



Warsaw, 21 November 2017

**ON 22 NOVEMBER, THE COURT WILL CONSIDER THE APPEAL AGAINST THE EXTRADITION ARREST OF ZHANARA AKHMETOVA**

**On 22 November 2017, at 2:00 p.m., the Kyiv Appellate Court will consider Zhanara Akhmetova's appeal against her extradition arrest.**

Kazakhstani opposition journalist Zhanara Akhmetova was arrested in Kyiv at the request of Kazakhstan.<sup>1</sup> On 24 October 2017, the court ruled on temporary detention of Akhmetova for the period 18 days. Subsequently, on 8 November 2017, the Appellate Court of the Kyiv Province **revoked the decision and admitted that there were no grounds for holding Akhmetova in detention.**

On 2 November 2017, the Shevchenkivskiy District Court of Kyiv issued a decision on the extradition arrest of Akhmetova for a period of 60 days. The court noted that if the defence files an appeal, the decision will come into force after the appeal is considered. The counsels filed an appeal. 7 November 2017 was the day on which the period of Zhanara Akhmetova's temporary detention was ending, and so, she was to be released from the detention centre. **However, on that day, Judge L. Schebunayeva issued an explanation that contradicts the previous court decision.** According to the explanation, the decision on the use of extradition arrest *'is immediately enforceable after its announcement, despite the fact that the court decision has not come into force'*.<sup>2</sup>

On 10 November 2017, the appeal against the extradition arrest was going to be considered. **MPs:** Mustafa Nayem, Olena Sotnik, Svetlana Zalishchuk and Viktoriya Voitsitskaya, who expressed their readiness to bail Akhmetova, arrived at the court. However, the court session was postponed due to the fact that, as noted by the counsels, the prosecutor's office had not permitted to transfer Akhmetova to the court.

This case became the third when law enforcement agencies did not allow to transfer Akhmetova from the detention facility, thereby disrupting the court session and preventing her from challenging her detention.

The case of Zhanara Akhmetova **was discussed at the meetings of two committees of the Verkhovna Rada**, namely: the Committee on Human Rights<sup>3</sup> and the Committee on Freedom of Speech.<sup>4</sup> On 14 November 2017, a briefing was held in parliament on the case of Akhmetova.<sup>5</sup> The interfractional Union of MPs 'EuroOptimizers' asserts that Akhmetova's case has political overtones, and her extradition would be contrary to the Convention on the Status of Refugees and the European Convention on Extradition.<sup>6</sup>

MPs have repeatedly appealed to the prosecutor's office with a call to cease holding Akhmetova in detention. **However, the prosecutor's office has refused to grant the request.** In particular, after a

<sup>1</sup> <http://ru.odfoundation.eu/a/8449,delo-zhanary-ahmetovoy-ukraina-vnov-pomogaet-avtoritarnomu-rezhimu-v-pojmke-oppozitsionnogo-zhurnalista>

<sup>2</sup> <https://www.facebook.com/ario.lawfirm/videos/685301181669313/> ; <https://www.facebook.com/ario.lawfirm/posts/685288218337276>

<sup>3</sup> <http://ru.odfoundation.eu/a/8458,delo-zhanary-ahmetovoy-obsudili-na-zasedaniyah-komitetov-ukrainskogo-parlamenta>

<sup>4</sup> [http://rada.gov.ua/preview/anons\\_acred/150629.html](http://rada.gov.ua/preview/anons_acred/150629.html)

<sup>5</sup> <https://www.youtube.com/watch?v=BeMMSvFExGU>

<sup>6</sup> [https://ukr.lb.ua/blog/euro\\_optimists/381911\\_chomu\\_zhanaru\\_ahmetovu\\_slid\\_vidpustiti.html](https://ukr.lb.ua/blog/euro_optimists/381911_chomu_zhanaru_ahmetovu_slid_vidpustiti.html)

---

meeting with MPs, Deputy Prosecutor of the Kyiv Province Yaroslav Bendik stated that the prosecutor's office would not initiate a change of the preventive measure regarding Akhmetova.<sup>7</sup>

The Open Dialog Foundation emphasises that the prosecutor's office does not conduct proper extra-judicial examination and does not take into account, the conclusions of human rights organisations regarding the existence of political motives in Akhmetova's case. 'Reporters without Borders', the Federation of Equal Journalists of Kazakhstan, the Kazakhstan International Bureau for Human Rights, the Kazakhstan Human Rights Protection Organization 'AR.Rukh.Hak', the Ukrainian Helsinki Human Rights Union, the Ukrainian civil society organisation "The Right to Protection" **have issued statements in defence of Akhmetova**. The Ombudsman's Office is carrying out the monitoring of the case.

In March 2017, Kazakhstani journalist and opposition activist Zhanara Akhmetova, along with her 9-year-old son, arrived in Ukraine and applied for political asylum. The Migration Service refused to grant Akhmetova, refugee status, but did not inform her about its decision. Immediately after that, she was detained with gross violations of the law. In official documents, the Kazakhstani authorities indicated the possible place of Akhmetova's residence in Ukraine. This can be a sign that **the Kazakhstani authorities have carried out operational activities in Ukraine, or the intelligence services of both countries have been collaborating**.

**We hereby appeal to MPs, diplomats and representatives of the civil society to come to the Kyiv Appellate Court (2a, Solomyanska St.) on 22 November 2017 at 2:00 p.m. in order to attend the court session to consider a complaint regarding the extradition arrest of Akhmetova. Ukraine should not help the Kazakhstani authoritarian regime to carry out politically motivated persecution.**

**For more detailed information, please address:**

Ljudmyla Kozlovska – [lyudmylakozlovska@odfoundation.eu](mailto:lyudmylakozlovska@odfoundation.eu)

---

<sup>7</sup> <https://www.facebook.com/ario.lawfirm/photos/a.182409428625160.1073741828.176449795887790/686278041571627/?type=3&theater>