

PARLEMENT EUROPEEN



DÉPUTÉ AU PARLEMENT EUROPÉEN

For the attention of:

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In CC:

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Brussels, 23.07.2018

As a member of the European Parliament, and Vice-Chair of the Committee on Legal Affairs, I am writing to express my deep concerns about the criminal prosecution of Elena Semenova for exercising her duties as a human rights defender.

Elena Semenova is Chairwoman of the Public Monitoring Commission (PMC) in the Pavlodar region of Kazakhstan and founder of the civic organization "Relatives Against Torture". Together with her colleagues, Ms Semenova is actively involved in the monitoring of prison conditions. They have collected and exposed over 100 of cases of mistreatment, including cases on the grounds of torture and cruel, inhuman or degrading treatment or punishment. Ms Semenova and her colleagues provide valuable input and information for us. Their actions for the protection of Human Rights are valued by the international community and should under no circumstances be threatened, silenced or punished.

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I met Ms Semenova on 3 July in the European Parliament and was shocked to receive the news of her detention on 20 July 2018 by police officers because of her testimonies at the European Parliament. Ms Semenova presented testimonies of the victims of torture in colony AK 159/1 of the Department of the Criminal Executive System in Karaganda region to me on behalf of their relatives. They are all deeply troubled that the reported cases of torture and cases of self harm by the detainees in protest of abuses and inhuman treatment in their places of detention are not being investigated. The complaints and facts of torture are, according to them, simply being ignored by the authorities.

Because of her statements, Ms Semenova is being accused of a criminal offence according to Part 2 of Art. 274 of the Criminal Code: "Distribution of deliberately false information". Investigators accuse her of "*report[ing] false information about the incapacity of the Kazakhstani government to correct the situation with torture and the use of 'genocide against their people'*". During interrogation, Ms Semenova was questioned about the content of conversations with MEPs and was told to provide information about the MEPs with whom she met. Kazakhstani investigators believe that Ms Semenova used "*destructive statements*" that "*inflicted political damage on the country*".

I was also informed that she was forced to sign a written undertaking not to leave the country. The police officers had confiscated Ms Semenova's documents, including convicts' statements about torture, as well as her computer, her mobile phone and other belongings, making it impossible to perform her human rights activities. She is now under threat of receiving 5 years' imprisonment.

As a member of the European Parliament's delegation dealing with EU-Kazakhstan relations, it is my duty to follow developments in Kazakhstan and to listen to various voices coming from your country. I insist that Ms Semenova's right to freedom of speech should not be in any way threatened.

I condemn the aforementioned actions against Ms Semenova. They undermine our Partnership and Cooperation Agreement and hinder relations between the EU and Kazakhstan. Therefore, any kind of prosecution of activists and human rights defenders as punishment for participating in meetings with Members of the European Parliament or other international organisations is simply unacceptable. I demand that any criminal case against Ms Semenova be closed and her belongings be returned without further delay.

Sincerely,
MEP Mady DELVAUX

