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Italian government must ensure accountability for illegal expulsion to Kazakhstan

The Italian government must investigate and make public all the facts behind the illegal expulsion of the wife and daughter of Kazakhstani opposition politician Mukhtar Ablyazov, said Amnesty International today. The Italian parliament is preparing to consider an internal inquiry by the Minister of the Interior on Thursday into allegations of collusion between both countries and other violations of Italian law.

“The Italian authorities must ensure that there is a full investigation and criminal prosecution for any violation of their human rights. Only then can any allegations of collusion between the Italian and Kazakhstani authorities be put to rest,” said John Dalhuisen, Director of the Europe and Central Asia Programme.

Alma Shalabayeva and her six-year old daughter Alua Ablyazova were apprehended in a house in Rome on 29 May 2013 following a police raid reportedly conducted in search of Mukhtar Ablyazov. There is an outstanding warrant for his arrest on fraud-related charges issued by the authorities of the United Kingdom, and a pending extradition request from Kazakhstan.

Following the suspiciously speedy expulsion process, Alma Shalabayeva and her daughter were forced by the Italian police aboard a private jet plane on 31 May, and sent to Kazakhstan.

Last Friday, the Italian government retroactively rescinded the expulsion order, in recognition that her and her daughter’s forced return to Almaty violated Italian law.

“The repeal of Alma Shalabayeva’s expulsion order is one small step in a case that requires transparency and accountability up to the highest levels of law enforcement and government. It is a travesty that a woman and her young daughter were whisked out of Italy on a private plane without due process and sent to a country where they would be at risk of persecution,” said John Dalhuisen, Director of the Europe and Central Asia Programme.

The Italian media has reported that former Italian Prime Minister Silvio Berlusconi met with Nursultan Nazarbaev, the president of Kazakhstan, in Sardinia on 6 July, indicating the closer relationship between the Kazakhstani government and influential Italian actors like Berlusconi.

An internal inquiry by the Italian police into the expulsions is on-going, but is being overseen by Italian Minister of the Interior, Angelino Alfano, who is also the political secretary of Berlusconi's "People of Freedom" party.

The Italian authorities at that time of the expulsion claimed that there were irregularities in Shalabayeva's documents, which justified her expulsion. However, Shalabayeva's lawyers have since provided evidence that her documents were legitimate.

"This inquiry must be - and be perceived to be - truly independent. It is of great concern that the Ministry of the Interior is essentially investigating itself: It is responsible for all immigration-related matters, including expulsions and deportations. The investigation into Shalabayeva's forced return cannot be seen as an inside job," said Dalhuisen.

On 7 June 2013, Alma Shalabayeva, currently staying with her daughter in Almaty, was charged with having forged a Kazakhstani identification document, a criminal offence under Kazakhstani law that could lead to two to four years of imprisonment.

"Shalabayeva is now in the hands of the Kazakhstani government, notorious for trumped up charges against political opponents and anyone associated with them. It also has a long record of torture, ill-treatment, and flagrantly unfair trials. Any Italian official or politician involved in sending Shalabayeva and her daughter on to the risk of such rights violations must be called to task," said Dalhuisen.

Background

Mukhtar Ablyazov was granted asylum in the United Kingdom in 2011 on the grounds that he was deemed to be at risk of persecution should he be returned to Kazakhstan. In the past, Mukhtar Ablyazov held various senior posts in the government of Kazakhstan. In 2001, he was among several prominent politicians and businessmen who founded the political movement "Democratic Choice of Kazakhstan". In 2002, he was convicted of abuse of office and misappropriation of state funds - charges that Amnesty International considered politically motivated - and was sentenced to six years in prison in Kazakhstan. While detained, he reported having been beaten and otherwise ill-treated in an effort to force him to abandon opposition political activities. In 2003, he was released from prison on condition that he renounce politics. He left Kazakhstan in 2009 and eventually took up residence in the UK. His current whereabouts are unknown.