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National report submitted pursuant to Human Rights Council resolutions 5/1 and 16/21*

Kazakhstan

* The present document is being issued without formal editing.



I. Methodology

1. The present national report was prepared by the Ministry of Justice in cooperation with State bodies and civil society institutions and reflects the results of implementation of the accepted recommendations arising from the third cycle of the universal periodic review.
2. Official documents adopted by State bodies, statistical data, articles, reports and other materials obtained from official sources were used in the analysis.
3. In order to ensure maximum openness and independent monitoring of the process of implementation of the universal periodic review recommendations, the Ministry of Justice, with the participation of representatives of international organizations, central and local State bodies, civil society and academia, held 24 events, including round tables, training seminars and meetings, to discuss the process of implementation of the recommendations.
4. In order to implement the supported recommendations, information from the non-governmental sector of Kazakhstan on the results achieved and measures taken in the field of human rights has been taken into account.

II. General information

5. Kazakhstan is implementing sweeping democratic reforms and protecting human rights in full compliance with its international obligations.
6. Kazakh citizens have been extensively involved in the political decision-making process in accordance with the principles of the “Listening State”.
7. Constitutional reforms aimed at eliminating super-presidential powers have been implemented. Presidential powers are limited with respect to local executive bodies and the share of senators appointed by the President, the “presidential quota”, has been reduced.
8. The powers of the Majilis, the lower house of Parliament, have been significantly expanded. According to the new electoral model, the elections were held by party lists and single-member constituencies.
9. For the first time in the history of Kazakhstan, elections of administrative heads (*akim*) at the district and town levels were held, which led to the renewal of about 60 per cent of the leadership at the rural district level.
10. The National Council of Public Trust was reorganized into the National Kurultai, whose purpose is to encourage public participation in governance and decision-making processes that determine the ideological and cultural scope of the future development of Kazakhstan.
11. The new law on rallies introduced a notification procedure to replace the authorization procedure, which has led to an increase in the number of peaceful rallies in Kazakhstan.
12. The Media Act was amended to create a new and modern media landscape and to ensure a safer digital space.
13. A law regulating the procedure for filing and reviewing petitions has been adopted, which allows citizens to express their opinions through online enquiries. This measure is aimed at ensuring open and transparent monitoring of the Government’s work.
14. Kazakhstan has introduced policy measures for the promotion of human rights and the rule of law, organized systematically into three plans: a plan of priority measures in the field of human rights; a plan of further measures in the field of human rights and the rule of law; and a plan of action in the field of human rights and the rule of law.
15. The National Development Plan of Kazakhstan for the period up to 2029 was adopted, aimed at implementing the country’s new economic course, making effective use of competitive advantages and unlocking the potential of key factors of production – labour, capital, resources and technologies.

National follow-up mechanisms for the implementation of recommendations

Recommendations 139.23, 139.29

16. Kazakhstan reaffirms its commitment to the universal periodic review process and the system of reporting on the implementation of international commitments undertaken under the treaties of the United Nations. Kazakhstan has established mechanisms to ensure the effective implementation of the recommendations received.

17. In order to implement the recommendations from the third cycle of the universal periodic review, State bodies approved the interdepartmental plan of action on the implementation of the recommendations of States Members of the United Nations as part of the universal periodic review for the period 2020–2024.

18. State bodies held regular detailed discussions with non-governmental organizations (NGOs) to ensure the effective implementation of the recommendations received.

19. The discussions were held during the meetings of the Dialogue Platform on the Human Dimension, a consultative and advisory body under the Ministry of Foreign Affairs, whose activities are aimed at ensuring an open and direct dialogue between members of the executive, legislative and judicial branches and NGOs on further steps towards the country's political modernization.

20. The implementation of the universal periodic review recommendations was also reviewed at the dialogue platforms of the Commission on Human Rights in the Office of the President and the National Commission on Women's Affairs and Family and Demographic Policy in the Office of the President, which serve as the link between the country's top leadership and NGOs.

21. The reforms under way to ensure human rights and the rule of law are being discussed at the Ministry of Justice with the participation of representatives of foreign countries and the State bodies of Kazakhstan.

III. Overview of institutional arrangements and implementation of the Paris Principles in the national legislation of Kazakhstan

Recommendations 139.30–139.43

22. Kazakhstan, as a democratic State governed by the rule of law, gives all persons and citizens in the country full scope for defending their rights.

23. On 5 November 2022, the Constitutional Court Act and the Commissioner for Human Rights Act were adopted with a view to implementing the Paris Principles and enhancing the protection of citizens' rights.

24. The re-establishment of the Constitutional Court, to which citizens can appeal directly, has become one of the key mechanisms for improving the institution of citizen protection and the comprehensive enforcement, observance and implementation of the basic law – the Constitution.

25. The Constitutional Court is the supreme body of constitutional review, ensuring the supremacy of the Constitution. Decisions of the Constitutional Court are final.

26. Any amendments to the Constitution may be put to a national referendum or brought before Parliament provided that there is a relevant opinion of the Constitutional Court.

27. The Constitutional Court examines applications regardless of the applicants' nationality, whether they are foreign nationals, stateless persons or refugees, thus upholding the general requirements for the applicants with regard to the principle of access to justice and equality before the law. All persons, the Procurator General and the Commissioner for Human Rights may appeal to the Constitutional Court.

28. The Constitutional Court provides guaranteed State-funded free legal assistance to socially vulnerable citizens (veterans, persons with disabilities, pensioners, Kazakh repatriates (*kandas*), orphans, mothers with many children and others) and offers interpretation services, including sign language interpretation.

29. The Constitutional Act on the Commissioner for Human Rights has enhanced the protection of citizens' rights. More than 50 per cent of the recommendations of the European Commission for Democracy through Law were taken into account in adopting the Act (14 of the 27 recommendations contained in the draft opinion).

30. The National Centre for Human Rights provides information, analysis and institutional and legal support for the work of the Commissioner for Human Rights. The activities of the Office of the Commissioner and its representatives are funded annually under a separate budget programme from the national budget.

31. The establishment of branches of the Office in all regions has significantly increased the country's capacity to protect human rights.

32. To strengthen the role of the Commissioner for Children's Rights, regional representatives of the Commissioner – regional commissioners – were introduced by law in 2024.

