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Human Rights Watch Statement

UPR outcome report of Kazakhstan

10 June 2010

Human Rights Watch welcomes the report of the Working Group on the Universal Periodic Report of Kazakhstan, which contains many important recommendations, including ones on freedom of expression, such as decriminalization of libel and removing restrictions on access to the Internet; on freedom of assembly, such as removing excessive restrictions on peaceful assemblies; and on freedom of religion, such as abolishing excessive registration requirements for religious groups and reaching out to the Special Rapporteur on Freedom of Religion and Belief to arrange a country visit.

Regrettably, a number of developments in the past four months only further underscore the urgent need for Kazakhstan to implement these recommendations:

- On May 25 the Supreme Court upheld a three-year prison sentence against Ramazan Yesergepov, editor of the newspaper *Alma-Ata Info* for disclosing state secrets. Yesergepov's trial in August 2009 was not open to the public and he did not have access to a lawyer of his own choice.
- In May 2010 activists with the "For a free Internet campaign" filed more than 120 complaints regarding blocked websites such as LiveJournal with the Ministry for Culture and Information.
- On May 2, Yermek Narymbaev, leader of the *Arman* social movement, was sentenced to 15 days administrative arrest for holding an unsanctioned mass gathering with about 500 participants on May 1.
- On March 26, Vladimir Kozlov, head of the organizational committee to register the opposition political party *Alga!* was sentenced to 10 days of administrative arrest for distributing leaflets criticizing the trial and sentencing of Mukhtar Dzhakishev, former president of KazAtomProm and calling for his release. Other individuals distributing commercial leaflets at the same time along a pedestrian zone in Almaty called the "Arbat" where not arrested.

Human Rights Watch therefore calls on the government of Kazakhstan to immediately put an end to harassment of journalists and civil society activists and without further delay implement meaningful reforms to ensure and foster freedom of expression and freedom of assembly, as pledged by accepting a number of recommendations during its UPR.

In this respect, Human Rights Watch also welcomes Kazakhstan's acceptance of the recommendations made during the UPR regarding the full implementation of the National Human Rights Action Plan 2009-2012. The plan could be an important tool for strengthening human rights protections in Kazakhstan, and contains calls for much-needed reforms in the areas such as freedom of expression and assembly, among others. However, while the government has said that it has implemented some aspects of the plan on gender equality, domestic violence, health care, and criminal justice reform, the plan has had no impact on other core rights issues. Also, while the plan was signed by the president, it is a declaration of intent rather than a firm work plan or legally binding document, and has no budget attached to it. We urge the Kazakh government to fully implement the plan, including by attaching a budget to it.

Human Rights Watch welcomes Kazakhstan's support of the recommendations to establish an effective and inclusive process that includes independent civil society organizations to implement the recommendations flowing from the Universal Periodic Review. However, we remain concerned about the hostile environment for civil society groups in Kazakhstan and the ongoing erosion of human rights in the country. We call on the Government of Kazakhstan to regularly update the Human Rights Council about the status of implementation of the UPR.

Of particular concern is the continued imprisonment of the country's leading human rights defender Evgenii Zhovtis following an unfair trial. We urge the government to open a new investigation in which Zhovtis is allowed to fully exercise his rights as a suspect, and to release Zhovtis pending such an investigation.

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