



Warsaw, 20 January, 2015

**The international community emphasises the political context of the criminal prosecution of Kazakh opposition leader Mukhtar Ablyazov and calls on the French authorities to prevent his extradition**

Amnesty International, Human Rights Watch, the International Federation for Human Rights, the French League of Human Rights and other human rights organisations have repeatedly underlined the political nature of the case of Mukhtar Ablyazov and called for the prevention of his extradition to Kazakhstan or any other country where he may become a victim of an unfair trial, or may be handed over to Kazakhstan. Human rights activists point out that they cannot assess the validity of the charges against Ablyazov, however, any charges against him should be investigated in the EU.<sup>1</sup>

In its resolution of 13 March, 2014, **the European Parliament** called on Kazakhstan to “*drop all requests for the extradition of opposition politicians*”.<sup>2</sup> Spokesperson for External Relations of the European Union, Viola von Cramon; Chairman of the Foreign Affairs Committee of the European Parliament, Elmar Brok; Chairman of the Subcommittee on Human Rights of the European Parliament, Barbara Lohbihler as well as MEPs: Nicole Kiil-Nielsen, Niccolò Rinaldi, Benedek Javor, Graham Watson, Kosma Złotowski, Tunne Kelam, Anna Gomez, Heidi Hautala and Rebecca Harms, Andrzej Duda, Anna Fotyga, Beata Gosiewska, Marek Gróbarczyk, Marek Jurek, Zdzisław Krasnodębski, Stanisław Ożóg, Bolesław Piecha, Kazimierz Ujazdowski, Jadwiga Wiśniewska, Janusz Wojciechowski, Fernando Maura Barandiaran; French Parliamentarian and Chair of the Committee on European Affairs Danielle Auroi, opposed Mukhtar Ablyazov’s extradition from France.

On 1 August, 2013, **Viola von Cramon** stated: “*In 2011, the Kazakh tycoon and politician was granted political asylum in the UK for a reason. The Kazakh government deliberately exerts pressure on the political opposition and organised an international hunt for Mukhtar Ablyazov and his associates. Economic crimes, under which the oligarch has been incriminated, are practically inseparable from the ongoing political persecution of the opposition politician, as was the case with Khodorkovsky in Russia.... The federal government should make an open statement on this issue and make it clear to its French partner that Ablyazov’s rendition poses a threat to Europe’s reputation*”.<sup>3</sup>

**Elmar Brok** and **Barbara Lohbihler** expressed serious concerns whether human rights are going to be respected in the extradition cases of opposition leader Mukhtar Ablyazov, Alexander Pavlov and his other colleagues, “*given the increased clampdown on the opposition, independent media and civil society and the latest developments in the application of the justice system in Kazakhstan*”.<sup>4</sup> Polish MPs, Tomasz Makowski, Łukasz Krupa, Maciej Mroczek stated that **the campaign to oppress political opponents directly affects Mukhtar Ablyazov and related persons**: Muratbek Ketebayev, Tatiana Paraskevich and Alexander Pavlov<sup>5</sup>.

According to the Ukrainian human rights activist, Tatiana Pechonchik, further confirmation of the political nature of Ablyazov’s case is provided by the fact that **his colleagues were granted political**

<sup>1</sup> <http://www.amnesty.org/en/news/france-ensure-safety-kazakhstani-opposition-figure-2013-08-01> ; <http://www.hrw.org/news/2013/08/08/france-protect-critic-kazakhstan-government> ; <https://www.fidh.org/en/eastern-europe-central-asia/kazakhstan/kazakhstan-open-letter-to-mr-valls-and-mr-fabius-concerning-the-potential-13908> ; <http://www.amnesty.org/en/for-media/press-releases/france-stop-extradition-kazakhstani-opposition-activist-risk-torture-2014-1>

<sup>2</sup> <http://www.europarl.europa.eu/sides/getDoc.do?type=TA&reference=P7-TA-2014-0252&language=GA>

<sup>3</sup> [http://www.gruene-bundestag.de/presse/pressemitteilungen\\_ID\\_2000147/2013/juli/eu-staaten-duerfen-sich-nicht-an-kasachischer-jaagd-auf-oppositionspolitiker-beteiligen\\_ID\\_4389629.html](http://www.gruene-bundestag.de/presse/pressemitteilungen_ID_2000147/2013/juli/eu-staaten-duerfen-sich-nicht-an-kasachischer-jaagd-auf-oppositionspolitiker-beteiligen_ID_4389629.html)

<sup>4</sup> [http://barbara-lochbihler.de/cms/upload/PDF\\_2013/11\\_14\\_D201357042\\_EB\\_BL\\_to\\_Ashon\\_on\\_MS\\_extradit\\_to\\_Kazakhstan.pdf](http://barbara-lochbihler.de/cms/upload/PDF_2013/11_14_D201357042_EB_BL_to_Ashon_on_MS_extradit_to_Kazakhstan.pdf)

<sup>5</sup> <http://en.odfoundation.eu/a/3920,polish-parliamentarians-appeal-to-ukraine-s-authorities>

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**asylum** in Great Britain (Zhaksylyk Zharimbetov and Roman Solodchenko), Poland (Muratbek Ketebayev), Italy (Alma Shalabayeva and Alua Ablyazov), and **the Czech Republic and that Great Britain refused to fulfill Ukraine's request regarding the extraditions** of Tatiana Paraskevich and Igor Kononko.

