



Plenary sitting

B8-0345/2016

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))

Cristian Dan Preda, Tunne Kelam, Davor Ivo Stier, Andrej Plenković, Roberta Metsola, Eva Paunova, Jarosław Wałęsa, Bogdan Brunon Wenta, Andrey Kovatchev, Lorenzo Cesa, Claude Rolin, Patricija Šulin, Milan Zver, Giovanni La Via, Dubravka Šuica, Ivan Štefanec, Jaromír Štětina, Pavel Svoboda, Ramona Nicole Mănescu, Thomas Mann, Elisabetta Gardini, Lara Comi, Stanislav Polčák, Tomáš Zdechovský, Ivana Maletić, Agnieszka Kozłowska-Rajewicz, Michaela Šojdrová, Massimiliano Salini, Romana Tomc, Sven Schulze, David McAllister, Csaba Sógor, Luděk Niedermayer, Anna Záborská, Adam Szejnfeld, Jiří Pospíšil, Marijana Petir, Barbara Matera, Salvatore Cicu, Therese Comodini Cachia, Ramón Luis Valcárcel Siso

on behalf of the PPE Group

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

The European Parliament,

- having regard to its previous resolutions on Kazakhstan, including those of 18 April 2013, and of 15 March 2012, of 22 November 2012 containing the European Parliament’s recommendations to the Council, the Commission and the European External Action Service on the negotiations for an EU-Kazakhstan Enhanced Partnership and Cooperation Agreement, the resolution of 15 December 2011 on the state of implementation of the EU Strategy for Central Asia , and of 17 September 2009 on the case of Yevgeny Zhovtis in Kazakhstan,
 - having regard to remarks by Vice-President/ High Representative Federica Mogherini following the signature of the EU-Kazakhstan Enhanced Partnership and Cooperation Agreement, 21 December 2015,
 - having regard to the seventh round of the annual EU-Kazakhstan Human Rights Dialogue in Astana on 26 November 2015,
 - having regard to the Council conclusions on the EU Strategy for Central Asia of 22 June 2015,
 - having regard of the Report of the Special Rapporteur on the rights to freedom of peaceful assembly and of association, Maina Kiai following her mission to Kazakhstan on 16 June 2015,
 - having regard to Rule 135 of its Rules of Procedure,
- A. whereas on 21 December, 2015, the European Union and Kazakhstan signed an Enhanced Partnership and Cooperation Agreement;
- B. whereas Kazakhstan is an important international actor and plays an important role in the political and socio-economic development, as well as the security situation, in the whole region; whereas it has played a positive role in Central Asia, making efforts to develop good neighbourly relations with bordering countries, resume regional cooperation and resolve all bilateral issues by peaceful means; whereas the EU has a vital interest in stepping up political, economic and security cooperation with that region via a strong and open EU -Kazakhstan relationship;
- C. whereas the PCA will need to be ratified by the parliaments of all 28 European Union member states and the European Parliament;
- D. whereas in December 2015, authorities detained Gyuzal Baidalinova, a journalist and the owner of the online news site Nakanune.kz, in connection with a criminal case on charges of “deliberately publishing false information.”; whereas concerns were expressed after the arrest of Gyuzal Baidalinova about harassment of independent media in Kazakhstan; whereas on 29 February a court has acquitted journalist Yulia Kozlova, who writes for Nakanune.kz;

whereas Yulia Kozlova, who had been charged with illegal drugs possession, has denied the accusations;

E. whereas there is an ongoing criminal investigation into Seytkazy Matayev, the head of the National Press Club and journalists' union, who is suspected of embezzling millions in public funds; whereas on 22 February Seytkazy Matayev, who denies the charges, and his son Aset Matayev, who is the director of the independent news agency KazTag, were detained; whereas Aset Matayev was released after questioning;

F. whereas on 22 January, a court convicted Ermek Narymbaev and Serikzhan Mambetalin, bloggers who were arrested in October on charges of "inciting national discord," and sentenced them to three and two years, respectively; whereas blogger Bolatbek Bliyalov was put under limited house arrest;

G. whereas Kazakh authorities closed down independent and opposition media outlets, including Assandi Times and Pravdivaya Gazeta, and ADAM bol and ADAM journals;

H. whereas the European Instrument for Democracy and Human Rights (EIDHR) represents an important financing tool aiming to support civil society organisations and democratisation in the region;

I. whereas on 20 March Kazakhstan will hold early parliamentary elections;

1. Stresses the importance of relations between the EU and Kazakhstan and of strengthening economic and political cooperation in all areas; highlights the great interest the EU has in a sustainable relationship with Kazakhstan in terms of political and economic cooperation;

2. Acknowledges the modest efforts made by Kazakhstan to prevent the mistreatment of detainees, including through the work of the National Preventive Mechanism, and encourages implementation of the recommendations adopted by the UN Committee against Torture in 2014;

3. Recognises the '100-step programme' as an attempt to address urgent reforms in Kazakhstan;

4. Is highly concerned about the pressure on independent media outlets and the possible negative implications of new draft legislation on the funding of civil society organisations;

5. Welcomes the release since the last Human Rights Dialogue of a number of imprisoned human rights and labour activists; welcomes the acquittal of Yulia Kozlova;

6. Emphasises that the legitimate fight against terrorism and extremism should not be used as an excuse to ban opposition activity, hinder freedom of expression or hamper the independency of the judiciary;

7. Calls for the review of the articles of the Criminal Code that can be used to criminalize lawful behaviour protected by human rights law;

8. Calls on the authorities of Kazakhstan to quash the convictions of bloggers, including among others Ermek Narymbaev, Serikzhan Mambetalin, and Bolatbek Blyyalov; calls for the

release of Guzal Baidalinova; calls for an end to the harassment of Seytkazy Matayev and Aset Matayev;

9. Calls for the release of the opposition leader Vladimir Kozlov, pending an independent and impartial review of his case;

10. Welcomes Kazakhstan's ambition to engage actively as a mediator/facilitator in international security issues concerning the wider region; urges the Kazakh authorities to honour the international commitments they have signed up to, including those relating to the rule of law and the independence of the judiciary;

11. Welcomes the regular EU-Kazakhstan Human Rights Dialogues; underlines the importance of human rights dialogues between the EU and the Kazakh authorities, and welcomes the constructive approach being shown on the Kazakh side; calls for a strengthening of the dialogues conducive to the establishment of a forum where issues can be openly addressed; stresses that these dialogues should be effective and results-oriented;

12. Calls on the EU, and in particular the EEAS, to closely monitor developments in Kazakhstan, raise concerns with the Kazakh authorities where necessary, offer assistance, and report regularly to Parliament; calls on the EU delegation in Astana to continue to play an active role in monitoring the situation;

13. Encourages the authorities of Kazakhstan to fully implement the OSCE/ODIHR recommendations before the next parliamentary elections;

14. Instructs its President to forward this resolution to the Vice-President of the Commission / High Representative of the Union for Foreign Affairs and Security Policy, the Council, the Commission, the EU Special Representative for Human Rights, the Governments and Parliaments of the Member States, the Organisation for Security and Cooperation in Europe, the UN Human Rights Council, and the Government and Parliament of Kazakhstan.