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*Plenary sitting*

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**B8-0349/2016**

8.3.2016

## **MOTION FOR A RESOLUTION**

with request for inclusion in the agenda for a debate on cases of breaches of human rights, democracy and the rule of law

pursuant to Rule 135 of the Rules of Procedure

on freedom of expression in Kazakhstan  
(2016/2607(RSP))

**Urmas Paet, Nedzhmi Ali, Petras Auštrevičius, Beatriz Becerra Basterrechea, Izaskun Bilbao Barandica, Dita Charanzová, Marielle de Sarnez, Martina Dlabajová, Fredrick Federley, María Teresa Giménez Barbat, Charles Goerens, Nathalie Griesbeck, Marian Harkin, Filiz Hyusmenova, Ivan Jakovčić, Kaja Kallas, Ilhan Kyuchyuk, Louis Michel, Maite Pagazaurtundúa Ruiz, Frédérique Ries, Robert Rochefort, Marietje Schaake, Hannu Takkula, Pavel Telička, Ramon Tremosa i Balcells, Johannes Cornelis van Baalen, Hilde Vautmans, Paavo Väyrynen, Manfred Weber, Cecilia Wikström, Valentinas Mazuronis**  
on behalf of the ALDE Group

**European Parliament resolution on freedom of expression in Kazakhstan  
(2016/2607(RSP))**

*The European Parliament,*

- having regard to its previous resolutions on Kazakhstan, in particular that of 17 April 2013 on the human rights situation in Kazakhstan,
- having regard to the EU-Kazakhstan Enhanced Partnership and Cooperation Agreement of 21 December 2015,
- having regard to the Joint Press Release of the EU and Central Asia Ministerial Meeting of 21 December 2015 in Astana,
- having regard to the remarks by High Representative/Vice-President Federica Mogherini following the signature of the EU-Kazakhstan Enhanced Partnership and Cooperation Agreement on 21 December 2015,
- having regard to the statement of OSCE Representative on Freedom of the Media Dunja Mijatovic on 25 September and 26 December 2015,
- having regard to Freedom House's classification of Kazakhstan's press as being "not free" in the "Freedom of the Press 2015" report and of its internet as "not free" in the "Freedom of the Net 2015" report,
- having regard to art. 19 of the Universal Declaration of Human Rights,
- having regard to art. 19 of the International Covenant on Civil and Political Rights,
- having regard to Rules 123(2) and (4) of its Rules of Procedure,

A. Whereas the relations between the EU and Kazakhstan are of increasing importance, with Kazakhstan being the first Central Asian partner having signed an Enhanced Partnership and Cooperation Agreement with the EU; whereas this agreement will strengthen political dialogue between the EU and Kazakhstan and serve to promote mutual trade and investments but also, and this importantly puts a strong emphasis on democracy and the rule of law, human rights and fundamental freedoms and sustainable development as well as civil society cooperation;

B. Whereas Kazakhstan is a major energy supplier for the EU and the EU is willing to cooperate on further expanding energy ties; whereas the EU has consistently worked with Kazakhstan on its WTO accession path which has now resulted in the completion of negotiations to join the World Trade Organisation; whereas it is important that Kazakhstan start to follow the rule of law and uphold its international obligations, guarantee legal certainty for EU companies operating in Kazakhstan and protection of their investments;

C. Whereas in 2014, the courts closed the independent newspapers Pravdivaya Gazeta and Assandi Times which constitutes unacceptable breach of freedom of speech and media pluralism;

D. Whereas the general situation with regard to freedom of expression has deteriorated considerably in recent years with several Kazakh journalists and bloggers currently held under custody or sentenced to prison for pursuing activities that are in accordance with international law and human rights;

E. Whereas Gyuzyal Baydalinova and Yulia Kozlova are under criminal investigation after publishing articles that connect a private bank controlled by the government to corruption in the building industry and both risk sentences up to 7 years;

F. Whereas Vladimir Kozlov, journalist, democratic opposition activist and human rights defender, remains imprisoned and serves 4th year of his 7,5 years sentence;

G. Whereas the Almalinskii District Court in Almaty sentenced Ermek Narymbaev to three years in prison and Serikzhan Mambetalin to two years and is now under house arrest for posts on social media platforms which the authorities deemed were describing the Kazakh nation in "provocative terms", containing signs of "inciting national discord" and "offending the honor and dignity" of the Kazakh nation;

H. Whereas the head of the journalists' union Seitkazy Matayev has been accused of theft and tax evasion, is under house arrest and risks up to 12 years in prison;

I. Whereas the freedom of movement of the blogger Bolatbek Bliatov has been severely restricted, for showing media interviews on YouTube commenting on a range of topics, including critique of Russia's policy towards Ukraine;

J. Whereas the upcoming parliamentary elections in Kazakhstan on March 20, 2016 should be preceded by guaranteeing freedom of expression in the society to be considered free and fair;

K. Whereas other parties should be allowed to be registered for the upcoming parliamentary elections;

1. Deeply regrets that overall respect for democratic standards, human rights and fundamental freedoms has further deteriorated in Kazakhstan in recent years;

2. Condemns the continued persecution of independent and/or critical media, journalists and bloggers; condemns the Kazakh authorities' use of politically motivated accusations and the common practice of extracting false confessions by threatening with long prison sentences;

3. Calls on the Kazakh authorities to act in accordance with its international obligations, respecting human rights and fundamental freedoms, such as freedom of expression, media and assembly; reminds Kazakhstan of its OSCE commitments to democratic reforms and of its ambition as a candidate for a non-permanent seat at the UN Security Council in 2017-2018;

4. Reiterates that EU enhanced relations with Kazakhstan are linked to concrete human rights improvements; reminds the Kazakh authorities that the Enhanced Partnership and Cooperation Agreement with the EU puts a strong emphasis on democracy, rule of law, human rights and fundamental freedoms in Kazakhstan;
5. Calls for a repeal and annulment of the politically motivated previous and current court cases, sentences, judgments and sanctions against Gyuzyal Baydalinova, Yulia Kozlova, Serikzhan Mambetalin, Ermek Narymbaev, Seitkazy Matayev, Bolatbek Bliyalov and Vladimir Kozlov;
6. Strongly urges the Kazakh authorities to abolish the use of politically motivated charges against critical journalists, independent media and private citizens expressing their points of view; urges the Kazakh authorities to initiate urgent legal reforms to remove disproportionate administrative and criminal penalties for media activities, as recommended by the EU, the UN and the OSCE; calls on Kazakhstan to amend its legislation and remove from the Criminal Code the disproportionate articles used to restrict freedom of expression and to charge journalists;
7. Strongly urges Kazakhstan to amend its restrictive public assembly law that is regularly used to fine and jail peaceful protesters;
8. Calls on Kazakhstan to amend its court system so that the proceedings in the cases of journalists would be public and that there would be no harassment during the proceedings;
9. Calls on the VP/High Representative and the EEAS to closely monitor developments in Kazakhstan, to prioritise the promotion of democratic transformation and respect for human rights in Kazakhstan and to offer assistance where needed and asked for;
10. Instructs its President to forward this resolution to the Council, the Commission, the Vice-President of the Commission / High Representative of the Union for Foreign Affairs and Security Policy, the Member States' governments and parliaments, the President, government and parliament of Kazakhstan, and the Parliamentary Assemblies of the Council of Europe and the Organisation for Security and Cooperation in Europe.