



Warsaw, 9 November 2017

THE CASE OF ZHANARA AKHMETOVA WAS DISCUSSED AT THE MEETINGS OF THE UKRAINIAN PARLIAMENT'S COMMITTEES

On 8 November 2017, two committees of the Verkhovna Rada, the Committee on Human Rights and the Committee on Freedom of Speech, discussed the case of Zhanara Akhmetova. The general problem of unlawful extraditions and a large number of refusals to grant refugee status has also been raised.

At a meeting of **the Committee on Human Rights**, the analyst of the Open Dialog Foundation, Igor Savchenko, drew the public's attention to the systemic practice of groundless refusal to grant refugee status. For example, when refusing the granting of the status to Russian activists, the Migration Service of Ukraine cites Russian legislation, according to which Russia is a 'democratic law-abiding State'. Kazakhstani journalist Zhanara Akhmetova was arrested in Ukraine on the request of Kazakhstan.¹ Akhmetova wasn't notified of the decision to refuse to grant her refugee status. The prosecutor's office does not take into account, the conclusions of human rights organisations regarding the political overtones in the case of Akhmetova.

Her counsel, Julian Khorunzhiy, elaborated on gross procedural violations in the case of Akhmetova.

In official documents, the Kazakhstani authorities indicated Akhmetova's possible place of residence in Ukraine. This may attest to Kazakhstan's operation in Ukraine, as well as possible cooperation between the special services of both countries. At the meeting of the Committee, the SBU [Security Service of Ukraine] representative asserted that his office had nothing to do with Akhmetova's case. ***"It can only be guessed how the information about Akhmetova's place of residence found its way into the hands of the Kazakhstani authorities"***, - the SBU representative stated.

The representative of the General Prosecutor's Office, Valeriy Kolesnik, quoted the criminal charges, brought by the Kazakhstani authorities against journalist Akhmetova, and pointed to the 'guarantees', provided by the Kazakhstani party regarding the lack of political motivation in the case.

Petro Sinyavskiy from the Migration Service refused to comment on the details of Akhmetova's case under the pretence of the ban on disclosing personal data. He stated that the decision of the Migration Service to deny refugee status would not automatically result in the extradition of the person, as the prosecutor's office could establish political motivation, and deny the extradition.

Ombudsman Valeriya Lutkovska considered the position of the Migration Service **as a desire to avoid responsibility**. She pointed to the lack of transparency of the actions carried out by the Migration Service. In particular, courts cancel the decisions to deny the granting of refugee status, but the Migration Service re-issues the decisions.

"We are not perfect. But we are in the process of correction", - the representative of the Migration Service enunciated.

¹ <http://en.odfoundation.eu/a/8451,the-case-of-zhanara-akhmetova-ukraine-once-again-helps-the-authoritarian-regime-to-get-an-opposition-journalist>

At the meeting of the **Committee on Freedom of Speech**, MP Viktoria Syumar emphasised that Akhmetova had worked in the opposition newspaper 'Tribuna'. The authorities of Kazakhstan banned the activity of the newspaper and sentenced its editor-in-chief to three years of restraint of liberty. *"We can demonstrate our civil position, and as MPs, we can stand surety for Zhanara Akhmetova"*, - Syumar declared.²

Chairman of the Board of the Ukrainian Helsinki Human Rights Union, Oleksandr Pavlichenko, informed the members of the Committee that, according to the decision of the court, Akhmetova will be held in detention until 1 January 2018, which is objectionable, as *"she does not pose a threat to society and she cannot interfere in any way in establishing facts in the course of the investigation"*. The Committee on Freedom of Speech decided to file an appeal with the General Prosecutor's Office against Akhmetova's detention.

On the same day, on 8 November, 2017 the Appellate Court annulled the decision of 24 October 2017 on Akhmetova's detention. Akhmetova continues to be held behind bars, as on 2 November 2017, the court granted the prosecutor's request for extradition arrest.

On 10 November 2017, at 11:30 a.m., Kiev's Appellate Court (located at: 2a Solomyanska Street) is going to consider Akhmetova's appeal against the extradition arrest.

We hereby call on representatives of the civil society, MPs and diplomats to attend the court session and conscientiously observe the trial of Zhanara Akhmetova. The Open Dialog Foundation is grateful to MPs Svetlana Zalishchuk and Vitaliy Kupriy, as well as to human rights activist Oleksandr Pavlichenko, who expressed their readiness to stand surety for Akhmetova.

Ukraine should not help the authoritarian regime of Kazakhstan to carry out its political persecution.

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² <https://www.ukrinform.ru/rubric-society/2340356-nardep-hocet-vzat-na-poruki-arestovannuu-v-ukraine-kazahskuu-zurnalistku.html>