33. The Commissioner for Human Rights and the Commissioner for Children's Rights enjoy direct access to all branches of government for the purpose of raising important issues and influencing human rights policy.

34. The relevant Act of 5 July 2024 established the status of Commissioner for the Rights of Socially Vulnerable Groups in the Social Code. The establishment of this human rights mechanism also aims to fulfil the Paris Principles and ensure the effective and independent functioning of national human rights institutions.

35. There are other ombudsmen, including the Commissioner for the Protection of Entrepreneurs' Rights, the Investment Ombudsman, the Banking Ombudsman, the Insurance Ombudsman and the Student Ombudsman.

IV. Strengthening cooperation by international organizations and human rights mechanisms

Recommendations 139.26, 139.27

36. Cooperation with the Office of the United Nations High Commissioner for Human Rights (OHCHR) and United Nations human rights mechanisms is one of the top priorities of Kazakhstan.

37. In October 2021, Kazakhstan was elected for the second time to the Human Rights Council for 2022–2024. Kazakhstan actively participated in the work of the Council on the effective realization of all civil and political and economic, social and cultural rights, with a focus on gender equality, the protection of the rights of women and children and the universal abolition of the death penalty.

38. During the fifty-fourth session of the Council, Kazakhstan, on behalf of the Central Asian countries, submitted the draft resolution entitled "Ensuring quality education for peace and tolerance for every child". The document was adopted by consensus and received broad international support, with 126 sponsors.

39. Since 2019, delegations of Kazakhstan have taken part in the consideration by committees of the United Nations of the combined eighth to tenth periodic reports on the implementation of the International Convention on the Elimination of All Forms of Racial Discrimination (April 2022), the fourth periodic report on the implementation of the Convention against Torture and other Cruel, Inhuman or Degrading Treatment or Punishment (May 2023) and the initial report on the implementation of the Convention on the Rights of Persons with Disabilities (March 2024).

40. Since 2019, Kazakhstan has submitted the following periodic reports to United Nations treaty bodies: the combined fifth and sixth periodic reports on the implementation of the Convention on the Rights of the Child (December 2021), the second report on the implementation of the International Convention for the Protection of All Persons from Enforced Disappearance (August 2022), the sixth periodic report on the implementation of the Convention on the Elimination of All Forms of Discrimination against Women (October 2023), the third periodic report on the implementation of the International Covenant on Civil and Political Rights (April 2024) and the third periodic report on the implementation of the International Covenant on Economic, Social and Cultural Rights (April 2024).

41. In 2022, by joint order of the Office of the Procurator General, the Ministry of Justice and the Ministry of Foreign Affairs, the rules governing the procedure for consideration of enquiries and Views of human rights treaty bodies under the individual communications procedure were adopted.

42. In 2009, Kazakhstan extended a standing invitation to the special procedures of the Human Rights Council. Since then, more than 15 independent experts and special rapporteurs have visited Kazakhstan. Since 2019, Kazakhstan has examined and responded to 17 communications from special procedures.

43. On 25 January 2022, amendments were introduced to the presidential decree (No. 1037 of 12 August 2010) governing the rules for cooperation with the special procedures of the Council, including the right of the Council to initiate a country visit.

44. In August 2024, Kazakhstan sent information on the implementation of the recommendations made by the Subcommittee on Prevention of Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment following its second visit in 2023.

45. In March 2023, the United Nations High Commissioner for Human Rights, Mr. Volker Türk, visited Kazakhstan. Following the visit, the High Commissioner's recommendations formed the basis for technical cooperation between Kazakhstan and the OHCHR Regional Office for Central Asia.

46. In December 2023, during the forum marking the seventy-fifth anniversary of the Universal Declaration of Human Rights, Kazakhstan joined the Human Rights 75 global initiative and made voluntary pledges.

47. In general, in its cooperation with the United Nations human rights mechanisms, Kazakhstan advocates compliance with the principles of the Charter, including impartiality, objectivity, avoidance of politicization and interference in the internal affairs of States.

Sustainable Development Goals

Recommendations 139.141, 139.142, 139.149, 139.150

48. Kazakhstan pays particular attention to creating and developing an institutional framework for the implementation of the Sustainable Development Goals. The national architecture for implementing the Goals includes a permanent mechanism for monitoring their implementation.

49. The Coordination Council on the Sustainable Development Goals is in operation. The Council was composed of representatives of State bodies and international organizations.

50. All strategic documents implemented in the country, annual addresses of the Head of State to the people of Kazakhstan and other programmes are aligned with one another and consonant with the Goals.

51. The national indicator system for the Goals consists of 262 indicators, 87 of which have been identified as being of immediate importance. Sustainable Development Goal 16 on the list of national indicators addresses the need to provide access to justice for all and build effective, accountable and inclusive institutions at all levels. This Goal includes 32 indicators, 5 of which are recognized as being of immediate importance and 14 used for monitoring purposes.

52. On 15 July 2022, Kazakhstan submitted its second voluntary national review on the implementation of the Goals to the high-level political forum on sustainable development. Five priority Sustainable Development Goals for the country were presented, including Goal 1 (End poverty in all its forms everywhere), Goal 3 (Ensure healthy lives and promote well-being for all at all ages), Goal 4 (Ensure inclusive and equitable quality education and promote lifelong learning opportunities for all), Goal 6 (Ensure availability and sustainable management of water and sanitation for all) and Goal 8 (Promote sustained, inclusive and sustainable economic growth, full and productive employment and decent work for all).

53. In 2023, a parliamentary commission was established to monitor the implementation of national goals and targets in the country.

54. In 2023, Kazakhstan ranked sixty-sixth in the Sustainable Development Goals Index, with an index score of 71.6.

V. Legal and institutional framework for the promotion and protection of human rights

Accession to international human rights instruments

Recommendations 139.1, 139.6–139.18, 139.28, 139.72, 139.73, 139.145–139.147, 139.207

55. Kazakhstan is a party to more than 70 multilateral universal human rights instruments, including the Universal Declaration of Human Rights, and 8 human rights treaties of the United Nations.

56. On 13 March 2021, the International Treaties Act was amended with the addition of a new article 20-1 (Relation of existing international treaties ratified by Kazakhstan with the laws of Kazakhstan), which enhanced the status of ratified international treaties, including in the area of human rights.

