

URGENT ACTION

DETAINED FOR STATING INTENTION TO ATTEND A RALLY

At least 24 people have been arrested since 17 May in different parts of Kazakhstan and have been sentenced to administrative detention. This happened after they stated their intention to participate in planned, peaceful demonstrations on 21 May.

Between 17 and 19 May at least 24 people have been arrested in different parts of Kazakhstan: **Manas Abdimanap, Makhambet Abzhan, Moldir Adilova, Suyundyk Aldabergenov, Baurzhan Alipkaliev, Ibrakhim Al'serke, Talgat Ayan, Maks Bokaev, Aibolat Bukenov, Zhadyra Dyuisenbekova, Zhanat Esentaev, Maksat Il'yasuly, Farida Ishmukhametova, Geroikhan Kistaubaev, Kasym Kozhantaev, Daniyar Kul'taev, Kuat Kunbolatov, Aslan Kurmanbaev, Kurmangazy Rakhmetov, Kuanish Sultanalin, Kenzhebek Sultanbekov, Bakhitzhan Toregozhina, Marat Uatkan and Isatai Utepov.**

They were all arrested after stating their intention – mainly through posts on social media – to participate in peaceful demonstrations planned across the country for 21 May. In some cases, they were also encouraging others to participate in the demonstrations. Their arrests follow several weeks of rallies against unpopular planned changes to Kazakhstan's Land Code, which have taken place across the country and during which no violence by protesters was reported.

Soon after their arrest they were sentenced. Most received 10 to 15 days of administrative detention for "violation the legislation of the Republic of Kazakhstan on organising and holding peaceful assemblies", despite the fact that in most cases, they had only stated their intention to participate in the planned demonstrations, or had provided information about them. (Three were arrested and sentenced on other charges but which related to the demonstrations.) Their arrests appear to be timed to frighten others from participating in the planned rallies.

At least one lawyer representing several of the people arrested stated that she was stopped from entering the court room when the cases against them were being heard. Another lawyer reported that he was not given adequate time to read the charges against his clients and to represent them effectively.

Please write immediately in Kazakh, Russian, English or your own language:

- Urging the authorities to release the 24 people (naming them) from administrative detention immediately and unconditionally;
- Urging them to refrain from bringing any more prosecutions against individuals for stating their intention to take part in peaceful protests;
- Calling on them to respect the rights to freedom of peaceful assembly and freedom of expression for all in Kazakhstan.

PLEASE SEND APPEALS BEFORE 1 JULY 2016 TO:

Prosecutor General

Zhakup Assanov
14 Orynbor Street
Astana, 010000
Republic of Kazakhstan
Fax: +7 7172 506 402

Salutation: Dear Prosecutor General

And copies to:

Human Rights Commissioner
Askar Shakirov
8 Orynbor Street
Astana, 010000
Republic of Kazakhstan
Fax: +7 7172 74 05 48

Also send copies to diplomatic representatives accredited to your country. HIS EXCELLENCY MR ERZHAN KAZYKHANOV, Embassy of the Republic of Kazakhstan, 125 Pall Mall SW1Y 5EA, 020 792 51757, london@kazembassy.org.uk

Please check with your section office if sending appeals after the above date.

**AMNESTY
INTERNATIONAL**



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ADDITIONAL INFORMATION

Freedom of peaceful assembly is heavily restricted in Kazakhstan, even though this is a fundamental right, and is guaranteed under Article 21 of the International Covenant on Civil and Political Rights (ICCPR), to which Kazakhstan is a signatory, and under the Constitution of Kazakhstan. Permission from local authorities is needed to hold any kind of street protest and this is often refused, or permission is given to hold the event in a non-central location. Penalties of up to 75 days' administrative detention are in place for violations of the rules on holding assemblies, including organizing or participating in an illegal demonstration (Articles 155 and 400 of the Criminal Code and Article 488 of the Administrative Offences Code). All the 24 people were detained after being found guilty of administrative offences (most under Article 488 of the Administrative Offences Code). In at least four cases, those of Maks Bokaev, Talgat Ayan, Farida Ishmukhametova and Kenzhebek Sultanbekov, the sanction partly resulted from the fact that they had put in requests with the local authorities in their towns to hold public meetings on 21 May, which is what the law of Kazakhstan governing public assemblies requires.

Demonstrations have been taking place across Kazakhstan since 21 April against planned changes to the Land Code that would allow unused, state-owned agricultural land to be privatised and sold off to Kazakhstani citizens, or leased for up to 25 years to foreigners. A presidential moratorium was placed on the changes in May, meaning that they have been dropped for the time being; however, protests are continuing. No incidents of violence by protesters have been reported, but the police in some districts have attempted to stop people from participating. On 28 April, protests in the city of Aktau, in west Kazakhstan, did not go ahead when protestors were stopped by police from entering the town's main square; in Almaty, the country's largest city and in the capital Astana, protestors were briefly detained by police. On 1 May, police briefly detained a number of demonstrators and removed them from the central square in the city of Kyzylorda, in south Kazakhstan.

International standards on the freedom of peaceful assembly are quite clear that the exercise of the right to freedom of peaceful assembly should not be subject to the permission of government authorities. States may require notice – but not authorization – of assemblies in order to facilitate the right of peaceful assembly and in order to take measures to protect public safety or the rights of others.