



September 25, 2009

H.E. Nursultan Nazarbayev
President of the Republic of Kazakhstan
473000 Astana,
Beibitshilik 11
Kazakhstan

Dear President Nazarbayev,

We, the below-signed 1,160 individuals, join Human Rights First in writing to express our concern over the recent trial and imprisonment of the prominent Kazakh human rights and democracy activist Yevgeny Zhovtis. On the evening of July 26, 2009, Mr. Zhovtis was involved in an automobile accident in which a pedestrian was killed. This was a tragic event and we express our sympathy for the victim and his family. However, we are concerned that Mr. Zhovtis, is now serving a four year prison term for manslaughter after being convicted in a trial which appears to have fallen short of international fair trial standards.

Both the pre-trial phase and the actual trial violated international fair trial standards set forth in Article 14 of the International Covenant on Civil and Political Rights ratified by the government of Kazakhstan in 2006. Mr. Zhovtis appears not to have been informed, promptly and in detail, of the charges against him. He was only informed that he was a suspect in the case on August 14, after he had been fully cooperating in the investigation for almost three weeks.

In addition, Zhovtis and his defense team appear not to have been permitted to challenge the forensic evidence used against him. This matter is particularly important in this case since an initial forensic report apparently exonerated Zhovtis and a second report was used to convict him.

The hasty trial proceedings did not allow sufficient time for Zhovtis' defense team to prepare its closing arguments. In addition, fifteen minutes after the end of the trial, the judge was ready with a lengthy typed judgment convicting Zhovtis. This suggests a lack of impartiality and a denial of the right to presumption of innocence.

The flawed conviction against Yevgeny Zhovtis should be voided on appeal and the contested evidence in the case should be re-examined to determine if there is in fact a criminal case for Zhovtis to answer. If, after this review it is

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decided that Zhovtis should still faces charges, then he should receive a fair trial in accordance with Kazakh and international law.

Thank you for your attention to this urgent matter. We will continue to monitor this case closely.

Sincerely,

(The names of the 1,160 signatories have been removed for privacy reasons.)