorities went ahead with a large-scale amnesty, which was applied to 1,151 people. However, it should be noted that the amnesty does not provide for the acquittal of convicted persons, who remain restricted in their rights – they have an unexpunged criminal record and have not received compensation for torture and ill-treatment.

Kazakhstan abuses counter-terrorism and extremism legislation and anti-money laundering legislation by using it against its critics. Participation in peaceful protests and support for peaceful opposition associations is categorised by the Kazakhstani authorities as “extremist activity”. Opponents of the regime are prevented from receiving and utilising financial and insurance services. In particular, such persons have their bank accounts closed or frozen. They also face discrimination in finding employment and renting accommodation. **The authors of the report share the recommendation of Human Rights Watch to downgrade Kazakhstan's status in the FATF (the Financial Action Task Force) due to massive cases of abuse of anti-extremist legislation, as well as anti-money laundering legislation.**<sup>100</sup>

The Kazakhstani authorities have officially apologised for isolated cases of unlawful persecution and deprivation of life of civilians.<sup>101, 102</sup> There are isolated cases of compensation to the victims and their relatives.<sup>103</sup> However, the level of compensation clearly does not correspond to the harm caused. For example, former political prisoner **Sayat Adilbekuly**, who was shot during the January events and was subsequently subjected to unlawful criminal prosecution and torture, was able to obtain compensation in the amount of 700,000 Tenge (USD ~1,300) through the court. However, Adilbekuly was seeking compensation in the amount of 50 million tenge.<sup>104</sup> Another torture victim, **Ermek Abdreshov**, who lost vision in both eyes after a flash-bang grenade exploded near him and who suffered torture, was able to obtain only two million tenge (USD ~3,800) in compensation through the courts.<sup>105</sup>

During the suppression of the peaceful January protests, detainees were subjected to mass torture and ill treatment. However, only in isolated cases were the police and special services officers responsible for the use of torture held truly accountable. As a rule, they received the minimum possible sentences stipulated by the legislation of Kazakhstan for the use of “torture” and “abuse of power” – from three to five years of imprisonment. For example, on 8 December 2023, a verdict was passed against 11 NSC (National Security Committee) officers who were accused of torturing 54 people, one of whom, **Yerbol Otepbayev**, died as a result of torture. Seven NSC officers were sentenced to three to five years' imprisonment, three received suspended sentences, and one was acquitted. The hearing was closed to the public.<sup>106</sup> On 17 January 2025, another high-profile lawsuit on the case of mass torture against

<sup>97</sup> <https://rus.azattyq.org/a/31677572.html>

<sup>98</sup> <https://www.foreign.senate.gov/press/dem/release/menendez-cardin-durbin-brown-call-for-review-of-us-security-assistance-to-kazakhstan>

<sup>99</sup> [https://www.europarl.europa.eu/doceo/document/TA-9-2022-0012\\_EN.html](https://www.europarl.europa.eu/doceo/document/TA-9-2022-0012_EN.html)

<sup>100</sup> <https://rus.azattyq.org/a/politicheskie-presledovaniya-ekonomicheskaya-blokada-hrw-ob-ogranicheniyah-dlya-lits-v-spiske-finansiruyuschih-ekstremizm/33093091.html>

<sup>101</sup> <https://kaztag.kz/ru/news/vlasti-posle-antara-izvinilis-za-15-epizodov-nezakonnogo-presledovaniya-i-lisheniya-zhizni>

<sup>102</sup> <https://www.facebook.com/toregozhina/posts/pfbid027xbrLxGCdmcer6tgo3CtaPNtB82DYeUkEyQbm2WwA5RuyFacdgZK33VShqFPt2PI>

<sup>103</sup> <https://rus.azattyq.org/a/32432627.html>

<sup>104</sup> <https://respublika.kz/media/archives/108368>

<sup>105</sup> <https://rus.azattyq.org/a/32728406.html>

<sup>106</sup> <https://rus.azattyq.org/a/32722246.html>

detained foreigners during the January protests came to an end. At that time, 98 people (including a famous musician from Kyrgyzstan **Vikram Ruzakhunov**) were taken to the detention facility in the village of Koshmambet and subjected to torture and ill treatment. Six police officers were sentenced to three years' imprisonment each.<sup>107</sup>

At the same time, the Kazakhstani authorities have prosecuted activists inside the country for exposing intelligence officers, prosecutors and judges who participated in the persecution and torture of protesters. Human rights activist **Aya Sadvakasova** was sentenced to three years in prison on charges of "spreading knowingly false information" (Article 274 of the Criminal Code) for her Twitter posts about human rights violations in Kazakhstan.<sup>108</sup> Human rights defenders **Ulbolsyn Turdiyeva**<sup>109</sup> and **Aidar Syzdykov**<sup>110</sup> were repeatedly brought to administrative responsibility (including arrests) for their publications on social media.

The international community (in particular the European Parliament<sup>111, 112</sup> and PACE<sup>113</sup>) has repeatedly called on the Kazakhstani authorities to conduct an independent and objective investigation into the mass shooting, arbitrary detention and torture of peaceful protesters in January 2022 and to release political prisoners (Aigerim Tleuzhan, Kazybek Kudaibergenov, Akylzhan Kiisimbayev, Shaden Kiribayev, Marat Zhylanbayev, Bekizhan Mendygazyev, Timur Danebayev, Duman Mukhametkarim and others). However, the Kazakhstani authorities continue to systematically ignore these appeals. The U.S. State Department's 2023 report on the Human Rights Practices in Kazakhstan noted that "investigations of torture cases were not transparent and did not involve international bodies, despite repeated calls for transparency from NGOs and the international community".<sup>114</sup>

## PROTESTS AGAINST THE CONSTRUCTION OF A NUCLEAR POWER PLANT IN KAZAKHSTAN

On 6 October 2024, Kazakhstan held a national referendum on the construction of the country's first nuclear power plant. The decision to hold the referendum was announced just a month before – on 2 September 2024. As President Tokayev stated, the referendum was to be "a manifestation of a broad nationwide dialogue".

A part of the Kazakhstani public opposed the construction of the power plant, fearing environmental and corruption risks, as well as increased energy dependence on the partner state that will build the power plant. In particular, members of the unregistered opposition party Alga Kazakhstan and its leader Marat Zhylanbayev, who is currently imprisoned under a fabricated criminal case, spoke out against the construction of the NPP; the opposition movement DCK and its leaders Mukhtar Ablyazov, Zamanbek Tleuliyev, Yeldos Nasipbekov; the former Chairman of the board of Kazakhstan's Electricity Grid Operating Company KEGOC, Aset Nauryzbayev, and former political prisoner and ex-head of the National Atomic Company Kazatomprom, Mukhtar Dzhakishev.