57. The rules of international treaty and other obligations assumed by Kazakhstan and decisions of the Supreme Court with general effect constitute applicable law. The priority of ratified international treaties is proclaimed in the Constitution and other legislative acts. Laws and regulations, including international treaties, concerning the rights, freedoms and obligations of citizens must be officially published.

58. On 8 June 2022, the Constitution was amended to prohibit the death penalty.

59. On 24 June 2022, the Second Optional Protocol to the International Covenant on Civil and Political Rights, aiming at the abolition of the death penalty, entered into force for Kazakhstan.

60. On 2 January 2021, Kazakhstan ratified the Second Optional Protocol to the International Covenant on Civil and Political Rights.

61. The Optional Protocol to the Convention on the Rights of Persons with Disabilities was ratified by the relevant Act of 7 June 2023.

62. The Optional Protocol to the Convention on the Rights of the Child on a communications procedure was ratified by the relevant Act of 19 December 2023.

63. Work is under way to identify possible financial obligations upon ratification of the Optional Protocol to the International Covenant on Economic, Social and Cultural Rights and the Council of Europe Convention on Preventing and Combating Violence against Women and Domestic Violence (Istanbul Convention).

64. As part of the celebration of the seventy-fifth anniversary of the Universal Declaration of Human Rights, in December 2023, the Plan of Action on Human Rights and the Rule of Law (the third human rights plan) was approved by a presidential decree. The Plan aims to take extensive measures to protect the rights and ensure the security of citizens, in close cooperation with international organizations. The plan includes a number of action points arising from the recommendations of the United Nations High Commissioner for Human Rights and the voluntary and international obligations assumed by Kazakhstan aimed at

strengthening gender equality, combating domestic violence, eradicating all forms of violence, especially extreme violence against women and children, protecting citizens in the area of criminal justice, preventing torture and ill-treatment, upholding human rights in business activities and ensuring the right to freedom of association and the right to work.

65. As part of the implementation of the plan of further measures, the number of persons required to initiate the registration of a voluntary association was reduced from 10 to 3. The procedure for resolving labour disputes and conflicts has been simplified. An instruction on launching pretrial investigations into cases of torture by the procuratorial bodies has been approved, which contains provisions aimed at making use of the recommendations in the Istanbul Protocol. The Act on Combating Trafficking in Persons in Kazakhstan was adopted.

Electoral law

Recommendations 139.124–139.127

66. Kazakhstan continues to implement political reforms that reflect a sustained commitment to ensuring human rights and freedoms and building a democratic society.

67. In accordance with amendments to the Election Act and Political Parties Act adopted in 2020, women and young people account for no less than 30 per cent of the candidates on party lists for the election of deputies to the Majilis.

68. As of 2021, an “against all” option was included on ballot papers at all levels, allowing voters to express an alternative position in a legitimate manner.

69. A law of 7 February 2022 established a 30 per cent quota for women, young persons and persons with disabilities in the allocation of seats in the Majilis.

70. A referendum on constitutional amendments was held on 5 June 2022. Amendments were made to 33 articles of the Constitution, providing for the expansion of the powers of Parliament, a return to a mixed system of elections to the Majilis and the local representative bodies (*maslikhat*), a ban on party membership for representatives of the military, police and security forces and certain officials, modernization of the electoral process, an increase in the term of office of the President from five to seven years, a complete abolition of the death penalty and the revival of the Constitutional Court. The amendments were supported by 77.18 per cent of voters.

71. Self-nominated candidates may stand for election to the Majilis and local representative bodies. The threshold for the number of members required for the registration of political parties has been reduced (from 20,000 to 5,000), the requisite minimum number of staff of regional representative offices of political parties has been reduced (from 600 to 200 persons), and the number of persons in citizens’ initiative groups required to establish a political party has been reduced from 1,000 to 700. The deadline for holding a founding congress to establish a political party has been extended (from 2 to 3 months). The threshold for political parties to enter the lower house of Parliament has been lowered from 7 per cent to 5 per cent of votes cast in an election.

72. In order to give the political system a fresh start, extraordinary presidential elections were held, along with extraordinary elections to the Majilis and local representative bodies. Seventy per cent of deputies of the Majilis were elected through party lists and 30 per cent to single-member constituencies. In provincial representative bodies, 50 per cent of deputies were elected through party lists and 50 per cent to single-member constituencies. Deputies of representative bodies of districts and towns of provincial status were elected to single-member constituencies. This has ensured a wide spectrum of views in these government organs. To date, six political parties are represented in the Majilis and local representative bodies.

73. The administrative heads of towns of district status, villages, settlements and rural districts have been directly elected since July 2021. On 5 November 2023, for the first time ever, as part of a pilot scheme, administrative heads of districts and towns of provincial status were elected in 45 territorial units. Persons who wish to stand for election may nominate themselves provided they are supported by at least 1 per of the constituency’s electorate

(certified by their signatures) or are nominated by a political party. Between July 2021 and July 2024, 2,251 administrative heads were elected.

74. The performance of election commissions was assessed quite favourably by the Election Observation Mission of the Office for Democratic Institutions and Human Rights of the Organization for Security and Cooperation in Europe (OSCE), which noted in a report on the preliminary results and outcome of the election entitled “Early Parliamentary Elections, 19 March 2023” that electoral preparations were administered “efficiently within the established deadlines”. The Central Election Committee held regular meetings attended by representatives of the media, political parties and State institutions and adopted several resolutions supplementing the Election Act. Central Election Committee meetings were “live-streamed in Kazakh and Russian with simultaneous sign language interpretation and its decisions were promptly published”. The lower-level commissions “carried out their duties efficiently and professionally”. On a positive note, most polling stations visited on election day by the Mission provided barrier-free access for voters with disabilities.

Business and human rights

Recommendations 139.56, 139.60 and 139.148

75. In response to the pandemic, the State provided citizens and businesses with extensive, timely support. In 2021, the Government continued to implement a series of crisis response measures that had been initiated during the pandemic.

76. On 7 February 2022, the Council of National Entrepreneurs was established under the auspices of the Government to review and discuss other issues in the field of entrepreneurship and investment policy.

77. A State business support and development programme called the “Business Road Map – 2025” and “Enbek”, a State programme to promote productive employment and mass entrepreneurship over the period 2017–2021, are among the State programmes that have been carried out. The Policy Framework for the Development of Small and Medium-sized Businesses up to 2030 was approved on 27 April 2022.

