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## Swedish Presidency of the European Union

**OSCE Permanent Council No. 777  
Vienna 22 October 2009**

### **EU statement on the appeals trial of human rights defender Evgeniy Zhovtis**

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The EU would like to recall its statement in the Permanent Council of September 10, in which we expressed our concern with violations of due process observed during the trial of the internationally renowned Kazakh human rights defender Evgeniy Zhovtis. These violations raised serious doubts about the verdict handed down to Mr. Zhovtis on charges of causing the death of a person by negligence in a road traffic accident.

In view of these concerns, the EU is disappointed to learn that, in a hearing in which the defendant was not allowed to participate, Mr. Zhovtis' sentence was upheld and the violations of due process were not appropriately addressed by the Taldykorgan court on October 20. The calls by national non-governmental organizations and the international community on Kazakh authorities to ensure that the appeal be handled with full respect for national legislation and international standards thus went unheeded. This is a matter of profound concern for the EU.

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We continue to call for Mr. Zhovtis' due process rights to be upheld in line with Kazakhstan's OSCE commitments. In light of the shortcomings to date, the EU appeals to the Kazakh authorities properly to address the procedural violations and to conduct a thorough review of all aspects of this particular case.

The EU attaches particular attention to the full respect of human rights and fundamental freedoms, including for human rights defenders, in its relations with Kazakhstan, as evidenced by the second meeting of the EU-Kazakhstan human rights dialogue yesterday. We will continue to follow this case closely, also in the run-up to Kazakhstan's Chairmanship.

The candidate countries CROATIA\* and the FORMER YUGOSLAV REPUBLIC OF MACEDONIA\*, the countries of the Stabilisation and Association Process and potential candidate countries ALBANIA, BOSNIA AND HERZEGOVINA, MONTENEGRO and SERBIA, as well as the European Free Trade Association countries and members of the European Economic Area ICELAND and NORWAY align themselves with this statement.

\*Croatia and the Former Yugoslav Republic of Macedonia continue to be part of the Stabilisation and Association Process.