**The authorities did not allow a broad public debate on the construction of the nuclear power plant.** Critics of the NPP construction were subjected to persecution and administrative pressure. The authorities prevented public rallies and discussions and tried to silence every critic on social media. For

<sup>107</sup> <https://www.dw.com/ru/delo-muzykanta-ruzahunova-v-kazahstane-za-pytki-osudili-policejskih/a-71330730>

<sup>108</sup> <https://ru.krymr.com/a/news-kazakhstan-sadvakasova/31989473.html>

<sup>109</sup> <https://www.facebook.com/groups/ActivistsNotExtremists/posts/3544203429232248/>

<sup>110</sup> <https://rus.azattyq.org/a/32145741.html>

<sup>111</sup> [https://www.europarl.europa.eu/doceo/document/TA-9-2022-0012\\_EN.html](https://www.europarl.europa.eu/doceo/document/TA-9-2022-0012_EN.html)

<sup>112</sup> <https://eur-lex.europa.eu/eli/C/2024/5718/oj/eng>

<sup>113</sup> <https://pace.coe.int/en/files/33144/html>

<sup>114</sup> <https://www.state.gov/reports/2023-country-reports-on-human-rights-practices/kazakhstan/>

example, on 16 September 2024, a panel discussion organised by the platform of environmentalists and eco-activists “АӘС керек емес” (“There is no need for NPP”) could not take place because the hotel where the conference hall was rented refused at the last moment to provide a venue for the event.<sup>115</sup> Within a year, the authorities held 20 “public discussions” throughout Kazakhstan, which in terms of format served more as government propaganda promoting the need for NPP construction than as public hearings.

In the run-up to the vote, arrests and detentions of activists opposed to the NPP construction took place across the country. Human rights activist Bakhytzhan Toregozhina estimated that there were at least 27 arrests.<sup>116</sup> Criminal cases were initiated against 13 activists for allegedly preparing for mass riots. Five of them are being held in pre-trial detention facilities. Many activists were fined between USD 90 and USD 380 for allegedly violating the law on peaceful assembly. On election day, police surveillance was conducted outside the homes of prominent activists.

Traditionally for Kazakhstan, the election was held with multiple violations, and the result was predicted in advance. In particular, there were cases of obstruction of the work of observers and the media, inflated turnout of voting participants, use of administrative influence, etc.<sup>117</sup>

According to official voting results, the construction of the NPP was allegedly supported by more than 71 per cent of voters. It is impossible to verify the objectivity of these data because Kazakhstan has a complicated procedure for obtaining permission to conduct election-related sociological surveys (exit polls). In fact, exit polls are under full control of the state and only organisations that are “verified” and loyal to the authorities are allowed to conduct them. For example, the PaperLab research centre was refused the right to conduct exit polls on the grounds that it receives funding from foreign sources.<sup>118</sup> Any unauthorised opinion polling regarding elections or referendum can be considered an offence. For example, on 3 October 2024, a court in Uralsk fined Tamara Yeslyamova, editor-in-chief of the Uralskaya Nedelya newspaper, for posting videos on YouTube asking for people's opinion on the referendum.<sup>119</sup> According to official information, a total of 24 people were brought to administrative responsibility for illegally conducting a public opinion poll on the construction of the nuclear power plant.<sup>120</sup>

It is not yet known who exactly will be involved in the implementation of the NPP construction project. The Kazakhstani authorities have said that it will be a consortium of different companies. However, it is possible that in this way the authorities are trying to hide the participation of the Russian corporation Rosatom in the construction of the power plant. **It was Russia's possible participation in the project that became one of the factors why the Kazakhstani public opposed the construction of the NPP. Immediately after the referendum, the Russian Foreign Ministry stated that Rosatom was ready to “provide its expertise” to Kazakhstan.**<sup>121</sup> Commenting on possible political risks in connection with Russia's participation in the project, First Deputy Prime Minister of Kazakhstan Roman Sklyar said that they will “play it by ear”.<sup>122</sup> Thus, he indirectly confirmed Russia's participation in the project.

<sup>115</sup> <https://rus.azattyq.org/a/33118892.html>

<sup>116</sup> <https://www.facebook.com/toregozhina/posts/pfbid033DkkMFnPGJHCZUFBU1pV8zsjAWbyZvEPy1JDKVM5MnYciVMQHPidUxJuxmiiKZel?rdid=zS3suF1zM3jdPepc>

<sup>117</sup> <https://rus.azattyq.org/a/33152420.html>

<sup>118</sup> <https://rus.azattyq.org/a/33150169.html>

<sup>119</sup> <https://forbes.kz/articles/uchreditelya-gazety-uralskaya-nedelya-oshtrafovali-za-intervyu-o-referendume-po-aes-4b9148>

<sup>120</sup> [https://www.youtube.com/watch?v=xh-hd9wGdNU&ab\\_channel=RGPITC](https://www.youtube.com/watch?v=xh-hd9wGdNU&ab_channel=RGPITC)

<sup>121</sup> <https://tass.ru/ekonomika/22339539>

<sup>122</sup> <https://lenta.ru/news/2024/10/08/v-kazahstane-prokomentirovali-politicheskie-riski-stroitelstva-aes-rossii/>

## THE LIST OF POLITICAL PRISONERS IN KAZAKHSTAN

### Criteria for inclusion on the list of political prisoners

While preparing the list of political prisoners, the PACE criteria were used.<sup>123</sup> Although Kazakhstan is not a member of the Council of Europe, it has ratified four Council of Europe conventions and signed a declaration expanding cooperation with the organisation. Kazakhstan has been an observer in the Council of Europe bodies at various times. Since March 2012, Kazakhstan has been a member of the Venice Commission and joined the Group of States against Corruption (GRECO) in 2020.

A person is considered a political prisoner if:

- Detention violates fundamental rights and freedoms, in particular freedom of thought, conscience and religion, freedom of expression and information, freedom of assembly and association.
- The detention is imposed for purely political reasons.
- Due to political motives, the length of the detention or its conditions are clearly out of proportion to the offence.
- Due to political motives, he or she is detained in a discriminatory manner as compared to other persons.
- The detention is the result of judicial proceedings that are clearly unfair and connected with the political motives of authorities.

In accordance with the above-mentioned criteria, in this report we provide information on persons who are subjected to politically motivated persecution and on those who remain in prisons or pre-trial detention facilities – i.e. about political prisoners.

