

To the attention of EU Commission President Manuel Barroso

Re.: Brussels visit of Kazakhstan's President Nursultan Nazarbayev

Brussels, 8 October 2014

Dear President Barroso,

We are writing to you on behalf of International Partnership for Human Rights (IPHR) and the Norwegian Helsinki Committee (NHC) with regard to your upcoming meeting with Kazakhstan's president during his visit to Brussels this week. We urge you to use President Nazarbayev's visit as an opportunity to send a clear and strong message on human rights, in accordance with the commitment set out in the EU Strategic Framework on Human Rights and Democracy to raise human rights vigorously with third country governments also at the highest level.

In particular, we call on you to publicly and unequivocally convey the message that human rights are a key element of EU-Kazakhstan relations and that the EU expects the Kazakhstani government to demonstrate real improvements in this area for relations to further deepen, including in the context of the new Partnership and Cooperation Agreement that has been negotiated. We would like to remind you of the position taken by the European Parliament* that progress on the new PCA must be linked to human rights progress in Kazakhstan; provision made to ensure that the PCA will be used to promote human rights reforms in this country; and a comprehensive mechanism set up to monitor such outcomes.

We also urge you to use your discussion with President Nazarbayev to raise major issues of concern regarding the current human rights situation in Kazakhstan. Our organizations are seriously concerned about the continued lack of justice in relation to the December 2011 events in Zhanaozen; the attack on the political opposition; the decline in media freedoms; growing pressure on civil society; and restrictions of the right to freedom of religion. These issues are briefly summarized below:

- **The lack of justice in relation to the December 2011 events in Zhanaozen in western Kazakhstan.** In spite of repeated international calls to this end, the Kazakhstani authorities have failed to ensure an impartial and thorough investigation into the December 2011 Zhanaozen events and to bring to justice all officials responsible for injuries and loss of lives that could have been avoided. Individuals accused of involvement in the Zhanaozen riots continue to serve prison sentences handed down in an unfair trial, whose credibility was undermined by the use of questionable witness testimony and torture allegations.
- **The attack on the political opposition.** In the aftermath of the Zhanaozen events, a renewed attack against the political opposition has taken place, as part of a wider campaign against those who criticize government policies and express alternative views. The only true opposition party has been declared "extremist" and its leader Vladimir Kozlov remains imprisoned on politically motivated charges. The Kazakhstani authorities have also actively pursued the extradition of

Europe-based exiled opponents, who are at risk of unfair legal proceedings and ill-treatment if returned.

- **The decline in media freedoms.** A number of major opposition media resources were closed down for alleged "extremist" propaganda in late 2012 and since then media and journalists who are critical of authorities have continued to face harassment, including criminal defamation charges and suspension and termination of their activities for minor technical violations. The pattern of physical attacks against journalists that as a rule go unpunished remains of serious concern and the practice of extrajudicial blocking of websites continues. For example, the Ferghana News Agency, a leading news outlet covering Central Asia, has been blocked to internet users in Kazakhstan since September this year
- **Growing pressure on civil society.** As in other countries of the former Soviet Union, civil society organizations have increasingly become the targets of negative and hostile rhetoric, labelling them as "fifth elements" and the like, and other forms of intimidation. New legislation adopted this summer (including the new Criminal Code) contains problematic provisions that may be used to target and punish independent NGOs and trade unions, as well as their members for their civic engagement. A number of human rights defenders are currently locked up on grounds deemed to be politically motivated, including Roza Tuletaeva, Vadim Kuramshin and Zinaida Mukhortova. The authorities continue to deny permission to hold peaceful protests and disperse even small-scale protests that are held without permission and detain and sanction the organizers and participants.
- **Restrictions of the right to freedom of religion.** The new religion law that was adopted in late 2011 considerably tightened the regulation of religious communities. Religious communities are now required to have at least 50 members and to pass an "expert review" in order to obtain compulsory state registration. These provisions affect in particular small religious minority groups, which already previously were highly vulnerable to harassment. Registered religious associations were required to re-register under the new law, as a result of which the number of such associations decreased by over 30%.

In view of the upcoming, second review of Kazakhstan under the Universal Periodic Review later this month, we encourage you to insist that the Kazakhstani government fully cooperates with this mechanism and takes concrete and effective measures to follow up on the UPR recommendations addressed to it on the issues outlined above, as well as other pressing human rights concerns. This should be done in close cooperation with Kazakhstani civil society, which is actively participating in the review process.

We thank you for your attention to this letter and wish you a productive meeting with President Nazarbayev. In case you would like additional information about the human rights situation in Kazakhstan, please let us know and we will be happy to assist you in this regard.

Sincerely,



Brigitte Dufour, IPHR Director



Ivar Dale, NHC Regional Representative for Central Asia