

EVERYTHING FOR THE FRONT. EVERYTHING FOR VICTORY. How Tokayev helps Putin while fooling Ukraine and the West

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The **Open Dialogue Foundation** was established in Poland in 2009 on the initiative of Ukrainian student and civic activist Lyudmyla Kozlovska (who currently serves as President of the Foundation). Since its founding, statutory objectives of the Foundation include the protection of human rights, democracy and the rule of law in the post-Soviet area. In July 2017 area of interest of the Foundation was expanded due to the rapidly deteriorating situation in Poland and other EU member states affected by illiberal policies implemented by their populist governments. The Foundation has its permanent representations in Brussels, Warsaw and Kyiv.

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Human Rights Protection Foundation Qaharman – a Kazakhstani human rights organisation which was established for the purpose of protecting fundamental human rights in Kazakhstan, in particular, the right to peaceful assembly, right to a fair trial, and right to participation in the management of state affairs, as well as freedom of speech and dissemination of information. As a public initiative, Qaharman began its activities in Kazakhstan in 2019, and in February 2020, it was officially registered. Qaharman activists monitor politically motivated trials and the right to peaceful assembly.

Twitter: [@qaharman_kz](https://twitter.com/qaharman_kz); e-mail: qaharman.hr@gmail.com

The **human rights movement '405'** is a public initiative founded in 2019. The main goal of the movement is to protect participants of peaceful assemblies and bloggers who are subject to political prosecution under Article 405 of the Criminal Code of Kazakhstan ("participation in the activities of the organisation after its recognition as extremist"). The movement protects the right to peaceful expression, which should not be regarded by the authorities as 'extremism'.

Twitter: [@hr405kz](https://twitter.com/hr405kz); e-mail: movement405hr@gmail.com

The **Bostandyq Kz human rights movement** intends to fight for the observance of the constitutional rights and freedoms of the citizens of Kazakhstan, and to inform about human rights violations in the country. The movement was founded on 14 September 2020.

Facebook: [Bostandyq Kz](https://www.facebook.com/BostandyqKz)

The **human rights movement Veritas** was established on 17 September 2020. The aim of the movement is to protect human rights in Kazakhstan, with special attention to freedom of speech, peaceful assembly and peaceful association. The movement monitors the implementation of Kazakhstan's commitments in the areas of human rights, environment, health and anti-corruption, and informs the EU, the UN, PACE, the OSCE, GRECO and the governments of democratic states about the results of the monitoring. Veritas conducts public campaigns to protect politically persecuted activists, political prisoners and victims of torture.

Facebook: [Veritas human rights movement](https://www.facebook.com/VeritasHumanRightsMovement); e-mail: veritas15.09.20@gmail.com

The **"Femina Virtute" human rights movement**, was established on 4 November 2020, and aims to combat discrimination against women in Kazakhstan and to document violations of women's, civil and political rights. The members of the movement conduct solidarity actions in defence of human rights and train citizens to defend their rights. Based on the monitoring results, the movement provides information to the European Parliament, the European Commission, the UN, the OSCE, the Council of Europe, governments and politicians of the EU states, as well as the USA, Canada, Australia, the UK, Norway and Switzerland.

Facebook: [Femina Virtute](https://www.facebook.com/FeminaVirtute); e-mail: ulbolsynturdieva@gmail.com



Human rights movement "Article 14" was established on 5 November 2020 with the aim of monitoring the right to fair justice in Kazakhstan. The members of the movement inform citizens of Kazakhstan and the international community about violations of the right to a fair trial, fight for greater transparency in the justice process, and draw public attention to violations during trials.

article14

Facebook: [Article Hrm](#) ; e-mail: article14hrm@gmail.com

The Human Rights movement **Elimay** was established on 17 October 2020. The movement aims to protect civil and political rights and freedoms in Kazakhstan. The movement calls to put an end to all forms of political repression and release of political prisoners in Kazakhstan.



Facebook: [ELIMAY ~ defence of human rights in Kazakhstan](#) ; e-mail: elimayfreedom@gmail.com

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Executive summary

It has been a year since Russia began its large-scale invasion of Ukraine. All this time, Kazakhstan's Nazarbayev-Tokayev regime has been assisting Russia with impunity in circumventing sanctions and financing the war against Ukraine. On 28 February 2023, on the day of the first official visit to Kazakhstan by the U.S. Secretary of State Anthony Blinken¹, another equally important meeting was held - between the CSTO (Collective Security Treaty Organisation) Secretary General Imangali Tasmagambetov and the Russian Minister of Trade and Industry and concurrently Chairman of the CSTO Interstate Commission on Military-Economic Co-operation Denis Manturov.² While US Secretary of State Blinken noted "*strong support*" for the "*political and economic reforms of President Kassym-Jomart Tokayev*" that exist only on paper, Tasmagambetov and Manturov, on behalf of Kazakhstan and Russia, publicly stated that "*military-economic cooperation is the most sought-after area of cooperation in the CSTO format*". The Kazakhstan authorities, both in private talks and through the propagandist media³, are trying to mislead the Western and Ukrainian governments that Tasmagambetov is acting within the framework of the CSTO "*on the orders of the president of Russia*" or "*to lobby his own business interests in the military-industrial sphere*". This propaganda is quickly refuted when one takes into account that each of the sixty documents adopted to date within the framework of the CSTO with the status of interstate agreements (agreements, protocols) is ratified by state bodies headed by Tokayev personally, and about 30 percent of such agreements regulate issues of military-economic cooperation.

Therefore, it was precisely on behalf of the Kazakhstani government, and not as a private initiative, that Mr Tasmagambetov proposed to the Russian minister "***to implement practical measures for cooperation among military-industrial complex enterprises of the CSTO member states for joint development and production of weapons and military equipment, and creation of service centres for maintenance and repair in connection with the geopolitical situation and increasing tension***". It is important to note that of all CSTO countries, only Kazakhstan has such a military-industrial potential for weapons repair and production. Belarus, like Russia, is under sanctions; the economies of Tajikistan, Kyrgyzstan and Armenia combined are several times smaller than the economy of Kazakhstan. At the same time, Kazakhstan is not under sanctions and has the opportunity to freely import Western components for production and repair of weapons into the country.

Despite public statements of support for Ukraine's territorial integrity, at the state level Kazakhstan considers Crimea to be part of Russia. On 2 March 2023, Kazakhstan's Senate adopted a protocol that at the state level recognised the occupied territory of Crimea as a "*free economic zone of Russia*". The Senate protocol authorizes "*equal terms for levying value added tax*" in occupied Crimea, as one of Russia's "*free economic zones*" (on par with Kaliningrad and Magadan), for goods from Kazakhstan and other countries of the Eurasian Economic Union, as well as from third countries.⁴ The Minister of Finance of the Republic of Kazakhstan Yerulan Zhamaubayev was unable to answer journalists' question, "*Whose is Crimea?*", referring to a protocol adopted by Kazakhstan's Senate that "*refers to three free economic zones in Russia... one of them is Crimea*".⁵

On the day of US Secretary of State Anthony Blinken's visit to Kazakhstan on 28 February 2023, another significant event occurred: the Kazakhstani government, by order of President Tokayev, allowed the transfer of shares of three uranium companies in Kazakhstan from Dutch companies to *Rosatom*, a company registered in Russia. This allowed Russia to retain control over the uranium projects in

¹ <https://www.gov.kz/memleket/entities/mfa/press/news/details/514172?lang=ru>

² https://odkb-csto.org/news/news_odkb/generalnyy-sekretar-odkb-imangali-tasmagambetov-vstretilsya-s-zamestitelem-predsedatelya-pravitelstv/?ysclid=leokr4rqy7996701643#loaded

³ <https://ru.telegram-politics.com/catalog/channels/nursolovej/2076>

⁴ https://online.zakon.kz/Document/?doc_id=39234336&pos=4;-100#pos=4;-100

⁵ <https://kaztag.kz/ru/news/vitse-premer-kazahstana-ne-smog-otvetit-na-vopros-chey-krym->

Kazakhstan and to ensure a preventive withdrawal of assets' from the scope of Dutch and European legislation. The Nazarbayev-Tokayev regime has helped Russia restructure its uranium assets and maintain its status as the largest producer of enriched uranium in the world. Once again, Putin and the Nazarbayev-Tokayev regime are acting preventatively to help Russia avoid the consequences of Western sanctions.⁶Kazakhstan is the world's largest uranium producer, accounting for about 45% of global uranium production.⁷ Given the vassal dependence of the Nazarbayev-Tokayev regime on Putin (similar to Lukashenko's vassal dependence on Putin), **Russia controls at least 60% of the world uranium mining market.**

All this is happening against the backdrop of numerous reports from the international media, human rights defenders, civil society and the opposition in Kazakhstan about the Nazarbayev-Tokayev regime's assistance to Russian businesses in the face of sanctions against Russia. The Nazarbayev-Tokayev regime abuses the tools of interstate cooperation and lobbies the USA, the EU and Ukraine to lift anti-Russian sanctions.

This report is the third in a series^{8,9} on how the Nazarbayev-Tokayev regime, by undermining international efforts to bring peace to Ukraine, is helping Russia circumvent international sanctions and thereby enabling a prolonged war against Ukraine.

The political support of the Kazakhstani authorities for Russia is reflected not only in the pro-Russian vote at the UN, but also in the banning of peaceful rallies in support of Ukraine and the fabrication of criminal cases against Ukrainians to justify the Kremlin's military propaganda.

Citizens of Kazakhstan are being politically persecuted *en masse* for supporting Ukraine. At the same time, mercenaries are being recruited in Kazakhstan to participate in the war in Ukraine as part of the Russian armed forces and the private military company *Wagner*.

Thanks to the efforts of the Nazarbayev-Tokayev regime, Russia manages to circumvent the oil and gold embargoes, thereby compensating for part of its financial losses. The family of former Kazakhstani president Nursultan Nazarbayev profits from Russia's war against Ukraine by helping Russia's company *Polymetal*, a global gold and silver mining giant, to sell its products in Asian and European markets. The dynamics of interaction between the regimes of the two countries indicate planning and implementation of measures aimed at restructuring of transport and logistics routes between Russia and Kazakhstan, in order to ensure sustainable and long-term supplies of sanctioned goods from Kazakhstan and through Kazakhstan to Russia. In particular, the Kazakhstani authorities are setting up transport and logistics hubs in Kazakhstan together with Viktor Vekselberg and the company Wildberries, that are under personal sanctions, for the subsequent parallel import of sanctioned goods into Russia.

Thanks to the efforts of the Nazarbayev-Tokayev regime in Kazakhstan, along with Turkey, the United Arab Emirates and Serbia, a system for re-exporting electronic devices, equipment and electronic components to Russia, including sanctioned goods used for military purposes, has been established. For example, Kazakhstan increased its semiconductor exports to Russia 308 times to USD 3.7 million in 2022.¹⁰ However, Kazakhstan, unlike Iran, China, Turkey, the United Arab Emirates and Serbia, enjoys absolute impunity and is not even subject to public criticism from the USA, the EU and Ukraine.

