ANNUAL REVIEW ON THE SITUATION OF HUMAN RIGHTS IN THE REPUBLIC OF KAZAKHSTAN
This review on the situation of human rights in the Republic of Kazakhstan (Review) has been prepared by the Ministry of Justice of the Republic of Kazakhstan in cooperation with relevant government agencies, national human rights organizations, and non-governmental organizations.

This Review was prepared in order to inform the diplomatic missions of foreign states and international organizations about the reforms in the area of human rights undertaken by the Republic in recent years.
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I. INTRODUCTION AND SUMMARY OF IMPLEMENTED HUMAN RIGHTS REFORMS

Kazakhstan has a deep and abiding commitment to the cause of human rights and is pleased to present this overview of recent human rights advancements within the Republic. This review demonstrates that the executive, legislative, and judicial branches of government within Kazakhstan, with the full support of citizens, have carried out reforms and made new initiatives to promote human rights. Kazakhstan will continue its efforts in this regard.

Kazakhstan has been a party to more than 70 multilateral universal international human rights treaties, including the Universal Declaration of Human Rights, and eight United Nations (UN) human rights conventions.

As part of its close cooperation with the UN, Kazakhstan has regularly sent periodic national reports on the reforms carried out and the results achieved to the relevant UN treaty bodies. These reports note, among other things, that Kazakhstan is adopting plans aimed at implementing the recommendations of various UN Conventions, including the Convention on the Elimination of All Forms of Discrimination against Women, on the Elimination of All Forms of Racial Discrimination, against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment, on the Rights of the Child, the International Covenants on Civil and Political Rights, and on Economic, Social, and Cultural Rights.

In 2009, Kazakhstan sent a “standing invitation” to the UN special procedures. Since then, many independent experts and ten UN Special Rapporteurs have visited Kazakhstan.
On February 27, 2020, during the 43rd session of the UN Human Rights Council (HRC), the UN High Commissioner for Human Rights, Michelle Bachelet, mentioned Kazakhstan in her annual review of the human rights situation in the world.

In particular, she noted the plans of the President of Kazakhstan, K.K. Tokayev, to introduce significant changes in legislation and policy to ensure a wide range of civil and political freedoms, including a new law on peaceful assemblies.

During the same HRC session and in her subsequent letter to the Government, the UN Special Rapporteur on the promotion and protection of human rights and fundamental freedoms while countering terrorism, Ms. Fionnuala Ni Aolain, noted that her visit to Kazakhstan in 2019 was one of the best examples of constructive dialogue and cooperation between a country and the UN special procedures system. Kazakhstan also recognized the competence of several UN committees to accept individual appeals of citizens about violations of their rights. These are the Committees Against Torture, the Elimination of Discrimination against Women, the Elimination of Racial Discrimination, and Human Rights. Work is underway to accede to the Optional Protocol to the Convention on the Rights of the Child on the communications procedure, and the ratification of the Optional Protocol to the Convention on the Rights of Persons with Disabilities is expected to be completed in 2022.

In support of the UN’s efforts in sustainable development, a new building of international organizations was opened in Almaty in May 2019, which currently houses 18 UN organizations with regional, sub-regional, and country status.

In 2021, Kazakhstan announced its application for membership in the UN Human Rights Council for 2022–2024 in connection with the elections to be held in New York in October 2021 and expressed hope for its support by the international community.

Kazakhstan has adopted several action plans and development programs in the field of human rights, through which legislative reform, institutional development, and improvement of practices can be aimed at approaching international standards. For example, the Plan of Priority Measures in the field of Human Rights, which was approved by Kazakhstan on June 11, 2021, provides for such measures as improving mechanisms for interaction with UN treaty bodies, special procedures, and non-governmental organizations, as well as eliminating discrimination against women, ensuring the rights of victims of human trafficking and citizens with disabilities, victims of torture, and the rights to freedom of association and expression.

Kazakhstan continues to implement a package of political reforms that reflect a continued commitment
to ensuring human rights and freedoms and building a democratic society. The development of the documents was accompanied by broad public discussions with the participation of civil society, members of the National Council of Public Trust (NCPT) and political parties, and international and national independent experts. This is a confirmation of the successful implementation of the concept of the “Hearing State”. Additionally, laws and regulations pertaining to the basic institutions of democracy, such as the rights of citizens to peaceful assembly, the organization of elections, and the activities of political parties are being improved upon.

A new law on peaceful assemblies was adopted, which significantly simplifies the legal regulation of peaceful assemblies. Libel has been decriminalized, and certain articles of the Criminal Code have been humanized. Additionally, the Second Optional Protocol to the International Covenant on Civil and Political Rights has been ratified, resulting in the abolition of the death penalty.

The institution of the parliamentary opposition (minorities) has been introduced, and the right to nominate candidates from among the deputies of the parliamentary opposition for the position of the leadership of the Parliament is guaranteed. Local representative bodies (maslikhats) are elected according to the proportional electoral system, and the registration barrier for creating parties has been halved. A 30 percent quota has been introduced for women and young people on electoral party lists, which will facilitate their more active participation in the social and political life of the country.

The continuation of the systematic and consistent implementation of the stated course of political
modernization includes a number of political initiatives announced on January 15, 2021, by President K.K. Tokayev at the opening of the first session of the Parliament of the 7th convocation.\textsuperscript{vi}

Part of the President’s reforms also affect the electoral process, which will ensure political diversity in the legislature.

On May 24, 2021, a law was adopted that provides for amendments to the electoral legislation. The threshold for political parties to enter the lower house of Parliament has been reduced from seven percent to five percent, increasing political competition and taking into account the opinion of the broadest possible segments of the population when developing government policy. Direct elections will now occur for deputies of the Mazhilis of the Parliament, heads of administrations (akims) of cities of district significance, villages, settlements, and rural districts. Candidates in the elections will independently nominate their candidacy or become a nominee from a political party by collecting signatures of at least one percent of the total number of voters. In ballots at all levels, the “against all” columns are introduced, allowing voters a legitimate tool for expressing an alternative position.\textsuperscript{vi}

The reform affected the elections of akims in the second half of 2021. It once again demonstrated Kazakhstan’s firm commitment to the consistent democratization and modernization of political institutions that will ensure the renewal of the country’s political system.

At the direction of President K.K. Tokayev, measures are being taken to strengthen the mandate of the Commissioner for Human Rights and the Commissioner for Children’s Rights following the February 25, 2021, meeting of the NCPT. By the end of this year, Kazakhstan plans to adopt a separate Law “On the Ombudsman”, and considers opening regional representative offices. Work is also underway to gradually implement National Human Rights Indicators based on the 14 global indicators developed by the Office of the United Nations High Commissioner for Human Rights, and to integrate them with the sustainable development goals and indicators.

Already today, the staffing level of units for the protection of women and children from violence has been strengthened. The specialization of women investigators in investigative units for the investigation of violent crimes committed against women and children has been introduced. Further, a plan of concrete actions has been approved for the introduction of continuous video surveillance in penitentiary institutions and police offices, as well as in all operational and investigative units of law enforcement agencies.
In 2021, there is a plan to complete the development of the draft Concept of safe work until 2030, which will define systemic measures to ensure the active participation of the parties to the social partnership in building a risk-oriented National System of Occupational Health and Safety Management.

Kazakhstan is also working to create a unified online petition institute, introduce an electronic petition system, and improve legislation to combat torture, human trafficking, and other initiatives.

