

P7_TA(2012)0089

Kazakhstan

European Parliament resolution of 15 March 2012 on Kazakhstan (2012/2553(RSP))

The European Parliament,

- having regard to the general provisions on the Union's external action laid down in Article 21 TEU, and the procedure for the conclusion of international agreements set out in Article 218 TFEU,
- having regard to the EU Strategy for Central Asia,
- having regard to the Partnership and Cooperation Agreement between the EC and Kazakhstan which entered into force in 1999, and in particular its Article 2 (General Principles section),
- having regard to the EU Strategy for a New Partnership with Central Asia, adopted by the European Council on 21-22 June 2007, and to the progress reports of 24 June 2008 and 28 June 2010,
- having regard to the Council statement of 24 May 2011 on Kazakhstan,
- having regard to the EU's statements on Kazakhstan in the OSCE Permanent Council, of 3 November and 22 December 2011 and 19 January, 26 January and 9 February 2012, and to the statements by EU HR/VP Catherine Ashton on the events in the Zhanaozen district of 17 December 2011 and on the 15 January 2012 parliamentary elections in Kazakhstan of 17 January 2012,
- having regard to the statement of preliminary findings and conclusions of the OSCE/ODIHR-led mission observing the 15 January 2012 parliamentary elections,
- having regard to the statement on the media situation in Kazakhstan made by the OSCE Representative on Freedom of the Media on 25 January 2012,
- having regard to the statement on the clampdown on Kazakh opposition made by the Director of the OSCE's Office for Democratic Institutions and Human Rights on 1 February 2012,
- having regard to its resolution of 15 December 2011 on the EU Strategy for Central Asia¹,
- having regard to paragraph 23 of its resolution of 16 February 2012 on the United Nation's Human Rights Council²,
- having regard to Rule 110(4) of its Rules of Procedure,

A. whereas both the EU and Kazakhstan could derive important benefits from deeper

¹ Texts adopted, P7_TA(2011)0588

² Texts adopted, P7_TA(2012)0058

cooperation, and Parliament supports this objective while stressing that economic cooperation must go hand in hand with political cooperation and must be based on the political will to implement and uphold common values, given the crucial role played by Kazakhstan for the socio-economic development of Central Asia and the stability and security of the region;

- B. whereas negotiations on a new enhanced EU-Kazakhstan agreement, which should replace the Partnership and Cooperation Agreement currently in force, were launched in June 2011;
- C. whereas on 17 February 2012 the President of Kazakhstan signed several laws aiming at improving the legal basis for labour relations, workers' rights and social dialogue and strengthening the independence of the judiciary;
- D. whereas on 16 December 2011 a large number of people were killed and many more were injured in unrest in the city of Zhanaozen in western Kazakhstan, where more than 3000 people rallied peacefully on the main square in support of the demands of oil workers who had been on strike since May for higher wages and better conditions and the right to choose their own union representation;
- E. whereas the authorities report that 17 people died, after, according to independent reports and eye witnesses, the riot police attacked the protesters, opening fire on civilians including unarmed strikers and their families; whereas after the clashes the Kazakh authorities declared a state of emergency, denying journalists and independent observers access to Zhanaozen; whereas the state of emergency was finally lifted on 31 January 2012, but witnesses have claimed that the death toll may be far higher; whereas the regional authorities have pledged financial support to the families of those who died in the events;
- F. whereas the picture of what actually happened in Zhanaozen on 16 December 2011 remains hazy; whereas communication links were initially cut by the authorities and access to the city then remained controlled under a state of emergency which lasted until 31 January 2012; whereas intimidation and violent attacks against independent media, together with a climate of fear among the citizens, keep hindering the emergence of greater clarity; whereas, in response to the events in Zhanaozen, in December 2011 the Kazakhstani authorities increased internet censorship in the country and are now deploying deep-packet inspection of all internet traffic;
- G. whereas approximately 43 people have been arrested since December 2012 and are facing charges entailing sentences of up to six years, among them prominent leaders and activists from the oil workers' strike, including Talat Saktaganov, Roza Tuletaeva and Natalya Azhigalieva; whereas a number of young people accused of Islamist activities were arrested in the city of Uralsk on 3rd February 2012 on suspicion of organising mass disorder in Zhanaozen;
- H. whereas the President of Kazakhstan has called for a full investigation into the events, setting up a government commission headed by the first deputy prime minister and inviting international experts, among others from the UN, to participate in the investigation process; whereas a number of police officers are under investigation for inappropriately firing their weapons, although none have been charged so far;
- I. whereas there are several reports that detainees have been subjected to torture and ill-treatment; whereas credible investigation, followed by appropriate legal action, is necessary

also in relation to this;