In Kazakhstan, persons are politically prosecuted under both general criminal articles and “political” articles of the Criminal Code. The latter include charges of “inciting social discord” (Article 174 of the Criminal Code), “participation in the activities of the organisation after its recognition as extremist” (Article 405 of the Criminal Code), “financing of extremist activities and other aiding and abetting of extremism” (Article 258 of the Criminal Code), “disseminating of deliberately false information” (Article 274 of the Criminal Code), “propaganda or public calls for seizure or retention of power” (Article 179 of the Criminal Code), “organisation and participation in mass riots” (Article 272 of the Criminal Code) and “propaganda of terrorism or public calls to commit an act of terrorism” (Article 256 of the Criminal Code). Kazakhstan refuses to implement the recommendation of the European Parliament resolution<sup>124</sup> regarding the abolition of politicised and textually ambiguous Articles 174 and 274 of the Criminal Code. By using these allegations for political purposes, Kazakhstan is abusing the legislation on countering terrorism and extremism, as well as anti-money laundering legislation. **In this regard, the authors of the report share the recommendation of Human Rights Watch on the need to downgrade Kazakhstan's status in the Financial Action Task Force (FATF).**<sup>125</sup>

<sup>123</sup> <https://assembly.coe.int/nw/xml/XRef/Xref-XML2HTML-en.asp?fileid=19150&lang=en>

<sup>124</sup> [https://www.europarl.europa.eu/doceo/document/TA-8-2019-0203\\_EN.html](https://www.europarl.europa.eu/doceo/document/TA-8-2019-0203_EN.html)

<sup>125</sup> <https://rus.azattyq.org/a/politicheskie-presledovaniya-ekonomicheskaya-blokada-hrw-ob-ogranicheniyah-dlya-lits-v-spiske-finansiruyuschih-ekstremizm/33093091.html>

## CONVICTED

### In cases related to the January 2022 peaceful protests

- 1 **Zhaksylyk ABDULLAYEV** – 5 years' imprisonment under Article 272 of the Criminal Code (“organisation and participation in mass riots”). Abdullayev did not accept the charges; his relatives said that he was slandered.<sup>126</sup>
  
- 2 **Rinat ALIYEV** – 6.5 years' imprisonment under Article 256 of the Criminal Code for alleged “propaganda of terrorism”. He has been in detention since 14 January 2022 and has been subjected to torture. Aliyev was initially detained on suspicion of “participation in mass riots” (Article 272 of the Criminal Code). Aliyev did not go to the protests. After the investigation failed to prove his participation in mass riots, Aliyev was charged with propaganda of terrorism.
  
- 3 **Chingiz ALPIYEV** – 9 years' imprisonment under Article 256 of the Criminal Code for alleged “propaganda of terrorism”. He has been kept in detention since 14 January 2022 and been subjected to torture. Alpiyev was initially detained on suspicion of participation in mass riots (Article 272 of the Criminal Code). Alpiyev did not go to the protests. After the investigation failed to prove Alpiyev's participation in mass riots, he was charged with propaganda of terrorism.
  
- 4 **Timur DANEBAYEV** – 3 years' imprisonment under Article 174 of the Criminal Code (“incitement of national and social discord”). Danebayev is known for having filed a police report against President Tokayev after the suppression of peaceful protests in January for spreading false information about “20,000 terrorists”. Danebayev published posts on social media criticising Russia for its military aggression against Ukraine. This was the formal reason for opening a criminal case.<sup>127</sup> On 24 December 2022, Danebayev was detained and placed in a pre-trial detention facility. Convicted on 15 June 2023. Danebayev was tortured in detention for allegedly failing to comply with prison regulations. Danebayev's torture was filmed on video and made public. The video shows Danebayev being severely beaten by at least ten officers of the correctional



<sup>126</sup> <https://rus.azattyq.org/a/32384250.html>

<sup>127</sup> <https://rus.azattyq.org/a/32433109.html>

facility in the city of Atbasar (Akmola region).<sup>128</sup> The Danebayev case demonstrated that torture remains extremely widespread in Kazakhstan, even despite the authorities' claims of vigorous efforts to combat torture. As of January 2025, staff of the penal colony had not yet been prosecuted for torture.

- 5 **Nurlan DALIBAYEV** – 8 years' imprisonment under Article 200 of the Criminal Code (“illegal occupation of a vehicle”), Article 269 of the Criminal Code (“attacks on buildings”) and Article 272 of the Criminal Code (“participation in mass riots”). Dalibayev was convicted in the case of “seizure of Almaty airport” during the January protests.



- 6 **Yerbol ZHUMANOV** – 16 years' imprisonment under Article 287 of the Criminal Code (“illegal possession of firearms”) and Article 380 of the Criminal Code (“use of violence against a representative of the authorities”). According to the prosecution, Zhumanov allegedly shot and killed the head of the Anti-Terrorist Centre of the Department of NSC of Zhambyl region during the protests in Taraz. In court, Zhumanov admitted that he picked up the weapon on the street, but claimed he did not kill anyone. According to CCTV footage, Zhumanov came to the town square when the NSC officer had already been shot dead. However, these video recordings were not presented at the trial.<sup>129</sup>



- 7 **Nursultan ISAYEV** – 15 years' imprisonment under Article 380-1 of the Criminal Code for allegedly running over servicemen in Aktobe during protests. The servicemen were slightly injured. According to Isayev, his car was shelled, so he ducked down and did not see where he was going.<sup>130</sup> Convicted on 1 February 2023.



<sup>128</sup> <https://rus.azattyq.org/a/32580442.html>

<sup>129</sup> <https://republika.kz/media/archives/87392>

<sup>130</sup> <https://rus.azattyq.org/a/32361008.html>

- 8 **Darkhan KAMI** – 4 years' imprisonment under Article 272 of the Criminal Code (“participation in mass riots”). Convicted on 1 February 2023. After consideration of the case in the court of appeal, Kami's sentence was made harsher and he was transferred from a general regime colony to a strict regime colony.<sup>131</sup>



- 9 **Zhan-Aidar KARMENOV** – 8 years' imprisonment under Article 269 of the Criminal Code (“attacks on buildings”) and Article 272 of the Criminal Code (“participation in mass riots”). Karmenov was convicted in the case of “seizure of Almaty airport” during the January protests. Karmenov did not plead guilty to the charges.