As part of implementing policy goals identified in President K.K. Tokayev’s speech on September 1, 2020, “Kazakhstan in a New Reality: Time for Action”, a draft Concept of the Social Code of Kazakhstan has been developed. Within the framework of this document, a comprehensive improvement of the social security system is provided, aimed at increasing the satisfaction of the population with the social policy implemented by the government and with measures to modernize social services.iv

II. NATIONAL HUMAN RIGHTS MECHANISMS OF KAZAKHSTAN. DRAFT LAW “ON PUBLIC CONTROL”

Since July 2019, five meetings of the NCPT have been held, headed by the Chairman of the Council, President K.K. Tokayev.v The mission of the NCPT is to institutionalize a national dialogue process through which political reforms can be adopted. At the end of each session, Action Plans are adopted. Other national human rights mechanisms also develop reports and make recommendations to promote and protect human rights.

Effective work continues within the framework of
the existing dialogue platform of the Commission on Human Rights, which also provides a link between the top leadership of Kazakhstan and civil society institutions. The Commission, whose composition is selected in accordance with the UN Paris Principles, is actively involved in the formation and improvement of government policy in the field of human rights and is a critical source of information for the President on the human rights situation in Kazakhstan and the needs of civil society.

In 1995, the National Commission for Women’s Affairs and Family and Demographic Policy (National Commission) was established to develop the most effective measures to improve the situation of women, children, and families, as well as to protect the interests of the family and to ensure the necessary conditions for women’s participation in political, social, economic, and cultural life. The National Commission consists of women leaders in high-level government positions, artists, members of Parliament, and representatives of non-governmental organizations.

Since 2013, the Ministry of Foreign Affairs maintains a consultative and advisory body, the “Dialogue Platform on the Human Dimension”. The purpose of the Dialogue Platform is to provide an open and direct dialogue between representatives of the executive, legislative, and judicial authorities and representatives of civil society on further steps to politically modernize Kazakhstan.

Kazakhstan is also actively working on the consistent development of civil society institutions. A mechanism of feedback between the population and the government has been formed by creating public councils under the central and local executive bodies.

In Kazakhstan, a free space (CISC-Coworking) for all non-governmental organizations has been

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In Kazakhstan, a free space (CISC-Coworking) for all non-governmental organizations is open on the site of the Center for Support of Civil Initiatives, intended for lectures, trainings, and events of NGOs.

Work is underway on a draft Law “On Public Control”.

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Additionally, to take into account the views of civil society on socially significant issues, the “Concept for the Development of Civil Society until 2025” was adopted, and was developed jointly with non-governmental organizations and international experts.\textsuperscript{vii}

As of June 2021, the number of registered NGOs has grown from 100 to 22,000. More than 5,000 of them are active, ready to become reliable partners with the government in solving socially significant problems, implementing government projects and programs, and analyzing and evaluating their significance and necessity.

Since 2021, legislative amendments have entered into force, significantly increasing the powers of the 237 existing and 13 other public councils in the country, at least 70 percent of which will consist of representatives of non-governmental organizations elected by competition. According to the amendments, public councils are allowed to attract independent experts to conduct various forms of general control.

An authorized body in the field of public boards has also been identified, which will coordinate and provide methodological support for the activities of public councils. This body also has the authority to prepare and submit an annual National report on the activities of general committees. Over the years, the public councils have considered more than 19,000 draft legal acts, and the councils contribute to further constructive interaction between civil society and the government.

Currently, in Kazakhstan, together with representatives of the public (experts-lawyers, human rights defenders, public figures), work is underway on a draft Law “On Public Control”, which will create the legal basis for the system of general control as a whole. The draft Law establishes a number of essential principles of public management, including various forms, respect for constitutional rights, freedoms and legitimate interests of a person and citizen, publicity, openness, and the legality of public control.
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The Commissioner for Human Rights was established in 2002 and is accredited to the International Coordinating Committee of National Human Rights Institutions. The National Human Rights Center operates under the Commissioner for Human Rights.

In 2017, at the initiative of President K.K. Tokayev, the powers to elect the Commissioner for Human Rights were transferred to the Senate of the Parliament. Since 2014, the National Preventive Mechanism for the Prevention of Torture and Cruel Treatment (“NPM”), based on the “Ombudsman+” model, has been operating under the leadership of the Commissioner for Human Rights.

In April 2019, the law expanded the mandate of the NPM to include special institutions that provide special social services, including for children. Thus, from 2014 to 2020, the number of institutions covered by the NPM increased from 400 to 3,296, of which 80 percent are institutions of the penitentiary system.

According to the results of 2020, the NPM participants conducted 516 visits, of which 476 were planned preventive visits and 40 special visits, that is, visits conducted on the basis of complaints and reports of torture and other cruel and inhuman treatment and punishment.

In 2016, the Decree of the President of Kazakhstan established the institution of the Commissioner for Children's Rights to improve the system of protection of children's rights in the country and ensure the guarantee of the rights and legitimate interests of children in cooperation with government and public institutions. The Commissioner for Human Rights and the Commissioner for the Rights of the Child have direct access to all branches of government to raise meaningful issues and influence human rights policy.

In January 2021, President K.K. Tokayev, put a number of considerations before the new composition

**In January 2021, President Tokayev gave instructions to the new Parliament one of them was to develop a separate law “On the Ombudsman” by the end of 2021, and to strengthen its potential through the creation of regional representative offices.***

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From 2014 to 2020, the number of institutions covered by the NPM increased from 400 to 3,296.
of the Parliament. Among them was the issue of developing a separate Law “On the Ombudsman” by the end of 2021, as well as strengthening the capacity of the ombudsman through the establishment of regional offices. Currently, the work on the development of the draft Law has already begun.

The adoption of a special law in accordance with the Paris Principles and UN recommendations will allow the ombudsman to expand the opportunities for effective representation and protection of the rights and interests of citizens in relations with government bodies, as well as to fully participate in human rights procedures at the UN and other international and regional associations. The Commissioner for the Protection of the Rights of Entrepreneurs, the Investment Ombudsman, the Banking Ombudsman, and the Insurance Ombudsman have been appointed.
IV. PROGRESS IN THE IMPLEMENTATION OF THE SUSTAINABLE DEVELOPMENT GOALS IN KAZAKHSTAN

Kazakhstan has committed itself to the implementation of the Sustainable Development Goals (“SDGs”) and is actively pursuing the successful achievement of the global goals. The implementation agenda in the field of sustainable development and the SDGs until 2030 is of paramount importance. In implementing the 2030 development agenda, Kazakhstan has focused on integrating the SDGs into its national strategic planning. The results of the analysis show that 80 percent of the SDGs are integrated into the strategic government documents and programs of Kazakhstan.

In 2016, the national architecture for the implementation of the SDGs was formed and a permanent mechanism for monitoring its implementation was established through the creation of a Coordinating council under the leadership of the Deputy Prime Minister. The Coordinating Council includes not only representatives of governmental bodies, but also non-governmental and international organizations. The Coordinating Council consists of five interagency working groups focused on: people; planet; prosperity; peace; and partnership.

On July 16, 2019, Kazakhstan presented the first voluntary national review at the UN High-level Policy

Kazakhstan is also cooperating with the United Nations on additional sustainable development issues under the Framework for Cooperation for 2021-2025. This framework includes work in three areas: human development and equal participation; effective institutions, human rights and gender equality; and sustainable environment and inclusive economic development.

Since the adoption of the 2030 Agenda for Sustainable Development, Kazakhstan has made significant progress in the areas of education, entrepreneurship, access to financial services and funds, poverty reduction, and modernization of the judicial system. Over the years of independence, the GDP per capita in Kazakhstan has grown to almost $10,000. Kazakhstan also ranks 58th out of 189 countries in the Human Development Index. Over the past ten years, Kazakhstan has repeatedly been recognized as a reformer in the World Bank’s “Doing Business” rating.