- J. whereas the general elections held on 15 January 2012 were deemed by the OSCE not to be in line with its standards, given widespread voting irregularities and the use of state resources and slogans to bolster the popularity of the ruling party, which did not provide the necessary conditions for the conduct of genuinely pluralistic elections, although this time the elections were considered well administered at the technical level;
- K. whereas on 6 January 2012 the President of Kazakhstan signed the Law on National Security, which boosts the authority of the security services and affirms that persons considered to harm the country's image on the world stage can be deemed 'destructive' and will have to face the consequences;
- L. whereas the past few months have been marked by the deterioration of the human rights situation in Kazakhstan, as reflected in the EU's statements in the OSCE Permanent Council and in recent statements by the OSCE Representative on Freedom of the Media and the Director of the OSCE's Office for Democratic Institutions and Human Rights;
- M. whereas in September 2011 the authorities adopted a law on religion which obliges all religious groups to re-register, and includes provisions that could prohibit citizens of Kazakhstan from freely practising their faith; whereas, in addition, recently adopted laws on the mass media and national security all include provisions which strengthen illiberal features of Kazakhstan's political system and contradict declared democratisation ambitions;
- N. whereas on 8 August 2011 the Aktau City Court found Natalia Sokolova, the lawyer of the oil workers, guilty of 'inciting social discord' and 'active participation in illegal gatherings', and sentenced her to 6 years' imprisonment;
- O. whereas, in the expectation of boosting its respectability at international level, Kazakhstan took on the role of OSCE chair in 2010, and committed itself to a series of democratic reforms and to respecting the basic principles of that organisation;
- P. whereas during the last two months, the opposition parties and organisations Alga, Azat and the Socialist Movement of Kazakhstan, as well as independent media including the Vzglyad, Golos Republik and Respublika newspapers and the satellite TV channel STAN TV, and independent trade unions including the Zhanartu union and other civil society organisations, have become targets of intensified repression, with the detention inter alia of the leader of the Alga party Vladimir Kozlov and the editor-in-chief of Vzgyad Igor Vinyavski; whereas on 28 January 2012 around 1000 people in Almaty took part in an unauthorised protest against the repression, calling on the authorities to put an end to political persecution;
- Q. whereas the opposition parties have announced plans for a protest rally on 24 March 2012 in Almaty to mark 100 days since the Zhanaozen killings;
- R. whereas the fact that Mr Kozlov was arrested and held incommunicado shortly after returning from his meetings with the European Parliament and the European External Action Service gives the EU additional reason for concern, and highlights the importance of safeguarding our institutions' ability to conduct dialogues with a broad range of actors in the EU's partner countries without this having any negative consequence for our

interlocutors;

1. Stresses the importance of the relations between the EU and Kazakhstan and the strengthening of political and economic cooperation, including in strategic areas such as democracy, human rights, the environment, energy, trade and transport and in addition to the fight against terrorism, organised crime and drug trafficking; underlines that last year was marked by increased cooperation, frequent high-level meetings and the start of the negotiations for a new Partnership and Cooperation Agreement;
2. Expresses its deep concern and its condolences regarding the events that took place on 16 December 2011 in the Zhanaozen district of Kazakhstan, when 17 people died and 110 others were injured;
3. Strongly condemns the violent crackdown by the police against demonstrators in Zhanaozen, and calls for an independent and credible investigation into the events, with an international component;
4. Declares its intention to continue to conduct dialogues with civil society actors, as part of its relations with Kazakhstan and in line with its practices in its relations with other third countries; expects respect for these dialogues, and stresses that it is not insensitive to the wellbeing of its interlocutors;
5. Believes that bad handling of the labour dispute in the oil sector in western Kazakhstan was the main cause of the deepening popular discontent before the mid-December 2011 events; is convinced that recognition, in words and in deeds, of workers' right to organise, mutually respectful dialogue between trade union representatives, employers and authorities, re-hiring of dismissed workers or finding new jobs for them, support for families suffering the consequences of recent events, and the building of trust in the law-enforcement authorities are key to achieving social peace and sustainable stability;
6. Calls on the EEAS to undertake close monitoring of the trial of those accused of organising the demonstrations, and to report back to Parliament;
7. Welcomes the recent release of the human rights defender Evgeniy Zhovtis, director of the Kazakhstan International Bureau for Human Rights and Rule of Law and the 'Vremya' journalist Tokhniyaz Kuchukov, who were granted an amnesty by a court decision of 2 February 2012 after having been sentenced to four years in a labour camp in September 2009;
8. Regrets that there are otherwise few exceptions to the negative trend in human rights-related developments in Kazakhstan which has existed for a considerable time and has recently been reinforced, and calls on the Kazakh authorities to provide assurances regarding the safety of the families of arrested activists;
9. Urges the Kazakh authorities to make every effort to improve the human rights situation in their country; underlines that progress in the negotiation of the new enhanced Partnership and Cooperation Agreement between the EU and Kazakhstan must depend on the progress of political reform; encourages Kazakhstan to maintain its declared commitment to further reforms, in order to build up an open and democratic society including an independent civil society and opposition, respectful of fundamental rights and the rule of law;

