

**AMNESTY
INTERNATIONAL**



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**UN Human Rights Council
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**Item 6:
Consideration of UPR reports**

KAZAKHSTAN

Mr. President,

Amnesty International welcomes Kazakhstan's support of the majority of the recommendations made during its Universal Periodic Review.¹ We encourage the authorities to revisit and fully realize the 47 recommendations it maintains have already been implemented, as well as the 96 recommendations it claims are being implemented. Many of these pertain to Amnesty International's long-standing concerns in Kazakhstan. We believe more needs to be done to ensure full respect for fundamental human rights in the country.

Amnesty International welcomes Kazakhstan's support of recommendations on torture, which is an area in which Amnesty International considers that there are serious short-comings. We urge Kazakhstan to take immediate and concrete steps to strengthen safeguards against torture, including by implementing recommendations on establishing an effective and genuinely impartial investigation mechanism, strengthening the work of the national preventive mechanism, and complying with the principle of *non-refoulement* where there is a risk of torture.² Kazakhstan has affirmed its commitment to a policy of zero-tolerance of torture.³ The government must now give immediate effect to the recommendations it has supported.

¹ *Report of the Working Group on the Universal Periodic Review – Kazakhstan*, A/HRC/28/10, 10 December 2014.

Kazakhstan accepted 143 recommendations, of which the government claims 47 have already been implemented and 96 are in the process of being implemented. A further 51 recommendations were rejected.

² A/HRC/28/10, recommendations 124.15 (Uruguay), 124.16 (Uruguay), 124.17 (Germany), 124.18 (Tajikistan), 124.33 (Uruguay), 124.34 (Brazil), 124.44 (Montenegro), 124.45 (Austria), 125.22 (Russia), 125.23 (Morocco), 125.24 (Spain), 125.48 (France), 125.72 (Italy), 125.73 (Lichtenstein).

³ A/HRC/28/10, paragraph 19.

Mr. President,

Recently, attacks on the rights to freedom of expression, association and assembly have intensified in Kazakhstan. Dissenting media outlets are often fined or closed for minor transgressions. Under current legislation, libel and defamation -- including against public officials -- continue to be criminal offences. We regret that Kazakhstan rejected more than half of the recommendations concerning freedom of expression, association and assembly.⁴ We urge the government to reconsider these, and to decriminalize defamation and remove excessive restrictions on peaceful assembly.

Mr. President,

In June 2014 the Parliament of Kazakhstan adopted a new Criminal Code which reduces the number of crimes punishable by death from 18 to 17, and Kazakhstan remains abolitionist in practice. Although Kazakhstan accepted some recommendations on the death penalty, we regret its rejection of numerous recommendations to ratify the Second Optional Protocol to the International Covenant on Civil and Political Rights.⁵

Thank you, Mr. President

⁴ A/HRC/28/10. Kazakhstan accepted recommendations 124.4 (Brazil), 124.5 (Chile), 124.22 (Uruguay), 124.24 (Latvia), 124.25 (Austria), 124.26 (Sweden), 124.27 (Czech Republic), 124.29 (Japan), 124.30 (France), 124.39 (Norway), 124.40 (Norway), and 124.47 (Australia) -- whilst rejecting recommendations 126.29 (USA), 126.35 (Czech Republic), 126.36 (Estonia), 126.37 (Finland), 126.38 (Finland), 126.39 (Hungary), 126.40 (USA), 126.41 (Ireland), 126.42 (Slovenia), 126.43 (Costa Rica), 126.44 (Switzerland), 126.45 (Germany), 126.46 (Belgium), 126.47 (Germany) and 126.48 (Mexico).

⁵ A/HRC/28/10. , Kazakhstan accepted recommendations 125.42 (Sweden), 125.43 (Portugal), 125.44 (Germany), 123.45 (Slovenia), 125.46 (Spain), and 125.47 (Italy),) -- whilst rejecting recommendations 126.5 (Sierra Leone), 126.6 (Italy), 126.7 (Montenegro), 126.8 (Hungary), 126.9 (Germany), 126.10 (Portugal), 126.11 (Spain) and 126.12 (Slovenia).