Issues related to the transition to diversified economic growth, environmental protection, and disaster risk reduction remain relevant. Kazakhstan will continue to pay special attention to the inclusion of society and infrastructure by addressing systemic problems of inequality, strengthening measures to protect human rights and children, and strengthening relevant institutional structures.

In 2020, Kazakhstan improved its position by 12 points in the Sustainable Development Goals Index, rising from 77th to 65th place compared to 2019.

80 percent of the SDGs are integrated into our strategic government documents and programs.

The coordinating council has identified priorities for tasks and indicators, conducted a quick comprehensive assessment (80 documents), launched the SDGs website, SDGS.kz, and presented the first voluntary national survey of Kazakhstan.


The cooperation framework includes work in three areas: human development and equal participation; effective institutions; human rights and gender equality; sustainable environment and inclusive economic development.
V. HUMANITARIAN OPERATIONS “ZHUSAN” AND “RUSAFA”. RETURN CITIZENS OF KAZAKHSTAN TO THEIR HOMELAND

As part of the implementation of international obligations in accordance with UN Security Council resolutions 2178 and 2396 (on the return of foreign terrorist fighters to their countries of origin), with the assistance of the United States, humanitarian operations “Zhusan” and “Rusafa” were carried out, beginning in 2019, to evacuate Kazakh citizens from areas of terrorist activity.

The operation “Zhusan”, sanctioned by President K.K. Tokayev, to repatriate citizens from the zones of terrorist activity was a continuation of the operation initiated by the First President N.A. Nazarbayev.

Kazakhstan continued to repatriate its citizens from the war zones within the framework of the country’s humanitarian operations, “Zhusan” and “Rusafa”.ix

In February 2021, 12 citizens were returned to their homeland from Syria: four men; one woman; and seven children, including two orphans. All of them were previously members of DAESH and were captured in a terrorist activity zone.x There was significant work by government bodies, in coordination with public organizations, to explain to the general population the importance of integrating these individuals back into society.

As a result of five operations “Zhusan” and one operation “Rusafa”, more than 700 Kazakh citizens
were returned, including 189 women and 502 children (37 of them orphans).

Women and children who returned from Syria were initially placed in a specially created adaptation center (30-day quarantine), which is located in a children’s health camp on the coast of the Caspian Sea, near the City of Aktau. At the end of the adaptation period, women with children were transferred to their former places of residence. Further rehabilitation was carried out with the participation of non-governmental organizations, as well as with the assistance of local executive bodies.

For the organization of rehabilitation work, almost all regions have established appropriate rehabilitation centers, which include psychologists, lawyers, theologians, teachers, and social workers. The centers provide free legal support and organize training courses for subsequent employment. These humanitarian operations were highly recognized by the international community, as Kazakhstan has demonstrated that it is possible to safely return women and children from conflict zones.

As a result of the fruitful work, those children who were returned to Kazakhstan after being born in places of military operations, were issued birth certificates from the Republic of Kazakhstan to ensure their further inclusion in society and to prevent stigmatization. Also, comprehensive assistance to children continues within the framework of psychological and educational support programs developed for each child individually.

In early February 2021, another operation was carried out to return a group of Kazakh citizens to their homeland from Syria.

As a result of five operations “Zhusan” and one operation “Rusafa”, more than 700 citizens of Kazakhstan were returned, including 189 women and 502 children (37 of them orphans).
Kazakhstan continues to implement reforms and improve its judicial system. To simplify the access to justice the country has moved from a five-tiered system (first, appeal, cassation, supervisory, and re-supervisory) to a three-tiered system (first, appeal, cassation).

Beginning on July 1, 2021, with the introduction of the Administrative Procedural and Process-related Code of the Republic of Kazakhstan, a full-fledged institute of organizational justice has been introduced, and it regulates relations related to the implementation of administrative procedures and the consideration of public law disputes. The Code introduces the principle of the active role of the court, where the court collects evidence on its initiative if such existing evidence is insufficient.
On June 10, 2021, the Law on advocacy and legal assistance was adopted, aimed at strengthening the adversarial nature and openness of the criminal process, expanding the powers of lawyers, effectively implementing the right of citizens to receive qualified legal assistance, as well as developing self-regulation of lawyers and legal consultants.

To strengthen the guarantees of the independence of judges and improve their professional level, the system of selection and career promotion of judges has been radically revised. The judicial jury and the Personnel Reserve Commission were transferred from the Supreme Court to the Supreme Judicial Council. The assessment of the professional activity of a judge is carried out by the Commission on the Quality of Justice at the Supreme Court according to a new methodology developed based on advanced international standards.

Investigative courts have been created, electronic court proceedings have been introduced, court procedures in civil cases have been optimized, and bureaucracy in court proceedings has been reduced, etc. Innovations have also been introduced in court proceedings and work has been carried out on the digitalization of court proceedings. Full audio and video recording of all trials have been implemented. Mobile video conferencing with courts has been introduced. Lawyers and attorneys are now allowed to use electronic devices to assist in their advocacy.

Dozens of projects of judicial innovations have been implemented, such as “night courts”, “family courts”, “conciliatory judges”, and “reconciliation centers”, etc., aimed at creating convenience for participants in the processes and developing reconciliation procedures. To date 223 front offices have been opened, serving 258 courts.

Over one million documents were submitted through the Judicial office service in the past year and 11,813 minor criminal cases (single-episode cases) were registered in electronic format. A database of judicial acts has been created, and 1.2 million court decisions and 120,000 lawsuits were processed and translated into machine-readable form. The community “Smart-Cell – IT justice” has been built, where users get answers to all questions about legal proceedings. A module is also being developed that will provide the public with an opportunity to assess the prospects for resolving a dispute in court objectively.

Work is underway to agree on a draft Law that provides for expanding access to cassation in criminal cases, forming a list of jurors electronically, and expanding the use of mechanisms for out-of-court dispute settlement.

The reforms of recent years in the legal sphere have made the justice system of Kazakhstan one of the most accessible and efficient in the world. In the
Since January 1, 2021, Kazakhstan has introduced a three-tiered model of the criminal process. Now, without the agreement of the prosecutor, the procedural decisions will not have legal force.

Work continues to modernize the criminal sphere, following the example of the developed OECD countries, with the improvement of a three-tiered model with a clear division of powers between the criminal prosecution authorities, the prosecutor’s office, and the court at the pre-trial investigation stage.

World Bank’s “Doing Business” rating for 2020, among the 190 countries listed, Kazakhstan ranks 4th on the «Contract Enforcement» Indicator, and 2nd on the Judicial Quality Index.

**Criminal proceedings**

Kazakhstan continues to improve the legal framework to strengthen guarantees for protecting human rights in criminal proceedings. In 2017, the law on the modernization of the procedural foundations of law enforcement was adopted. In particular, the period of pre-trial detention was reduced from 72 to 48 hours for adults and limited to 24 hours for minors. The 2017 amendments also prohibited arrests and pre-trial detention in cases of economic crimes, provided that the accused does not pose a danger to others and does not pose a risk of escape.

Kazakhstan transferred all remaining sanctions for preventive measures and investigative actions from the prosecutor’s office to the courts. These judicial reforms transferred all powers to detain individuals and/or impose other restrictions on the rights of citizens to the courts and strengthened the adversarial nature of the parties, giving lawyers additional powers.