- 10 **Kazybek KUDAIBERGENOV** – 17 years' imprisonment under Article 272 of the Criminal Code (“participation in mass riots”) and Article 380 of the Criminal Code (“attempt on the life of a serviceman”). According to the investigation, Kudaibergenov seized a “KamAZ” lorry and directed it at a group of servicemen, killing one of them. The indictment states that Kudaibergenov is associated with the movement *Democratic Choice of Kazakhstan* (DCK). Kazybek Kudaibergenov did not participate in the January protests. On 5 January 2022 he received a gunshot wound in the leg while he was in the city centre. A few days later, Kudaibergenov was detained. He was subjected to severe torture – beaten with truncheons, tortured with stun guns and threatened with rape. A forensic medical examination confirmed that Kudaibergenov had been subjected to violent acts. Under the influence of torture, Kazybek Kudaibergenov was forced to incriminate himself and sign false testimony on the charges.



Kazybek Kudaibergenov's wife reported that due to the preparation of an appeal to the Supreme Court against the verdict, their family began to be pressurised by employees of the Akimat (local executive body), the Prosecutor's Office and the colony where Kazybek is serving his sentence. Kazybek is being threatened with torture and with being sent to a punishment cell.<sup>132</sup>

<sup>131</sup> <https://rus.azattyq.org/a/32361008.html>

<sup>132</sup> [https://www.facebook.com/groups/2333831603602776/?multi\\_permaLinks=3568268363492421&hoisted\\_section\\_header\\_type=recently\\_seen](https://www.facebook.com/groups/2333831603602776/?multi_permaLinks=3568268363492421&hoisted_section_header_type=recently_seen)

11 **Nurakhan MAKHATOV** – 6 years' imprisonment under Article 272 of the Criminal Code (“organisation and participation in mass riots”) for the events that took place during the protests in Taraz. Makhatov is 64 years old and has not pleaded guilty to the charges. According to Makhatov's relatives, he went to the square during the protests to “calm the youth”. However, he was eventually accused of organising mass riots.<sup>133</sup> Criminal mastermind Bashirov, who was detained for looting during the January protests, testified against Makhatov in court.<sup>134</sup> Along with Nurakhan Makhatov, his 35-year-old son Kanat Nurakhanuly was convicted, but he was amnestied.



12 **Kalas NURPEISOV** – 8 years' imprisonment under Article 191 of the Criminal Code (“robbery”), Article 200 of the Criminal Code (“unlawful seizure of a vehicle”) and Article 269 (“attack on buildings”). Kalas Nurpeisov was convicted in the case of “seizure of Almaty airport” during the January protests. According to the materials of the criminal case, Nurpeisov organised mass riots at Almaty airport, and also “did not limit himself to participation in mass riots at the airport and, in order to prevent the arrival of troops of the Collective Security Treaty Organisation (CSTO), tried to seize the office of *Kazaeronavigatsiya*, which provides electricity for system equipment and air traffic safety”.<sup>135</sup> Shortly after the suppression of the January protests, Kasym-Jomart Tokayev said in an interview that bandits and terrorists attacked the Almaty airport in order to seize it and ensure the arrival of “militants from a Central Asian city”.<sup>136</sup> According to Tokayev, these “bandits and terrorists” turned out to be civil activists Kalas Nurpeisov and Aigerim Tleuzhan, who were labelled as the organisers of the airport seizure.



<sup>133</sup> <https://masa.media/ru/site/prokurory-zaprosili-dlitelnye-tyuremnye-sroki-dlya-obvinyaemykh-po-delu-o-yanvarskikh-sobytiyakh-v-taraze>

<sup>134</sup> <https://respublika.kz.media/archives/87392>

<sup>135</sup> <https://rus.azattyq.org/a/kazakhstan-bloody-january-almaty-airport-attack-case/32343040.html?fbclid=IwAR2-r4jRcUTuL5ee7XzIshXfXtrnsf26UWzvdYQe0jNLE9XBI3rapgRPRReE>

<sup>136</sup> <https://rus.azattyq.org/a/31677395.html>

- 13 **Aibol SAGINTAY** – 5 years' imprisonment under Article 272 (“organisation and participation in mass riots”). Sagintay does not deny that he went to the protests in Taraz but claims that he did not violate the law. On the contrary, Sagintay urged the protesters to calm down. In the pre-trial detention facility, Aibol was offered to be released in exchange for incriminating against persons whom the police would point out. Aibol refused and was told: “Then you will serve time.”<sup>137</sup>



- 14 **Aigerim TLEUZHAN** – 4 years' imprisonment under Article 272 of the Criminal Code (“organisation of mass riots”) in the case of “seizure of Almaty airport” during the January protests. According to the prosecution's version, she, together with Kalas Nurpeisov, was the organiser of mass riots at the airport and blocked the movement of aircrafts. Tleuzhan pleaded not guilty. At the trial Nurpeisov and Tleuzhan did not deny that on 5 January 2022 they arrived at the airport when she learnt that CSTO troops were preparing to enter Kazakhstan but stayed there only about half an hour.<sup>138</sup> Tleuzhan is a civil activist and journalist from Almaty.



- 15 **Yermuhamet SHILIBAEV** – 8 years in prison under Article 269 of the Criminal Code (“attacks on buildings”) and Article 272 of the Criminal Code (“participation in mass riots”). Shilibayev was convicted in the case of “seizure of Almaty airport” during the January protests. Shilibayev pleaded not guilty.



<sup>137</sup> <https://rus.azattyq.org/a/32413457.html>

<sup>138</sup> <https://rus.azattyq.org/a/pozor-kak-vynosili-prigovor-obvinyaemym-v-zahvate-aeroporta-vo-vremya-yanvarskih-sobytyj/32498793.html>

**Prosecuted for fighting against corruption**

16 **Makhambet ABZHAN** – 9 years' imprisonment under Article 194 of the Criminal Code (“extortion”) and Article 274 of the Criminal Code (“dissemination of knowingly false information”) for allegedly extorting about 50 million tenge (USD ~11,100) under the threat of spreading “defamatory information” in the media. Convicted on 3 February 2023. He has been under arrest since 5 July 2022. Abzhan worked as a journalist and published information about the alleged assets of President Kasym-Jomart Tokayev's nephew.<sup>139</sup>



17 **Shaden KARIBAYEV** – 7 years in prison under Article 189 of the Criminal Code (“misappropriation or embezzlement of entrusted property”) for allegedly embezzling funds from the “Sputnik” Holiday House, where he worked as director in 2015–17. Karibayev was criminally prosecuted for uncovering numerous embezzlements and corruption in the Public Association “Kazakh Society for the Blind”, which includes the “Sputnik” Holiday House”.<sup>140</sup> According to some reports, the corruption schemes uncovered by Karibayev were in favour of firms linked to Nursultan Nazarbayev's daughter, Dariga. Therefore, law enforcement agencies ignored the facts of corruption Karibayev pointed out and fabricated a criminal case against him.<sup>141, 142</sup> Karibayev is visually impaired and is at an advanced age (70), so being in detention conditions is dangerous to his life.