⁶ https://digital.gov.ru/ru/events/42975/?utm_referrer=https%3a%2f%2fwww.google.com%2f

⁷ <https://world-nuclear.org/information-library/nuclear-fuel-cycle/mining-of-uranium/world-uranium-mining-production.aspx>

⁸ <https://en.odfoundation.eu/a/494919,kremlins-secret-ally-how-tokayev-is-helping-putin-circumvent-sanctions/>

⁹ <https://en.odfoundation.eu/a/508247,the-secret-of-tokayev-and-putin-how-to-circumvent-the-oil-embargo/>

¹⁰ <https://www.bloomberg.com/news/articles/2023-03-04/putin-gets-military-tech-chips-semiconductors-despite-eu-and-g-7-sanctions> ; <https://www.bqprime.com/amp/politics/putin-gets-military-tech-chips-semiconductors-despite-eu-and-g-7-sanctions>

The Kazakhstani authorities demonstrate to dictatorial regimes around the world a successful example of lobbying in the USA, the EU and Ukraine with the aim to lift anti-Russian sanctions, through misinformation and misuse of interstate cooperation instruments. For example, the Nazarbayev-Tokayev regime saved the Eurasian Development Bank, the key investment bank of the Eurasian Economic Union, from international sanctions.

The USA, the EU, and Ukrainian policies towards Kazakhstan allow the Nazarbayev-Tokayev regime to avoid secondary sanctions for its extensive political, financial and technological support to Russia in its war against Ukraine. Continued attempts by the US, the EU, and Ukraine to persuade the Nazarbayev-Tokayev regime to comply with sanctions are counter-productive and will only further convince the Kazakhstani authorities of the possibility of helping Russia circumvent the sanctions with impunity. The cumulative assistance of the Nazarbayev-Tokayev regime to Russia in 2022 and increasing assistance in 2023, including the ability to circumvent the oil embargo at the current fixed oil price, leads to a reduced impact of international sanctions on the Russian economy. Thus, in 2023 the IMF forecasts Russian GDP growth of 0.3% (the previous forecast expected a decline of 2.2%) and 2.1% in 2024.¹¹

Such actions by the Kazakhstani authorities contribute to negative geopolitical and geo-economic conditions that will allow Russia to wage a long and destructive war against Ukraine. The prospects for a just and sustainable peace in the foreseeable future under such conditions look dim. This report, like the previous ones, is intended to encourage a radical change in the approach of Western countries and Ukraine towards Kazakhstan in the first place, but also towards other dictatorial regimes.

Recommendations:

- Adopt urgent measures to prevent the circumvention of anti-Russian sanctions through Kazakhstan, other Central Asian countries, and Turkey. As practice shows, attempts to persuade dictatorial regimes to comply with anti-Russian sanctions are counter-productive.
- Impose secondary sanctions on individuals and entities, including public figures and companies, that contribute to circumventing anti-Russian sanctions.
- International corporations like *Meta* should take necessary steps to prevent the Russian military and private military companies from using their platforms (*Facebook, Instagram, WhatsApp*) for advertising and recruiting of citizens of Kazakhstan and other countries to participate in the war against Ukraine. Provide political and financial support to an independent civil society and opposition in Kazakhstan that systematically documents and exposes the Nazarbayev-Tokayev regime's involvement in circumventing anti-Russian sanctions.
- Curb the misuse of instruments of interstate cooperation that are used by dictatorial regimes such as Kazakhstan to lobby for lifting of anti-Russian sanctions and the persecution of opposition representatives and their relatives abroad.

The report is compiled by a coalition of international and Kazakhstani human rights defenders, #ActivistsNotExtremists, based on public data and expert assessments.

¹¹ <https://www.imf.org/en/Publications/WEO/Issues/2023/01/31/world-economic-outlook-update-january-2023>

1. TOKAYEV HELPS PUTIN IN RECRUITING KAZAKHSTANIS TO THE WAGNER ARMY

On 10 December 1994, Russia signed a land lease agreement with Kazakhstan until 2050 for the *Baikonur* space launch facility, which is used by Russia for both civilian and military purposes.¹² The EU and the US should pay special attention to the *Baikonur* facility, especially after the meeting on 28 February 2023 between the CSTO Secretary General Imangali Tasmagambetov and Russian Minister of Trade and Industry Denis Manturov. At the meeting, Tasmagambetov and Manturov explicitly stated on behalf of Kazakhstan and Russia, respectively, that *"military-economic cooperation is the most sought-after area of cooperation in the CSTO framework"*. Tasmagambetov particularly

emphasized that *"practical measures are needed to establish multilateral cooperation among military-industrial complex enterprises of the CSTO member states for joint development and production of weapons and military equipment and the creation of service centres for their maintenance and repair"*.

Even before the public announcement, the Russian administration of *Baikonur* is, in fact, already implementing the announced plan. Thus, on 7 February 2023, the Russian *Baikonur* authorities decided to pay a cash reward of over USD 3.5 thousand for *"voluntarily entering into"* a contract with the Russian armed forces to participate in the war against Ukraine.¹³ The Office of the Special Representative of the President of Kazakhstan in *Baikonur* attempted to deny the report on the involvement of Kazakhstani citizens in the war against Ukraine, saying that the decree of the *Baikonur* administration applied only to Russian citizens.¹⁴ However, various news outlets have reported that Russia is recruiting Central Asian citizens for the war against Ukraine through threats and monetary rewards.^{15, 16, 17} In addition, the Russian Presidential Decree envisages the **forced conscription of Russian citizens**, so the **cash remuneration** offered by the Russian administration of *Baikonur* indicates that it is aimed specifically at **Kazakhstanis**.¹⁸

The Russian private military company **Wagner is also running an advertising campaign in the Kazakhstan segment** of the Internet

(targeting Facebook/Meta ads to residents of Zhitikara, Kostanay region, Kazakhstan) to attract Kazakhstanis to take part in the war against Ukraine. Such actions are only possible with the tacit consent of the Kazakhstani authorities, as the city of Zhitikara is an administrative and territorial unit of Kazakhstan. According to the legislation of Kazakhstan, participation in foreign armed conflicts is a criminal offence.¹⁹ However, Kazakhstan's law enforcement agencies and special services, which conduct



Ronnie McNutt
три часа назад · в Житикара · Объявления

ЗП ОТ 1.2 МЛН ТЕНГЕ
К ПРИЕЗДУ ВОЗВРАЩАЕМ ВАМ ДЕНЬГИ
ПОТРАЧЕННЫЕ НА ПОЕЗДКУ

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📞 WhatsApp (<https://wa.me/79883224337>)

📠 8 988 3224337

📠 8 918 0953901

🗨️ Желающие устроиться на должности по...

An example of an announcement about the recruitment of militants in PMC "Wagner"

¹² <https://kapital.kz/gosudarstvo/95565/rossiya-prodlili-srok-arendy-kosmodroma-baykonur-do-2050-goda.html>

¹³ <https://kaztag.kz/ru/news/zhitelyam-baykonyra-predlozhili-dengi-za-uchastie-v-vojne-v-ukraine>

¹⁴ https://tengrinews.kz/kazakhstan_news/vyiplaty-voynu-ukrainoy-spetspredstavitelstve-baykonura-491169/

¹⁵ <https://ru.krymr.com/a/news-rassledovanie-grazhdan-kyrgyzstana-verbuyut-na-voynu-v-ukraine/31958611.html>

¹⁶ <https://asiaplustj.info/news/tajikistan/society/20220406/v-obmen-na-dengi-i-grazhdanstvo-kak-vihodtsi-iz-tsentralnoi-azii-uchastvuyut-v-vojne-v-ukraine>

¹⁷ https://longreads.cabar.asia/mobilization_ru

¹⁸

[https://www.facebook.com/mukhtar.ablyazov/posts/pfbid023bNc56x8K1Zyikveo78kpYxh2NcutEMTk1Lqv46HSKMrPyG5GAE8dnKg3ornVbLPI?__cft__\[0\]=AZUMTcTzw8BCWnkZGOS2HL8wvmA9WkmuTTrM7brvZhSit_uO0L7UYNAwfx2i60bYtQH1QJBAEK9ErcBbmPksxb7jhLadqABpTfx0-KTusAxy5aAyJnFz1KODapMRgNPY8Wc&__tn__=%2CO%2CP-R](https://www.facebook.com/mukhtar.ablyazov/posts/pfbid023bNc56x8K1Zyikveo78kpYxh2NcutEMTk1Lqv46HSKMrPyG5GAE8dnKg3ornVbLPI?__cft__[0]=AZUMTcTzw8BCWnkZGOS2HL8wvmA9WkmuTTrM7brvZhSit_uO0L7UYNAwfx2i60bYtQH1QJBAEK9ErcBbmPksxb7jhLadqABpTfx0-KTusAxy5aAyJnFz1KODapMRgNPY8Wc&__tn__=%2CO%2CP-R)

¹⁹ Article 172 of the Criminal Code of Kazakhstan

total surveillance of publications on social networks, fail to notice how militants are being recruited through social networks in Kazakhstan to take part in the war against Ukraine.

For comparison, we present a police officer's report to the Head of the Department for Combating Extremism of the Police Department of the Akmola region of Kazakhstan. In this report, the police officer states that during the monitoring of social media, he discovered that the Facebook page of the civil activist Marat Zhanuzakov contained a published photo and a video of an action in support of Ukraine. In this regard, the police officer requests permission to send the administrative case files to the Kokshetau City Police Department to bring the civil activists to administrative responsibility for allegedly "violating the law on peaceful assemblies".

Начальнику УПЭ
ДП Ақмолинской области
полковнику полиции
Мамбетову Е.О.

РАПОРТ

Докладываю Вам, что в ходе мониторинга социальных сетей установлено, что на странице «Marat Zhanuzakov» социальной сети «Facebook» размещен видеоролик и фотографии, где 14 ноября 2022 года вблизи старого христианского кладбища г.Кокшетау трое мужчин азиатской внешности держа в руках предметы схожие с государственным флагами Республики Казахстан и Украины и плакат с надписью «С освобождением Херсон» выражают поддержку Украине.

Установлено, что в видеоролике принимают участие следующие лица;

- Жанузаков Марат Нурмуханович, [REDACTED]
- Балташев Бауыржан Балгабекович, [REDACTED]
- Мухамеджанов Куат Болатович, [REDACTED]

В этой связи, с целью рассмотрения вопроса о привлечении указанных лиц по данному факту к административной ответственности по ст. 488 КРКоАП (Нарушение законодательства Республики Казахстан о порядке организации и проведения мирных собраний), прошу Вашего разрешения направить материалы в УП г.Кокшетау.

Ст. оперуполномоченный по ОВД УПЭ
ДП Ақмолинской области
подполковник полиции

А. Жандарбеков

The distribution of propaganda and advertising materials aimed at recruiting militants for the war against Ukraine is also the responsibility of the social platforms through which such materials are distributed. In this regard, it is critical that international corporations like *Meta* take the necessary steps to prevent the Russian military and the private military company *Wagner* from using their platforms (*Facebook, Instagram, WhatsApp*) to advertise and recruit citizens of Kazakhstan and citizens of other countries to participate in the war against Ukraine.

2. KAZAKHSTAN BANS PEACEFUL PROTESTS IN SUPPORT OF UKRAINE AND PERSECUTES UKRAINIANS

Between 24 February 2022 and 25 February 2023, the Kazakhstani authorities banned at least 63 anti-war actions and actions of solidarity with Ukraine across Kazakhstan.²⁰ A good example is the case of civil society activist Ravkat Mukhtarov, who in December 2022 submitted a notification to hold a peaceful action in support of Ukraine on 25 February 2023. The Akimat (local administration) of the city of Almaty refused the activist with the formulation that *"there is a threat of disturbance of public order when holding peaceful assemblies on the declared topic"*.²¹

The Kazakhstani authorities have also prosecuted peaceful protesters in support of Ukraine for political reasons. On 8 February 2023, a judge of a specialized administrative court in the city of Kokshetau imposed a fine of TNG 107,205 (USD 238) on civil activist Gauhar Shakenova on the charge of *"violating the law on peaceful assembly"* for her participation in a video-challenge in support of Ukraine [Annex 1].

