



*Congreso de los Diputados*

Vienna, 23 February 2018

**President of the Republic of Kazakhstan**

Nursultan Nazarbayev

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*Dear Mr. President,*

As Chair of the General Committee on Democracy, Human Rights and Humanitarian Questions of the Parliamentary Assembly of the OSCE, I am addressing you to express my concern with regard to two cases of apparent gross human rights violations in Kazakhstan presented to me by human rights defenders.

**The Case of Iskander Yerimbetov**

I was informed that Mr Iskander Yerimbetov, a prominent businessman, was arrested in November 2017 and has been kept in custody since, reportedly in order to force his sister, Ms Bota Jardemalie, to give false testimony against Kazakhstani opposition politician Mr Mukhtar Ablyazov.

Ms Jardemalie is a Kazakh citizen who has been granted status as a political refugee by Belgium. As a lawyer, she has worked for Mr. Ablyazov, as well as for several other individuals from Kazakhstan, Russia and Ukraine over the past years. Among them, many have obtained decisions granting them asylum or rejecting extradition requests due to politically-motivated proceedings against them in Kazakhstan and other countries of the post-Soviet region. I am concerned about the compelling evidence that the arrest of Mr Yerimbetov was carried out as a reprisal against Ms Jardemalie, due to her engagement in human rights protection, her professional activity as a lawyer and her support in defending individual cases of prosecution by Kazakhstani authorities.

It was with regret that I received the news that Mr Yerimbetov has been subjected to torture and denied proper medical care, as reported in the statement issued by the Coalition of NGOs of Kazakhstan Against Torture, which includes more than 40 of Kazakhstan's human rights organisations, and international NGOs, such as Human Rights Watch, the Norwegian Helsinki Committee and the Open Dialog Foundation.

I am pleased to know that a visit to monitor the conditions of the detainee was initiated by the government, after the release of an urgent report on Mr Yerimbetov's conditions by the UN Special Rapporteur on Torture, Mr Nils Melzer. Nevertheless, it must be noted that the statement of the prominent human rights defenders who visited him reported "grave concern about the situation in which Mr Yerimbetov finds himself" and "essentially confirmed the information contained in the Special Rapporteur's inquiry."



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**The Case of Mukhtar Dzhakishev**

Of particular concern to me is the health condition of Mr Mukhtar Dzhakishev, who has been recognised as a political prisoner and is serving a fourteen-year sentence in Kazakhstan. The UN Human Rights Committee, in response to an individual appeal from Mr Dzhakishev, issued Communication No. 2304/2013, recognising the violation of Mr Dzhakishev's rights and urging Kazakhstan to immediately release him from prison. Five years later, this request has not been implemented by Kazakhstan and this impacts the confidence of the international community in the country's authorities.

As reported by human rights organisations monitoring Mr Dzhakishev's condition, the results of a medical examination in December 2017 indicate an extreme danger to the health and life of Mr Dzhakishev. Since the disease is progressing rapidly and leads to severe disability and death I urge you to release Mr Dzhakishev and allow him leave the country for medical treatment abroad.

I was informed by human rights defenders that in March 2018 a sitting of the Commission on Amnesty under the President of the Republic of Kazakhstan will be held. On this occasion, as Mr Dzhakishev has spent 9 years in prison, he will have all legal grounds to be released by the ruling of the Commission.

Therefore, I feel the duty to underline that Kazakhstan, as a member of the OSCE, should ensure that international commitments in the area of human rights be fully respected.

I am confident that, as a sign of goodwill and care for Kazakhstan's international reputation, the release of Mr Yerimbetov and Mr Dzhakishev will be possible in the very near future.

Yours sincerely,

*Ignacio Sánchez Amor,*  
*Chair of the General Committee on Democracy, Human Rights and Humanitarian*  
*Questions of the Parliamentary Assembly of the OSCE*