18 **Yerulan AMIROV** – 7 years' imprisonment under Article 174 of the Criminal Code (“incitement of social discord”), Article 256 of the Criminal Code (“propaganda of terrorism”) and Article 405 of the Criminal Code (“participation in the activities of an extremist organisation”). He was sentenced on 16 May 2022. Amirov was prosecuted because he recorded a video and posted it on Facebook. In the video Amirov stated “the best jihad is the spoken word before an unjust tyrant ruler”. Amirov emphasised not to take up arms. However, it was enough for the investigating authorities that Amirov used the word “jihad”, and a criminal case was initiated against him.<sup>143</sup>



<sup>139</sup> <https://rus.azattyq.org/a/32254069.html>

<sup>140</sup> [https://www.facebook.com/groups/ActivistsNotExtremists/posts/3321529461499647/?comment\\_id=3327236894262237](https://www.facebook.com/groups/ActivistsNotExtremists/posts/3321529461499647/?comment_id=3327236894262237)

<sup>141</sup> <https://www.facebook.com/groups/ActivistsNotExtremists/posts/3351489391836987/>

<sup>142</sup> <https://www.facebook.com/groups/ActivistsNotExtremists/posts/3321712491481344/>

<sup>143</sup> <http://tirik.info/rasshirenie-spiski-polituznikov-21-07-2021-goda/>

Amirov claims that before that they wanted to fabricate a criminal case against him on charges of supporting *Koshe Partiyasy*.<sup>144</sup> Amirov is a victim of punitive psychiatry. On 10 June 2021 he was placed in a psychiatric hospital. Due to constant psychological pressure in December 2021 Amirov made a suicide attempt while in the pre-trial detention facility.<sup>145</sup>

- 19 **Karasay ASHIRBEKOV** – 6.5 years' imprisonment under Article 120 of the Criminal Code (“rape”). Sentenced on 10.02.2023. The term is calculated from the date of arrest – 18 May 2022. The trial against Ashirbekov was held in a closed session. Ashirbekov is a civil activist from Kyzylorda region, chairman of the public association “Committee for the Elimination of Corruption”. He has been repeatedly persecuted by law enforcement agencies in connection with his public activities. Ashirbekov claims that the rape case against him is fabricated.<sup>146</sup>



### Political hostages in the case of human rights defender and philanthropist Barlyk Mendygazyev

Barlyk Mendygazyev is an entrepreneur, philanthropist and human rights activist currently residing in the United States. The Kazakhstani authorities have subjected Barlyk Mendygazyev to politically motivated criminal prosecution because of his opposition and human rights activities. To put pressure on Mendygazyev, the authorities have effectively taken hostage his family members and employees of the company he founded, KSS – against whom they have also opened politically motivated criminal cases and whom they have sentenced to long prison terms (coercion-by-proxy). Another brother of Mendygazyev, Kalyk Mendygazyev, who had a serious illness, died in March 2023 as a result of pressure from the security services and endless interrogations.

- 20 **Rinat BATKAYEV** – 5 years' imprisonment under Article 262 of the Criminal Code (“participation in an organised criminal group”) and Article 216 of the Criminal Code (“issuing an invoice without performing actual work”). Convicted on 26 July 2021. Initially, the court sentenced Batkayev to restriction of liberty, but the court of appeal replaced the punishment with imprisonment.



<sup>144</sup> [https://mediazona.ca/article/2021/08/03/psychiatry?fbclid=IwAR2QRlw-Fq\\_faaVtCP3pPquQoaTWZ3EbJGEq6r\\_xyF-qS8UokH7Gw\\_VaXn0](https://mediazona.ca/article/2021/08/03/psychiatry?fbclid=IwAR2QRlw-Fq_faaVtCP3pPquQoaTWZ3EbJGEq6r_xyF-qS8UokH7Gw_VaXn0)

<sup>145</sup> <https://rus.azattyg.org/a/31631082.html>

<sup>146</sup> <http://tirik.info/kak-vlasti-podstavlyayut-aktivistov-s-zhenshinami/>

21 **Natalia DAULETYAROVA** – 7 years' imprisonment under Article 262 of the Criminal Code (“establishment of an organised criminal group”), Article 216 of the Criminal Code (“issuing invoices without performing actual work”), Article 245 of the Criminal Code (“tax evasion”), Article 419 of the Criminal Code (“knowingly false denunciation”). Convicted on 26 July 2021. Initially sentenced to restriction of liberty, but the Court of Appeal changed the punishment to imprisonment.



22 **Bekizhan MENDYGAZIYEV** – 5 years and 1 month of imprisonment under Article 262 of the Criminal Code (“participation in an organised criminal group”), Article 245 of the Criminal Code (“tax evasion”), Article 218 of the Criminal Code (“money laundering”), Article 216 of the Criminal Code (“issuing invoices without actually performing work”). The term of imprisonment is calculated from 3 June 2021. Bekizhan Mendygazyev is the brother of Kazakhstani businessman and philanthropist Barlyk Mendygazyev.



### The “Group of Seven” case (“Tractor” case)

“Group of Seven” is a term used to refer to the criminal prosecution of seven civil activists from Almaty and Almaty region who allegedly prepared “mass riots” and “seizure of power” in Kazakhstan on the day of the snap presidential election. The activists were detained on 17 November 2022 – a few days before the elections. According to the investigation, they “favoured” opposition politician Mukhtar Ablyazov, “had similar views to Ablyazov”, and were members of the DCK and *Koshe Partiyasy* movements.<sup>147</sup> The video clip of the detention of the activists was used for propaganda purposes to demonstrate the authorities' fight against “extremists who tried to disrupt the elections”. The authorities did not provide evidence of the guilt of the detained activists. In June 2023, Aidos Ilipbayev, one of those arrested in the case, was released from the pre-trial detention facility and placed under house arrest. He admitted his guilt.

