

URGENT ACTION

BLOGGER DETAINED IN PSYCHIATRIC HOSPITAL

Blogger and journalist Aigul Utepova was forcibly placed in a psychiatric hospital in Nursultan, the capital of Kazakhstan, on 23 November. She has been under house arrest since 17 September charged with “participating in an extremist organization” for her YouTube videos and posts on social media critical of the government. On 19 November a court approved the investigator’s request to place her in a closed psychiatric institution “for observation”. She is a prisoner of conscience, targeted solely for exercising her right to freedom of expression and should be immediately and unconditionally released.

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

*Prosecutor General of the Republic of Kazakhstan
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Dear Prosecutor General,

I am deeply concerned about the prosecution of journalist and blogger, **Aigul Utepova**, who was forcibly placed in the Centre for Psychiatric Health in Nursultan on 23 November. She has been arbitrarily accused under Article 404 part 2 of the Criminal Code (“participating in an extremist organization”) and has been under house arrest since 17 September 2020. On 19 November a court in Nursultan ruled that she should be placed in a psychiatric clinic for “observation” for two weeks.

There are no grounds to place Aigul Utepova in the Centre for Psychiatric Health. According to Kazakhstani law a suspect may be sent for psychiatric observation if accused of a crime that carries life imprisonment or the death penalty, or in cases where the suspect’s mental health is in doubt. Aigul Utepova has never been treated for a mental health condition and she explained that she recently had a full medical check after which the doctor confirmed that she was healthy.

Aigul Utepova is being prosecuted for exercising her right to freedom of expression, and consequently she is a prisoner of conscience and should be released immediately and unconditionally, and her prosecution stopped.

In the light of the above, I urge you to:

- Ensure that Aigul Utepova is released immediately and unconditionally;
- Instigate a prompt, effective and impartial investigation into the circumstances of Aigul Utepova’s arbitrary prosecution, house arrest, and placement in a psychiatric institution, and ensure that anyone found responsible for violation of her rights is held to account in fair trial proceedings.

Yours sincerely,

ADDITIONAL INFORMATION

Aigul Utepova is a well-known blogger and activist and has 8,000 followers on Facebook and a large following for her YouTube channel. In 2015 she put herself forward as a candidate in the presidential elections, but later withdrew. She is accused of being a follower of the Democratic Choice of Kazakhstan opposition party. On 13 March 2018, the party was arbitrarily declared to be an "extremist" organization for "inciting national discord" in accordance with vaguely worded anti-extremism legislation.

Aigul Utepova has been under house arrest in Nursultan, the capital of Kazakhstan, since 17 September, and on 19 November a court approved the investigator's request for a judge's order to forcibly place her in a psychiatric hospital "for observation". Her lawyer fears that this puts her at risk of being arbitrarily diagnosed with a mental health condition and forcibly treated and held at the psychiatric hospital for a prolonged period of time. Upon arrival to the hospital with a family member on 23 November they were informed that Aigul Utepova would not be allowed any contact with the outside world.

It is not unusual for critics of the government or those who oppose vested interests to be subjected to lengthy psychiatric observation and assessment. In 2019 the UN Human Rights Committee ruled that Zinaidi Mukhortova had been subjected to arbitrary detention and torture and other ill-treatment because she had been detained and treated against her will in psychiatric institutions on five separate occasions.

Aigul Utepova should never have been prosecuted and placed under house arrest, and this measure contradicts Kazakhstani law which stipulates that house arrest should be used only in cases where the maximum sentence is five years or more and only if there are substantive reasons why lesser restrictive measures cannot be applied. Aigul Utepova's prosecution and house arrest are a form of reprisal for her outspoken criticism of the government.

See Public Statement: <https://www.amnesty.org/en/documents/eur57/3357/2020/en/>

PREFERRED LANGUAGE TO ADDRESS TARGET: English, Russian, Kazakh.
You can also write in your own language.

PLEASE TAKE ACTION AS SOON AS POSSIBLE UNTIL: 18 January 2021

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

NAME AND PREFERRED PRONOUN: Aigul Utepova (she/her)