Kazakhstan has provided that criminal cases can be conducted in electronic format. This increases the degree of protection of the rights of the participants in the process and reduces the risks of fraud. In 2020, 50 percent of registered criminal cases were investigated electronically. Plans to modernize and adopt objective standards for improving the criminal procedure code of Kazakhstan are planned to be put into effect in 2025, as part of the country’s Strategic development plan.

Since January 1, 2021, under instruction by President Tokayev, a three-tiered model of the criminal process has been introduced. Now an investigator creates all procedural documents related to making a person suspect, qualification of the offence or changing the qualification of the offence, dismissal, process of prosecution, and simplified procedure in the database called the Unified register of pre-trial investigations. The prosecutor checks their legality within the established timeframe online, and in case of violations, takes actions. Without the approval of the prosecutor, the abovementioned procedural decisions will not have legal force.
Since the beginning of 2021, the investigative bodies have adopted and sent for approval to the prosecutor more than 52,000 critical procedural decisions (22,000 terminations, more than 10,000 term interruptions, more than 12,000 confessions to suspects, and 7,000 qualifications of acts).

The introduction of a three-tiered model of the criminal process led to an improvement in the activities of pre-trial production bodies. Thus, since the beginning of 2021, violations of the constitutional rights of citizens have decreased by three times by almost 64 percent (from 39 to 14 percent). Referrals of criminal cases for additional investigation have decreased by 30 percent (from 190 to 135 percent), and violations of the terms of investigation have decreased by 73 percent (from 3,000 to 800).

Currently, work is underway within the framework of the Concept for the draft Law, which provides for the modernization of the criminal sphere, following the example of developed OECD countries, with improvement of a three-tiered model, with a clear division of powers among the criminal prosecution
authorities, the prosecutor’s office, and the court at the pre-trial investigation stage. This model allows for the police to identify crimes, identify those involved, and collect and consolidate evidence. The prosecutor is then obliged to give an independent assessment of the collected evidence, prevent violations of the rights of citizens, prevent the involvement of bona fide citizens in the criminal process, and support the prosecution in court. The court can consider complaints against the actions of the authorities and make a final verdict in a case.

The penal system

According to the Institute for Criminal Policy Research (“ICPR” based in the United Kingdom, as of September 18, 2020, Kazakhstan ranks 99th out of 223 countries in the ranking of the prison population with an indicator of 157 convicts per 100,000 individuals. In the last three years, the number of prisoners has decreased significantly, which has led to the closure of some prisons. The term of solitary confinement has been reduced from six to four months, the number of visits has been increased, and the possibility of obtaining post-secondary, higher, and postgraduate education has been provided.

Today 23,202 non-disabled prisoners are serving their sentences in Kazakhstan. About 50 percent of them are provided with work. Some work at enterprises of the penitentiary system, others on economic support, and others participate in the activities of third-party organizations.
VII. NORMATIVE AND INSTITUTIONAL ASPECTS OF THE PROTECTION AND PROMOTION OF HUMAN RIGHTS

A. The right to life. Ratified Second Optional Protocol to the ICCPR on the Abolition of the Death Penalty

In January 2021, Kazakhstan ratified the Second Optional Protocol to the International Covenant on Civil and Political Rights, aimed at abolishing the death penalty.

Today, with the involvement of the deputies and members of the NCPT, the work is underway on bringing the criminal legislation of Kazakhstan in line with the provisions of the Optional Protocol. Kazakhstan, by its international human rights obligations and its membership in the UN and the OSCE, has pursued a policy of gradually narrowing the scope of the death penalty and humanizing criminal legislation.

Kazakhstan has continued to observe an indefinite moratorium on the execution of the death penalty since 2003. Beginning in 2004, life imprisonment was provided as an alternative to the death penalty. In 2016, Kazakhstan joined the EU Statement on the Abolition of the Death penalty, which became the basis of UN General Assembly Resolution 62/149, “On a moratorium on the use of the death penalty,” and in 2010,
Kazakhstan joined the International Commission against the Death Penalty. Finally, in 2020, Kazakhstan increased its voluntary contribution to the International Commission against the Death Penalty.

**B. Children’s rights. Draft Law on the protection of the rights of the child**

Adhering to international obligations and the provisions of the UN Convention on the Rights of the Child, Kazakhstan fully implements its policy to ensure and protect children’s rights.

By the end of 2021, Kazakhstan plans to complete the signing the Optional Protocol to the Convention on the Rights of the Child, concerning communication procedure.

Criminal liability for incitement to suicide through the use of telecommunications networks, including the Internet, has been introduced, and administrative liability has been imposed on law enforcement agencies for failure to report violations of the rights of minors by employees of education, health, and social protection of the population.

In March 2020, a roadmap was adopted to strengthen the protection of children’s rights, combat domestic violence, and address issues of suicidality among adolescents.
All secondary schools in the country are 100% equipped with video cameras, and educational organizations are working on the introduction of specialized private security services and a checkpoint system is being introduced.

The draft Law on social protection of certain categories of citizens provides for the implementation of the rights of children with disabilities, including the right to receive housing from the government fund when they reach the age of majority. This will allow children with disabilities, after reaching the age of 18 and establishing a disability of category I or II, to keep their turn for housing.

Since January 2021, a law has come into force that provides for tougher penalties for rape and sexual violence against minors, transferring them to the category of serious crimes. Reconciliation with the victims is excluded, and 20 years of imprisonment or life imprisonment without the right to pardon and early release are provided for. Additionally, the list of offenses against the sexual integrity of minors has been expanded, as articles have been added for involving a minor in prostitution, for making erotic products, for making and trafficking materials or objects with pornographic images of minors, and for attracting minors to participate in entertainment events of a pornographic nature.

For rape, the lower penalty threshold has been increased from 15 to 17 years in prison. The criminal penalty for the participation in such an act by a parent, a stepparent, a teacher, or other person who is entrusted with the duties of upbringing by the law of the Republic has been increased – from 17 to 20 years. For acts that caused the death of the victim by negligence, the penalty is increased by up to 20 years or life imprisonment. Persons who have committed crimes against the sexual integrity of minors are provided for up to six years of imprisonment.

An informational website was launched in December 2020, stoppedofil.kz, which aims to provide information assistance to parents and children who are victims of sexual violence. The site also provides educational materials, with the goal of reducing such crimes.
To improve the quality of criminal investigations into child sexual abuse, the investigative units of the internal affairs bodies have been specialized, and 96 permanent investigative and operational groups have been established on the ground to uncover and investigate such crimes from among the most experienced investigators.

Currently, work is also underway to legislate the norms for the protection of children from “bullying”, “cyberbullying”, and “bullying in the educational process», including receiving psychological and pedagogical assistance.

C. Gender equality. Reducing prohibited professions for women

Work is being carried out to ensure equal rights and opportunities for men and women, and overcoming all forms and manifestations of gender discrimination.

Over the years of independence, Kazakhstan has made significant progress in protecting women’s rights and promoting gender equality issues. A national model of gender policy is being developed and a legal framework for the protection of women’s rights has been established. By joining the UN Convention on the Elimination of All Forms of Discrimination against Women, the Beijing Declaration, and ratifying the Optional Protocol to the Convention, Kazakhstan has confirmed the guarantees of respect for and protection of women's rights.

In 2015, Kazakhstan joined the UN Sustainable Development Goals (SDGs), including Goal 5, “Ensuring gender equality and the empowerment of all women and girls” integrated into strategic government programs. The gender policy is reflected in the Concept of Family and Gender Policy in the Republic of Kazakhstan until 2030 approved by the Presidential Decree of December 6, 2016. It aims to achieve specific target indicators for ensuring equal rights and opportunities for men and women, overcoming all forms and manifestations of discrimination based on gender.

