

10/2/03

BS-144/03

**MOTION FOR RESOLUTION ON THE SITUATION IN KAZAKHSTAN**  
**Tabled by Bart Staes and Marianne Isler-Beguin**  
**On behalf of the Green/EFA group in the EP**

The European Parliament

- having regard to its previous resolutions on Central Asia republics with regard, in particular, to Kazakhstan,

- having regard to Partnership and Cooperation agreement signed between Kazakhstan and the EU,

A. Stressing that the respect for human rights, democracy and the rule of law is a fundamental element of the EU/Kazakhstan Partnership and Cooperation agreement upon which to base the development of future relations,

B. Whereas there are increasing instances of intimidation and persecution of the press and political opposition in Kazakhstan as well as in the rest of the Central Asia republics,

C. Whereas one of the leading independent journalists and editor of a human rights bulletin Mr Sergei Duvanov has been sentenced to three and a half years in prison despite many irregularities in the investigation and a lack of adequate legal defence during his trial bringing into question the decision of the court,

D. Whereas Sergei Duvanov was arrested on 28 October, the day before he was due to make a tour of the USA speaking on press freedoms in Kazakhstan, on charges relating to sexual offences with a minor,

E. Whereas Sergei Duvanov had previously been charged with "insulting the honour and dignity of the President" on 9 July 2002 in connection with an Internet article implicating government officials in financial crimes, and was assaulted by three unidentified men and subsequently hospitalised on 28 August 2002, the authorities failed to conclusively investigate this incident,

F. Whereas the assault on Sergei Duvanov followed a similar incident involving the television reporter Artur Platanov outside his home,

G. Whereas two opposition leaders- Mr Mukhtar Ablyazov and Mr Galymzhan Zhakiyanov, have been sentenced to six and seven years' imprisonment respectively during summer 2002 on politically motivated charges relating to so-called 'abuse of office' and 'misappropriation of state funds',

H. Whereas Mr Mukhtar Ablyazov and Mr Galymzhan Zhakiyanov had established a coalition movement – Democratic Choice for Kazakhstan, calling for open and fair democracy and the freedom of the press less than a year before their imprisonment,

  
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I. Whereas in order to be registered, political parties must have no less than 50 000 citizens' signatures, and noting that all non-governmental organisations (NGOs) in Kazakhstan must now be registered with the authorities, and criminal charges are brought against those who fail to register,

H. Pointing out the necessity to develop a common approach by the EU towards all the Central Asia republics which are facing similar problems concerning the development of democracy and the respect for human rights,

1. Expresses its great concern over the investigation, legal proceedings and sentencing of journalist Sergei Duvanov;
2. Calls on the Kazakhstan authorities to carry out an independent investigation into the case of Sergei Duvanov as well as the two opposition leaders Mukhtar Ablyazov and Galymzhan Zhakiyanov, and to make this information publicly available;
3. Calls on the Kazakhstan authorities to provide regular and open information on the status of all ongoing judicial cases;
4. Calls on the Government of Kazakhstan to do all in its power to ascertain that international human rights and humanitarian law standards are being respected and, in particular, to guarantee internationally recognised legal proceedings for those who have been arrested;
5. Urges the Kazakhstan Government to review its decision on the registration of political parties and non-governmental organisations;
6. Underlines that demonstrating is a basic right and a legitimate instrument of protest, and government authorities should not impinge on the organisers and participants of peaceful demonstrations, protests and meetings;
7. Urges the Kazakhstan government and the opposition not to take any steps that may further endanger the social and political stability of the country and to start a dialogue on the ways and means to overcome the existing conflict;
8. Calls on the Council and the Commission to raise firmly the question of the respect of human rights at the next Cooperation Council meeting and to strengthen TACIS-democracy programmes for the whole region aiming, in particular, at strengthening and developing democratic institutions and independent media; believes, in this regard, that the possibility to define a common strategy for the region should be taken into account;
9. Instructs its President to forward this resolution to the Council, the Commission, the Secretary-General of the United Nations and the Government of Kazakhstan, the OSCE, the Council of Europe and the governments of Central Asia republics and the Russian Federation.