On 7 August 2024 the verdict on the case of “Group of Seven” was passed. All defendants, except Aydos Ilipbayev, were sentenced to prison terms. Ilipbayev received a suspended sentence.<sup>148</sup> On 15 August 2024, the Court of Appeal left the verdict unchanged.<sup>149</sup>

<sup>147</sup> <https://rus.azattyq.org/a/kazakhstan-early-presidential-elections-persecution-of-activists/32137228.html>

<sup>148</sup> <https://rus.azattyq.org/a/32852111.html>

<sup>149</sup> <https://rus.azattyq.org/a/33080127.html>

- 23 **Bagdagul ANDREYEVA** – 6 years of imprisonment under Article 182 of the Criminal Code (“creation and management of an extremist group”), Article 179 of the Criminal Code (“propaganda or public calls for seizure of power”), Article 272 of the Criminal Code (“organisation of mass riots”). Andreyeva has been repeatedly prosecuted for participation in peaceful protests. In January 2022, she was arrested for 15 days for participation in a rally.



- 24 **Akylzhan KIYSYMBAYEV** – 5 years of imprisonment under Article 182 of the Criminal Code (“creation and management of an extremist group”), Article 179 of the Criminal Code (“propaganda or public calls for seizure of power”), Article 272 of the Criminal Code (“organisation of mass riots”), Article 287 of the Criminal Code (“illegal possession of firearms”). Kiysymbayev sustained a gunshot wound during the shooting of protestors. He was detained and subjected to torture by the police.<sup>150</sup>



- 25 **Olzhas KULZHAKHANOV** – 6 years of imprisonment under Article 182 of the Criminal Code (“creation and management of an extremist group”), Article 179 of the Criminal Code (“propaganda or public calls for seizure of power”), Article 272 of the Criminal Code (“organisation of mass riots”), Article 287 of the Criminal Code (“illegal possession of firearms”).



- 26 **Sagyngkul KONAR** – 5 years of imprisonment under Article 182 of the Criminal Code (“creation and management of an extremist group”), Article 179 of the Criminal Code (“propaganda or public calls for seizure of power”), Article 272 of the Criminal Code (“organisation of mass riots”).



<sup>150</sup> <https://vlast.kz/obsshestvo/50302-perezit-anvar.html>

27 **Tenilik NURLANOV** – 5 years of imprisonment under Article 182 of the Criminal Code (“creation and management of an extremist group”), Article 179 of the Criminal Code (“propaganda or public calls for seizure of power”), Article 272 of the Criminal Code (“organisation of mass riots”), Article 287 of the Criminal Code (“illegal possession of firearms”).



28 **Yerzhan TOREKULOV** – 6 years of imprisonment under Article 182 of the Criminal Code (“creation and management of an extremist group”), Article 179 of the Criminal Code (“propaganda or public calls for seizure of power”), Article 272 of the Criminal Code (“organisation of mass riots”), Article 287 of the Criminal Code (“illegal possession of firearms”).



#### **Activists, charged for participation in the unregistered *Alga Kazakhstan* party**

29 **Marat ZHYLANBAYEV** – 7 years of imprisonment under Article 258 of the Criminal Code (“financing of terrorist or extremist activities”) and Article 405 of the Criminal Code (“participation in the activities of an extremist organisation”). Zhylanbayev is a world-renowned ultramarathoner. He is chairman of the organising committee of the unregistered *Alga Kazakhstan* party. Convicted on 29 November 2023.



According to the materials of the criminal case, “financing of extremism” implies that, in February 2023, Zhylanbayev transferred 500,000 tenge (USD ~1,100) to activist Zhanna Sarsenova. She is allegedly a member of the “extremist organisation” DCK, according to the investigation. Zhylanbayev made the transfer ahead of the parliamentary elections so that Sarsenova could make an electoral deposit and stand as a candidate for the Mazhilis of Parliament.<sup>151</sup> Zhylanbayev had also intended to run in the election. However, his candidacy was withdrawn after he announced a fundraiser among his associates to run for

<sup>151</sup> <https://otyrar.kz/2023/02/vybory-2023-kto-izyavil-zhelanie-podat-zayavlenie-v-shymkente/>

election. Zhylanbayev was accused of premature campaigning. It is worth noting that the money was transferred to the account of a third party (Zhanna Sarsenova's mother), but the investigation regarded it exactly as a transfer to Sarsenova. At the same time, there is no court decision that would recognise Sarsenova as an extremist or a member of the DCK, so the transfer of money to her cannot be regarded as “financing extremism”. **Zhylanbayev's case shows that, in Kazakhstan, law enforcement agencies, in violation of the right to bank secrecy, have access to the monetary transactions of citizens and illegally monitor them.**

Also according to the investigation, Zhylanbayev's criminal activity consists in his allegedly having organised protests of the DCK. The investigation came to this conclusion on the basis of the fact that the leader of DCK Mukhtar Ablyazov reported on social networks about the planned peaceful protests announced by Zhylanbayev. Thus, the investigation blamed Zhylanbayev for the actions of another person. Zhylanbayev was also allegedly a member of a chatroom on the social network of the organisers and participants of the DCK.<sup>152</sup>

According to the conclusions of political science research (which is not on the list of forensic examinations according to the legislation of Kazakhstan), Zhylanbayev's actions and statements contain signs of “discrediting the authorities”. Using the example of systematic refusals to register the *Alga Kazakhstan* party, he criticised Tokayev's statement that Kazakhstan had “simplified the procedure for registering political parties”. Zhylanbayev also called Tokayev a “dictator” on social media and blamed him for the tragic consequences of the events of January 2022 in Kazakhstan.<sup>153</sup>

On 23 May 2023, Marat Zhylanbayev's house was searched, his phones and personal correspondence were examined.<sup>154</sup> In early May 2023, Zhylanbayev was arrested for 20 days for holding a peaceful rally near the building of the Delegation of the European Union to the Republic of Kazakhstan in Astana demanding the release of political prisoners and sanctions against the Kazakhstani authorities for helping Russia circumvent sanctions. After serving the administrative arrest, Zhylanbayev was not released, but was arrested in connection with a criminal case.

<sup>152</sup> <https://rus.azattyq.org/a/kazakhstan-opposition-activist-marat-zhylanbayev/32427878.html>

<sup>153</sup> <https://www.facebook.com/groups/ActivistsNotExtremists/posts/3573171686335422/>

<sup>154</sup> <https://rus.azattyq.org/a/32423896.html>

On 30 October 2023, the trial against Marat Zhylanbayev started in the Specialised inter-district Criminal Court of Astana city. Based on the motion of two anonymous witnesses, the judge decided to close the trial to the public. In fact, Marat Zhylanbayev's right to an open and fair trial was violated. In protest against this, Marat Zhylanbayev sewed up his mouth and went on hunger strike.<sup>155</sup>

- 30 **Askar SEMBAY** – 6 years of imprisonment under Article 405 of the Criminal Code (“participation in the activities of an extremist organisation”) and Article 179 of the Criminal Code (“propaganda or public calls for seizure of power”) for publications on social media constituting “criticism of the authorities” of Kazakhstan, which he made in November 2022. Convicted on 19 December 2023. According to the materials of the criminal case, Sembay “published video messages on Facebook about organising rallies”, “shared information about DCK programmes” and called for “building a parliamentary republic in Kazakhstan”. During the investigation stage, since 13 May 2023 was kept in a pre-trial detention facility. Since the beginning of 2019, Sembay took part in protests organised by the DCK and *Koshe Partiyasy*. He has repeatedly been brought to administrative responsibility.