On 26 and 27 December 2022, Mr Tokayev visited Russia to attend an *"informal summit"* of the CIS. As a *"gift"* to Russian propaganda, on 27 December 2022, the Kazakhstani authorities massively disseminated the news that police had detained eight Ukrainian citizens in Kazakhstan for allegedly *"setting up a drug lab"*.²² Russian propaganda often refers to Ukrainians as *"drug addicts"* and *"Banderites"*²³ (*Banderivtsi*). During his visit to Russia, Tokayev made such a *"gift"* to Russian propaganda by portraying Ukrainian citizens as alleged *"organisers of a drug lab"*. Three Ukrainian citizens - Yaroslav Skotarenko, Vitaliy Novikov, Pavlo Horovetskyi - told the Open Dialogue Foundation that the police tortured them in order to force them to give false testimony against themselves, as the police found neither drugs nor other prohibited items during the search.²⁴

3. THE USA, THE EU AND UKRAINE TURN A BLIND EYE TO COOPERATION BETWEEN KAZAKHSTAN AND RUSSIA

The USA and EU policy of flirting with dictators in exchange for short-term economic or political gains became one of the reasons why Vladimir Putin decided that a full-scale invasion of Ukraine would go unpunished.²⁵ However, neither the USA nor the EU have drawn the necessary conclusions from their mistakes and not changed their principles of cooperation with dictatorial regimes.

For example, on 28 February 2023, during the visit of US Secretary of State Anthony Blinken to Kazakhstan, the issue of military and economic cooperation between Kazakhstan and Russia was not raised publicly. On the contrary, the Ministry of Foreign Affairs of the Republic of Kazakhstan issued a joint statement mentioning that US Secretary of State Blinken noted *"strong support for the political and economic reforms of President Kassym-Jomart Tokayev, reiterating his readiness to cooperate in the area of democratic development, strengthening the rule of law and expanding the role of civil society"*.²⁶ Such a statement by the USA representative only encourages the Kazakhstani authorities to continue imitating reforms in the country and helping Russia to build up its military and political capacity.

²⁰ [https://www.facebook.com/groups/ActivistsNotExtremists/posts/3502477130071545/?__cft__\[0\]=AZWiSNV3IZFuVNX2o_8wG7Ac0xmXTKNvTWtdsHy-ad8xpg88Y2juw-kMe3zieuFcaOmhd_kHkfew_3HMtyxStBgAQp-eS3hLq--bTv7Zmvtv6GtcbdvlsVndE03k2EiUSArAlFNTw032mogRLRoliNOCEnlgnCb8-P1k10mdRa_9WJewdbPd9fk8DG7ABUfINKjU&__tn__=%2C0%2CP-R](https://www.facebook.com/groups/ActivistsNotExtremists/posts/3502477130071545/?__cft__[0]=AZWiSNV3IZFuVNX2o_8wG7Ac0xmXTKNvTWtdsHy-ad8xpg88Y2juw-kMe3zieuFcaOmhd_kHkfew_3HMtyxStBgAQp-eS3hLq--bTv7Zmvtv6GtcbdvlsVndE03k2EiUSArAlFNTw032mogRLRoliNOCEnlgnCb8-P1k10mdRa_9WJewdbPd9fk8DG7ABUfINKjU&__tn__=%2C0%2CP-R)

²¹ <https://rus.azattyq.org/a/32242240.html>

²² https://tengrinews.kz/kazakhstan_news/grajdane-ukrainyi-organizovali-narkolaboratoriyu-bliz-487126/

²³ <http://www.encyclopediaofukraine.com/display.asp?linkpath=pages%5CB%5CA%5CBanderites.htm>

²⁴ <https://www.facebook.com/qaharman.kz.7/posts/pfbid02HnhurqhY6DQTebK81UjgVp7TbD3gQugHsCbwbQxZ2S22PD66yy534huQ5Eb6eQpql>

²⁵ <https://foreignpolicy.com/2023/02/20/ukraine-deterrence-failed-putin-invasion/>

²⁶ <https://www.gov.kz/memleket/entities/mfa/press/news/details/514172?lang=ru>

On the same day, 28 February 2023, the CSTO Secretary General Imangali Tasmagambetov said during a meeting with Russian Trade and Industry Minister Denis Manturov that for Kazakhstan and Russia "*the most needed area of cooperation within the CSTO framework is military-economic cooperation*".²⁷

The EU is also not seriously considering the extent of Kazakhstan's assistance in circumventing Russia's sanctions, although formally when preparing the tenth EU sanctions package against Russia, the President of the European Commission Ursula von der Leyen has indicated that measures to close loopholes in circumventing sanctions are being prepared.²⁸ However, the EU leadership does not seem fully aware of the extent of Kazakhstan's assistance to Russia in circumventing sanctions.

Investigations by the well-known media (*The New York Times* and *The Economist*), publications by numerous international human rights organisations, the opposition and civil society in Kazakhstan about the Nazarbayev-Tokayev regime helping to circumvent Russian sanctions and financing the war against Ukraine went "unnoticed" by the EU, the USA and even Ukrainian governments.^{29, 30}

- "*Russia's growing trade with neighbours and allies is one of the reasons why its economy has remained resilient after the sanctions were imposed,*" wrote the USA newspaper *The New York Times* in January 2023.
- "*The tough EU and US sanctions imposed last February following Russia's invasion of Ukraine were supposed to isolate the Russian economy. But as only half the world complies with the measures, the reality is far more complicated. Friendly countries like Turkey, Kazakhstan, India and China are facilitating imports of banned goods that Russia needs. This has allowed Russia to avoid economic disaster,*" wrote the British magazine *The Economist* in February 2023.
- On 4 March 2023, a Bloomberg publication, citing an unnamed senior European diplomat, mentions facts like "*Russia appears to be successfully circumventing European Union and Group of Seven (G7) sanctions to obtain crucial semiconductors and other technology for its war in Ukraine*". Bloomberg cites the example of Kazakhstan, which increased its semiconductor exports to Russia 308 times to USD 3.7 million in 2022.³¹
- During a meeting with the President of the European Commission in February 2023, Ukrainian President Volodymyr Zelenskiy said the EU "slowed down the sanctions regime" and also stressed that a "common European objective" was to reduce Russia's ability to circumvent sanctions.³² President Zelenskiy stressed that Russia has "increased the pace of adaptation to the sanctions".

It is surprising that even Ukraine and the Eastern European countries, including the Baltic states, are in no hurry to discern the reasons for Russia's "*adaptation*" to the sanctions, and are not trying to prevent the deployment of the main rear base of the Russian military machine within the Eurasian Economic Union in Kazakhstan.^{33, 34, 35, 36, 37}

²⁷ https://odkb-csto.org/news/news_odkb/generalnyy-sekretar-odkb-imangali-tasmagambetov-vstretilsya-s-zamestitelem-predsedatelya-pravitelstv/?ysclid=leokr4rqy7996701643#loaded

²⁸ https://edition.cnn.com/europe/live-news/russia-ukraine-war-news-1-17-23/h_7dbc50384ae6f43b104ef0848d204427

²⁹ <https://www.economist.com/europe/2023/02/04/russias-technocrats-keep-funds-flowing-for-vladimir-putins-war>

³⁰ <https://www.nytimes.com/2023/01/31/business/economy/russia-sanctions-trade-china-turkey.html>

³¹ <https://www.bloomberg.com/news/articles/2023-03-04/putin-gets-military-tech-chips-semiconductors-despite-eu-and-g-7-sanctions> ; <https://www.bqprime.com/amp/politics/putin-gets-military-tech-chips-semiconductors-despite-eu-and-g-7-sanctions>

³² <https://www.golosameriki.com/a/zelenskiy-russia-sanctions/6944831.html>

³³ <https://www.svoboda.org/a/32264252.html>

³⁴ <https://www.currenttime.tv/a/zelensky-makron-russia/31848305.html>

³⁵ <https://www.eurointegration.com.ua/rus/news/2022/06/18/7141550/>

³⁶ <https://www.rbc.ru/politics/23/08/2021/6122ca0d9a794725a4294bce>

³⁷ <https://www.lrt.lt/ru/novosti/17/1838137/kazakhstanu-nuzhna-evropa-a-es-kazakhstan-zaiavil-glava-mid-litvy>

One striking example of the EU, the US and Ukrainian double standards on the issue of sanctions circumvention by different countries is the reaction to the assistance to the sanctioned Russian airline *Aeroflot*.

On 1 February 2023, *Aeroflot* resumed flights to Kazakhstan.³⁸ **There was no reaction from the EU and the USA to these actions.** Bear in mind that against the background of the US and EU sanctions, *Aeroflot* did not operate flights to Kazakhstan from 8 March 2022 to 1 February 2023.^{39,40} The EU has obliged lessors to return the planes, but Russian authorities have refused to do so. The USA banned the supply of spare parts for US Boeing aircraft leased to *Aeroflot*. However, **there was no reaction from the EU and the USA to the resumption of *Aeroflot's* flights to Kazakhstan.**

At the same time, in relation to other states, the USA and the EU have taken a firm stance on allowing Russian airlines into their territory.

- The Wall Street Journal reported that *"the USA is putting pressure on Turkey to ban Russian airlines from flying into and out of Turkey on US-made aircraft"*.⁴¹
- The speaker of the European External Action Service commented on the possibility of resuming air links between Russia and Georgia:⁴² *"We are aware of recent discussions about the possible re-establishment of direct air links between Russia and Georgia. Due to Russia's illegal aggression against Ukraine, the EU has imposed sanctions on Russian aviation and banned flights to, from or through Russia. The EU calls on Georgia to join the sanctions imposed by the EU and other countries against Russia in the field of aviation and to remain vigilant against any possible attempts to circumvent the sanctions. The EU sanctions regime is considering imposing sanctions against those who participate in or support possible circumvention of the EU sanctions against Russia"*.
- The US State Department also commented on the possible resumption of flights between Georgia and Russia: *"Many Western countries, including the US, prohibit Russian aircraft from entering their airspace. We would be concerned about the resumption of flights between Russia and Georgia, given that companies at Georgian airports may be subject to sanctions if they operate aircraft subject to additional import and export controls. The entire Western community has distanced itself from this brutal regime - now is not the time to expand cooperation with Russia."*⁴³

The USA and European Union put pressure on Turkey and Georgia, but ignore the resumption of flights by the sanctioned Russian company *Aeroflot* to Kazakhstan, where western-produced aircraft will be serviced. The Kazakhstani authorities allow the sanctioned Russian airline *Aeroflot* to fly freely to, from and through Kazakhstani airspace, as well as to service the airline's aircraft at airports in Kazakhstan, thereby helping Russian business.