78. Thanks to the measures taken, the share of small and medium-sized enterprises in the country’s gross domestic product has increased to 36.5 per cent; by 2030 this figure should rise to 40 per cent.

79. As part of the implementation of the National Action Plan to Give Effect to the Address of the Head of State to the People of Kazakhstan on 1 September 2023, entitled “Economic Course for a Fair Kazakhstan”, work is under way on creating a propitious environment for attracting investment, protecting and expanding entrepreneurship and ensuring respect for entrepreneurs’ rights, including not to be subject to unreasonable interference in their economic activities.

80. Measures to protect the rights of business entities are aimed at reducing pressure on entrepreneurs from government and law enforcement agencies. Measures have been taken to render the treatment of 36 economic offences more humane by significantly reducing criminal penalties, prohibiting the arrest of entrepreneurs for 29 economic offences and offering possible exemption from liability provided that damage has been fully compensated.

81. The procedure for conducting inspections by the supervisory authorities is monitored on an ongoing basis. In order to promptly respond to misconduct, front offices have been opened for investors and businesses in every region, 24-hour call centres and mobile teams are available to promptly respond to violations of the rights of entrepreneurs. All government agencies, the Business Ombudsman, the national chamber of entrepreneurs Atameken and the national company Kazakh Invest participate in the work of the front offices.

82. Information platforms with QR codes have been set up in many regions, where entrepreneurs can contact the mobile group by a telephone call or a WhatsApp message, go to the site of procurators’ offices and familiarize themselves with business protection practices.

83. Since 2 September 2022, clear criteria for the initiation of pretrial investigations have been laid down, including requirements to prevent the unlawful prosecution of entrepreneurs. While previously about 150 cases were registered against entrepreneurs every month, since September 2022, there has been a two-and-a-half-fold drop in the number of cases. In 2023, the criminal prosecution authorities registered 514 criminal cases against business entities, which is three times less than in 2022 (1,521). In 2024, 284 criminal cases in connection with invoice fraud, scams, tax evasion and illegal entrepreneurship were initiated.

84. So far, over a period of two and a half years, the rights of over 300,000 entrepreneurs have been protected, with procurators managing to cancel more than 16,000 illegal inspections, 13,000 enforcement proceedings, 22,000 restrictive measures and 12,000 unjustified administrative fines amounting to 2.2 billion tenge.

85. As part of the implementation of the Action Plan on Human Rights and the Rule of Law, Kazakhstan is actively working to mainstream the Guiding Principles on Business and Human Rights into the business environment. Special attention is being paid to the formulation of a national action plan, which should be a tool for implementing principles aimed at improving working conditions and fairness in business.

Strengthening of civil society and right to freedom of association

Recommendations 139.48, 139.117–139.119, 139.135 and 139.137

86. The Policy Framework for the Development of Civil Society in Kazakhstan has been implemented since August 2020. It outlines the processes for self-organization by citizens and the development of civil society and defines the main tasks and priorities of cooperation between civil society and the authorities.

87. Under the Ministry of Culture and Information, the Coordination Council for Cooperation with Non-Governmental Organizations is a standing body whose work is aimed at the formulation of proposals to improve cooperation between government bodies and the non-governmental sector and pave the way for the growth of civic initiative. The Council comprises 88 members, including 37 NGOs representing civil society.

88. More than 23,000 NGOs are registered in the country, including 18,000 active ones, and they have implemented more than 2,000 socially significant projects.

89. The grant funding system has been restructured. The grant planning format, which is based on needs assessments and the “bottom-up” principle, allows NGOs to take an active part in setting priorities and to propose projects that reflect the real needs of the community.

90. Representatives of civil society constitute 86 per cent of members of public councils, and young people 10 per cent. Public councils have been established in 13 quasi-governmental entities.

91. The Public Oversight Act and related laws, adopted on 2 October 2023, allow for a significant increase in the role of NGOs in public oversight. The institution of petitions has been introduced and the procedure for organizing public oversight in various spheres has been regulated.

92. The Government will now be required to respond to petitions that have received more than 50,000 votes. Petitions must be backed by at least 150 citizens of Kazakhstan within 20 working days of the date of submission and, at the time of submission, there must be no petition on the same issues online.

93. The registration period for all non-profit organizations has been reduced from 10 to 5 working days. A notification procedure has been introduced on the e-government portal for entering information into the national register of business identification numbers in the event of a change in location of a legal entity or in the executive body (head) or composition of the founders, participants or members of a non-profit organization.

94. On 21 December 2023, it became possible for a group of at least three citizens to form a voluntary association (reduced from 10).

Right to life

Recommendations 139.68–139.71 and 139.74–139.78

95. Since 2003, Kazakhstan has observed an indefinite moratorium on the use of the death penalty. Pursuant to a law of 29 December 2021, amendments were made to the Criminal Code and other legislation to completely abolish this type of punishment.

96. On 8 June 2022, Kazakhstan abolished the death penalty. Persons previously sentenced to death had their sentences commuted to life imprisonment.

Administration of justice and the judicial system

Recommendations 139.82 and 139.83, 139.85–139.87 and 139.113

97. On 5 November 2022, the following constitutional acts were adopted – the Constitutional Court Act, the Commissioner for Human Rights Act and the Procurator’s Office Act – opening up new opportunities for citizens to protect and restore violated economic, social and cultural rights and prevent such violations.

98. On 1 July 2021, when the Code of Administrative Procedure came into effect, the institution of administrative justice was introduced, along with the principle of the active role of the court, whereby the court may collect evidence on its own initiative if the evidence before it is insufficient.

99. The Judicial Administration, which is equal in status to the Government’s apparatus, was established in 2022. The tasks of the Judicial Administration are to formulate State policy in the field of judicial administration, create necessary and sufficient conditions for the independent administration of justice, develop systemic reforms aimed at improving the judicial system and provide legal support, information and analysis for the work of the courts.

100. As part of the judicial reform being undertaken, court procedures are being modernized, simplified and “humanized” for the benefit of citizens who interact with the judicial system. The right to authorize preventive measures and investigative actions has been transferred from the procurator’s office to the courts.