NGOs and international organizations are actively involved in the implementation of the Concept. About 500 NGOs are working on family and gender issues in Kazakhstan. Today, 37 percent of NGOs are headed by women.

Efforts to strengthen protection against all forms and manifestations of gender-based discrimination and create the necessary conditions for the full realization of the rights of women and men in all spheres of work, public, and private life are also being carried out at the legislative level.

In May 2020, the Law “On Labor Issues” was adopted.
This Law replaces the complete “prohibition” with the some “restrictions” on the women’s right to work at places where the female labor is limited due to the severity of work, work might be harmful, and (or) dangerous.

These norms allow employers to create safe working conditions, confirmed by the results of job certification, to allow women to work in the jobs provided for in the existing list of jobs that women have historically been prohibited from working due to severity of work or dangerous working conditions, etc. Currently, the Parliament is considering a draft Law “On the social protection of specific categories of citizens”, which provides for the abolition of this List.

In 2020, the decrease in crimes against women was 21 percent.xiv

Kazakhstan women occupy leading positions in small and medium-sized businesses. Government support for ensuring broad access to financial resources and the development of women’s business is provided through the governmental program, “Business Roadmap-2025”, through the “Damu” Entrepreneurship Development Fund, and through various programs of international financial institutions.

In 2021, 17 centers for the development of women’s entrepreneurship will be opened – with one center in each region of the country.xv


One of the priorities of the social security system is to protect the rights of people with disabilities. Kazakhstan strives to adhere to the principle of “nothing about us without us” to ensure the participation of people with disabilities in any decision-making process that may affect people with disabilities.

In 2017, the UN Special Rapporteur on the rights of persons with disabilities, K. Devandas-Aguilar, visited Kazakhstan and noted the positive implementation of policies focused on the rights of persons with disabilities.
There are 40 rehabilitation centers in the field of social protection of people in Kazakhstan. 15 small-scale rehabilitation centers are planned to open by 2025. With the active participation of non-governmental organizations, the Government approved a new National Plan to Ensure the Rights and Improve the Quality of Life of People with Disabilities until 2025.

In order to create opportunities for economic activity in 2020, an Atlas of professions for Persons with disabilities has been developed jointly with UNDP.

It is planned to complete the ratification of the Optional Protocol to the Convention on the Rights of Persons with Disabilities in 2022.

Since January 2021, a complete transition to the Portal has been implemented, which provides the right to choose technical means of rehabilitation independently.
A list of disabilities has been developed and approved, in which the disability of persons over 18 years of age is established immediately for a period of five years (previously, persons with a listed disability had to pass the commission annually or once every two years). The list of disabilities in which a child under the age of 16 is diagnosed with is expanded for a period of five years and up to the age of 16.

Since January 2021, a full transition to the Social services portal has been implemented, which provides the right to independently choose a technical means of rehabilitation. In 2020, the possibility of purchasing 24 out of 55 types of technical rehabilitation equipment through the portal was realized. The Portal also allows recipients and providers of social services for people with disabilities to interact directly on a single digital platform.

In January 2021, in addition to the 18 existing online services, six new services became available for people with special needs: the provision of a sign language specialist; the provision of an individual assistant; spa treatment; surdoltilotechnical means; mandatory hygiene products; the provision of wheelchairs and prosthetic; and orthopedic care.

Currently, the Senate of the Parliament is
considering a draft Law aimed at improving legislation on the social protection of persons with disabilities, families raising disabled children, and others. Within the framework of the bill, it is planned to extend the period of care for a disabled child to 18 years. The Law will also preserve the rights of families raising children with disabilities to be on the waiting list for housing after the child reaches the age of majority, as well as provide technical means and rehabilitation services, at the expense of the state for persons who have received a disability from a labor injury, if the employer is unable to fulfill their obligations.

A draft Concept of the Social Code of Kazakhstan is being developed, which provides for a comprehensive improvement of the social security system, aimed at increasing the satisfaction of the population with the social policy pursued by the country, measures to modernize social services, etc.
E. Protection from torture. Improving legislation on torture and bring it into line with international standards

Kazakhstan has zero tolerance for torture. Penalties for crimes related to torture have been tightened. The maximum term of imprisonment for those convicted of torture has been increased from ten to 12 years. The exemption from criminal liability for torture was abolished on the basis of amnesty, the statute of limitations, and remorse and reconciliation of the parties.

An alternative jurisdiction has been introduced in the investigation of allegations of torture, a methodology for investigating torture has been developed on the basis of the Istanbul Protocol, and an electronic record of persons brought to law enforcement agencies have been created.

The process of delivering and detaining suspects is detailed. The “Miranda Rules” on explaining rights in detention, access to a lawyer, and medical care have been introduced. A prosecutor also has the authority to immediately release unlawfully detained persons, and 500,000 “transparent” interrogation rooms with
Mechanisms for paying compensation to victims of torture from a government fund have been introduced, and crisis centers provide victims with free social, medical, and psychological assistance.

Public monitoring commissions and the National Preventive Mechanism (a group of people who prevent torture and ill-treatment set up according to UN international agreements) can visit prisons at any time, talk to prisoners, and receive complaints. In 2020, 110 visits were made. Non-governmental organizations also take part in the implementation of the rights and interests of convicts. In 2020, non-governmental organizations visited the institutions of the penitentiary system 666 times.

In all law enforcement agencies, including the prosecutor office, there are call centers and hotlines, where anyone, including torture victims, can apply.

As additional instrument of torture prevention, special boxes have been created in the colonies for complaints and appeals against illegal actions of officials.

Convicted persons have the right to submit electronic appeals through terminals without the participation of the administrations of institutions. 121 terminals have been installed, and 608 terminals are planned to be installed by 2024. Video surveillance systems are installed in penitentiary institutions, and employees are provided with video recorders. Currently, in order to eliminate “blind spots”, the issue of providing continuous video surveillance of all penitentiary institutions is being worked out. More than 14,000 video cameras operate in the institutions of the penitentiary system.

In December 2020, a decision was made to gradually transfer the function of providing medical support to convicts to the Ministry of Health. In 2022, it is planned to transfer the functions of medical support in pre-trial detention centers, minimum security institutions, and institutions for the detention of convicted minors and convicted women. Beginning on January 1, 2023, it is planned to transfer the remaining medical services.
F. Protection from violence, other cruel or degrading treatment. Draft Law “On strengthening the family institution”

Kazakhstan has created the necessary conditions to protect women and children from all types of violence. With the active participation of civil society, the Law “On the Prevention of Domestic Violence” was amended 13 times to improve the system of prevention of domestic violence and improve the situation in the field of protection of women and children from violence.

“The preservation of family values and the prevention of gender discrimination” are also identified as priorities in Kazakhstan, as outlined in the Concept of family and gender policy in the Republic until 2030, and in the Strategic development plan of the Republic until 2025.

In 2021, in order to improve the efficiency of the rapid response time to reports of violence against women and children, the number of inspectors for the protection of women from violence of internal affairs bodies was multiplied by two (129 units were introduced), and a policy on the specialization of women investigators for the investigation of crimes against women and children was implemented.