Instead of protesting Kazakhstan's actions, on 16 February 2023, the Ukrainian President Volodymyr Zelenskiy thanked the Kazakhstani president for **"humanitarian support for Ukraine"** during a telephone conversation.^{44, 45}

The results of such policies by the EU, the USA and Ukraine are directly reflected in the Russian economy. In the spring of 2022, various organisations and agencies predicted a fall of over 10% in Russia's

³⁸ https://www.inform.kz/ru/aeroflot-vozobnovlyayet-sobstvennye-reysy-v-kazakhstan_a4028821

³⁹ <https://www.dw.com/ru/ssha-zakryvajut-jekspart-dlja-treh-rossijskih-aviakompanij/a-61401053>

⁴⁰ <https://www.consilium.europa.eu/en/press/press-releases/2022/07/21/russia-s-aggression-against-ukraine-eu-adopts-maintenance-and-alignment-package/>

⁴¹ https://www.wsj.com/articles/u-s-leans-on-turkey-to-end-russian-flights-with-american-made-planes-11674731467?mod=world_lead_pos1

⁴² <https://ru.netgazeti.ge/47961/>

⁴³ <https://www.amerikiskhma.com/a/6944996.html>

⁴⁴ <https://informburo.kz/novosti/zelenskii-poblagodaril-kazaxstan-za-pomoshh>

⁴⁵ <https://en.odfoundation.eu/a/494919,kremlins-secret-ally-how-tokayev-is-helping-putin-circumvent-sanctions/>

economy in 2022, but Russia's economy shrank by only 2.2% according to the International Monetary Fund and 3.5% according to the World Bank.^{46, 47} In 2023, Russia's economy is projected to decline by 3.3% according to the World Bank, while the International Monetary Fund forecasts **growth of the Russian economy by 0.3%. In 2024, it is expected to grow by 2.1%.**⁴⁸ And this is happening against a backdrop of seemingly sweeping sanctions from the West.

Such economic indicators of Russia became possible due to the sense of total impunity for the systemic support in circumventing Russia's sanctions by the Eurasian Economic Union's second-biggest economy, Kazakhstan.

4. HOW TOKAEV IS HELPING PUTIN CIRCUMVENT SANCTIONS

Saving the Eurasian Development Bank from international sanctions

On 17 January 2023, it was reported that Kazakhstan would buy a part of the Russian stake in the Eurasian Development Bank for about USD 42 million.⁴⁹ As a result, Russia's stake in the bank will decrease from 66% to 45%. This will help avoid Western sanctions against the Eurasian Development Bank, as Russia's stake will become less than 50%.

In August 2022, US news agency *Bloomberg* reported that Russia might reduce its share in the Eurasian Development Bank to **insulate it from Western sanctions.**⁵⁰ The Eurasian Development Bank, with a registered capital of USD7 billion, is the key bank of the Eurasian Economic Union (EAEU), which deals with investment projects in the EAEU member states.⁵¹ The withdrawal of the bank from sanctions risks keeps a financial source and tool in Putin's hands to provide support to the Russian economy.

In order to divert public attention from Kazakhstan's purchase of a stake in the Eurasian Development Bank, a diversionary information operation was carried out. On the same day, 17 January 2023, various news outlets reported that Kazakhstan had tightened migration rules for Russians and other foreigners.⁵² Ukrainian and Russian bloggers and experts linked Kazakhstan's change of migration rules for Russians to alleged fears of a potential influx of Russians due to possible conscription.⁵³ In reality, such changes complicate the procedure for obtaining residency for migrants from Russia wishing to escape mandatory conscription.

⁴⁶ <https://www.vedomosti.ru/economics/news/2022/04/12/917673-kudrin-vvp-rossii-10>

⁴⁷ <https://www.consilium.europa.eu/en/infographics/impact-sanctions-russian-economy/#:~:text=The%20chart%20shows%20that%2C%20in,IMF%20forecasts%20growth%20by%200.3%25.>

⁴⁸ <https://www.imf.org/en/Publications/WEO/Issues/2023/01/31/world-economic-outlook-update-january-2023>

⁴⁹ https://www.inform.kz/ru/20-mlrd-tenge-ponadobitsya-kazahstanu-dlya-vykupa-rossiyskoy-doli-akciy-eabr_a4024426

⁵⁰ <https://www.bloomberg.com/news/articles/2022-08-09/russia-may-give-up-majority-stake-in-eurasian-development-bank?leadSource=uverify%20wall>

⁵¹ <https://eabr.org/about/>

⁵²

<https://www.rfi.fr/ru/%D1%86%D0%B5%D0%BD%D1%82%D1%80%D0%B0%D0%BB%D1%8C%D0%BD%D0%B0%D1%8F-%D0%B0%D0%B7%D0%B8%D1%8F/20230118-%D0%BA%D0%B0%D0%B7%D0%B0%D1%85%D1%81%D1%82%D0%B0%D0%BD-%D1%83%D0%B6%D0%B5%D1%81%D1%82%D0%BE%D1%87%D0%B8%D0%BB-%D0%BF%D1%80%D0%B0%D0%B2%D0%B8%D0%BB%D0%BO-%D0%BF%D1%80%D0%B5%D0%B1%D1%8B%D0%B2%D0%B0%D0%BD%D0%B8%D1%8F-%D0%B2-%D1%81%D1%82%D1%80%D0%B0%D0%BD%D0%B5-%D0%B4%D0%BB%D1%8F-%D0%B8%D0%BD%D0%BE%D1%81%D1%82%D1%80%D0%B0%D0%BD%D1%86%D0%B5%D0%B2-%D0%B1%D0%B5%D0%B7-%D0%B2%D0%B8%D0%B7%D1%8B>

⁵³

<https://www.facebook.com/profile/100003737098291/search/?q=%D0%9E%D0%A7%D0%95%D0%A0%D0%95%D0%94%D0%9D%D0%90%D0%AF%20%D0%9F%D0%9E%D0%9C%D0%9E%D0%A9%D0%AC%20%D0%A2%D0%9E%D0%9A%D0%90%D0%95%D0%92%D0%90%20%D0%9F%D0%A3%D0%A2%D0%98%D0%9D%D0%A3%20%D0%9F%D0%9E%20%D0%9E%D0%91%D0%A5%D0%9E%D0%94%D0%A3%20%D0%A1%D0%90%D0%9D%D0%9A%D0%A6%D0%98%D0%99%20%D0%98%20%D0%A4%D0%98%D0%9D%D0%90%D0%9D%D0%A1%D0%98%D0%A0%D0%9E%D0%92%D0%90%D0%9D%D0%98%D0%98%20%D0%92%D0%9E%D0%99%D0%9D%D0%AB%20%D0%9F%D0%A0%D0%9E%D0%A2%D0%98%D0%92%20%D0%A3%D0%9A%D0%A0%D0%90%D0%98%D0%9D%D0%AB>

On 18 January 2023, Azamat Abildayev, an MP from Kazakhstan's pro-government Akzhol party, provided additional "information background". He stated that he "supports Putin, Russia's war against Ukraine" and that "Nazis are in power in Ukraine".⁵⁴ It is important to stress that deputies in Kazakhstan are not independent, so Abildayev voiced what he was told to say in the Tokayev administration. Akzhol party Chairman Azat Peruashev stated that "this is the private opinion of the deputy Abildayev, not the position of the party" and he will be expelled from the party. Notably, Abildayev agreed with the party's decision.

Kazakhstan is helping Russia save Rosatom's assets from sanctions and retain its status as the world's first enriched uranium producer

On 28 February 2023, the day US Secretary of State Anthony Blinken visited Kazakhstan, it was reported that the Kazakhstani government, by order of Tokayev, allowed the restructuring of Russian uranium assets in Kazakhstan. By doing so, Kazakhstan is once again helping Russia save important assets from potential Western sanctions.

By decree of the Kazakhstani government, large stakes in three uranium enterprises in Kazakhstan were allowed to be transferred from the current Dutch companies to the Russian state-owned company *Uranium One Group*:

- to authorise *Uranium One Netherlands B.V.* to alienate 50% of its shares in LLP *Karatau* in favour of JSC *Uranium One Group*.
- to authorise *Uranium One Utrecht B.V.* to alienate 30% of its shares in LLP *Khorasan-U Joint Venture* in favour of JSC *Uranium One Group*.
- to authorise *Uranium One Rotterdam B.V.* to alienate 70% of the shares in the limited liability partnership *Southern Mining and Chemical Company Joint Venture* in favour of JSC *Uranium One Group*.⁵⁵

Uranium One Netherlands B.V., *Uranium One Utrecht B.V.* and *Uranium One Rotterdam B.V.* are companies registered in the Netherlands. They are owned by the Russian State Atomic Energy Corporation *Rosatom*.⁵⁶ It was through these Dutch companies that the Russian State Atomic Energy Corporation *Rosatom* owned stakes in uranium deposits in Kazakhstan. JSC *Uranium One Group* is a subsidiary of *Rosatom* registered in Russia.

Ukraine is trying to persuade the West to impose sanctions against the Russian state-owned corporation *Rosatom*. If such sanctions were imposed, the Netherlands could seize *Rosatom's* Dutch companies and take control of the uranium assets they own in Kazakhstan.

Under Kazakhstan's current law on Subsoil and Subsoil Use, the re-registration of the ownership of shares in a Kazakhstani legal entity holding the right to subsoil use for uranium production requires the approval of the competent (Kazakhstani) authority.⁵⁷ Interestingly, Kazakhstan has not exercised its priority right of the State to acquire alienated shares in uranium deposits, which the State has under Article 43 of the Law on Subsoil and Subsoil Use.

Rosatom is now the world's second-largest producer of uranium, producing about 7,000 tonnes per year (15% of the global market). *Rosatom* produces more than 60 per cent of this volume in Kazakhstan

⁵⁴ <https://www.facebook.com/mukhtar.ablyazov/posts/pfbid022QtwsrXw2Kf43dsvCYcP995AZR9L4sHNsTSbNGr18JuJQTaNdDvdTSUzjpicgFjI>

⁵⁵ <https://kaztag.kz/ru/news-of-the-day/krupnye-doli-trekh-uranovykh-predpriyatiy-v-kazakhstane-razreshili-peredat-dochke-rosatoma>

⁵⁶ <https://www.rosatom.ru/en/about-us/>

⁵⁷ https://online.zakon.kz/Document/?doc_id=31764592&doc_id2=31764592#activate_doc=2&pos=47;-128&pos2=1001;-103

through five joint ventures with *Kazatomprom*. *Rosatom* is the first in the world in uranium enrichment services with a 38% share.⁵⁸ In fact, Kazakhstani authorities have helped Russia retain its status as the world's first producer of enriched uranium and the world's second largest producer of uranium.

Kazakhstan, with 45% of the world's uranium production, is the largest uranium producer in the world.⁵⁹ Given the vassal dependence of the Nazarbayev-Tokayev regime on Putin (similar to Lukashenko's vassal dependence on Putin), now **Russia controls at least 60% of the world uranium mining market.**

The Nazarbayev-Tokayev regime helped Putin maintain control over the uranium projects in Kazakhstan and allowed for a preventive divestment from Dutch and European legislation. Thus, Putin and the Nazarbayev-Tokayev regime are acting proactively to help Russia avoid the consequences of Western sanctions.

Increase in individual remittances from Russia to Kazakhstan

In 2022, remittances from Russia to Kazakhstan increased by 579 per cent (almost six times).⁶⁰ This is the largest figure among Central Asian countries. The Kazakhstani authorities have created ideal conditions for "parallel imports" to flourish: Russians buy goods in Kazakhstan that are not available in Russia due to Western sanctions. Russians transfer funds to the accounts of intermediaries in Kazakhstan, and they purchase the necessary goods and ship them to Russia without the obstacles of the Kazakhstani authorities.

Parallel imports

On 25 January 2023, the Russian service of the BBC released a report⁶¹ titled "*Everything got shovelled out. How parallel imports from Kazakhstan help Russians ignore the war*" about parallel imports of various goods, including sanctioned goods, into Russia from Kazakhstan. And although exports from Kazakhstan to Russia only grew by 15% last year, the growth in certain categories of goods was fantastic - several tens or hundreds of times.⁶² This abnormal growth is evidence of an established system of parallel imports of goods to Russia from Kazakhstan, including sanctioned goods and components for weapons.