101. On 9 June 2021, a law was adopted to strengthen the adversarial nature and openness of criminal proceedings, expand the powers of lawyers, ensure the effective realization of the rights of citizens to receive properly qualified legal assistance and develop self-regulation of lawyers and legal advisers.

102. The roll-out of a three-tier model of criminal procedure, with the delimitation of powers and areas of responsibility between the procurator’s office, the courts and law enforcement agencies, began in December 2020.

103. Investigative courts have been established, online court proceedings have been introduced, court procedures in civil cases have been optimized and bureaucracy in court proceedings has been reduced. To ensure uniformity of judicial practice, an analytical digital assistant for judges, with artificial intelligence elements, has been developed and implemented. Full audio and video recording of all court proceedings is now undertaken, and mobile videoconferencing with courts has been implemented. Lawyers and legal advisers are allowed to use electronic devices to assist in their advocacy.

104. On 27 March 2023, regional procurators’ powers to authorize covert activities in respect of judges were abolished. Only the Procurator General now has this right.

105. The establishment of three independent courts of cassation in Astana – on criminal, civil and administrative matters – is envisaged, beginning on 1 July 2025.

106. Since 2019, the system for the selection and career progression of judges has been radically revised. Responsibility for the Judicial Panel and the Staff Reserve Commission has been transferred from the Supreme Court to the Supreme Judicial Council.

107. The year 2023 was a year of modernization for the Supreme Judicial Council, during which it became a fully-fledged institution with the transfer to it of virtually all the Supreme Court's powers with regard to the supervision of judges.

108. On 5 July 2024, a constitutional law was adopted to improve the institution of disciplinary liability for judges by introducing a new mechanism for the review by the Judicial Panel of every overturned judicial act whose issuance constituted a gross violation of legality by the judge concerned.

109. In June 2022, legal advisers were included in the system of State guaranteed legal assistance. Vulnerable groups have the possibility of receiving properly qualified legal assistance. Victims of sexual violence, trafficking in persons, acts of terrorism and torture are entitled to free legal assistance in the form of legal advice.

110. Awareness-raising on the right of citizens to receive State guaranteed legal assistance is carried out on an ongoing basis.

111. Within the framework of State guaranteed legal assistance, 2,136 lawyers and 440 legal advisers provide legal assistance on a professional basis. The total number of lawyers and legal advisers is 6,206 and 15,278, respectively.

112. In the period from 2020 to 2023, 629,415 citizens were provided with State guaranteed legal assistance and, in the first half of 2024, 113,673 citizens. About 2,677 billion tenge in State funding is allocated annually for the provision of such assistance.

113. An Interdepartmental Commission has been established to counteract the illegal concentration of economic resources. On 12 July 2023, the Act on the Return of Illegally Acquired Assets to the State was adopted.

Protection against torture (national mechanisms for the prevention of torture)

Recommendations 139.61–139.67 and 139.79–139.81

114. Kazakhstan takes a zero-tolerance approach to torture.

115. The Act on Human Rights in Criminal Proceedings and Penalties Enforcement and on the Prevention of Torture and Other Cruel, Inhuman or Degrading Treatment was adopted on 17 March 2023. A new offence of "Cruel or degrading treatment" was introduced, and penalties for torture were increased. The use of and possibilities for using audio and video recording of investigative actions to prevent misconduct were expanded. A new category, "persons acting in an official capacity", was added to the list of perpetrators of torture and ill-treatment.

116. Since 1 January 2023, procurators have had exclusive authority to investigate cases of torture. Procurators ensure the prompt and impartial investigation of torture cases in accordance with the international standards established by the Istanbul Protocol.

117. The procurator is empowered to immediately release persons who have been unlawfully detained. Specialized procurator's offices have been set up in regions with a large number of colonies (Almaty, Karaganda and East Kazakhstan).

118. To ensure that torture cases are properly investigated, instructions on the organization of pretrial investigations by procurator's offices have been adopted. A procedure has been established requiring the use of video recording when persons are brought in, detained and subjected to personal searches and medical examinations.

119. The person conducting the criminal prosecution (Code of Criminal Procedure, art. 110) must explain to the victim his or her right to compensation (Code of Criminal Procedure, art. 71). Exemption from criminal liability for torture pursuant to an amnesty or the expiry of the statute of limitations or on the grounds of remorse or conciliation of the parties is precluded.

120. The use of suspended sentences for persons who have committed torture is prohibited. Instigating torture and complicity in torture have been criminalized.

121. Evidence obtained through the use of torture, violence, threats, deception or other unlawful acts or ill-treatment is declared inadmissible and may not be used in court (Code of Criminal Procedure, art. 112). Heads of institutions are legally obliged to refer all decisions restricting the rights of prisoners to the procurator for review.

122. Special mobile groups have been set up throughout the country, which, when reports of torture are received, travel to the scene of the crime and carry out urgent investigative actions.

123. At the same time, between 70 and 80 per cent of torture cases are dropped for lack of corroboration, mainly because reports are filed late, making it impossible to gather evidence while the trail is still hot. In order to minimize late reporting of torture by citizens, procurators are now required to question all detainees and to elucidate instances of torture when authorizing remand in custody.

124. Twelve cases of torture and abuse of authority during the “January events” of 2022 brought against 39 persons (26 police officers and 13 National Security Committee officers) have been considered by the courts. Eighty-four persons have been recognized as victims, and 31 persons have been convicted in nine cases.

125. On 2 November 2022, the Amnesty Act was adopted, and an amnesty was declared for persons involved in the January events.

126. As from 1 January 2023, responsibility for medical care for convicted persons was transferred from the Ministry of Internal Affairs to the Ministry of Health.

127. The rights of convicted persons have been expanded: in case of serious illness, they have been granted the right to postpone serving their sentences; court orders to release convicted persons owing to serious illness are to be executed without delay; to preserve social ties between female convicts and their children, the period for which they may have their children with them in colonies has been increased from three to four years; and, to prevent the negative influence of persons with previous convictions on first-time offenders, the approach to the distribution of convicts among penal correction institutions is being changed.

128. Parliament is considering a bill on the optimization of the Criminal Code, Code of Criminal Procedure and Penalties Enforcement Code with regard to torture.

129. Public monitoring commissions and the national preventive mechanisms may visit prisons at any time, interview convicted persons and receive complaints. The national preventive mechanisms made 116 visits to penal correction institutions in 2021, 100 in 2022 and 134 in 2023.

