



Madrid, 28 March 2022

ICDP 04/2022

**International Commission
against the Death Penalty**

President

Navanethem (Navi) Pillay

Vice-Presidents

Ruth Dreifuss

Ibrahim Najjar

Members

Marc Bossuyt

Helen Clark

Marzuki Darusman

Michèle Duvivier Pierre-Louis

Tsakhia Elbegdorj

Hanne Sophie Greve

Sylvie Kayitesi

Ioanna Kuçuradi

Gloria Macapagal-Arroyo

Martin Joseph O'Malley

Marta Santos Pais

Ivan Simonovic

Horacio Verbitsky

Honorary Members

Giuliano Amato

Louise Arbour

Robert Badinter

Mohammed Bedjaoui

Federico Mayor Zaragoza

Bill Richardson

José Luis Rodríguez Zapatero

Marta Vilardell

Founding Members

Rodolfo Mattarollo,

(1939-2014)

Asma Jilani Jahangir

(1952-2018)

Secretariat

Pl. Marqués de Salamanca, 8

28006 Madrid, Spain

Tel: +00 34 91 3799458

asunta.vivo@icomdp.org



North-South Prize
of the Council of Europe

**Statement by the International Commission against the Death Penalty:
Kazakhstan became the 90th State to ratify the Second Optional Protocol to the
International Covenant on Civil and Political Rights**

ICDP warmly welcomes Kazakhstan's ratification, on 24 March 2022, of the Second Optional Protocol to the International Covenant on Civil and Political Rights (Second Optional Protocol), aiming at the abolition of the death penalty.

"I join ICDP Commissioners in congratulating Kazakhstan for the truly welcome ratification of the Second Optional Protocol, which is an international reaffirmation of its commitment to the total abolition of the death penalty and follows the country's abolition of the death penalty for all crimes and without any caveats on 29 December 2021. By doing so, Kazakhstan has made an important step, which moves the Central Asia region closer towards becoming a death penalty-free region. This momentous decision is special as the country is an important member State of ICDP's Support Group. Thanks to this historic decision by Kazakhstan, worldwide abolition of the death penalty is today closer than ever before," said ICDP President Navi Pillay.

The ratification is the culmination of efforts which Kazakhstan took following a proposal by President Tokayev on 20 December 2019, in his capacity as Chair of the National Council of Public Trust, instructing the Ministry of Foreign Affairs to start procedures on accession to the Second Optional Protocol, which was followed up by a Presidential Decree, dated 14 July 2020, which authorized "the Minister of Foreign Affairs of the Republic of Kazakhstan, Tleuberdi Mukhtar Beskenuly, on behalf of the Republic of Kazakhstan, to sign the Second Optional Protocol..." The initial announcement by President Tokayev came a month after a very productive meeting of Geneva-based Permanent Representatives of the Central Asian region and Mongolia on making the region a death penalty-free zone, which was co-organized by the ICDP in November 2019.

On 23 September 2020, Kazakhstan became State Signatory to the Second Optional Protocol internationally committing to abolishing the death penalty during peacetime, thereby retaining capital punishment during wartime. Subsequently, the country decided to amend its national legislation to be in line with this international commitment prior to ratifying the Second Optional Protocol.

In November 2021, during a meeting of the National Council of Public Trust, President Kassym-Jomart Tokayev suggested abolishing the death penalty with no caveats and without any reservations.



International Commission against the Death Penalty

President

Navanethem (Navi) Pillay

Vice-Presidents

Ruth Dreifuss

Ibrahim Najjar

Members

Marc Bossuyt

Helen Clark

Marzuki Darusman

Michèle Duvivier Pierre-Louis

Tsakhia Elbegdorj

Hanne Sophie Greve

Sylvie Kayitesi

Ioanna Kuçuradi

Gloria Macapagal-Arroyo

Martin Joseph O'Malley

Marta Santos Pais

Ivan Simonovic

Horacio Verbitsky

Honorary Members

Giuliano Amato

Louise Arbour

Robert Badinter

Mohammed Bedjaoui

Federico Mayor Zaragoza

Bill Richardson

José Luis Rodríguez Zapatero

Marta Vilardell

Founding Members

Rodolfo Mattarollo,

(1939-2014)

Asma Jilani Jahangir

(1952-2018)

Secretariat

Pl. Marqués de Salamanca, 8

28006 Madrid, Spain

Tel: +00 34 91 3799458

asunta.vivo@icomdp.org



North-South Prize
of the Council of Europe

In November 2021, during a meeting of the National Council of Public Trust, President Kassym-Jomart Tokayev suggested abolishing the death penalty with no caveats and without any reservations.

On 29 December 2021, President Tokayev abolished the death penalty for all crimes in Kazakhstan when he signed into law the Act, voted by the Parliament on 23 December 2021, titled "On Introduction of Amendments and Addenda to Certain Legislative Acts of the Republic of Kazakhstan Concerning Abolition of the Death Penalty." The country's Criminal Code has been amended whereby all persons under sentence of the death penalty were replaced to face terms of life imprisonment. The country has had an official moratorium on the death penalty following then-President Nursultan Nazarbayev's decree of a moratorium on executions on December 17, 2003. Life imprisonment was introduced in 2004 as an alternative punishment. In May 2007, Kazakhstan amended its Constitution abolishing the death penalty for all crimes except terrorist acts that cause loss of human life and exceptionally grave crimes committed during wartime.

ICDP welcomes President Tokayev's recent statement during his State-of-the-Nation address, on 16 March 2022, that "I believe that in order to finally establish the decision to abolish the death penalty, the Constitution must be amended accordingly." ICDP is of the belief that such a constitutional amendment will further consolidate Kazakhstan's abolition of capital punishment and end this cruel, inhuman punishment that has no place in the world today.

Kazakhstan is a founding member of the Support Group of the ICDP.

Background

Composed of 24 Commissioners of high international standing following decades' long, highly respected experiences in public service and representing all regions of the world, ICDP acts with total independence under the guidance of President Judge Navi Pillay.

The Commission promotes the abolition of capital punishment in law in states that observe a *de facto* moratorium on the use of the death penalty and promotes moratoriums on executions in states that retain capital punishment.

ICDP works with the United Nations and other international and regional organizations, governments, and nongovernmental organizations to advocate for worldwide abolition of the death penalty.

The work of ICDP is supported by a geographically diverse group of 23 Member-States who are committed to the abolition of the death penalty. Its Secretariat is based in Madrid and is responsible for the day-to-day work of the Commission.