All cases of domestic violence are subject to review by the courts. The prosecution will not be supported in court by a private person, but by a prosecutor. In case of repeated offenses, criminal liability for torture
is provided, even if the victim does not file a claim. Responsibility for domestic violence has been tightened. Sanctions for unlawful acts in the field of family and domestic relations were enhanced. The term of administrative arrest for such act was increased to five days. For intentional infliction of minor harm to health the term of arrest increased to 15 days, for battery – to 10 days.

In 2020, roughly 78,000 protective orders were issued and special requirements were established for the behavior of almost 10,000 offenders. Programs to raise awareness, including, “No to domestic violence!” and “16 days without violence” are also being carried out.

Victims of domestic violence can contact the law enforcement agencies by any means convenient for them, including a free round-the-clock police phone number “102” or a special mobile application. A special algorithm has been developed to identify victims of violence who are unable to contact the police in a timely manner, using a code word that signals the fact of domestic violence.

In 2020, 31 family institute support centers were established, which employ psychologists, lawyers, mediators, and social workers, who help families in social adaptation. In order to provide comprehensive assistance to victims of domestic violence, there are 38 crisis centers. Special social services for victims of domestic violence are provided in 27 crisis centers.

It is planned to expand the powers of district police inspectors to issue protective orders and draw up administrative materials in relation to the offender without taking into account the opinion of the victim, as well as to exclude the possibility of reconciliation of the parties in the case of committing two or more offenses in the field of family and domestic relations. Today, under the current legislation, law enforcement bodies can initiate administrative proceedings only after the request of the injured party.

In order to prevent the spread of domestic violence and strengthen the institution of the family, the draft Law “On certain issues of strengthening the institution of the family” provides for the introduction of special social rehabilitation programs for offenders, the opening of family support services, and instilling in children the basics of family values and a healthy lifestyle.

It is planned to expand the powers of district police inspectors to issue protective orders and draw up administrative materials without taking into account the opinion of the victim. Exclude the possibility of reconciliation of the parties in the case of committing two or more offenses in the field of family and domestic relations.

The draft Law is working on the introduction of special social rehabilitation programs for offenders and the opening of family support services.
G. The right to health care. Mandatory social health insurance

In Kazakhstan, by 2025, 60% of all health spending will be directed to primary health care (PHC) and public health.

A set of measures for 2021-2023 to improve the availability of outpatient care is being formed. It includes the coverage of the entire population of the
country with preventive examinations, as well as the opening of at least 300 new PHC facilities.

In December 2020, the official launch of the PHC Operational Mechanism to promote the Astana PHC Declaration took place in an online format. The document was developed with the support of the World Health Organization (WHO), and approved in November 2020 by 194 countries of the world at the 73rd session of the World Health Assembly. The document offers countries 14 strategic and operational levers to strengthen PHC at the national level.\textsuperscript{xvi}

Since 2015, the WHO PHC Office has been operating in Kazakhstan, which provides assistance and technical advice to all countries in the European region in planning and systematizing regional experience in the provision of health services.

Since January 2020, Kazakhstan has switched to a new funding model – mandatory social health insurance. An additional package of medical services covers at least 94 percent of the population. Thus, the insurance of 11 million residents, out of 18 million of the total population, is fully covered by the government, including for 15 categories of socially vulnerable people.

In July 2020, the new Code, “On the Health of the People and the Health System” and the accompanying Law were adopted. According to the code, citizens of the Republic have the right to “give informed consent or refusal to treatment and other medical interventions, including preventive vaccinations”. Additionally, the law raises the age limit for the sale of tobacco products from 18 to 21 years, abolishes criminal liability for medical errors, and introduces the term “medical incident”.

The government’s program for the development of health care in the Republic for 2020–2025 is being implemented. By 2026, the life expectancy of Kazakhstanis will reach 75 years, the risk of premature mortality will decrease to 15.43 percent, and the health status of the population will improve according to key indicators.

For the purpose of early detection and timely correction and treatment of childhood diseases, new methods of diagnosis of hereditary metabolic diseases and sensory disorders are being introduced with the aim of early intervention, improving the quality of life, and reducing the burden of socially significant diseases.

Infringement of the rights and legitimate interests of HIV-infected persons is prohibited by law, and treatment is fully covered by the government. The effectiveness of tuberculosis treatment in Kazakhstan is one of the highest in the world and was 90.1 percent for sensitive cases and 78.6 percent for multidrug-resistant tuberculosis.
**H. The right to freedom of thought, conscience and religion. Work on amendments on religious issues**

The Constitution has enshrined the principles of freedom of conscience and freedom of religion adopted by the international community.

Followers of all faiths have ample opportunities in Kazakhstan to meet their spiritual needs. The government creates equal and favorable conditions for all religious associations. They have the freedom to establish their own places of worship, provide religious education, and organize religious events.

Representatives of more than 3,800 religious associations representing 18 faiths and more than 100 ethnic groups live peacefully in Kazakhstan.
for all denominations to exercise their faith. Therefore, representatives of more than 3,800 religious associations representing 18 faiths and more than 100 ethnic groups live peacefully in Kazakhstan today.

The Congress of Leaders of World and Traditional Religions held in Kazakhstan every three years is just one example of the country’s commitment to the ideas of supporting peaceful coexistence and establishing interfaith and interreligious dialogue.

It should also be noted that in the regions, Clubs of Leaders of Religious Associations, as well as Councils for Relations with Religious Associations, operate under local executive bodies. Meetings of leaders and representatives of religious associations, organized within the framework of Clubs and Councils, are held for the purpose of the exchanging views and opinions with respect to the consolidation of society, universal values of confessions, measures taken to preserve and strengthen interreligious and interfaith harmony, as well as discussions surrounding problematic issues in the religious sphere.

Kazakhstan is making significant efforts to improve the legislation on religious activities, which is aimed at building constructive relations between the government and religious institutions. There is a plan to provide amendments that are aimed at simplifying the process from permission to notification, and holding religious events outside of religious buildings (structures). Also, there are plans to include in the legislation norms that ensure that equal rights of all citizens are protected, both believers and non-believers, regardless of religious views.

It is planned to introduce amendments aimed at simplifying the issues of registration of religious associations and holding religious events. It is planned to reduce the quantitative qualification for registration, as well as to switch from a permissive to a notification character in the case of events held outside of religious buildings (structures).

It is planned to legislate a norm that ensures equal rights for all citizens, both believers and non-believers, regardless of religious views.
I. The right to peaceful assembly. The practice of applying the new Law “On the Procedure for Organizing and Holding Peaceful Assemblies”

In June 2020, a conceptually new Law “On the procedure for organizing and holding peaceful assemblies in the Republic of Kazakhstan” came into force, which is one of the first laws developed within the framework of presidential initiatives. The last law regulating the organization and conduct of peaceful assemblies was adopted more than 25 years ago - in 1995.

Since the adoption of the Law until the end of 2020, 277 peaceful assemblies were organized in the country, as opposed to the timeframe of January 2019 to June 2020, when the law was adopted, when only about 27 peaceful assemblies were organized, meaning, the number of peaceful assemblies increased roughly ten times since the Law’s enactment.

In Kazakhstan, peaceful assemblies are organized related to a variety of issues. For example, on March 8, 2021, the largest march for women’s rights in the history of independent Kazakhstan took place in Almaty, which
gathered about 300 people from various groups including, “Kazfem”, “Feminita”, and “Femsreda”, etc. The Women’s March of 2021 can also be recognized as the largest peaceful assembly for civil, labor, and political rights in recent years. During the peaceful assembly, the police officers acted strictly in accordance with the requirements of the Law, without interfering in the process of its conduct, and ensured the protection of public order in the places where it was held.