- 31 **Aidar SYZDYKOV** – sentenced to 5 years’ imprisonment under Article 297 of the Criminal Code (“Illegal possession of narcotic substances”). Detained on the same day with Asanali Suyubayev on 16 May 2024. Sentenced on 27 September 2024.<sup>156</sup> In 2021, Syzdykov was sentenced to 3 years of restriction of liberty on charges of “participation in an extremist organisation” for supporting the DCK.<sup>157</sup> Syzdykov is engaged in human rights activities. He has been repeatedly subjected to administrative arrests for participating in peaceful protests in defence of Kazakhstani political prisoners. He is also an active member of the unregistered party Alga Kazakhstan. Aidar Syzdykov's wife reports that he is not being provided the necessary medical care in the pre-trial detention facility. On 17 September 2024, the trial began, which was open to the public. The criminal case was fabricated based on the testimony of an anonymous witness. During the questioning of this witness



<sup>155</sup> <https://rus.azattyq.org/a/32667513.html>

<sup>156</sup> <https://rus.azattyq.org/a/33137797.html>

<sup>157</sup> <https://rus.azattyq.org/a/32960514.html>

in court, the judge decided to close the hearing to the public, not even allowing Aidar Syzdykov to participate.

- 32 **Asanali SUYUBAEV** – 10 years’ imprisonment under Article 297 of the Criminal Code (“Illegal possession of narcotic substances”).<sup>158</sup> Detained on 16 May 2024.<sup>159</sup> Suyubayev is an activist of the unregistered party Alga Kazakhstan. He has been subjected to compulsory psychiatric treatment in the past. He has a group II disability. On 3 September 2024, a trial against him began.<sup>160</sup> Convicted on 11 September 2024.



### Convicted on charges of having ties with opposition politician Mukhtar Ablyazov

- 33 **Asylbek ZHAMURATOV** – 7 years’ imprisonment under Article 258 of the Criminal Code (“financing of terrorist or extremist activities”) and Article 405 of the Criminal Code (“participation in the activities of an extremist organisation”). Convicted on 16 August 2024. He was kept in custody since 30 November 2023. The trial against Zhamuratov was closed to the public at the request of a secret witness. Zhamuratov is a private entrepreneur and has provided financial support to civil activists in Kazakhstan. He was also an active member of the unregistered Alga Kazakhstan party and was involved in the process of submitting an application for registration of the party. Zhamuratov was accused of allegedly sending money transfers to Mukhtar Ablyazov's foreign accounts. Zhamuratov's wife, Svetlana Zhamuratova, reported in June 2024 that a criminal case under Article 405 of the Criminal Code had also been initiated against her.<sup>161</sup>



<sup>158</sup> <https://rus.azattyq.org/a/33115998.html>

<sup>159</sup> <https://tirik.info/v-astane-zaderzhan-suyubaev-asanali/>

<sup>160</sup> <https://rus.azattyq.org/a/33088574.html>

<sup>161</sup> <https://rus.azattyq.org/a/32978355.html>

- 34 **Duman MUKHAMETKARIM** – 7 years' imprisonment under Article 258 of the Criminal Code (“financing of terrorist or extremist activities”) and Article 405 of the Criminal Code (“participation in the activities of an extremist organisation”). Convicted on 2 August 2024.<sup>162</sup> The criminal case against Mukhametkarim was initiated in connection with an interview he gave to opposition politician Mukhtar Ablyazov. He was accused of co-operating with Ablyazov. He has been under arrest since 22 June 2023. While in detention, Mukhametkarim repeatedly went on hunger strike due to unfair trial and violation of his rights. He also cut himself as a sign of protest. In detention, Mukhametkarim's health deteriorated severely.<sup>163</sup>



### Other political prisoners

- 35 **Yerzhan YELSHIBAYEV** – 5 years' imprisonment under Article 106 of the Criminal Code (“infliction of bodily harm”) plus 7 years' imprisonment under Article 428 of the Criminal Code (“disobedience to the lawful demands of the colony administration”). First convicted in 2019 for allegedly participating in a street fight that took place in 2017. At the trial, the victim stated that he had no claims against Yelshibayev. Yelshibayev lived in Zhanaozen and was an activist of the unemployed movement, related to which he raised unemployment issues in the city. Because of this, he was subjected to pressure from the police.<sup>164</sup>



Yelshibayev received his second sentence in September 2022. The administration of penal colony ZK-169/5, where Yelshibayev is serving his sentence, filed a complaint against him for disobedience and inciting other convicts to disobedience after he attempted suicide. Yelshibayev claims that he was protesting against the illegal actions of the colony administration – ill treatment and pressure.<sup>165</sup>

<sup>162</sup> <https://rus.azattyq.org/a/33060717.html>

<sup>163</sup> <https://rus.azattyq.org/a/zhurnalista-dumana-muhammedkarima-etapirovali-v-kyzylordu/33246621.html>

<sup>164</sup> <https://rus.azattyq.org/a/30222769.html>

<sup>165</sup> <https://rus.azattyq.org/a/32057693.html>

36 **Dauren MAKIN** – 7 years' imprisonment under Article 265 of the Criminal Code (“propaganda of terrorism”) for allegedly calling civil servants “kafirs” (non-believers) in a private conversation and urging them to oppose the authorities.<sup>166</sup> Makin is a well-known Kazakhstani artist. He pleaded not guilty and claimed that he was the victim of provocation. He was detained in April 2022. He has been detained in pre-trial detention facility since 5 May 2022.<sup>167</sup> Convicted on 27 April 2023.<sup>168</sup>