Research company *Euromonitor International* published a report concluding that despite the sanctions imposed, European goods continued to enter Russia via neighbouring countries such as Kazakhstan, Uzbekistan, Kyrgyzstan, Georgia, Armenia and Belarus.⁶³ Exports of goods from the EU to Russia fell by 47% between March and November 2022 compared to the same period in 2021. But at the same time, exports of European goods from the EU to Russia's neighbouring countries increased by 48%. The main growth in exports from the EU to Kazakhstan, Uzbekistan, Kyrgyzstan, Georgia, Armenia and Belarus was made up of sanctioned goods - 95%. In monetary terms, the growth tripled (from EUR 500 million in November 2021 to EUR 1.5 billion in November 2022).

⁵⁸ <https://rosatom.ru/journalist/smi-about-industry/sily-mirovoy-reaktsii/>

⁵⁹ <https://world-nuclear.org/information-library/nuclear-fuel-cycle/mining-of-uranium/world-uranium-mining-production.aspx>

⁶⁰ <https://www.dw.com/ru/perevody-sredstv-fizicami-iz-rf-v-sosednie-strany-dostigli-rekorda/a-64545871>

⁶¹ <https://www.bbc.com/russian/features-64404234>

⁶² <https://en.odfoundation.eu/a/494919,kremlins-secret-ally-how-tokayev-is-helping-putin-circumvent-sanctions/>

⁶³ <https://www.currenttime.tv/a/obkhod-sanktsiy-es/32247510.html>

For example, Kazakhstan increased its imports of smartphones from the Czech Republic from zero in 2021 to EUR 164 million in 2022; turbojet engines from Poland by 219% (to EUR 140 million); and laptop computers from the Czech Republic by 280% (to EUR 67 million).⁶⁴

Lithuanian experts confirm an increase in exports of goods from Lithuania to Russia's neighbours, such as Belarus and Kazakhstan, including sanctioned goods. Analyst Vaidotas Zemlias-Baliavičius cited statistics during a meeting of the Lithuanian parliamentary committee for national security and defence: "*Export to Russia has dropped by 35%, but to Russia's neighbours has doubled. Total exports grew by 5%. This means that the outbreak of war has spurred exports from Lithuania*". Commenting on the growth of exports of sanctioned goods from Lithuania to Russia's neighbouring countries, the expert explained: "*Every month we export a quarter of a billion dollars to the neighbouring countries, while previously this figure was 50 million. This means that exports to the neighbouring countries have increased fivefold*".⁶⁵

A scheme to help Putin circumvent the gold embargo

The Russian company *Polymetal* is the largest silver producer and the second largest gold producer in Russia. It is among the world's top ten gold producers and top five silver producers.⁶⁶ *Polymetal* owns eight gold deposits in Russia, as well as two gold deposits in Kazakhstan.

The ownership structure of the *Polymetal* group of companies (together, "Russian company *Polymetal*" and/or "*Polymetal*") is organized as follows: investors - shareholders (individuals and legal entities) own shares in the parent company, *Polymetal International plc*, established and registered in the jurisdiction of Jersey. *Polymetal International plc*, in turn, owns companies in Russia and Kazakhstan that are the direct owners of the deposits.

In 2021, the revenue of the Russian company *Polymetal* was USD 2.89 billion, of which a third (USD 984 million) was generated by Kazakhstani assets (the Kyzyl and Varvarinskoye gold deposits).⁶⁷

Polymetal International plc is not on the list of Western sanctions, but its Russian subsidiaries are facing problems with paying dividends to the parent company *Polymetal International plc*. In turn, the parent company is unable to pay dividends to its shareholders. Jersey, where *Polymetal International plc* is established and currently registered, is recognized as an unfriendly jurisdiction under Russia's counter-sanctions.⁶⁸

In addition, the G7 countries, the European Union, Australia, Switzerland and New Zealand have imposed an embargo on imports of Russian gold.^{69, 70, 71, 72}

On 25 January 2023, the Russian company *Polymetal* announced that it plans to re-register its parent company from the jurisdiction of Jersey to Kazakhstan.⁷³ In order to circumvent the sanctions, *Polymetal* plans to separate the company's assets into Kazakh and Russian ones. Thus, Russian shareholders of *Polymetal* will be able to receive income from the sale of Kazakhstani gold to Western countries.

⁶⁴ <https://www.rbc.ru/economics/31/01/2023/63d7d3fa9a79471e5c6228b8>

⁶⁵ <https://www.delfi.lt/ru/news/economy/skandalnaya-statistika-kak-litovcy-tajno-prodolzhayut-torgovlyu-s-rossiej.d?id=92562803>

⁶⁶ <https://www.finam.ru/publications/item/polymetal-rastushaya-kompaniya-na-goryachem-rynke-20201009-145900/>

⁶⁷ <https://www.kommersant.ru/doc/5470210>

⁶⁸ <https://www.polymetalinternational.com/ru/investors-and-media/shareholder-centre/current-qa/#accordion-q-1>

⁶⁹ <https://www.bbc.com/russian/news-61946001>

⁷⁰ <https://www.swissinfo.ch/eng/politics/switzerland-takes-over-eu-sanctions-on-russian-gold/47801116>

⁷¹ <https://www.dfat.gov.au/news/news/russia-australia-prohibits-import-russian-gold>

⁷² <https://www.beehive.govt.nz/release/imports-russian-gold-banned>

⁷³ <https://www.forbes.ru/biznes/484172-polymetal-mozet-pereregistrovat-sa-s-ostrova-dzersi-v-kazahstan>

At the same time, due to the Western embargo on Russian gold, the company compensates for the loss of the Western market by selling gold in Asian markets. In particular, the National Bank of Kazakhstan is buying gold from *Polymetal* for its reserves.⁷⁴ This was reported by the head of the *Polymetal* company, Vitaly Nesis: "Previously we sold most of the gold through Russian banks to London, and in Kazakhstan we sold to the National Bank of Kazakhstan. Now **in Kazakhstan we continue to sell gold to the National Bank** and Russian gold is bought by a number of Asian countries".⁷⁵ By re-registering its company in Kazakhstan, *Polymetal* will be able to gain easier access to financial services, which are not available in Russia due to sanctions and counter-sanctions.

It is important to add that one of the shareholders of the Russian company *Polymetal* is Timur Kulibayev, son-in-law of former Kazakhstani president Nursultan Nazarbayev.⁷⁶ In 2014, *Polymetal* bought *Altynalmas Gold* from Timur Kulibayev for about USD 618.5 million: USD 318.5 million was paid in cash and USD 300 million was paid through issued shares. Therefore, the purchase of gold from *Polymetal* by the National Bank of Kazakhstan is not only assistance to the Nazarbayev-Tokayev regime in circumventing the gold embargo, but also due to the personal interest of the family of the former president of Kazakhstan, who receives dividends from gold sales by *Polymetal*.

By buying gold from Russia's *Polymetal* and allowing it to re-register its parental company in Kazakhstan, the Nazarbayev-Tokayev regime **is deliberately undermining Western efforts to reduce Russia's financial capacity to wage war against Ukraine**. Kazakhstan is also helping Russia circumvent the gold embargo.

Updated scheme to help Putin circumvent the oil embargo

Tokayev had his first telephone conversation with a foreign leader in 2023 on **3 January** - with Russian President Vladimir Putin.⁷⁷ The two sides discussed "specific issues in the oil, gas and energy sectors". The call took place days after the publication of the report "THE SECRET OF TOKAYEV AND PUTIN: HOW TO CIRCUMVENT THE OIL EMBARGO" (published on 30 December 2022).⁷⁸ And as early as **4 January 2023**, the Russian government instructed the Ministry of Energy and the Ministry of Foreign Affairs to negotiate with Kazakhstan to amend the agreement on the transportation of Russian oil through Kazakhstan to China.⁷⁹ Consequently, during a call on 3 January 2023, Putin and Tokayev discussed the issue of initiating the transportation of additional volumes of Russian oil through Kazakhstan to China. The additional volume could amount to 10 million tonnes of oil per year.

The EU's December 2022 rules on the price cap on Russian oil products envisage **two exemptions** that allow Russia to circumvent the oil embargo through Kazakhstan and other countries. The exemptions affect petroleum products produced from Russian oil in third countries (like Kazakhstan) as well as mixtures of petroleum products of Russian and non-Russian (e.g. Kazakh) origin.⁸⁰ Accordingly, when petroleum products from Russian oil produced in Kazakhstan and Russian petroleum products produced in Russia are mixed, with a ratio of, for example, 51% to 49%, such petroleum products can be supplied to the European market as "Kazakh" products.

Therefore, the conclusions of the report "THE SECRET OF TOKAYEV AND PUTIN: HOW TO CIRCUMVENT THE OIL EMBARGO" contain further relevant:

⁷⁴ <https://bcs-express.ru/novosti-i-analitika/polimetall-uzhe-ne-rassmatrivaet-vozmozhnost-prodazhi-rossiiskikh-aktivov>

⁷⁵ <https://tass.ru/ekonomika/16227999>

⁷⁶ <https://www.rbc.ru/economics/22/05/2014/57041d2b9a794761c0cea052>

⁷⁷ https://tengrinews.kz/kazakhstan_news/putin-pozvonil-tokaevu-487613/

⁷⁸ <https://en.odfoundation.eu/a/508247,the-secret-of-tokayev-and-putin-how-to-circumvent-the-oil-embargo/>

⁷⁹ <https://kaztag.kz/ru/news/v-soglashenie-o-postavkakh-rossiyskoy-nefti-cherez-kazakhstan-v-kitay-khotyat-vnesti-izmeneniya>

⁸⁰ https://finance.ec.europa.eu/system/files/2023-02/guidance-russian-oil-price-cap_en.pdf

- Using Kazakhstan as an alternative source of oil and petroleum product supply to the EU above Kazakhstan's existing annual supply volumes would undermine the political objective of international sanctions - to deprive Russia of the means to wage war against Ukraine.
- By helping to circumvent the oil embargo, Kazakhstan could make up for 20 per cent of Russia's losses in oil and oil product exports to the EU.

However, the European Union's price cap exceptions for Russian oil products further undermine efforts to reduce Russia's financial capacity to wage war against Ukraine by allowing oil products of Russian and non-Russian origin to be mixed for sale on the European market, and by selling oil products produced from Russian oil in countries such as Kazakhstan.

By helping Russia circumvent the oil embargo, the Nazarbayev-Tokayev regime is trying to deceive the West and Ukraine that it is allegedly developing alternative routes for Kazakhstani oil supplies that bypass Russia, thereby "*reducing dependence*" on Russia.⁸¹ The bulk of Kazakhstan's oil exports (over 90%) go through Russia. An alternative route via Azerbaijan-Georgia-Turkey allows to export 1.5 million tonnes of Kazakhstani oil per year, and in the long term - about 5 million tonnes per year. Therefore, statements about the alleged diversification of oil export routes are a trick to misinform the West and Ukraine.⁸²

5. TOKAEV SUPPORTS RUSSIAN BUSINESS IN KAZAKHSTAN

With the start of Russia's invasion of Ukraine on 24 February 2022, many large international companies withdrew from the Russian market. Democratic countries have imposed sweeping sanctions on a number of sectors of the Russian economy. Russian businesses began to look for ways to continue operating in the face of sanctions. Kazakhstan's Nazarbayev-Tokayev regime became a "*lifeboat*" for Russian business.

Supporting a Russian fast-food restaurant chain

On 16 May 2022, the US corporation McDonald's announced that it was selling its business in Russia.⁸³ McDonald's was replaced by a Russian company, which opened its restaurants under the *Vkusno i Tochka* brand as early as 12 June 2022.