The consolidation of legislative approaches aimed at reducing administrative barriers made it possible to reduce the number of illegal assemblies and, accordingly, to increase the number of agreed assemblies. Therefore, in 2021, the number of illegal gatherings in the country decreased by almost double (from 251 to 132). At the same time, the number of agreed assemblies increased significantly – from one to 57.

Under the new Law, the protection of public order in places of peaceful assembly is provided in a new format. Control over the observance of law and order in the places of meetings is carried out remotely, through the use of video surveillance cameras of operational management centers. In cases of detection of violations of the law, local executive bodies and the prosecutor’s office explain the provisions of the Law for meeting participants. In turn, the police records the actions of the participants for their subsequent legal assessment by the prosecutor’s office.

The society is developing a culture of holding peaceful assemblies, while the topics of peaceful assemblies are formed by the organizers themselves.
J. The right to information. The E-petitions System. Citizens’ rights to be forgotten on the Internet

Kazakhstan continues making consistent steps to effectively ensure the constitutional rights of citizens to freedom of speech and expression of their opinion through various platforms, whether it is the mass media (articles in newspapers, television programs, radio programs, etc.) or social networks.

The government is carrying out large-scale work to modernize the domestic media sphere, develop strong and competitive domestic media, and create conditions for a dialogue between the government and society, and professional participants in the media market.

In Kazakhstan, there are more than 4,557 mass media outlets, of which 3,521 are periodicals, 181 are TV channels, 79 are radio stations, and 775 are news agencies and online publications. The choice of the subject matter of the published materials and the directions of the editorial policy is the exclusive prerogative of the media outlet itself. Criminal and administrative penalties are provided for persons who obstruct the legitimate activities of the media.

In the professional activity of a journalist, the protection of honor, dignity, health, life, and property is guaranteed. In order to ensure the safety of journalists and the unhindered exercise of their professional
activities in covering peaceful assemblies, the Rules for the activities of a journalist (media representative) who attends peaceful assemblies were put into effect at the end of August 2020. The document received support from the media and the civil sector.

In June 2020, article 130 of the Criminal Code (libel) was decriminalized by translating it into the Code of Administrative Offenses, and article 174 of the Criminal Code (incitement to social, national, tribal, racial, class or religious discord) was humanized.

The list of information not allowed for dissemination is clearly defined under existing law. The list is global and is accepted in various countries throughout the world, since it is the basis for the integrity and stability of any country. For example, propaganda and justification of extremism or terrorism, propaganda of narcotic drugs, psychotropic substances, their analogues and precursors, and of the cult of cruelty, violence, and pornography are prohibited.

In Kazakhstan, Open government portals continue to operate to ensure transparency and accountability of public administration, and to expand the opportunities of citizens in government. “Open government” includes the following components: open data; open regulations; open dialogue; open budgets; and the evaluation of the effectiveness of government agencies.

In June 2020, administrative liability was introduced for non-implementation or improper implementation of measures to protect information systems containing personal data, and for their use for the purpose of causing them property and (or) moral harm, and restricting the exercise of rights and freedoms guaranteed by law.

The requirements for the protection of domain names in the space of the Kazakhstan segment of the Internet are defined, and in December 2020, the concepts of the authorized body in the field of access to information were introduced and its competencies were consolidated, including the preparation of an annual report on the state of access to information and its submission to the President and the definition of an authorized person (unit) for access to information from a governmental body, etc. The concept of the blog platform of the first heads of state bodies has also been expanded by including subjects of the quasi-public sector (on the Internet portal “Open dialogue”).

A regulatory legal framework is being developed to consolidate the concept of a petition, regulating the procedure for its submission and consideration,
including determining the threshold number of votes for mandatory consideration of a petition. Taking into account international experience, work is also underway to develop a draft Concept of the draft Law, “On Mass Media,” which is supposed to distinguish various concepts of “mass media,” to determine the status of “blogger” and “freelancer” for example, and to distinguish them from professional journalists.

By 2022, there is a plan to adopt a draft Law “On personal data protection», which will give citizens the right to be forgotten on the Internet. The government will introduce a service for ensuring the security of personal data, which will allow citizens to control their personal information themselves to give consent to its use or revoke it.

Since December 2020, the obligations of the authorized body have been fixed annually to submit a report on the state of access to information to the President of Kazakhstan for consideration.

By 2022, it is planned to adopt a law that gives citizens the right to be forgotten on the Internet.
Since 2003, the Interdepartmental Commission on Combating Illegal Export, Import and Trafficking in Human Beings has continued its activities with the involvement of representatives of non-governmental organizations, the IOM and the OSCE, and periodic plans are being adopted in stages (every three years). Additionally, legislation is being systematically improved and 13 international treaties on combating human trafficking have been ratified.

A victim of human trafficking is recognized as an injured person, regardless of the fact that a criminal case has been initiated. Protection and assistance to victims is provided. In order to rehabilitate victims of trafficking, the Criteria for Assessing the Identification of Victims of Trafficking in Human Beings have been in force in the country since 2014, and the Standard for Providing Special Social Services since 2016. Work on the payment of compensation to victims of crimes related to human trafficking is carried out in accordance with the provisions of the Law “On the Victims’ Compensation fund”, which entered into force in July 2020.

In order to avoid criminal proceedings by criminals, the possibility of reconciliation of the parties in case of committing offences on the facts
of human trafficking has been eliminated. Penalties for trafficking in minors has increased from 15 to 18 years; penalties for trafficking in individuals for the purposes of prostitution has increased from seven to eight years, and penalties for trafficking in organs has increased from five to six years.

In 2021, the Government adopted the next Plan for the prevention, Prevention and Combating of crimes related to human trafficking for 2021-2023.

It is planned to analyze national legislation and international experience, as well as to consider the definition of «trafficking in persons» in the Criminal Code.

Efforts are being made to improve the prevention and detection of criminal offences related to human trafficking and to provide legal assistance to all persons, including foreign citizens, who are victims of human trafficking and forced labor. The draft Concept of the Social Code of the Republic is planned to include a provision for the provision of services to foreigners temporarily staying in the country.

Additionally, in December 2020, the obligations of state labor inspectors to report the facts of forced labor to law enforcement agencies were fixed at the legislative level.

Specific measures are being taken to improve the effectiveness of prevention and detection of criminal offences related to human trafficking and to provide legal assistance to all persons, including foreign citizens, who are victims of human trafficking and forced labor. The draft Concept of the Social Code of the Republic is planned to include a provision for the provision of services to foreigners temporarily staying in the country.

The Government has also adopted the next Plan for the prevention, avoiding, and fight against crimes related to human trafficking for 2021-2023. The Plan provides for the analysis of national legislation, the study of international experience, as well as the consideration of the definition of “trafficking in persons” in the Criminal Code.

Currently, law enforcement agencies are working to improve the practice of pre-trial investigation of criminal offenses related to human trafficking.
The fight against corruption is one of the priorities of the country’s strategic development. In this direction, with the involvement of civil society, systemic and comprehensive anti-corruption measures are being implemented. Due to this effort, in Transparency International’s Corruption Perception Index for 2020, Kazakhstan scored 38 points for the first time. The 202 report which moved Kazakhstan higher by 19 positions, to rank in 94th place among 180 total countries.**

In the autumn of 2021, the first visit of GRECO experts to Kazakhstan is planned to assess Kazakhstan’s anti-corruption system.

In October 2020, a legislative framework
was created for the introduction of anti-corruption compliance services in the quasi-public and private sectors, and the number of employees of state-owned enterprises and national companies related to corruption was expanded.

