



Alistair MacDonald QC  
The Bar Council  
289-293 High Holborn  
London WC1V 7HZ

22 March 2015

Dear Mr MacDonald

**Proposed Bar Council 'Business Development Mission' to Kazakhstan.**

The Haldane Society of Socialist Lawyers was founded in 1930. We are an organisation that provides a forum for the discussion and analysis of law and the legal system, both nationally and internationally, from a socialist perspective. We are independent of any political party. Our membership consists of individuals who are lawyers, academics, students and legal workers, and it also has trade union and labour affiliates.

We write to express our profound concern about the 'business development mission' you are organising to Kazakhstan for 26-30 April 2015. Based on Kazakhstan's human rights record, lack of an independent judiciary or any respect for procedural due process, such a mission appears ill-judged. The Bar Council represents the bar community of England and Wales. As such, we believe the only appropriate stance for our Bar Council is to conduct a thorough investigation into violations of international human rights norms in that country.

Kazakhstan has an appalling human rights record, as is acknowledged by the United States State Department,<sup>1</sup> Human Rights Watch,<sup>2</sup> Amnesty International<sup>3</sup> and all international human rights monitors. Reporters Without Borders observes that the state has control over independent media, NGOs, civil society, and crushes dissent. The vast majority of the population lives in poverty and those who speak out against the state or organise mass resistance are harassed, jailed, or killed.

Kazakhstan is a police state. It is ruled by Nursultan Nazarbayev who, with the help of his close family, has looted the mineral and oil wealth of the country. Despite being oil rich and the world's largest producer of uranium, its people do not share in the wealth.

The human rights situation in Kazakhstan continues to deteriorate. Nazarbayev has cracked down on protestors and journalists and has limited worker's rights. The World Democracy

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<sup>1</sup> <http://www.state.gov/j/drl/rls/hrrpt/humanrightsreport/index.htm#wrapper>

<sup>2</sup> Human Rights Watch World Report 2015 states "Kazakhstan heavily restricts freedom of assembly, speech, and religion. In 2014, authorities closed newspapers, jailed or fined dozens of people after peaceful but unsanctioned protests, and fined or detained worshippers for practicing religion outside state controls. Government critics, including opposition leader Vladimir Kozlov, remained in detention after unfair trials." <http://www.hrw.org/world-report/2015/country-chapters/kazakhstan>

<sup>3</sup> <https://www.amnesty.org/en/countries/europe-and-central-asia/kazakhstan/>

Audit ranks Kazakhstan 129 out of 150 countries in its Democracy Ranking and 110th in the Corruption rank, and 131st in Press Freedom.

In mid-2011, oil workers took industrial action - demanding better pay, better working conditions, and the right to organise. Industrial action was met with a vicious state attack and massacre. On 16 December 2011, the state launched an unprovoked attack on a peaceful gathering in the central square of Zhenazoen. The BBC reported that 11 were killed, but workers in the area estimate that up to 70 strikers and supporters were actually killed. Numerous arrests were later made and trumped up charges were filed against workers. This view is shared by Human Rights Watch in their World Report 2015.<sup>4</sup>

Human rights defenders face constant persecution and harassment by the government in the course of their work. Vadim Kuramshin a well-known lawyer and human rights defender has worked for many years to expose the ill-treatment of prisoners in Kazakhstan. In December 2012, Vadim was sent to prison for 12 years on trumped-up charges on which he had first been acquitted. The trial has been condemned for breaching Kazakhstan's own court procedures. This outrageous verdict was upheld by the Court of Taraz on 14 February 2013. Yet on 5 December 2013 he was awarded the prestigious 18th annual Ludovic-Trarieux Human Rights Prize for lawyers working in defense of human rights.<sup>5</sup> We continue to protest his innocence.

In Kazakhstan we support the campaign for free speech, freedom of the media, freedom of public assembly, the right to establish trade unions and political parties independent of the government, to organise in the workplace and the community without interference from the state, to strike and demonstrate.

We consider the proposed 'business development mission' a serious misjudgment by the Bar Council. Given the level of human rights abuses carried out by the state in Kazakhstan we ask that you cancel this mission as it gives tacit support in legitimising the Nazabayev regime.

Further we call on the Bar Council to organise a mission to investigate human rights abuses in Kazakhstan.

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<sup>4</sup> <http://www.hrw.org/news/2012/09/10/kazakhstan-abusive-response-oil-worker-strikes>

<sup>5</sup> the Ludovic-Trarieux Prize was created in 1984 website, it is awarded to "*a lawyer, regardless of nationality or Bar [national bar associations – professional bodies of lawyers] who thorough-out his career has illustrated, by his activity or his suffering, the defence of human rights, the promotion of defence rights, the supremacy of law, and the struggle against racism and intolerance in any form*". <http://www.uianet.org/en/content/ludovic-trarieux-international-human-rights-prize>

Yours sincerely

A handwritten signature in cursive script that reads "Russell Fraser". The signature is written in a dark ink and is positioned below the closing phrase.

Russell Fraser  
Chair