130. In 2023, the number of institutions covered by the national preventive mechanisms was 3,764, of which 80 per cent were operated by the police.

131. The 146 members of the national preventive mechanisms serve for two-year terms; they act independently of government bodies. On 20 October 2023, by decision of the Coordinating Council reporting to the Commissioner for Human Rights, representatives of the Office of the Commissioner for Human Rights were included among the participants of the national preventive mechanisms.

132. The participants in the national preventive mechanisms conducted 507 preventive visits in 2021, 568 in 2022 and 461 in 2023. As a result of the preventive visits, more than 10,000 recommendations were drafted and transmitted.

133. The previous five years has been marked by a decrease of 10 per cent each year, on average, in the number of torture cases recorded (790 in 2019, 689 in 2020, 632 in 2021, 815 in 2022 and 426 in 2023), with the exception of 2022 owing to the January events.

Protection against violence

Recommendations 139.192–139.206, 139.208–139.214 and 139.225

134. Across the country, 50 crisis centres offer special social services to victims of domestic violence: 17 in the public sector and 33 under contract to the Government. Between

2020 and 2023, special social services were provided to more than 14,000 victims of domestic violence (including children admitted with their parents). Since 2022, these crisis centres have been fully financed from local budgets. As at 1 January 2024, 4,409 individuals had received special social services.

135. The Family and Gender Policy Framework for the period up to 2030 enshrines the principle of zero tolerance for all types of domestic violence.

136. In accordance with the Social Code, domestic violence is a form of ill-treatment and constitutes grounds for the provision of special social services. Under the relevant standard, eight different special social services are provided, depending on need: social, medical, psychological, educational, employment, cultural, economic and legal services.

137. To ensure that violent crimes against women and children are properly investigated, permanent investigation task forces have been established in all police departments. Only female officers are assigned to investigate this type of crime. They include more than 260 female investigators, as well as officers from the units for the protection of women from violence and from the forensic, criminal and juvenile police.

138. On 30 December 2020, the penalties for crimes against the sexual inviolability of minors were increased, and the crimes were classified as especially serious offences, which precludes conciliation of the parties.

139. Since 10 April 2022, Kazakhstan has been implementing a pilot project to provide comprehensive assistance to victims of sexual violence at specialized centres.

140. Since 19 May 2023, “Commission of the act against a person who is materially or otherwise dependent on the perpetrator” has been introduced in certain articles of the Criminal Code, relating to the infliction of serious and moderately serious harm to health (arts. 106 and 107), as an aggravating factor.

141. From July 2023, the police moved from a report-based approach to recording offences to a detection-based one.

142. Since 1 July 2023, conciliation of the parties in court has been possible only once.

143. A pilot project involving work with aggressors is being implemented in five regions of Kazakhstan (East Kazakhstan, Karaganda, Almaty and Akmola provinces and the city of Astana). Thus far, 590 counselling sessions have taken place (350 on psychological issues and 240 on legal matters).

144. All regions have implemented a reoffending risk assessment tool that predicts the likelihood of repeat violent acts by aggressors. During the project, 38,000 families have been interviewed and 902 dangerous aggressors identified, 187 of whom voluntarily underwent a course of psychological counselling.

145. On 15 April 2024, the Women’s Rights and Child Safety Act was signed into law. The Act increased penalties for any manifestation of violence against women and children and introduced provisions that strengthen the institution of the family and children’s safety, notably by establishing deliberate infliction of minor harm to health and assault and battery as criminal offences.

146. In order to ensure the safety of children under 16 years of age, a ban on their forced disembarkation from public transport for lack of payment for the fare has been introduced.

147. For the first time, administrative liability has been introduced for bullying (school bullying and cyberbullying) of a minor. An obligation has been established for educational organizations to immediately notify law enforcement authorities of unlawful acts committed by or against minors.

148. The legal foundations have been put in place for the establishment and operation of a call centre for family issues and for the protection of women’s and children’s rights and for family support centres to provide special social services to victims of domestic violence.

149. Courts have been given the power to order aggressors to undergo psychological treatment in healthcare organizations, to which 124 people have been referred.

150. Work is under way on the country's accession to the International Labour Organization (ILO) Violence and Harassment Convention, 2019 (No. 190), and on improvements to the legislation on labour relations, including the introduction of a definition of "sexual harassment in the workplace".

Freedom of expression

Recommendations 139.88–139.97, 139.101–139.108, 139.110 and 139.112

151. The procedure for organizing and holding assemblies is regulated by the Act on the Procedure for Organizing and Holding Peaceful Assemblies of 25 May 2020. The Act introduced legal definitions of terms denoting public events such as "assembly", "rally", "march", "procession", "picket" and "demonstration". The Act provides for the introduction of a hybrid procedure for the organization of peaceful assemblies, embracing permissive and notification procedures. An exhaustive list has been established of grounds for refusing authorization to hold a peaceful assembly.

152. Between 2020 and 2021, the number of illegal assemblies in the country was almost halved, from 251 to 132. In 2022, 2,228 notifications were received regarding the holding of peaceful assemblies across the country, of which 388 were approved; in 2023, there were 2,204 notifications, of which 242 were approved. At the same time, the number of coordinated actions increased significantly, from 1 to 57.

153. Since February 2023, labour unions in companies have been vested with the right to put employees' demands. An obligation has been established on employers to provide premises and create the necessary conditions for the holding of meetings (conferences) of employees. The right to hold short-term (one-hour) warning strikes has been enshrined.

154. In June 2020, defamation was decriminalized by moving the relevant provisions from the Criminal Code (art. 130) to the Code of Administrative Offences, and article 174 of the Criminal Code, concerning incitement to social, ethnic, clan, racial, class or religious discord, was rendered more humane.

155. On 19 June 2024, the Media Act was adopted. A new, broader concept of "media" has been introduced, which includes not only traditional media, but also online resources. Provision has been made for the creation of a Consolidated Media Platform. The concept of a "special status" for journalists has been introduced.

156. On 10 July 2023, the Online Platforms and Online Advertising Act was adopted. The concepts of "online platform user" and "influencer (blogger)" were introduced.