Ukrainian human rights activists expressed regret over the incidents involving *"a lobbying influence on the investigating authorities of Ukraine, which can be qualified as corruption"* in Ablyazov's case.<sup>6</sup> 11 Polish MEPs have stated as follows: *"Extradition requests — clearly political in nature — were submitted in this case by the investigating authorities of Russia and Ukraine (under the Yanukovich regime), both of which were sympathetic towards the Kazakh Government. The extradition procedures are lacking in transparency"*.<sup>7</sup>

Polish Sejm deputy Artur Dębski and former Mayor of Warsaw, Marcin Świącicki, urged the Ukrainian authorities *"to cease cooperation with authoritarian regimes in Russia and Kazakhstan in the field of abuse of the Interpol system in order to prosecute political opponents"*.<sup>8</sup> MEP Kosma Złotowski and Italian Senator, Manuela Serra, also drew attention of Ukrainian and French authorities to Kazakhstan's **illegal cooperation with the Ukrainian investigative authorities**.<sup>9</sup>

On 14 October, 2014, **Members of the Parliamentary Assembly of the Council of Europe:** Frank Schwabe, Chiora Taktakishvili, Mechthild Rawert, Kimmo Sasi, Mailis Reps, Pieter Omtzigt, Gerardo Giovagnoli and Tinatin Bokuchava **called on France, the Czech Republic and Spain to prevent the extradition of Mukhtar Ablyazov and his colleagues to Russia, Ukraine or Kazakhstan:** *"Ukraine's involvement in the case is a clear legacy of the Yanukovich regime, which collaborated closely with Russia and Kazakhstan. The new Ukrainian authorities should now clearly distance themselves from the activities of the previous authorities, which were in breach of human rights standards of the Council of Europe, and ensure that they do not follow the path of the politically motivated misuse of Interpol, aimed at persecuting opposition activists"*.<sup>10</sup>

Member of the Dutch delegation to PACE, Pieter Omtzigt, requested that Vice-head of the Ukrainian delegation to PACE, Serhiy Sobolev bring to the attention of the Ukrainian authorities, the call for **the need to end corruption cooperation with Kazakh and Russian investigative authorities**, undertaken in order to prosecute opposition politician Mukhtar Ablyazov.<sup>11</sup>

**Ukrainian human rights organisations** also urged the French authorities to take into account the political motivation behind Ablyazov's case, undue influence of the Kazakh authorities on Ukrainian law enforcement agencies, the lack of judicial reform in Ukraine and the danger of illegally rendering Ablyazov to Kazakhstan. **Appeals to the French authorities were sent by the following Ukrainian human rights organisations:** the Kharkiv Human Rights Protection Group, Human Rights Information Centre, Kiev House of Human Rights, Association of Ukrainian Human Rights Monitors on Law Enforcement, the Committee For the Protection of Illegally Accused Persons, the No Borders Project, Ukrainian Helsinki Human Rights Union, the Centre of Civil Liberties, the Centre for Civil Society Studies.

On 27 November, 2014, **the Moscow Helsinki Group**, the Russian organisation of assistance to refugees, **the 'Civil Assistance' Committee and the All-Russian Movement 'For Human Rights'** drew attention of the French authorities to the fact that after the Zhanaozen tragedy, Nazarbayev's authoritarian regime intensified the oppression of activists, opposition and independent media. Russian human rights activists stated that *"the methods of persecution exerted on Ablyazov comprise many similarities with*

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<sup>6</sup> The statement issued by the Ukrainian Helsinki Human Rights Union, the Center for Civil Liberties, the Center for Human Rights Information. -

<http://en.odfoundation.eu/a/3277,an-appeal-to-the-heads-of-law-enforcement-agencies-in-ukraine>

<sup>7</sup> <http://www.europarl.europa.eu/sides/getDoc.do?pubRef=-//EP//TEXT+WQ+E-2014-007824+0+DOC+XML+V0//EN&language=en>

<sup>8</sup> <http://en.odfoundation.eu/a/3920,polish-parliamentarians-appeal-to-ukraine-s-authorities>

<sup>9</sup> <http://en.odfoundation.eu/a/5270,kosma-zlotowski-in-mukhtar-ablyazov-s-case>

<sup>10</sup> <http://odfoundation.eu/a/5503,oswiadczenie-czlonkow-zgromadzenia-parlamentarnego-rady-europy-w-sprawie-mukhtara-ablyazova>

<sup>11</sup> <http://ua.odfoundation.eu/i/fmfiles/pdf/merged.pdf>

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*the political oppression of Mikhail Khodorkovsky in Russia and Yulia Tymoshenko in Ukraine",* stressing that the rendering of Mukhtar Ablyazov to Russia "is actually tantamount to his rendering into the hands of the security services of Kazakhstan".<sup>12</sup> Russian human rights activist, Lev Ponomarev, stated: "*...I can say with confidence that a trial against Ablyazov, conducted in Russia, Ukraine or Kazakhstan would be unlawful and, indeed, politically biased in nature.*"

"Do not help Nazarbayev in his pursuit of his main political opponent, Mukhtar Ablyazov," - ***prominent civil society activists of Kazakhstan***: human rights activist Bakhytzhan Toregozhina, journalist Irina Petrushova, as well as representatives of Kazakhstan's political emigration (theatre director Bulat Atabayev, opposition politician Muratbek Ketebayev, journalist Igor Vinyavskiy) jointly urged the President of France in December 2014.<sup>13</sup>

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<sup>12</sup> <http://en.odfoundation.eu/a/5484,open-letter-to-french-president-francois-hollande-from-russian-human-rights-activists>

<sup>13</sup> <http://en.odfoundation.eu/a/5502,an-open-letter-to-president-francois-hollande-from-representatives-from-the-kazakh-opposition>