

20 July 2018

## **Kazakhstan: Detention and charges against Elena Semenova**

On 20 July 2018, **Elena Semenova** was arrested at her home in Pavlodar by three police officers in a criminal case opened against her by Kazakh authorities.

[Elena Semenova](#) is a human rights defender and Chairperson of the Public Monitoring Commission (PMC) in the Pavlodar region of Kazakhstan, as well as the Head of the public association Leave the People their Housing. Pavlodar PMC is actively involved in the monitoring of prison conditions and has helped bring approximately 150 cases of detainees, including cases on the grounds of torture and cruel, inhuman or degrading treatment or punishment, to the attention of the Prosecutor's Office, the Ministry of Interior Affairs and the Administration of the President. Leave the People their Housing is an organisation that campaigns, litigates and advocates for the housing and property rights of individuals who have lost their homes and lands due to forced evictions.

On 20 July 2018, Elena Semenova was arrested at her home in Pavlodar by three police officers. During her arrest, the human rights defender managed to send an SMS message to a colleague stating "I'm being taken to the Department of Internal Affairs. They came for me". According to her lawyer, Elena Semenova is charged with "spreading false information" under Article 274 of the Criminal Code of Kazakhstan in relation to statements that she had previously made to Members of the European Parliament.

From 3 to 5 July 2018, Elena Semenova described brutal conditions present in prisons and detention centres in Kazakhstan in a number of meetings with Members of the European Parliament in Strasbourg. According to the defender, instances of torture and ill-treatment in the places of detention included beatings, rape, acts of humiliation and denial of medical treatment.

Elena Semenova was previously targeted in 2016 by Kazakh authorities when she was [detained and sentenced](#) for picketing in front of the Atyrau City Court building where a court hearing for the case against human rights defenders Talgat Ayan and Max Bokaev was about to begin.

Front Line Defenders expresses its concern over the arrest and charges against Elena Semenova as it believes that they are in reprisal for her communication with Members of the European Parliament in the course of her peaceful and legitimate work in the defence of human rights.

### **Front Line Defenders urges the authorities in Kazakhstan to:**

1. Immediately and unconditionally release Elena Semenova and drop all charges against her, as Front Line Defenders believes that she is being held and charged solely as a result of her peaceful and legitimate work in the defence of human rights;

2. Ensure that the treatment of Elena Semenova, while in detention, adheres to the conditions set out in the "*Body of Principles for the Protection of All Persons under Any Form of Detention or Imprisonment*", adopted by UN General Assembly resolution 43/173 of 9 December 1988;

3. Guarantee in all circumstances that all human rights defenders in Kazakhstan are able to carry out their legitimate human rights activities without fear of reprisals and free of all restrictions, including judicial harassment.

Front Line Defenders respectfully reminds you that the United Nations Declaration on the Right and Responsibility of Individuals, Groups and Organs of Society to Promote and Protect Universally Recognised Human Rights and Fundamental Freedoms, adopted by consensus by the UN General Assembly on 9 December 1998, recognises the legitimacy of the activities of human rights defenders, their right to freedom of association and to carry out their activities without fear of reprisals. We would particularly draw attention to Article 5 (c): "*Everyone has the right, individually and in association with others, at the national and international levels to communicate with non-governmental or intergovernmental organisations*", Article 6 (c): "*Everyone has the right, individually and in association with others to study, discuss, form and hold opinions on the observance, both in law and in practice, of all human rights and fundamental freedoms and, through these and other appropriate means, to draw public attention to those matters*", and to Article 12 (2): "*The State shall take all necessary measures to ensure the protection by the competent authorities of everyone, individually and in association with others, against any violence, threats, retaliation, de facto or de jure adverse discrimination, pressure or any other arbitrary action as a consequence of his or her legitimate exercise of the rights referred to in the present Declaration.*"

Please inform us of any actions that may be taken with regard to the above case.

Yours sincerely,



Andrew Anderson

Executive Director