5 January 2023 McDonald's restaurant chain officially ceased operations in Kazakhstan due to "*supply restrictions*" on meat products and semi-finished products from Russia.⁸⁴ **16 January 2023** it became known that the Russian company with the brand *Vkusno i Tochka* filed for the registration of its trademarks in Kazakhstan. Although a few days earlier, on 9 January 2023 the company said it had no plans to open restaurants in Kazakhstan.^{85, 86} **On 17 January 2023** the company said that it applied for registration of the trademarks "*to protect its brand*".⁸⁷ The company added: "*At the moment we do not*

⁸¹ <https://www.moscowtimes.ru/2023/02/02/kazahstan-v-10-raz-uvelichil-eksport-nefti-v-obhod-rossii-a32775>

⁸² <https://ru.odfoundation.eu/a/493764,tajna-tokaeva-i-putina-kak-obohti-neftjanoe-embargo/>

⁸³ <https://www.golosameriki.com/a/mcdonalds-russia/6575897.html#:~:text=%D0%A1%D0%BF%D1%83%D1%81%D1%82%D1%8F%2032%20%D0%B3%D0%BE%D0%B4%D0%B0%20%D1%80%D0%B0%D0%B1%D0%BE%D1%82%D1%8B%20%D0%B2,%D1%82%D0%B5%2C%20%D0%BA%D0%BE%D1%82%D0%BE%D1%80%D1%8B%D0%B5%20%D1%80%D0%B0%D0%B1%D0%BE%D1%82%D0%B0%D1%8E%D1%82%20%D0%BF%D0%BE%20%D1%84%D1%80%D0%B0%D0%BD%D1%88%D0%B8%D0%B7%D0%B5.>

⁸⁴ https://tengrinews.kz/kazakhstan_news/v-minselhoze-prokommentirovali-zakrytie-mcdonalds-487928/

⁸⁵ https://tengrinews.kz/kazakhstan_news/vkusno-tochka-podala-zayavki-registratsiyu-tovarnyih-znakov-488641/

⁸⁶ <https://www.vedomosti.ru/business/news/2023/01/09/958319-vkusno-i-tochka-v-kazahstane>

⁸⁷ https://forbes.kz/economy/business/vkusno_i_tochka_obyasnili_zayavku_na_registratsiyu_v_kazahstane/

have appropriate arrangements with the management of the company, which ran the business of McDonald's in Kazakhstan."

However, the actions of *Vkusno i Tochka* to register its trademark in Kazakhstan indicate that the company plans to replace McDonald's Corporation, which has left the Kazakhstani market. The registration of the Russian company in Kazakhstan with the support of the Kazakh authorities and the subsequent opening of restaurants will allow *Vkusno i Tochka* to generate additional revenue from its services in Kazakhstan.

Tokayev helps Putin develop logistics to circumvent sanctions

As examples of how the Tokayev-Nazarbayev regime is helping to build a logistical chain to circumvent sanctions at the expense of state resources, the following deals are worth looking at:

- Kazakhstan's national postal operator **Kazpost is investing in Russia's Yandex.**⁸⁸ The cooperation plans were announced at a conference on digitalisation in Kazakhstan in February 2023. *Kazpost's* investment will go towards the technological solutions of the company, whose country is waging an invasive war against Ukraine. Given that *Kazpost* is a state-owned company, it is clear that supporting Russian business is the general line pursued by the Nazarbayev-Tokayev regime.
- **Sanctioned Wildberries is building a logistics centre in Almaty.** Russian company *Wildberries* plans to invest up to USD 100 million in the construction of a logistics centre in Almaty, which is the largest transport and logistics hub in Central Asia.⁸⁹ *Wildberries* is Russia's largest online retailer. *Wildberries* and its founder Tatiana Bakalchuk are under sanctions from Ukraine and Poland.^{90, 91} The opening of *Wildberries'* logistics centre in Kazakhstan opens the way for the company's Russian customers to buy the necessary goods freely imported into Kazakhstan and will also allow them to circumvent the Ukrainian and Polish sanctions.
- **The surrender of an airport of strategic importance for the transport corridor of sub-sanctioned goods from Kazakhstan to Russia.** On 10 February 2023 it became known that a Russian company JSC *Retrans*, linked to Russian oligarch Viktor Vekselberg, had bought an international airport in the city of Uralsk in western Kazakhstan, close to the borders with Russia.⁹² Viktor Vekselberg is under sanctions from the UK, the USA, Japan and Canada. The purchase of an international airport in Kazakhstan by a Russian company linked to sanctioned Viktor Vekselberg points to the creation of a transport hub in Kazakhstan for the shipment of sanctioned goods to Russia.

6. TOKAEV IS LOBBYING THE USA, THE EU AND UKRAINE TO LIFT ANTI-RUSSIAN SANCTIONS

International sanctions have been imposed against major Russian banks and oligarchs. The authoritarian regimes of Kazakhstan and Uzbekistan, abusing the instruments of interstate cooperation, have lobbied for lifting of sanctions on sanctioned companies and oligarchs. The Kazakhstani authorities use state

⁸⁸ https://www.inform.kz/ru/kazpochta-i-yandeks-dostavka-ob-yavili-o-planah-po-sotrudnichestvu_a4031182

⁸⁹ <https://kapital.kz/business/112853/v-stroitel-stvo-logisticheskogo-tsentra-v-almaty-wildberries-vlozhit-100-mln.html>

⁹⁰ <https://biz.liga.net/ekonomika/fmcg/article/protiv-rossiyskogo-amazon-v-ukraine-vveli-sanktsii-no-on-rabotaet-cto-takoe-wildberries>

⁹¹ <https://www.gov.pl/web/mswia/lista-osob-i-podmiotow-objetych-sankcjami>

⁹² <https://rus.azattyq.org/a/32265227.html>

agencies and companies **to lobby the US, EU and Ukraine to ease or lift sanctions on banks, oligarchs and financial instruments.**^{93, 94, 95, 96}

Operation to lift sanctions on sanctioned banks

- On 8 February 2023, it became known that the US Department of the Treasury would lift sanctions on the sanctioned *Sberbank Kazakhstan* (Bereke Bank). *Sberbank Kazakhstan* came under US sanctions on 6 April 2022, as a subsidiary of *Sberbank Russia*.⁹⁷ In February 2023, the US Department of Treasury said it had received "credible assurances" that "Bereke Bank will not be involved in a sanctions violation".⁹⁸
- In July 2022, the US lifted sanctions on Eco Centre Bank (*Alfa Bank Kazakhstan*).⁹⁹ *Alfa Bank Kazakhstan*, like *Sberbank Kazakhstan*, came under US sanctions on 6 April 2022. Representatives of the Kazakhstan Agency for Financial Market Regulation and Development travelled to the US, where they "explained" details of the transaction to the Office of Foreign Assets Control (OFAC) in order to obtain the removal of sanctions from *Alfa Bank Kazakhstan*.¹⁰⁰

The Kazakhstani authorities use a simple method to achieve the removal of sanctioned banks from the sanctions list. A Kazakh legal entity buys shares in a sanctioned Russian subsidiary bank in Kazakhstan and renames it, and the Kazakhstani government authorities lobby the US to remove the bank from the sanctions list.

Such subversive actions by the Kazakhstani authorities form a dangerous trend for Ukraine, as they allow authoritarian regimes to seek the lifting of anti-Russian sanctions and facilitate support for the Russian economy at the expense of Western countries' trust and abuse of interstate cooperation tools.

The U.S. Department of Treasury continues to trust Kazakhstan's "promises," even despite a public statement by the CSTO Secretary General Imangali Tasmagambetov that military-economic cooperation is the most sought-after area of cooperation for Kazakhstan and Russia within the CSTO framework. In particular, Tasmagambetov noted the need to implement practical measures to establish multilateral cooperation among the military-industrial complex enterprises of the CSTO states **for the joint development and production of weapons and military equipment, and the creation of service centres for their maintenance and repair.**¹⁰¹

Operation to lift sanctions on Russian oligarch

In October 2022, Ukraine imposed sanctions on Timur Turlov and his company Freedom Finance Ukraine.¹⁰² Commenting on being put on the Ukrainian sanctions list, Timur Turlov said: "*We ended up on this sanctions list by accident, with the entire Russian Forbes list of entrepreneurs for 2021. After all, last*

⁹³ <https://kapital.kz/finance/107325/v-eco-center-bank-prokommentirovali-isklyucheniye-iz-sanktsionnogo-spiska-ssha.html>

⁹⁴ <https://www.dw.com/ru/banki-kazahstana-polucili-razresenie-ssa-na-operacii-s-kartami-mir/a-64047616>

⁹⁵ <https://kz.kursiv.media/2022-10-14/ofac-prodlilo-do-konca-goda-srok-zaversheniya-sdelok-s-byvshej-dochkoj-sberbanka/>

⁹⁶ <https://informburo.kz/novosti/alfa-bank-kazahstan-mozet-vyiti-iz-sankcionnogo-spiska-posle-pokupki-bck>

⁹⁷ <https://www.whitehouse.gov/briefing-room/statements-releases/2022/04/06/fact-sheet-united-states-g7-and-eu-impose-severe-and-immediate-costs-on-russia/>

⁹⁸ <https://www.wsj.com/articles/u-s-to-remove-sanctions-on-former-kazakhstan-subsiary-of-russias-sberbank-11675791574>

⁹⁹ <https://kapital.kz/finance/107325/v-eco-center-bank-prokommentirovali-isklyucheniye-iz-sanktsionnogo-spiska-ssha.html>

¹⁰⁰ <https://rus.azattyq.org/a/kazahstan-baiterek-sber-sanctioned-bank/32031450.html>

¹⁰¹ https://odkb-csto.org/news/news_odkb/generalnyy-sekretar-odkb-imangali-tasmagambetov-vstretilsya-s-zamestitelem-predsedatelya-pravitelstv/?ysclid=leokr4rqy7996701643#loaded

¹⁰² <https://kapital.kz/finance/111235/timur-turlov-ukrainskiye-sanktsii-byli-nalozheny-mekhanicheski.html>

year I was on this list as well, and then I still had Russian citizenship... Next year I won't be on this list, because I already have Kazakh citizenship. Let me stress that our anti-war position has been publicly voiced before, our humanitarian mission has been quite large-scale since the beginning of the war in Ukraine... And the government of Ukraine knows about it... Our lawyers give an extremely favourable forecast that we will soon leave the sanctions list. It will probably happen at the end of this year or at the very beginning of 2023.”¹⁰³

In an interview with the US publication Bloomberg, Timur Turlov said that he intended to open a bank in Ukraine and expected Ukraine to lift sanctions.¹⁰⁴ Timur Turlov was born in Russia but changed his Russian citizenship to Kazakh in June 2022. In June 2022, it became known that Freedom Finance, which he owns, was discussing with the Russian Central Bank the opening of a separate exchange in Kazakhstan to trade the assets of *"Russian investors"*. Moreover, Russian employees of his company, who have been relocated to Kazakhstan, will be able to continue serving Russian clients.^{105, 106}

Therefore, if Ukraine lifts sanctions against Timur Turlov and his company, it will set a dangerous precedent - creating opportunities for Russian oligarchs to do business in Ukraine after obtaining Kazakh citizenship. Exactly such a scheme is now being developed by Timur Turlov. In addition, it will allow Russian oligarchs to obtain Kazakh passports and seek the removal of sanctions in the EU and the US under the pretext of changing citizenship and offering formal assistance to Ukraine. And this is already creating a threat to the national security of Ukraine and democratic countries, as it will allow Russian oligarchs with foreign citizenship to act in the interests of Russia on the territory of Ukraine and Western countries, and to poison their democratic institutions with corruption schemes.