Since February 2020, a differentiated system of rewarding citizens for reporting corruption has been successfully implemented. Over the past two years, 396 citizens have been encouraged.

Conditional early release for persons convicted of serious and especially serious corruption crimes has been canceled. Sanctions against judges and law enforcement officials have been tightened, and officials have been banned from holding accounts in foreign banks.

A complete ban has been introduced on giving and receiving gifts by civil servants, persons equated to them, and members of their families, in connection with the official powers of these persons. Restrictions on the joint work of civil servants and persons equated to them with close relatives, spouses, and relatives have also been introduced.

Since February 2020, a differentiated system of rewarding citizens for reporting corruption has been successfully implemented as an effective incentive mechanism for the formation of “zero tolerance” for corruption and the involvement of civil society in the prevention of corruption. Over the past two years, 396 citizens have been participated.

Since January 2021, the first stage of the universal declaration of income and property by civil servants and persons equated to them, as well as their spouses, has begun. Additionally, conditional early release for persons convicted of serious and especially serious corruption crimes has been canceled, sanctions against judges and law enforcement officials have been tightened, and officials have been banned from holding accounts in foreign banks. The competence of the authorized anti-corruption body to identify and suppress administrative offenses with the right to draw up protocols on administrative offenses is vastly improved.
The Constitution of Kazakhstan guarantees equal rights of citizens regardless of race, ethnicity, religion, membership in social groups, and public associations. The government’s actions are based on the principle of “unity in diversity”.

The recent election of a candidate from Kazakhstan for the post of OSCE High Commissioner for National Minorities is a recognition of Kazakhstan’s efforts to date. Kazakh diplomat, K.K. Abdrakhmanov, officially assumed the post in 2021 and became the first representative of the CIS and Central Asian countries to take up the position as part of the OSCE leadership.

Today, representatives of more than 100 ethnic groups live in Kazakhstan. Work is currently being carried out to involve various ethnic groups in a single socio-cultural space. For this purpose, there are more than 137 Sunday schools in the regions, where there are 131 groups that provide language training, and 231 groups that teach the native language. There are 40 Houses of Friendship between Peoples in the Republic, which are the most important resource, cultural, and methodological centers for ethnocultural associations. There are also 52 registered ethnic media outlets in the country, and nine newspapers are published on a regular basis in Kazakh, Russian, Korean, German, Turkish, Uyghur, Uzbek, English, and Azerbaijani.

The Assembly of People of Kazakhstan (APK) is an important element of the political system of Kazakhstan, which has consolidated the interests of all ethnic groups, ensuring strict observance of the rights and freedoms of citizens regardless of their nationality. The Chairman of the APK is the President, who is the guarantor of the rights and freedoms of citizens.

Today, the activities of the APK are aimed not only at the realization of the goals of national unity, but also at the development of language learning, the institute of mediation, charity, as well as the accreditation of ethnic and cultural associations of the country.

To date, 318 dialogue platforms have been opened...

Since February 2020, a differentiated system of rewarding citizens for reporting corruption has been successfully implemented. Over the past two years, 396 citizens have been encouraged.

Conditional early release for persons convicted of serious and especially serious corruption crimes has been canceled. Sanctions against judges and law enforcement officials have been tightened, and officials have been banned from holding accounts in foreign banks.
There are 2,759 councils of public consent of the APK, which provide assistance on a regular basis to the population in cooperation with government bodies. APK also provides charitable assistance to the poor, low-income families with many children, single elderly people, and citizens with disabilities. There are 1,761 Councils of Mothers of the APK, which constantly work to improve the status of the family, increase the value of the family, patriotic education of young people with the purpose to attract them to active participation in public life, improve the political literacy, develop the citizenship, and to educate, and preserve unity and harmony in the country. One of the public structures of the APK is the republican youth movement “Zhangyr Zholy” with more than 6,000 young people of various ethnic groups.

As of the beginning of 2021, the register of mediators of the APK includes 1,113 mediators (231 professional and 882 non-professional). The main tasks of the mediator to reconcile the parties, to prevent of conflict situations, and to provide legal assistance to people. In 2020, more than 9,700 appeals were resolved, and more than ten memoranda were concluded aimed at resolving disputes and conflicts.

Environmental protection and environmental development are at the forefront of Kazakhstan’s agenda.

The government is implementing systemic reforms to apply the best international “green” practices. The plan for the transition to a “green economy” for 2021–2030 has been approved, and is aimed at the careful use of water, along with encouraging and stimulating the development and widespread adoption of renewable energy technologies.

From July 1, 2021, a new Environmental Code comes into force, which involves the transition to higher environmental standards of the OECD. Its tasks are to ensure a high level of environmental protection, through the implementation of government regulation, to: prevent causing environmental damage in any form; ensure the elimination of the consequences of the environmental damage caused; tighten liability for violations of environmental legislation; and ensure environmental safety, and other. One of the main points of the code is the principle of “the polluter pays and corrects”. Such conditions encourage companies to avoid negative environmental impacts, and to introduce the most modern available “green”
In order to reduce the amount of waste generated, a law was adopted on the introduction of the “Waste to Energy” mechanism for energy waste disposal. Six cities have been identified for the construction of incinerators.

In December 2020, President Tokayev announced Kazakhstan’s commitment to achieving carbon neutrality by 2060. Work began on this goal in 2021, and the Republic plans to approve the concept of low-carbon development of Kazakhstan until 2050.

The concept will include long-term options for the development of the economy to achieve “green” growth and deep decarbonization of the economy. The working group was approved, and at minimum, the measures taken should have a noticeable positive impact on reducing emissions of pollutants.
in Kazakhstan.

Kazakhstan actively supports international cooperation in the field of climate change. As a party to the Paris Agreement on Climate Change, Kazakhstan plans to reduce greenhouse gases by 15 percent by 2030. In April 2021, Kazakhstan also launched an initiative to create a regional hub in Central Asia on climate issues, which is focused on efforts to ensure "green" economic growth in the region. These measures all contribute to the long-term global goal of maintaining a global temperature rise of more than two degrees Celsius.

Currently, the Majilis of the Parliament is considering the draft Law “On Responsible Treatment of Animals”, developed jointly with the civil sector, which assumes responsibility for cruelty to animals and regulates relations in the field of animal treatment in order to protect animals, ensure the safety, rights, and other legitimate interests of citizens in the treatment of animals, as well as to strengthen morality and respect for the principles of humanity of society. Various principles of the draft Law, inter alia, include the registration of domestic animals in a single database, the requirement to keep stray animals under control, the ethical regulation of their number, and the ban on the promotion of strict treatment of animals.
VIII. SOURCES OF ADDITIONAL INFORMATION


ii Universal periodic Review - Republic of Kazakhstan https://www.ohchr.org/RU/HRBodies/UPR/Pages/KZindex.aspx;


v Official website of the National Council of Public Trust under the President of the Republic of Kazakhstan https://ulttyq-kenes.kz/ru;


ix Official website of the French publication “Drapeau rouge” https://www.drapeaurouge.fr/2021/03/10/delicate-rapatriement-enfants-daesh/


xii Official website of Stop pedofil.kz/ https://stoppedofil.kz/ru/


memleket/entities/dsm?lang=ru;
xvii Official website of “eGov” public services and information online https://egov.kz/cms/ru/articles/open_gov
xxiv Official website of the Assembly of People of Kazakhstan https://assembly.kz/ru/

The pictures used in this document are from the following public sources:
1. Akorda.kz – an official website of the President of the Republic of Kazakhstan;
2. Voxpopuli.kz – a website of a photographer of Carla Nur;