

URGENT ACTION

ACTIVIST JAILED FOR CRITICISM DURING PANDEMIC

Kazakhstani human rights activist, Alnur Ilyashev, has been arrested for his publications on social media that criticised the ruling Nur Otan party and its handling of the COVID-19 pandemic. He is being prosecuted for “spreading false information” that harms “interests” during the state in emergency, a crime which carries up to seven years in prison. Alnur Ilyashev is a prisoner of conscience and must be released immediately and unconditionally.

TAKE ACTION: WRITE AN APPEAL IN YOUR OWN WORDS OR USE THIS MODEL LETTER

Ghizat Daurenbekovich Nurdauletov
Prosecutor General of the Republic of Kazakhstan
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Nur-Sultan
Mangilik avenue, 14
Email: 7170001@prokuror.kz

Dear Prosecutor General,

I am writing to you regarding the prosecution of **Alnur Ilyashev**, a human rights activist from Almaty. Alnur Ilyashev is a prisoner of conscience and he should be immediately and unconditionally released.

Alnur Ilyashev was arrested on 17 April 2020, and is being charged with spreading “false information” that “threatens public order” and causes “substantive harm” to “protected interests of society” during the state of emergency in connection with his critical posts on social media about the ruling Nur Otan party. The police investigator claimed that Alnur Ilyashev’s posts sought to influence public opinion about the “incompetence of the activities of the Nur Otan party” in response to the COVID-19 pandemic and thereby “may lead to negative consequences”.

Alnur Ilyashev has committed no crime and has exercised his right to freedom of expression. The authorities of Kazakhstan are using the pretext of COVID-19 to put a critic behind bars and intimidate others. The police used physical force against his family members when they searched their homes, despite the fact that his relatives showed no resistance. His underage daughter had a panic attack and lost consciousness when the police entered and searched the flat where she was in the absence of any adult.

In light of the above I urge you to:

- **Terminate criminal proceedings against prisoner of conscience Alnur Ilyashev and order his immediate and unconditional release;**
- **Investigate abusive use of force by police officers during the search of Alnur Ilyashev’s home and the house of others associated with him;**
- **Ensure that every person in Kazakhstan can exercise their right to freedom of expression and end any abuse of human rights in Kazakhstan in the context of COVID-19 pandemic.**

Yours sincerely,

ADDITIONAL INFORMATION

In the late evening on 17 April, police arrested human rights activist Alnur Ilyashev at an office, and then visited two family homes in Almaty, Kazakhstan's biggest city. In an apparent attempt to frighten the family, police used intimidation and physical force against his relatives. In one of the homes, Alnur Ilyashev's 17-year-old daughter was alone with a friend, also a minor. The police officers took away the girls' phones preventing them from calling any adults and proceeded to search the flat. His daughter had a panic attack and repeatedly lost consciousness. Police were still searching the flat when her mother arrived and called an ambulance. The ambulance crew attended to the girl in the presence of the police officers. Police officers left both homes in a state of deliberate disorder. The following day Alnur Ilyashev was remanded in custody for two months.

The criminal proceedings against Alnur Ilyashev have been opened under Article 274 of the Criminal Code of the Republic of Kazakhstan ("dissemination of knowingly false information that threatens public order"), and specifically under part 4(2) which applies in a state of emergency and imposes an increased penalty of between three and seven years' imprisonment. The investigating police officer listed Alnur Ilyashev's publications on Facebook, YouTube, and in other social media platforms, dated between 29 February and 28 March 2020, as the grounds for his prosecution and evidence of his "crime". In them, the activist alleges that the ruling Nur Otan party and the authorities in Kazakhstan are corrupt and incompetent, including in the face of the COVID-19 pandemic.

Alnur Ilyashev is a principled advocate of peaceful activism, and has been campaigning for human rights and strict observance of the law and the Constitution by the authorities. The unduly restrictive law governing peaceful assemblies in Kazakhstan requires their organisers to receive the authorities' prior permission for any street protest. To make his point, Alnur Ilyashev, repeatedly and tirelessly requested a permission to hold a rally and that was consistently refused 35 times. He unsuccessfully challenged the refusals in court. Finally, permission was granted in June 2019, after which he organised a peaceful assembly that was attended by more than 100 people. According to his lawyer, Alnur Ilyashev will not discuss any deals with the prosecuting authorities and intends to stand trial and defend his innocence in court. In a hand-written note addressed to his relatives and friends, Alnur Ilyashev assured them that he was fine and asked them to remain calm, asked for some books, and concluded with his familiar personal slogan "God and the Constitution are on our side!"

The ruling political party Nur Otan was founded by President Nursultan Nazarbaev in 1999, and he has since been its chair, including after he resigned from his position as president in March 2019. After his resignation he retained the official title "First President of Kazakhstan" and continued to wield considerable political power. Successive parliamentary elections that have been criticised by international observers as far from free and fair, have ensured that Nur Otan remained the only party represented in the legislature.

PREFERRED LANGUAGE TO ADDRESS TARGET: Russian, Kazakh.

You can also write in your own language.

PLEASE TAKE ACTION AS SOON AS POSSIBLE UNTIL: 8 June 2020

Please check with the Amnesty office in your country if you wish to send appeals after the deadline.

NAME AND PREFERRED PRONOUN: Alnur Ilyashev (he, him)

ADDITIONAL TARGETS

Prosecutor of Almaty Region: 7282380@prokuror.kz
Human Rights Ombudsman: ombudsman-kz@mail.ru

And copies to:

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