7. DISINFORMATION OPERATIONS AGAINST UKRAINE AND WESTERN COUNTRIES

Russia and Kazakhstan orchestrate disinformation operations against Ukraine and the West in order to keep Kazakhstan as Russia's *"economic rear"* to circumvent sanctions. In the information space, an image of Kazakhstan is created that sympathises and supports Ukraine, but is supposedly *"forced to balance"* because of threats of *"potential aggression"* from Russia. This allows the Nazarbayev-Tokayev regime to promote false propaganda in the West and Ukraine to avoid sanctions.

Tokayev shows Iran how to fool Ukraine and the West

The Nazarbayev-Tokayev regime acts as an active and successful example of how to deceive the West and Ukraine and avoid secondary sanctions. One of the most *"successful pupils"* of the Nazarbayev-Tokayev regime is Iran, which uses various techniques to misinform Ukraine and the West in order to avoid sanctions.

On 19 January 2023, Iran's foreign minister said that Iran recognises Ukraine's territorial integrity and does not recognise the annexation of Crimea and the other four regions of Ukraine.¹⁰⁷ Meanwhile, it is common knowledge that Iran supplies Russia with kamikaze drones, with which Russia attacks civilian

¹⁰³ <https://kapital.kz/finance/111235/timur-turlov-ukrainskiye-sanktsii-byli-nalozheny-mekhanicheski.html>

¹⁰⁴ <https://www.bloomberg.com/news/articles/2022-12-23/a-35-year-old-tycoon-targets-the-country-where-he-s-sanctioned?srnd=premium-europe%20https://www.forbes.ru/milliardery/468405-milliarder-timur-turlov-otkazalsya-ot-rossijskogo-grazdanstva>

¹⁰⁵ <https://frankrg.com/80575>

¹⁰⁶ <https://frankrg.com/74360>

¹⁰⁷ <https://www.golosameriki.com/a/iran-has-not-recognized/6926521.html>

infrastructure in Ukraine.¹⁰⁸ Tokayev, unlike Iran, which says it does not recognise Crimea's annexation, said *"annexation is too heavy a word to apply to Crimea"* (effectively recognising Crimea as Russian). On 2 March 2023, Kazakhstan's Finance Minister Yerulan Zhamaubayev effectively recognised Crimea as a *"free economic zone"* of Russia.¹⁰⁹ Minister Zhamaubayev's remarks were made in the context of the Kazakh Senate adopting a protocol that recognises the occupied territory of Crimea as a *"free economic zone of Russia"* at the state level. The Senate protocol allows for *"equal conditions for charging value-added tax"* in occupied Crimea, as one of Russia's *"free economic zones"* (on a par with Kaliningrad and Magadan), for goods from Kazakhstan and other countries of the Eurasian Economic Union, as well as from third countries.¹¹⁰

The USA, the EU and Ukraine continue to believe Tokayev's statements about allegedly *"non-recognition of the Donetsk and Luhansk People's Republics"* and *"compliance with sanctions"*. In particular, the US ambassador to Kazakhstan stated that the USA *"accepts Kazakhstan's position of multi-vector policy"*, and also recalled that Kazakhstan *"has made its position clear"* on Ukraine's territorial integrity.¹¹¹ The US ambassador to Kazakhstan added that the USA *"believes"* that Kazakhstan is *"implementing the expressed intention"* not to violate sanctions.

The positive perception by Ukraine, the USA and the EU of such statements by the Nazarbayev-Tokayev regime allows Kazakhstan to improve its reputation in the eyes of democratic countries. As a result, Kazakhstan has so far managed to avoid international sanctions.

Kazakhstan is showing other dictatorial regimes a successful example of lobbying the EU and the US to lift anti-Russian sanctions. Following the example of the Nazarbayev-Tokayev regime, Uzbek President Shavkat Mirziyoyev has sought the removal of European sanctions against the Uzbekistan-born Russian oligarch Alisher Usmanov.¹¹² *The Financial Times* has learned that the Uzbek authorities have asked the European Union to lift sanctions on Alisher Usmanov and his sister, Gulbahor Ismailova, because the sanctions *"have limited the billionaire's ability to invest some of his fortune in his country of birth"*. The Uzbek authorities are ready to *"provide legal support for Usmanov in a potential lawsuit against Brussels if the EU refuses to lift sanctions"*, reported *The Financial Times* on 9 January 2022. And in September 2022, the EU lifted sanctions on Alisher Usmanov's sister Saodat Narziyeva.¹¹³ By continuing such subversive actions in the EU and the US, dictators in various countries are promoting the lifting of restrictive measures against Russian oligarchs, who, as the US President said, *"are profiting from this brutal regime"*.¹¹⁴

How Tokayev manipulates the West and Ukraine

On 9 January 2023, Kazakh media reported that Kazakhstan was *"denouncing"* an agreement with Russia on mutual conversion of the tenge and the rouble.¹¹⁵ In fact, the agreement was signed back in 1995 and is no longer relevant. Kazakhstan has denounced the agreement on mutual currency conversion also with

¹⁰⁸ <https://www.bbc.com/russian/news-63219696>

¹⁰⁹ <https://ulysmedia.kz/news/13312-chei-krym-otvet-zhamaubaeva-vyzval-bolshie-spory-v-senate/>

¹¹⁰ https://online.zakon.kz/Document/?doc_id=39234336&pos=4;-100#pos=4;-100

¹¹¹ <https://informburo.kz/novosti/posol-ssa-v-kazaxstane-my-prinimaem-multivektornuyu-politiku-kazaxstana>

¹¹² <https://www.ft.com/content/6a42b111-a166-4a96-9ce6-d3d5b6a67d0c>

¹¹³ <https://www.theguardian.com/world/2022/sep/16/alisher-usmanov-removed-eu-sanctions-list-saodat-narziyeva>

¹¹⁴ <https://www.whitehouse.gov/briefing-room/statements-releases/2022/03/03/fact-sheet-the-united-states-continues-to-target-russian-oligarchs-enabling-putins-war-of-choice/#:~:text=The%20United%20States%20will%20also%20impose%20visa%20restrictions%20on%2019,profiting%20from%20this%20violent%20regime.>

¹¹⁵ <https://kapital.kz/finance/111933/kazakhstan-denonsiruyet-odno-iz-soglasheniy-s-rossiyey-po-natsvalyutam.html>

Kyrgyzstan, Belarus and Mongolia. For more than two decades, currency conversion has been taking place according to market conditions (based on supply and demand).

Similar actions were taken by the Kazakh authorities in July 2022. On **8 July 2022**, Tokayev signed a decree for Kazakhstan to withdraw from the CIS monetary committee, which was widely publicised in the press.¹¹⁶ It was a disinformation operation to divert attention from the fact that the Nazarbayev-Tokayev regime was helping Putin steal Ukrainian grain from occupied Berdyansk.¹¹⁷ The CIS Currency Committee was abolished in 2013, and Tokayev signed a decree abolishing the long-defunct committee only in 2022.

On **1 February 2023**, Kazakh and Russian media published the news that Kazakhstan planned to close Kazakhstan's trade representative office in Russia.^{118, 119} Some perceived the news as Tokayev's attempt to "*distance himself*" from Russia. The Kazakhstani Ministry of Trade explained the decision by the fact that "*institutional conditions have been created for work in the Russian direction*".¹²⁰ This suggests that integration processes within the framework of the Eurasian Economic Union allow businesses from Kazakhstan to work in Russia and resolve issues arising through the Embassy of Kazakhstan in Russia and the Eurasian Economic Commission. Accordingly, there is no need for the trade representative office.

8. TOKAYEV'S OBSTRUCTION TO EXPOSING HIS HELP TO POUTINE IN CIRCUMVENTING SANCTIONS

On **22 December 2022**, a coalition of international and Kazakhstani human rights defenders #ActivistsNextExtremists published a report on how Kazakh President Kassym-Jomart Tokayev is helping Putin circumvent sanctions. Human rights activists also exposed Putin and Tokayev's disinformation operations against Ukraine, the United States and the European Union.

The publication of a report exposing large-scale sanctions circumvention measures and disinformation operations led to an immediate reaction from Russia and the Nazarbayev-Tokayev regime. On the morning of **23 December 2022**, Kazakhstani users of Facebook and Instagram had problems accessing their accounts due to the fact that the report was published specifically on social media.^{121, 122} In a broadcast by Russian propagandist Vladimir Solovyov, political analyst Yevgeny Satanovsky stated that Kazakhstan is allegedly home to American biolaboratories and "*therefore a direct confrontation would certainly take place*".¹²³

On **23 December 2022**, Aleksandr Sternik, Head of the Russian Foreign Ministry's Third Department, threatened Central Asian countries that cutting ties with Russia would have "*economic losses*".¹²⁴

¹¹⁶ <https://kapital.kz/finance/107119/kazakhstan-vyshel-iz-soglasheniya-sng-o-valyutnom-komitete.html>

¹¹⁷ <https://en.odfoundation.eu/a/494919,kremlins-secret-ally-how-tokayev-is-helping-putin-circumvent-sanctions/>

¹¹⁸ <https://www.rbc.ru/politics/01/02/2023/63da43219a7947e6e441933d>

¹¹⁹ https://forbes.kz/actual/officially/kazakhstan_zakroet_torgovoe_predstavitelstvo_v_rossii/

¹²⁰ <https://tengrinews.kz/sng/pochemu-kazakhstan-zakryivaet-torgovoe-predstavitelstvo-490081/>

¹²¹ [https://www.facebook.com/groups/ActivistsNotExtremists/posts/3450936151892310/?__cft__\[0\]=AZUaLVKe5pCQAGozJmNp-aV_l3OBmmrv0Ty6LUYFEMIDgRv2lkCKOEAM87FwxZVQOnlBWdzCweeqzRZ_5wFaoV9mPBT9BD7li7xiHlogmYVUxN1TXh5uoBcVSjAsE0Pn7EslbhD72AGdjMfMH3UFvY_1vRghwntgioGGA2RLTLRqMQ&__tn__=%2CO%2CP-R](https://www.facebook.com/groups/ActivistsNotExtremists/posts/3450936151892310/?__cft__[0]=AZUaLVKe5pCQAGozJmNp-aV_l3OBmmrv0Ty6LUYFEMIDgRv2lkCKOEAM87FwxZVQOnlBWdzCweeqzRZ_5wFaoV9mPBT9BD7li7xiHlogmYVUxN1TXh5uoBcVSjAsE0Pn7EslbhD72AGdjMfMH3UFvY_1vRghwntgioGGA2RLTLRqMQ&__tn__=%2CO%2CP-R)

¹²² <https://kaztag.kz/ru/news/problemy-s-dostupom-k-facebook-i-instagram-nablyudayutsya-v-kazakhstan>

¹²³

<https://www.facebook.com/profile/100003737098291/search/?q=%D0%92%20%D0%BF%D0%B5%D1%80%D0%B5%D0%B4%D0%B0%D1%87%D0%B5%20%D1%83%20%D1%80%D0%BE%D1%81%D1%81%D0%B8%D0%B9%D1%81%D0%BA%D0%BE%D0%B3%D0%BE%20%D0%BF%D1%80%D0%BE%D0%BF%D0%B0%D0%B3%D0%B0%D0%BD%D0%B4%D0%B8%D1%81%D1%82%D0%B0%20%D0%A1%D0%BE%D0%BB%D0%BE%D0%B2%D1%8C%D1%91%D0%B2%D0%B0%20%D0%B2%D1%8B%D1%81%D0%BA%D0%B0%D0%B7%D1%8B%D0%B2%D0%B0%D1%8E%D1%82%20%D0%BC%D0%BD%D0%B5%D0%BD%D0%B8%D0%B5>

¹²⁴ <https://rus.azattyq.org/a/32190919.html>

On 26 December 2022, Kazakh Foreign Minister Mukhtar Tleuberdi told the Japanese television channel NHK: *"We are not joining the sanctions against Russia, but at the same time we adhere to the principle that the republic's economy will not be used by various enterprises to circumvent restrictive measures"*.¹²⁵

On 28 December 2022, Tokayev signed a law *"on the control of specific goods"*, which envisages the introduction of controls over exports, imports and re-exports of specific goods. The law applies to the countries of the Eurasian Economic Union (Russia, Belarus, Kyrgyzstan, Tajikistan and Armenia).¹²⁶ Thus, the Kazakhstani authorities simulate that they will ostensibly control and prevent the export and re-export to Russia of goods that may be used for military purposes. In March 2022, Kazakhstan's minister of trade announced the creation of a *"guidebook of prohibited goods"*. The Kazakhstani authorities try to convince the West and Ukraine that they are taking all sorts of measures to supposedly *"comply with the sanctions"*.