Freedom of religion or belief

Recommendations 139.121 and 139.229–139.232

157. Government action proceeds from the principle of "unity in diversity". According to the results of a survey conducted, State policy on religion was supported by 88.8 per cent of respondents in 2023 (compared with 90.2 per cent in 2020, 88.0 per cent in 2021 and 88.2 per cent in 2022). These indicators attest to the overall effectiveness of the Kazakh model of peace and harmony.

158. Members of more than 3,900 religious associations representing 18 denominations live peacefully in the country. There are 4,549 places of worship in operation. There are 430 missionaries from 38 countries.

159. The Assembly of Representatives of Religious Associations meets quarterly. Local authorities organize similar gatherings in the form of meetings of the Club of Leaders of Local Religious Associations.

160. The Comprehensive Plan for the Realization of State Policy in the Field of Religion for 2021–2023 has been implemented. A draft Concept for the Development of State Policy in the Field of Religion for 2024–2028 has been prepared.

161. On 29 December 2021, a notification-based procedure for the holding of religious events at locations other than places of worship was provided for.

162. The right of citizens to freedom of conscience has been clarified and the concept of “religious expertise” expanded. Psychologists, sociologists and other specialists will be involved in conducting expert religious assessments.

163. The procedure for establishing a regional religious association has been simplified. Now, a proposal by at least two local religious associations from the same region with a total number of no fewer than 500 citizens is sufficient to establish a regional association.

164. The Majilis is considering a bill that would establish administrative liability for violations of the legislation on religious activities, in the form of a “warning”, and reduce the size of administrative fines by 50 per cent.

165. Since 2003, the Congress of Leaders of World and Traditional Religions has been held every three years in the country.

Institution of the family and childhood

Recommendation 139.134

166. Preserving family values and preventing gender discrimination are identified as priorities in the Family and Gender Policy Framework for the period up to 2030.

167. Family support centres have been in operation since 2018, providing psychological, social, housing and legal assistance on a “one-stop-shop” basis. There are 68 such centres in the country. In 2025–2027, it is planned to increase their number to 200. A draft consolidated policy framework for family support centres has been developed.

168. To make the centres’ activities more effective, it is planned to optimize business processes by connecting to the Digital Family Map platform and using the FSM mobile application to assist families.

169. In addition, in order to enhance their prestige and authority, a State allowance is paid to mothers with many children, regardless of income, who have been awarded the “Altyn alqa” or “Kúmis alqa” pendants or who have received the title of “Heroine Mother” or been awarded the “Maternal Glory” orders, grade I or grade II. The allowance is paid to large families with four or more minor children.

170. In 2023, Kazakhstan introduced two new holidays: Mother’s Day, which is celebrated on the second Sunday in May, and Father’s Day, marked on the third Sunday in June.

Women’s rights

Recommendations 139.139, 139.172-139.191 and 139.216

171. The Act on State Guarantees of Equal Rights and Equal Opportunities for Men and Women of 8 December 2009 defines the concept of “discrimination on the basis of sex”.

172. In accordance with amendments, adopted in 2020, to the Constitutional Act on Elections and the Political Parties Act, women and young people must account for no less than 30 per cent of the candidates on party lists for the election of deputies to the Majilis.

173. A law of 7 February 2022 established a 30 per cent quota for women, young people and persons with disabilities in the allocation of seats in the Majilis.

174. The Labour Code has been amended to remove the list of jobs in which women’s labour was restricted.

175. In 2022, a “Gender Needs and Requirements Map”, measuring the impact of ethnicity, region and class, was developed. Sociological and analytical research in the field of family and gender policy is being conducted.

176. A plan has been approved for the implementation of Security Council resolutions 1325 (2000), 1820 (2008), 1888 (2009), 1889 (2009), 1960 (2010), 2106 (2013), 2122 (2013), 2242 (2015) and 2467 (2019); it contains measures for women's equal and full participation in conflict prevention and resolution and the maintenance of peace and security and for the prevention of violence against women, awareness-raising and the strengthening of cooperation with civil society in the areas of conflict prevention and protection of women during the period 2022–2025.

177. Systematic work is being carried out to attract more servicewomen to peacekeeping activities: language training has been organized, peacekeeping training is being held and various courses (for military observers, staff officers and military experts in missions) are planned to promote the participation of servicewomen in United Nations peacekeeping operations.

178. About 7,000 women (13.7 per cent) are serving in the armed forces. There are eight women in leadership positions.

179. Twenty-nine women deputies (19.6 per cent) sit in the highest representative body, Parliament. In local representative bodies, there are 786 women members (21.02 per cent).

180. The share of female leaders is 39.3 per cent (9,212 out of 23,426).

181. Women account for 12.5 per cent of deputy ministers (11 out of 88) and 3.5 per cent of deputy administrative heads of provinces, cities of national status and the capital city (3 out of 85), 17.4 per cent of heads of office in central government bodies (4 out of 23), 34.8 per cent of deputy committee chairs and directors of departments in central government bodies (141 out of 405), 15.2 per cent of heads of local units of central government bodies (75 out of 495), 15.8 per cent of provincial departments heads (66 out of 418) and 12.3 per cent of deputy administrative heads of towns and districts (76 out of 617).

182. Women constitute 46.7 per cent of Supreme Court judges (28). In the provincial courts, 45.4 per cent of judges are women (204). In the district courts, 1,036 women judges (55.8 per cent of the total) administer justice.

183. There are 1,104 women procurators (22 per cent of actual operational staff), of whom 79 are in managerial positions.

184. In 2023, the number of women in the working population was 4.4 million (48.1 per cent). Of that total, 3.4 million (77.7 per cent) were employed and 976,200 were self-employed (22.3 per cent).

185. The share of women on the boards of companies with State participation is being gradually increased to 30 per cent.

186. Positions of non-staff adviser on gender equality to the administrative head have been established in all regions of the Republic. Work has begun on the development and adoption of an action plan to promote equal rights and opportunities for men and women.

187. An important initiative to strengthen the role of women in the socioeconomic development of the country is the opening of women's entrepreneurship development centres in all regions of the country.

188. A standing working group on anti-discrimination legislation and implementation of the International Convention on the Elimination of All Forms of Racial Discrimination has been established under the Ministry of Culture and Information. The first meeting of the working group was held in June 2024.

