Negotiations on an enhanced partnership and cooperation agreement between the EU and Kazakhstan. Recommendations to the Council, the Commission and the EEAS

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The European Parliament adopted a resolution containing its recommendations to the Council, the Commission and the European External Action Service on the negotiations for an EU-Kazakhstan enhanced partnership and cooperation agreement (PCA).

Parliament underlines the troubles which have marked the political life of this country and notes that, notwithstanding the Kazakh government's stated ambition to strengthen Kazakhstan's democratic process and to conduct elections in line with international standards, the general elections held on 15 January 2012 were deemed by the OSCE not to be in line with its standards.

It also recalls that, after the tragic events of December 2011 in Zhanaozen, (demonstration of strikers within the oil sector which the anti-riot police answered by opening fire on the civilians, causing the death of several people) opposition parties, independent media, trade unions, activists and human rights defenders have become **targets of repression**. Parliament also emphasises the fact that the opposition within the country is persecuted.

Whilst it welcomes Kazakhstan's political will and practical engagement to further deepen partnership with the EU, Parliament considers that the negotiations must ensure that this PCA is a comprehensive framework for the **further development of relations, addressing all priority areas, including human rights, the rule of law, good governance, and democratisation** but also economic development, trade and investment, energy and transport.

Among the broad topics for negotiation, Parliament prioritises the following key elements:

Political dialogue and cooperation: Parliament demands that the EU works closely with Kazakhstan in order to promote **regional cooperation and the improvement of neighbourly relations in the Central Asia region**, whilst ensuring that the tackling of questions such as water management, border management, the fight against extremism and counter-terrorism but also the security and development with nearby Afghanistan. Parliament particularly encourages Kazakhstan to work together with its neighbours in order to come to a **common solution on the status of the Caspian Sea**.

Human rights and fundamental freedoms: Parliament believes that the PCA should incorporate clauses and benchmarks relating to the protection and promotion of human rights as enshrined in the Constitution of Kazakhstan and other relevant international instruments. Progress in the negotiation of the new PCA must be linked to the **progress of political reform** of the type that builds up an open and democratic society including an independent civil society and opposition. Evoking its resolution of 15 March 2012 demanding the release of all persons detained on politically motivated charges in the country, Parliament calls on the Kazakh authorities to investigate all allegations in connection with the Zhanaozen violence and to punish those responsible.

Parliament calls on the country's authorities, moreover, to allow the opposition to express itself and to release condemned activists such as Vladimir Kozlov, Akzhanat Aminov et Serik Sapargali.

Members demand, among other things: i) a binding commitment from the country to bring the legal system fully into line with international standards; ii) access to independent justice; iii) the end of politically motivated arrests and convictions carried out on the basis of the vague criminal charge of "inciting social discord"; iv) the establishment of independent civil society platforms in order to ensure that the aspirations and voices of civil society are heard; v) intensifying the scope of the exchange programmes in education and culture, and visa facilitation.

Noting that the Kazakh authorities have recently undertaken important efforts in terms of cooperation with NGOs in West Kazakhstan, in order to improve the situation for the inhabitants of the region, and in particular for workers on strike, Parliament calls for the opposition to be allowed to express itself and for the freeing of certain activists such as Vladimir Kozlov, Akzhanat Aminov and Serik Sapargali. In an oral amendment adopted in plenary, Parliament expresses its great concern with regards to the lawsuit introduced by Kazakhstan's Prosecutor General demanding unregistered opposition party, Khalyk Maidany association and a number of opposition media outlets to be banned as extremist. Parliament strongly underlines that **the legitimate fight against terrorism and extremism should not be used as an excuse to ban opposition activity and hinder freedom of expression**.

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Moreover, as a member of the Venice Commission, Parliament calls on Kazakhstan to demonstrate its commitment to Council of Europe standards by cooperating with the Venice Commission, including by submitting specific draft laws and recently adopted laws for comments to the Venice Commission and implementing the recommendations of the Commission.

Economic cooperation: in conformity with WTO rules, Parliament calls for the removal of tariff and non-tariff barriers in order to extend trade, particularly trade in services and foreign investment. Principally within the **field of energy**, cooperation must be reinforced, particularly in terms of the efforts to develop the trans-Caspian energy route. Parliament further recommends that Kazakhstan's participation in the Russian-led Customs Union and the Eurasian Economic Union does not **constitute a barrier to trade or to economic and financial cooperation with the EU**.

It calls for:

- the convergence of Kazakhstan's standards and regulatory systems with those of the EU;
- stepping up its technical assistance to Kazakhstan in the field of water conservation and management of water resources;
- the adoption of effective mitigation measures and cleaning-up programmes of radioactive waste and radioactive pollution in the Semey/Semipalatinsk region;
- a binding trade and sustainable development chapter to be included in the trade title of the new agreement;
- increased trade flows and investment, which would favour the modernisation and diversification of Kazakhstan's economy;
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- the adoption of stronger and binding provisions in relation to corporate social responsibility;
- European-based corporations to respect ILO standards on trade union rights, as well as environmental and health and safety standards, when operating in Kazakhstan, and particularly in the extractive sector of the economy;
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the use of dumping practices in connection with **phosphorus production** and export to be categorically ruled out, as the interests of European producers are allegedly being harmed by dumped imports.

Among fundamental provisions, the plenary calls for the new PCA to refer to respect for democratic principles, fundamental and human rights and the principle of the rule of law as ‘essential elements’ of the agreement, so that failure to observe them by any of the parties would result in the adoption of measures which could eventually **lead to its suspension**.

Lastly, **on the institutional level,** Parliament hopes to see its role reinforced within the framework of these negotiations and the follow-up of this agreement. It calls for the establishment of a comprehensive monitoring mechanism between Parliament and EEAS once the Agreement is concluded, so as to allow for comprehensive and regular information on the implementation of the PCA, and in particular of its objectives, so as to duly inform the Parliament of the results of the actions undertaken as regards reform in the field of the human rights.