

# Why Kazakh environmentalist and political prisoner Max Bokayev should be released

Thursday 9 May 2019, by [MCCLOSKEY Sarah](#) (Date first published: 24 April 2019).

**In 2016, Max Bokayev, an environmental activist, was sentenced to five years in prison. His case remains a warning signal to active citizens in Kazakhstan.**

As the UN prepares to [review](#) Kazakhstan's human rights record for the third time this year, the situation for human rights defenders ought to be under the spotlight.

Despite barriers to their free expression and assembly, as well as significant risk of "administrative or other reprisals", rights defenders and their protection tallied just one mention in Kazakhstan's [mandatory national report](#) last cycle. Other states, such as the Czech Republic and Japan, attempted to highlight this conspicuous silence in their recommendations. But Kazakhstan's response consistently comprised either denial or dismissal.

Just a year and a half after this last review, environmental activist Max Bokayev was first subjected to the beginning of an ongoing series of human rights violations. His case epitomises some of the significant risks that activists in Kazakhstan face.

Along with Talgat Ayanov, Bokayev was arrested in May 2016 following posts on social media expressing intention to participate in demonstrations against legal reforms allowing land to be sold to other states and foreign companies. Many participants of similar protests had been arrested and detained on grounds including "hooliganism".

After changing the charges against him and a lengthy pre-trial detention, Bokayev was found guilty in November 2016 of offences including social discord, promoting "knowingly false" information, and violating procedures for public demonstrations. He was sentenced to five years imprisonment and a three-year ban from social media.

The Helsinki Foundation for Human Rights and the World Organisation Against Torture have raised complaints to a UN treaty body regarding the violations Bokayev has endured. In addition to breaching his rights to peaceful assembly and free expression, Kazakh law enforcement has subjected Bokayev to inhuman treatment through this process and his detention. Suffering from deteriorating chronic Hepatitis C, Bokayev was refused house arrest, denied access to adequate medical care, and initially imprisoned 1500 km from his home and relatives.

Sources indicate that Bokayev was finally transferred to Aktobe last year, a city closer to his home town that reduces previous travel time to 15 hours by train. But this long-overdue development still falls far short of the rights Bokayev is entitled to as both a rights defender and a human being.

The direct and immediate effects of these violations are, of course, devastating for Bokayev and his loved ones, who suffer alongside him and face their own risks in supporting him and speaking out on his behalf. But the ramifications are also far more wide-reaching. Along with [mass arrests of other rights defenders](#), the case has sent a powerful warning and had a chilling effect on activism within

Kazakhstan and Bokayev's local town, Atyrau, more specifically.

Indeed, [a recent mass loss of fish](#) there and in the Ural River illustrates that the ecological issues Bokayev advocated for are ongoing. Reportedly distressed by this news but restricted by his imprisonment, Bokayev is unable to raise awareness or initiate campaigns for investigation. His fate is a reflection of the current political climate, as individuals are [deterred from publicly raising concerns](#) or assuming the mantle if it means risking the same repercussions.

Thus, as the list of violations against rights defenders grows, so the space for civil society shrinks and activism freezes in Kazakhstan. The causes that they ordinarily advocate for are permitted to deteriorate and the authorities responsible are left unaccountable.

Bokayev's supporters are unable to comprehend why the state is not interested in collaborating with him and other advocates in projects aimed at positive impacts for all parties. Understanding this would necessitate considering these issues and their resolution at a systemic level. This is a crucial - but much more long-term - project.

In the meantime, the upcoming review at the UN level provides an opportunity to bring the civil society situation in Kazakhstan to the forefront of the international consciousness. Kadyr-kassiyet is one organisation striving to get this issue on the agenda. In addition to requesting Bokayev's release, they are calling for legal reform to prevent criminalisation of rights defenders and ensure their right to a fair trial.

While this seems like a low bar, it is vital to prevent the repetition of Bokayev's case for others in order to preserve the possibilities of activism in Kazakhstan. Not least because this grassroots-level work perhaps offers the greatest hope of ensuring the protection and promotion of fundamental rights in Kazakhstan.

---

**Sarah McCloskey**

*[Click here](#) to subscribe to our weekly newsletters in English and or French. You will receive one email every Monday containing links to all articles published in the last 7 days.*

---

**P.S.**

Open Democracy

<https://www.opendemocracy.net/en/odr/why-kazakh-political-prisoner-max-bokayev-should-be-released/>