37 **Amangeldy URAZBAEV** – 3 years' imprisonment under Article 405 of the Criminal Code (“participation in an extremist organisation”). Initially, Urazbayev was sentenced to 1.5 years of restriction of liberty and a 2-year ban on social and political activity for his participation in protests and activity on social networks. However, on 11 October 2023, the court commuted the sentence to a real prison term. The reason was that Urazbayev allegedly published a video clip on social networks and also committed “minor hooliganism” in May 2023, for which he was fined. Urazbayev is 63 years old. He does not admit guilt in for the “criminal” acts he is charged with.<sup>169</sup>



38 **Aslan UTEPOV** – 7 years' imprisonment under Article 190 of the Criminal Code (“fraud”) and Article 367 of the Criminal Code (“incitement to bribery”). Head of the association “People against Corruption” from Uralsk. On 31 December 2022 arrested and placed in a pre-trial detention facility. Utepov stated that he was a victim of provocation because of his public and anti-corruption activities. In March 2023 the trial started.<sup>170</sup> Convicted on 23 May 2023.<sup>171</sup>



<sup>166</sup> <https://mediazona.ca/article/2022/06/20/makin>

<sup>167</sup> <https://www.facebook.com/toregozhina/posts/pfbid0zFznondHDMXmYDYdKp5j3C6QwH163AnYXWTGFvosrUpTG4SG5rdhBGtyifZJyA4YI>

<sup>168</sup> <https://rus.azattyq.org/a/32381537.html>

<sup>169</sup> <https://tirik.info/sud-zamenil-ogranichenie-svobody-orazbaevu-amangeldy-na-realnyj-srok/>

<sup>170</sup> <https://www.uralskweek.kz/2023/03/13/strong-advokat-aktivista-aslana-utepova-poprosil-sud-otpustit-obshhestvennika-pod-domashnij-arest-video-strong/>

<sup>171</sup> <https://rus.azattyq.org/a/32424645.html>

- 39 **Malik AHMETKALIYEV** – sentenced to 4.5 years in prison under Article 296 of the Criminal Code (“Illegal handling of narcotic substances”). Akhmetkaliyev is an activist from Kokshetau who publicly criticised the local authorities. During a search, a package containing narcotic substances was allegedly found in his jacket. On 21 June 2023 Akhmetkaliev was detained and has been under arrest ever since. He was convicted on 21 May 2024.<sup>172</sup>



- 40 **Daniyar ADILBEKOV** – sentenced to 4.5 years in prison under Article 419 of the Criminal Code (“knowingly false denunciation”) and Article 274 of the Criminal Code (“dissemination of knowingly false information”). Adilbekov is a journalist from Astana who ran his own news channel on Telegram, where, among other things, he raised issues of corruption. The charges were brought in connection with his publications on his Telegram channel.<sup>173</sup> Convicted on 18 October 2024.



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<sup>172</sup> <https://tirik.info/ahmetkalieva-malika-aktivista-iz-kokshetau-osudili-za-narkotiki/>

<sup>173</sup> <https://rus.azattyq.org/a/33163754.html>

## UNDER ARREST IN A PRE-TRIAL DETENTION FACILITY

### Arrested in relation to the protest against the construction of the nuclear power plant in Kazakhstan

On 29 September 2024, 12 activists were detained in Almaty and Almaty region who opposed the construction of a nuclear power plant in Kazakhstan.<sup>174</sup> The detainees allegedly intended to organise mass riots in major cities of Kazakhstan “with the use of force, weapons, explosive substances and devices” in the run-up to a national referendum on the construction of a nuclear power plant in Kazakhstan. It should be noted that some of the detainees are pensioners who are over 60 years old. A criminal case was opened against the detainees on suspicion of attempted “organisation of mass riots” (Article 272 of the Criminal Code). The materials of the criminal case state that the results of the psychological and philological analysis revealed “calls for a rally, raising funds for the organisation of the rally, as well as a call to fight against the authorities”. **Seven people were released on recognisance not to leave their place of residence: Nurgul Zheksembiyeva, Akmaral Shatemirkyzy, Galina Akuzova, Zhenis Maksutov, Rakysh Tokmanbet, Azat Toleukhan and Yerbolat Aubekirov. The other five detainees were arrested and placed in custody on 1 October 2024.**

- 1 **Nurlan ZHAULIBAEV** – a pensioner, arrested on suspicion of attempt to “organise mass riots” (Article 272 of the Criminal Code).



- 2 **Zhanat KAZAKBAY** – a pensioner, was arrested on suspicion of attempt to “organise mass riots” (Article 272 of the Criminal Code)



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<sup>174</sup> <https://mediazona.ca/news/2024/10/02/six-aes>

- 3 **Fazylzhan SYZDYKOV** – a pensioner, arrested on suspicion of attempt to “organise mass riots” (Article 272 of the Criminal Code).



- 4 **Nurlan TEMIRGALIYEV** – arrested on suspicion of attempt to “organise mass riots” (Article 272 of the Criminal Code).



- 5 **Aidar MUBARAKOV** – arrested on suspicion of attempting to “organise mass riots” (Article 272 of the Criminal Code). As a sign of protest against his persecution, Mubarakov went on hunger strike in the pre-trial detention facility.<sup>175</sup>



#### Other persons detained during pre-trial investigation

- 6 **Zhandarbek BASHANOV** – charged under Article 405 of the Criminal Code (“participation in the activities of an extremist organisation”). He was imprisoned in a pre-trial detention facility on 20 May 2023. Bashanov is accused of publishing videos in support of the opposition movements DCK and *Koshe Partiyasy*, going to protests, and publicly criticising Tokayev.



<sup>175</sup> <https://www.uralskweek.kz/2024/12/19/pravozashhitniki-bespokoyatsya-o-zdorove-aktivista-ajdara-mubarakova-zaderzhannogo-pered-referendumom-o-stroitelstve-aes/>

- 7 **Temirlan ENSEBEK** – charged under Article 174 of the Criminal Code (“incitement of ethnic hatred”). Temirlan Ensebek is the author of the satirical blog QazNews24 on Instagram, which published fictional news of satirical nature about the leadership of Kazakhstan and events in the country. Detained on 17 January 2025, after which he was arrested for 2 months.



- 8 **Akylbek Muratov** – an Uzbek national who was detained in Kazakhstan on an extradition request from Uzbekistan. Muratov was prosecuted because he publicly criticised the Uzbek authorities for the shooting of peaceful protesters in Karakalpakstan in July 2022. Muratov was detained on 15 February 2024 in Almaty and placed under extradition arrest. In September 2024, Kazakhstan refused to grant him asylum.<sup>176</sup> This means that he could be handed over to Uzbekistan at any time.



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<sup>176</sup> <https://www.currenttime.tv/a/kazakhstan-uzbekistan-akylbek-muratov/33121637.html>