10. Reiterates that unrestricted access to information and communication and uncensored access to the internet (digital freedoms) are universal rights and are indispensable for human rights such as free expression and access to information, as well as for ensuring transparency and accountability in public life;
11. Welcomes the legal changes in the last months aimed at broadening the range of parties which can submit parliamentary candidates; notes that since the latest legislative elections three parties have been represented in the new parliament; regrets that a number of opposition parties are not being allowed to register, and encourages the Kazakh authorities to undertake the further reforms that are needed to ensure genuinely pluralistic elections and to support the functioning of the independent media and the activities of NGOs;
12. Calls on the Kazakh authorities to address the OSCE/ODHIR findings as a matter of priority, in order to allow the country's opposition to play its rightful role in a democratic society and to take all necessary steps to comply with international election standards; calls on the EEAS to support Kazakhstan in tackling these issues;
13. Takes note of the roadmap for Kazakhstan's WTO accession, which will contribute to creating a level playing field for business communities on both sides and will facilitate and liberalise trade, and sends out a message of cooperation and openness; stresses that with accession Kazakhstan will be obliged to comply with all WTO rules, including the elimination of protectionist measures;
14. Expresses its indignation at the incarceration of opposition leaders and journalists since January 2012, and calls on the Kazakh authorities to end the clampdown on the opposition and the independent media in the country and release all persons incarcerated on political grounds, including the leader of the Alga party Vladimir Kozlov and the editor-in-chief of the Vzglyad newspaper Igor Vinyavskiy, as well as all persons mentioned in recent EU statements in the OSCE Permanent Council who are still in detention; calls for Mr Kozlov to be given access to his immediate family, including his wife, and for an independent assessment of his medical condition; welcomes the release of Natalya Sokolova, lawyer for the Karazhanbasmunai oil company's labour unions, who was previously sentenced to six years in prison, now reduced to a three-year probation; regrets nevertheless that Ms Sokolova is still prohibited from participating in trade union activities during her probation;
15. Urges the Kazakh authorities to rapidly improve their respect for the freedoms of assembly, association, expression and religion, in line with the recommendations of the OSCE representatives and bodies and paying close attention to the international commitments Kazakhstan has entered into, as well as to the promises made before the decision allowing Kazakhstan to occupy the OSCE chair in 2010 was taken; draws attention to the well-prepared National Human Rights Action Plan adopted in 2009, and urges the Kazakh authorities to implement it in full;
16. Is convinced that Kazakhstan's authorities and society would reap huge benefits from taking such action, not least in terms of stability and security and a resumption of the earlier steady rise in the country's international standing;
17. Highlights the participation since January 2012 of official representatives of Kazakhstan in open and constructive meetings with MEPs in the European Parliament, with participation by civil society and NGOs, in which they showed themselves to be open to investigations with an international component into the events, and promised information regarding the

arrests of the past months; expects that these announcements will be followed up with concrete actions;

18. Underlines the importance of human rights dialogues between the EU and Kazakh authorities in which all issues can be openly addressed; calls for the strengthening of these dialogues in order to make them more effective and results-oriented and to allow the involvement of civil society actors;
19. Calls on the EU, and in particular the High Representative of the European Union for Foreign Affairs and Security Policy, to monitor developments closely, to raise all issues of concern with the Kazakh authorities, to offer assistance, and to report regularly to Parliament;
20. Instructs its President to forward this resolution to the HR/VP and to the Council, the Commission, the Governments and Parliaments of the Member States, the Government and Parliament of the Republic of Kazakhstan, and the Organisation for Security and Cooperation in Europe.