

United States Senate

WASHINGTON, DC 20510

June 29, 2020

His Excellency Kassym-Jomart Tokayev
President of the Republic of Kazakhstan
Ak Orda Presidential Palace
Left Bank
Nur-Sultan 020000, Kazakhstan

Dear President Tokayev:

We are writing to request that you release detainees currently serving sentences for peacefully expressing their views, including members of student groups, activists, and human rights defenders. Individuals should never be imprisoned for exercising their rights of freedom of assembly, association, and speech, and we urge you to release without preconditions your citizens currently in detention for these legitimate acts.

We call for releasing these individuals on the merits of their cases, but today, we also urge you to act quickly on health and humanitarian grounds. While all nations and citizens have been affected by the global COVID-19 pandemic, the risks to the detainee population are particularly acute given the enclosed living conditions. Our own country, like many others, has taken the extraordinary step to grant some prisoners early release in an effort to stop the spread of COVID-19. This move allows the facilities to increase their ability to follow social distancing recommendations and ensure standards of medical care for the remaining population.

We encourage you to seize this opportunity during this global crisis by releasing these individuals. While we write regarding all individuals detained in relation to acts of peaceful expression, we draw your attention to two cases in particular:

First, we understand that authorities arrested **Maks Bokayev**, leader of the non-government organization Arlan, in May 2016 for protesting Kazakhstan's Land Code and for statements made on social media. In November 2016, a Kazakh court convicted him of "inciting social, national, clan, racial, class, or religious discord" (Article 174 of the Criminal Code), "spreading of false information" (Article 274) and organizing unsanctioned demonstrations and meetings (Article 400). He was fined approximately \$1500 and is currently in a penal colony serving a five-year sentence until November 2021 and will be prohibited from engaging in civic activism for three years after his release. As you are likely aware, his case has attracted significant international attention, including from the U.S. Department of State. In 2017, the UN Working Group on Arbitrary Detention found his imprisonment to be "arbitrary," related to his "exercise of the rights to freedom of expression and freedom of assembly," and urged that he be released. We call for his immediate release.

Second, we call your attention to the case of **Aset Abishev**, an activist who is serving a four-year prison sentence on charges of supporting the Democratic Choice of Kazakhstan (DVK) movement, which has been banned in Kazakhstan as an extremist movement since March 2018. In November 2018, Mr. Abishev was found guilty of financially supporting a criminal group


when he provided “information support” to the DVK in the form of posts on Facebook. His lawyer said that he was recently punished with solitary confinement for expressing concerns about prison conditions in light of COVID-19. You may be aware that the U.S. Department of State included his case in its 2019 Human Rights Report on Kazakhstan in the section regarding freedom of expression. We call for his immediate release.

We thank you for your consideration of our request and urge swift action on these cases.

Sincerely,



Robert Menendez
United States Senator



Mitt Romney
United States Senator



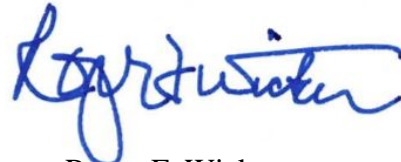
Richard J. Durbin
United States Senator



Thom Tillis
United States Senator



Richard Blumenthal
United States Senator



Roger F. Wicker
United States Senator

/s/ Robert P. Casey, Jr.

Robert P. Casey, Jr.
United States Senator



Kirsten Gillibrand
United States Senator



Sherrod Brown
United States Senator



Patrick Leahy
United States Senator



Benjamin L. Cardin
United States Senator

/s/ Chris Van Hollen

Chris Van Hollen
United States Senator