



Warsaw, 30 June 2016

## THE OPEN DIALOG FOUNDATION WELCOMES LITHUANIA'S DECISION TO DENY THE EXTRADITION OF SYRYM SHALABAYEV TO KAZAKHSTAN OR UKRAINE

On 28 June, 2016, the court in Vilnius handed down the ruling denying the requests of Kazakhstan and Ukraine regarding the extradition of Syrym Shalabayev who is a relative of the Kazakh opposition politician and political refugee, Mukhtar Ablyazov. Shalabayev has been subjected to prosecution in Kazakhstan and Ukraine as part of the case against Ablyazov. Amnesty International, Human Rights Watch, the International Federation for Human Rights, the French League of Human Rights, the Human Rights Foundation, the Russian and Ukrainian Helsinki Union and other human rights organisations, as well as more than 50 Members of the European and national parliaments have highlighted the political context of Ablyazov's prosecution.

Thus, Lithuania joined other EU Member States, which provided refuge to Mukhtar Ablyazov's relatives or former colleagues. We would also like to note that the Czech Republic and Great Britain refused to extradite to Ukraine, Tatiana Paraskevich, Igor Kononko and Roman Solodchenko, who are implicated in the same case as Syrym Shalabayev.

Previously, Syrym Shalabayev was granted political asylum so as to provide him with protection from Kazakhstan. The decision to deny rendering of Shalabayev to Ukraine may be connected with the publishing of Kazaword's documents (the correspondence between Kazakh and Ukrainian law enforcement bodies and representatives of Kazakh authorities) in mass media.<sup>1,2,3</sup> It was confirmed that representatives of Kazakhstan had prepared the documents for the Ukrainian and Russian investigators on the case of Ablyazov and his associates.<sup>4</sup> Furthermore, it transpired that infamous prosecutor Vladimir Guzyr, whom journalists and social activists caught red-handed trying to cover-up corruption in the General Prosecutor's Office, is involved in Ukraine's extradition request regarding Shalabayev.<sup>5</sup>

The decision of the Lithuanian authorities to deny the extradition of Syrym Shalabayev to Kazakhstan or Ukraine has been a yet another victory of the respect for human rights in Europe. We underline, however, that Kazakhstan and its proxies remain active in trying to obtain the extradition of Mukhtar Ablyazov and those close to him. In fact, he himself remains in detention in France since 31 July, 2013, risking extradition to Russia.

On 17 September, 2015, French Prime Minister Manuel Valls signed a decree on the extradition of Ablyazov to Russia. Following the appeal of Ablyazov's lawyers, the case is now being reviewed by the French Council of State (Conseil d'Etat). To-date, France is the only European country, which continues to ignore the extensive evidence of the political nature of Ablyazov's criminal prosecution<sup>6,7</sup> thus, in

<sup>1</sup> <http://www.trust.ua/news/91613-korruptsiya-i-partnery.html>

<sup>2</sup> <http://www.trust.ua/news/92332-korruptsiya-i-partnery-chast-2.html>

<sup>3</sup> <http://www.trust.ua/news/93202-korruptsiya-i-partnery-chast-3.html>

<sup>4</sup> <http://en.odfoundation.eu/a/6857,report-political-persecution-of-syrym-shalabayev>

<sup>5</sup> <http://en.odfoundation.eu/a/7397,report-the-role-of-infamous-prosecutor-vladimir-guzyr-in-the-case-of-syrym-shalabayev>

<sup>6</sup> <http://en.odfoundation.eu/a/7319,report-the-facts-which-confirm-the-fabrication-of-the-case-of-mukhtar-ablyazov-in-russia-tatiana-paraskevich-and-artur-trofimov-prosecution>

<sup>7</sup> <http://en.odfoundation.eu/a/6869,report-analysis-of-documents-in-the-case-of-ablyazov>

---

fact, collaborating with the authoritarian regimes of Nursultan Nazarbayev and Vladimir Putin. France also ignores the position of the European civil society, which has spoken in defense of Ablyazov and his associates<sup>8</sup>, as well as the official position of the European Parliament, which, in its resolution of 13 April, 2014, condemned the governments of some countries in Central Asia for using the INTERPOL system for their political purposes.<sup>9</sup>

The Open Dialog Foundation hereby expresses its gratitude to all its partners who joined the campaign to support Syrym Shalabayev: numerous human rights organisations, i.a. the Kazakhstan International Bureau for Human Rights and Rule of Law, Center for Civic Liberties<sup>10</sup>, Human Rights Information Center<sup>11</sup>, Members of the European Parliament, Members of the national parliaments of a number of EU Member States, as well as Members of the Ukrainian parliament.

At the same time, we call on the French authorities to follow the example of other European countries, which have provided protection to persons facing politically motivated prosecution in the case of Mukhtar Ablyazov, and to cancel the extradition of Kazakh opposition leader to Russia or Ukraine.

---

<sup>8</sup> <http://en.odfoundation.eu/a/7508,prominent-russian-human-rights-activists-salled-for-preventing-the-extradition-of-mukhtar-ablyazov>

<sup>9</sup> <http://www.europarl.europa.eu/sides/getDoc.do?pubRef=-//EP//TEXT+TA+P8-TA-2016-0121+0+DOC+XML+V0//EN&language=EN>

<sup>10</sup> <http://en.mukhtarablyazov.org/a/1915,the-statement-of-human-rights-activists-of-ukraine-and-kazakhstan-on-the-inadmissibility-of-the-extradition-of-syrym-shalabayev-a-relative-of-a-kazakh-opposition-leader>

<sup>11</sup> <http://en.odfoundation.eu/a/7039,human-rights-defenders-write-to-lithuanian-authorities-in-support-of-syrym-shalabayev>