

Warsaw, 10.06.2014

Polish Parliamentarians

His Excellency

Vladyslav Kanevsky

Charge d'Affaires

a.i. Ukraine Embassy

Your Excellency,

We hereby address you in order to express our concern regarding the practice of handing over refugees and political opponents to non-democratic states. We also call upon representatives of Ukraine's new authorities not to repeat the practices of the country's previous governments. For many months now, we have been witnessing a very intensive campaign conducted by the Kazakh authorities aimed at persecuting political refugees on the territories of European Union states. Besides the Russian Federation, Ukrainian authorities are also involved. We appeal for a discontinuation of relations with the authoritarian regimes of Russia and Kazakhstan as regards the abuse of Interpol systems to persecute political opponents.

A request to discontinue relations with the special services of Russia, Kazakhstan, Uzbekistan and other authoritarian (in particular post-Soviet) regimes which persecute, abduct and hand over political opponents and refugees, has been filed with Prosecutor General, Minister of Internal Affairs, Head of the Security Service and Minister of Justice of Ukraine. This is how the President of the Open Dialog Foundation Lyudmyla Kozlovska, Chair of the Executive Board of the Civil Freedoms Centre, Aleksandra Matviychuk, Executive Director of the Ukrainian Helsinki Human Rights Union, Arkadiy Bushchenko, and Head of the Human Rights Information Centre, Tatyana Pechonchik presented their positions:

Non-governmental organisations defending human rights, such as Human Rights Watch, ACAT, FIDH, Amnesty International and the Open Dialog Foundation, as well as the Polish Bar Council note in their reports that the Kazakh authorities restrict civil rights, repress and sentence to many years imprisonment, opposition politicians, independent journalists, social activists, and groups, whilst editorial boards and organisations which are critical of the President are outlawed.

The campaign of persecution against political opponents directly affects Mukhtar Ablyazov and those associated with him: Muratbek Ketebayev, Tatyana Paraskevich and Alexandr Pavlov. Mukhtar Ablyazov, who was granted political asylum in the UK, is amongst the leading political opponents to Kazakhstan's president, Nursultan Nazarbayev. Currently, a court case is pending in Lyon, France, relating to extradition requests filed by Russia and Ukraine. On 3rd June, the Court of Appeals in Lyon permitted representatives of both states to participate in a hearing.

Mr Ablyazov's family did not avoid persecution either. In May 2013, Kazakhstan's authorities brought about the illegal deportation from Italy to Kazakhstan of Ablyazov's wife – Alma Shalabayeva – and their 6-year-old daughter. The Italian government, the UN and human rights organisations made efforts to ensure they were released. As a result, towards the end of December 2013, Kazakhstan allowed them to leave the country. On 18th April 2014, the Italian authorities granted Ablyazov's wife and daughter refugee status and a renewable, 5-year permit of stay.

In the Czech Republic, until as late as March 2014, extradition proceedings were pending against Tatyana Paraskevich. Extradition requests were filed by Russia and Ukraine, with Kazakhstan also expressing its direct interest. In February 2014, the Ministry of Internal Affairs of the Czech Republic made a decision on granting Ms Paraskevich additional protection for a period of one year which, according to the Ministry of Justice, has an effect on the extradition request filed by the Russian Federation. In March 2014, the Minister of Justice also rejected the Ukrainian extradition request. It is not unlikely that Kazakhstan may ask the Ukrainian authorities to file extradition requests regarding other close associates of Ablyazov: Muratbek Ketebayev and Alexandr Pavlov. Extradition proceedings were or are, pending against both of them, with requests filed by Astana, in Poland and in Spain, respectively.

There is reason to believe that investigations against people associated with Mukhtar Ablyazov were manipulated, and the extradition requests were the effect of those manipulations. The published exchange of communications between the Ukrainian investigator Maksim Melnik, and representatives of the “Ilyashev and Partners” law firm proves that Ukrainian actions relating to the case of Ms Paraskevich were commissioned, from the outset, by said firm. This also confirms that the Kazakh BTA Bank intervened directly in the activities of the Ukrainian investigative bodies and that the “Ilyashev and Partners” law firm, under the pretence of representing the Bank’s interests, is orchestrating the proceedings concerning Mukhtar Ablyazov and the people around him.

In view of the foregoing, we appeal for a discontinuation of relations with the authoritarian regimes of Russia and Kazakhstan as regards abusing Interpol systems to persecute their political opponents. We kindly request Your Excellency Ambassador pass these notes on to the Ukrainian Prosecutor’s General Office which is filing for the extradition of Ablyazov and Paraskevich. In a situation where Russia is brutally breaking its commitments concerning the security of Ukraine, and Kazakhstan represented by its President Nursultan Nazarbayev, is supporting Russia’s intervention in the Crimea, wishing to demonstrate its pro-European position, Ukraine should avoid relations with non-democratic regimes.

We hope that in further actions concerning individuals persecuted by Kazakhstan, the Prosecutor’s Office and the new Ukrainian authorities will take all of the above circumstances into consideration.

Yours respectfully,