On 29 December 2022, Russian terrorist Igor Girkin said: *"The icing on the cake was President Tokayev's recent statements that Kazakhstan would not be a loophole for Russia to circumvent sanctions. Going forward, Kazakhstan still represents another front for us that can emerge at any moment. Kazakhstan is undisguisedly manoeuvring in the camp of our enemies and adversaries. I do not even rule out that next year we will have clashes on the Russian-Kazakh border."*¹²⁷

Creating informational noise to divert attention from the reports, Putin and the Nazarbayev-Tokayev regime, on one hand, want to deceive Ukraine and the West that Russia allegedly can attack Kazakhstan, and therefore, secondary sanctions cannot be imposed against the Nazarbayev-Tokayev regime. On the other hand, they want to create an impression that Kazakhstan allegedly complies with sanctions. It is important to Putin to keep Kazakhstan as a back door to circumvent sanctions, so he orchestrates disinformation operations with the Kazakh authorities against Ukraine and the West. The concern of the Kazakhstani authorities over the possibility of widespread dissemination of the reports has resulted in the persecution by Kazakhstani diplomats of Lyudmyla Kozlovska, President of the Open Dialogue Foundation, at the Parliamentary Assembly of the Council of Europe in Strasbourg during the winter plenary session on 23-27 January 2023. It is likely that Stanislav Vasilenko, a diplomat at the Ministry of the Foreign Affairs of the Republic of Kazakhstan, pursued, photographed and videotaped Lyudmyla Kozlovska for several days of the plenary session in the PACE building.



¹²⁵ <https://rus.azattyq-ruhy.kz/politics/44945-my-ne-prisoediniaemsia-k-sanktsiiam-protiv-rossii-mukhtar-tleuberdi>

¹²⁶ https://tengrinews.kz/kazakhstan_news/tokayev-podpisal-zakon-o-kontrol-e-spetsificheskikh-tovarov-487227/

¹²⁷ <https://www.youtube.com/watch?v=J6dZfblZwCA>

RECOMMENDATIONS

- Change the approach towards dictatorial countries and adopt urgent measures to prevent the circumvention of anti-Russian sanctions through Kazakhstan, other Central Asian countries and Turkey. As experience demonstrates, attempts to persuade dictatorial regimes to comply with anti-Russian sanctions are counterproductive.
- Impose secondary sanctions on individuals and entities, including public figures and companies, that contribute to circumventing anti-Russian sanctions.
- International corporations like *Meta* should take the necessary steps to prevent the Russian military and private military companies from using their platforms (*Facebook, Instagram, WhatsApp*) for advertising and recruiting citizens of Kazakhstan and other countries to participate in the war against Ukraine.
- Provide political and financial support to the independent civil society and opposition in Kazakhstan, who systematically document and publish the involvement of Nazarbayev-Tokayev regime in circumventing anti-Russian sanctions.
- Curb the misuse of instruments of interstate cooperation that are used by dictatorial regimes such as Kazakhstan to lobby for the removal of anti-Russian sanctions and the persecution of opposition representatives and their relatives abroad.

Annex 1: Court ruling imposing a fine of USD 238 on a civil activist for participating in a video-challenge in support of Ukraine. The text of the ruling states that Shakenova G.A. and her acquaintances took photos, shot a video with the flag of Ukraine and Kazakhstan and had a poster in support of Ukrainians (underlined in red)

ПОСТАНОВЛЕНИЕ

8 февраля 2023 года

№ 1111-23-00-3/617

город Кокшетау

Специализированный суд по административным правонарушениям города Кокшетау Акмолинской области под председательством судьи Шаукуновой А.Б., при секретаре судебного заседания Жумабаеве А.Б., с участием лица, в отношении которого ведется производство по делу Шакеновой Г.А., рассмотрел в открытом судебном заседании на русском языке, электронное дело об административном правонарушении в отношении:

Шакенова Гаухар [REDACTED]

место работы: временно не работает,

место жительства: город [REDACTED]

сведения о регистрации по месту жительства: город [REDACTED]

документ, удостоверяющий личность: удостоверение личности № 042788336, выданное 30 мая 2017 года Министерством внутренних дел Республики Казахстан,

индивидуальный идентификационный номер: 740906450696

в совершении административного правонарушения, предусмотренного частью 11 статьи 488 Кодекса Республики Казахстан об административных правонарушениях (далее КоАП РК),

УСТАНОВИЛ:

14 ноября 2022 года около 11:30 часов, Шакенова Г.А., являясь лицом, привлеченным к административной ответственности по части 6 статьи 488 КРКоАП, в нарушение пункта 2 статьи 4 Закона Республики Казахстан от 25 мая 2020 года «О порядке организации и проведения мирных собраний в Республике Казахстан» (далее - Закон РК), при отсутствии уведомления местного исполнительного органа о проведении мирных собраний или заявления о получении согласования местного исполнительного органа, в группе с другими лицами, вновь участвовал в мирном собрании на территории города Кокшетау Акмолинской области, по улице Каусар, напротив дома 23.

В судебном заседании Шакенова Г.А. с протоколом об административном правонарушении не согласилась, при этом не отрицала, что 14 ноября 2022 года со своими знакомыми встречалась возле христианского кладбища, где фотографировались, снимали видеозапись, с флагом Украины и Казахстана и имели плакат в поддержку украинцев. О

своем собрании представителей исполнительного органа города Кокшетау не уведомляли.

В судебном заседании была просмотрена видеозапись, в которой подтверждается факт нахождения Шакеновой Г.А. в числе собравшихся митангующих.

Суд, исследовав материалы дела, заслушав участника процесса, приходит к следующему.

В соответствии со статьей 32 Конституции Республики Казахстан, граждане Республики Казахстан вправе мирно и без оружия собираться, проводить собрания, митинги и демонстрации, шествия и пикетирование. Пользование этим правом может ограничиваться законом в интересах государственной безопасности, общественного порядка, охраны здоровья, защиты прав и свобод других лиц.

Согласно пунктам 2, 3 статьи 2 Закона РК, право на свободу мирных собраний не может быть ограничено, за исключением случаев, установленных настоящим Законом в интересах государственной безопасности, общественного порядка, охраны здоровья, защиты прав и свобод других лиц. Запрещается проведение собрания, митинга, демонстрации, шествия и пикетирования в нарушение Закона РК.

В силу пункта 1 статьи 9 Закона РК, мирные собрания проводятся в специализированных местах для организации и проведения мирных собраний. Запрещается проведение мирных собраний в иных местах, за исключением пикетирования.

Пункт 1 статьи 10 Закона гласит, что уведомление о проведении мирных собраний в форме пикетирования, собрания, митинга подается организатором мирных собраний местному исполнительному органу на бумажном носителе или в форме электронного документа, удостоверенного посредством электронной цифровой подписи, в срок не позднее чем за пять рабочих дней до дня его проведения.

В силу пункта 1 статьи 11 Закона РК, местный исполнительный орган в течение трех рабочих дней со дня регистрации уведомления сообщает организатору мирного собрания: 1) о проведении пикетирования, собрания, митинга без установления юрт, палаток, иных сооружений, использования звукоусиливающих технических средств; 2) об отказе в проведении пикетирования, собрания, митинга по основаниям, предусмотренным статьей 14 настоящего Закона; 3) о предложении изменения места и (или) времени пикетирования, собрания, митинга в целях обеспечения прав и свобод человека и гражданина, государственной безопасности, а также бесперебойного функционирования транспорта, объектов инфраструктуры, сохранности зеленых насаждений и малых архитектурных форм, иного имущества.



Таким образом, участие Шакеновой Г.А. на собрании 14 ноября 2022 года в 11 часов 30 минут на территории г.Кокшетау Акмолинской области, проходившее без уведомления, а также в нарушение запрета или организации, проведения мирных собраний, других массовых мероприятий установлено в суде и подтверждается материалами дела.

Кроме того, виновность Шакеновой Г.А. в совершении правонарушения подтверждается протоколом об административном правонарушении, которым установлены обстоятельства участия её в несанкционированном публичном мероприятии - собрании 14 ноября 2022 года, её пояснениями в суде, в которых она не отрицает факт участия на собрании, видеозаписью и другими материалами дела.

Согласно данным информационного сервиса КПСиСУ ГП РК Шакенова Г.А., постановлением суда от 1 мая 2022 года привлечен к административной ответственности по части 6 статьи 488 КоАП РК, следовательно срок установленный статьей 61 КоАП РК, в течении которого, лицо считается подвергнутым административному взысканию не истек.

При таких обстоятельствах, вина Шакеновой Г.А. в совершении правонарушения доказана и её действия по части 11 статьи 488 КоАП РК, как участие в собрании, проводимых в нарушение порядка, установленного законодательством Республики Казахстан о порядке организации и проведения мирных собраний, если это действие не имеет признаков уголовно наказуемого деяния, совершенное повторно в течение года после наложения административного взыскания, квалифицированы правильно.

Обстоятельствами смягчающими ответственность Шакеновой Г.А. суд принимает наличие несовершеннолетнего ребёнка на иждивении, её материальное положение.

Отсутствие обстоятельств отягчающего ответственность.

Исследовав доказательства по делу, суд учитывая вышеуказанные обстоятельства, считает, что на Шакену Г.А. подлежит наложение взыскания в виде административного штрафа с сокращением на тридцать процентов от общей суммы штрафа в соответствии с частью 2 статьи 829-11 КоАП РК ($3063 \text{ тенге} \times 50 \text{ МРП} = 153150 - 30 \% = 107205 \text{ тенге}$).

Руководствуясь статьями 44, 822, 829-11, 829-14 КоАП РК, суд

ПОСТАНОВИЛ:

Шакену Гаухар Арстанбековну признать виновной в совершении правонарушения, предусмотренного частью 11 статьи 488 Кодекса Республики Казахстан об административных правонарушениях и по



данной статье подвергнуть её административному взысканию, в виде штрафа, в размере 107 205 (сто семь тысяч двести пять) тенге.

Штраф подлежит уплате добровольно, не позднее тридцати суток со дня вступления постановления в законную силу.

На постановление может быть подана жалоба, принесено апелляционное ходатайство прокурором в Акмолинский областной суд через Специализированный суд по административным правонарушениям города Кокшетау в течение десяти суток со дня вручения или получения копии постановления.

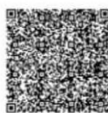
Судья

Шаукенова А.Б.

Копия верна:

Судья

Шаукенова А.Б.



Құжатқа қол қойылған: Шаукенова А. Б., 10.02.2023



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