



ЕВРОПЕЙСКИ ПАРЛАМЕНТ PARLAMENTO EUROPEO EVROPSKÝ PARLAMENT EUROPA-PARLAMENTET
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TUNNE KELAM

Committee on Foreign Affairs
Subcommittee on Security and Defence
Delegation for relations with the United States

Brussels, 29 June, 2016

Mr Manuel Valls
Prime Minister
of the Republic of France

Hôtel de Matignon
57, rue de Varenne
75700 Paris, France

Mr Prime Minister,

We have already addressed you in the past months regarding the case of a Kazakh dissident and representative of the political opposition, Mr Mukhtar Ablyazov. This letter, just as the previous interventions, is an expression of our grave concern over the developments in Mr Ablyazov's case and the risk of his extradition to Russia. We deplore the general decline in the human rights situation in Kazakhstan and in Russia and underline that it is crucial that the rule of law and respect for human rights prevail in France. Even more so, in the wake of the Russian illegal actions in Ukraine and general growing Russian disregard for the international law.

With the present letter, we would like to draw your attention to the new information in the case of Mr Ablyazov. We believe these new facts prove the evident political context of the case and should lead to the cancellation of the extradition to Russia and to granting him of international protection in France.

In September 2015 you and your Cabinet issued a favorable decision on the extradition of Mr Ablyazov to Russia. Your decree, surprisingly, disregards the numerous appeals and open statements of members of various national European parliaments, members of the European Parliament, non-governmental organizations and human rights defenders, calling on France not to send Mr Ablyazov to Russia. In fact, even despite the recently revealed new information, crucial to the case and clearly proving its political context, the French authorities have so far not changed the stance on the extradition. I sincerely hope this letter may shed some additional light on the context of the case and make you reconsider your decision.

The new facts relate to the so-called "KazakhLeaks" scandal. A large amount of direct correspondence of high-level Kazakh officials anonymously leaked to the web some months



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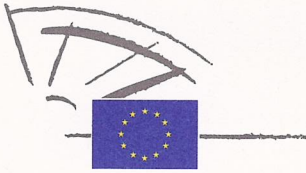
ago. The e-mails contain compromising information on a number of corruption issues, including details on a Kazakh authorities large-scale campaign of persecution of political and civic opposition, as well as independent media both in the country and abroad. The leak also provides details on the *de facto* creation of the case of Mr Ablyazov and clear proof of the fact that Kazakh regime has been involved in orchestrating the case in Russia and Ukraine, as well as in exerting pressures and trying to influence, unlawfully, the case in Europe. These facts have not been taken into account so far by the French authorities, while they serve as a breakthrough in the case of Mr Ablyazov.

Furthermore, as stated in all of the previous interventions, the case of Mr Ablyazov is characterized by numerous deficiencies, starting from direct involvement of the Russian public officials sanctioned by the US and the EU, including for their role in other very high-level political cases in the country (the cases of Mr Sergei Magnitsky, Ms Nadiya Savchenko, the Bolotnaya Square, the Manezhnaya Square and YUKOS), through the misuse of the INTERPOL system with the aims of persecuting Mr Ablyazov, his family and associates internationally, to the the lack of any credible assurances of safety, fair trial and non-refoulement to Kazakhstan by the Russian side, and the unexplained role and close informal contacts of French public officials (i.a. a prosecutor and a diplomat) with Russian and Ukrainian sides.

All of this, as well as Mr Ablyazov's protective status - political asylum obtained in the United Kingdom should be again examined and taken into account by France.

In many linked cases, the authorities of other European countries, namely Austria, UK, Czech Republic, Italy, Lithuania, Poland, Spain and Switzerland have decided to protect Mr Ablyazov's family members and former colleagues, also subjected to international, unlawful persecution. While Lithuania has just yesterday reconfirmed its rejection of the extradition of Mr Shalabayev, Mr Ablyazov's brother-in-law, to Kazakhstan or Ukraine, we also see that the Kazakh authorities – in concert with Russian and Ukrainian corrupt officials and investigators - remain determined to have cases reopened and to reach those close to Mr Ablyazov through all possible, and often unlawful, means. For example, in an unprecedented way, new attempts have been made in the Czech Republic to obtain the revoking of the international protection of Mrs Tatiana Paraskevich, one of Mr Ablyazov's former colleagues.

Thus, I once again appeal to you, your Cabinet and all the other interested French authorities, not to remain silent on these blatant human rights violations, to acknowledge the new information in the case of Mr Ablyazov, and to cancel the extradition decree in his case. Sending Mr Ablyazov to Russia cannot be seen as a just and reasonable decision. It would only undermine France's international image and encourage other non-democratic



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regimes to violate international law and misuse supranational and national systems created to serve for and not against the rule of law.

With my highest respect and the anticipation of the answer.

Sincerely yours,

Tunne Kelam, MEP

CC:

Mr Jean-Jacques Urvoas, Minister of Justice of the Republic of France

Mr Jean-Marc Ayrault, Minister of Foreign Affairs of the Republic of France