Children and young persons

Recommendations 139.136, 139.217–139.224 and 139.226–139.228

189. In 2020, a mandatory 30 per cent quota for women and young persons in electoral party lists was introduced by law.

190. Since 2022, there has been a student ombudsman, whose work is aimed at protecting students' rights and interests.

191. The year 2022 has been declared the Year of the Child. On 1 February 2022, the Child Well-being Index was adopted, focusing on four areas: the child, family and society, public policy, and the well-being of the country. Analysis of the Index for the years 2022 and 2023 showed that, in three of the four areas, there had been an increase of 0.8 points in the national average score (56.1 points in 2023 compared with 55.3 points in 2022).

192. On 26 December 2022, the definition of young persons was expanded to include persons up to the age of 35 years. In 2023, the Youth Development Index was introduced.

193. A list of occupations in which the employment of workers under 18 years of age is prohibited has been approved, and limitations on the weight that workers under the age of 18 can carry and move have been set, including in agricultural production, where the labour of minors is most often used.

194. The Act on the Protection of the Rights of the Child, Education, Information and Information Technology introduces the concept of bullying and establishes the right of the child to protection from bullying. On 21 December 2022, the Rules for the Prevention of Bullying of Children were adopted.

195. The Comprehensive Plan to Protect Children from Violence, Prevent Suicide and Ensure Children's Rights and Welfare for 2023–2025 is being implemented, as is the Road Map for Strengthening the Protection of Children's Rights, Combating Domestic Violence and Addressing Suicidal Tendencies among Adolescents for 2020–2023.

196. Regional action plans for the implementation of this road map for the period 2020–2023 have been adopted at the regional level. The Comprehensive Plan includes three sections: "Realizing children's right to protection from violence, bullying and ill-treatment", "Preventing and changing suicidal and self-injurious behaviour by children" and "Improving the well-being of Kazakh children".

197. Under the Marriage and Family Code, the minimum age for marriage is set at 18 years for men and women. The registry office may lower this age by no more than two years where valid reasons exist, such as a pregnancy or the birth of the couple's child. The minimum age for marriage may only be lowered with the consent of the persons entering into marriage and the written consent of the parents or guardians of the minors.

198. In order to prevent early marriages or de facto marital relations, relevant State bodies and NGOs, along with national and regional media, conduct awareness-raising campaigns among parents, adolescents and young persons on an ongoing basis.

199. Only marriages performed by State bodies are recognized in Kazakhstan. Religious marriage ceremonies (*neke*) in mosques are performed only on presentation of a marriage certificate.

200. A total of 991 marriages for which the minimum age was lowered were registered in 2020, compared with 919 in 2021, 938 in 2022, 770 in 2023 and 347 in the first half of 2024.

201. Since 2020, the Bala Qorgau Telegram Messenger channel and the BalaQorgauBot2.0 chatbot have been operating around the clock and receiving constant feedback. All schools have special signs with a QR code and the Bala Qorgau website address (<https://bala.gov.kz>). The website – which can be visited by scanning the QR code from the sign – is designed to help schoolchildren, and their parents, who are experiencing difficulties at school, at home or outside the school or home.

202. The office of regional children's ombudsmen has been established to serve as institutions for the protection of the rights of the child. A unified government helpline – 111 – has been set up to handle matters involving family, women's and children's rights.

203. There are 10 juvenile adaptation centres and 35 centres for supporting children in difficulty.

204. There are now 20 juvenile courts operating successfully in Kazakhstan: 2 in each of Almaty, East Kazakhstan and Karaganda Provinces and 1 in every provincial centre and in cities such as Astana, Shymkent and Almaty.

205. The penalties for trafficking in minors and recruitment of minors for prostitution and for offences against the sexual inviolability of children have been increased. The possibility of a lighter penalty or parole has been excluded, and a rule has been introduced requiring persons convicted of paedophilia to serve their sentences exclusively in maximum security facilities. After release, such persons are kept under administrative supervision by the police.

206. In February 2024, a mentoring scheme for orphans and children left without parental care was introduced. More than 300 people have become mentors in 17 cities.

207. Steps have been taken to identify hidden cases of violence against children and paedophiles' use of the Internet. Stronger security arrangements are being applied at general education establishments, which are being equipped with security systems (comprising video surveillance systems, panic buttons, fire safety systems and security guards).

208. Since 2023, 14 provincial boarding schools for athletically talented children have been operating in 13 regions. Some 4,547 attendees (schoolchildren aged 12–17 years and college students aged 18–21 years) are training at the schools in 46 sports (including 33 Olympic summer and 11 Olympic winter sports and 2 non-Olympic sports). At the national level, there are four specialized Olympic boarding schools and colleges and one National College of Sport at which a total of 2,031 attendees train, including 1,473 schoolchildren and 562 college students. These organizations promote the development of the Summer and Winter Olympic Games and enrol talented athletes and championship winners and medallists of Kazakhstan.

209. The biology syllabus includes a section that provides children with information on reproductive health and hygiene.

210. In 2022, the Zhas Maman programme for young persons in technical and vocational education was implemented.

211. Programmes for young persons that are implemented in Kazakhstan include the “With a diploma to the village!” programme, the Serpin Programme, the youth internship programme, Zhas Maman and the young workers rental housing programme.

Persons with disabilities

Recommendations 139.164–139.169 and 139.233–139.243

212. In October 2023, the Council on Inclusion was established under the Senate, the upper house of Parliament, to develop proposals for effective steps to include persons with disabilities in active public, social and working life, to ensure the enjoyment of equal opportunities and to form a culture of inclusiveness in society.

213. Pursuant to amendments to the law, since 1 January 2023, persons with disabilities have been included among groups for whom a quota of seats in the Majilis has been established.

214. The National Plan to Ensure the Rights and Improve the Quality of Life of Persons with Disabilities in the Republic of Kazakhstan for the period up to 2025 is being implemented, as are the Road Map of the Amanat Party for the period 2023–2027 and the Halyqpen Birge project.

215. On 12 October 2021, the right of children with disabilities belonging to disability categories I or II to remain on a waiting list for housing once they have reached the age of 18 was established by law.

216. In addition to allowances and payments, a system of rehabilitation and special social services has been established to safeguard the rights and legitimate interests of persons with special needs.

217. Approximately 400,000 goods and services are provided to persons with disabilities every year. A sum of 45 billion tenge is allocated from the central budget for these purposes.

218. Some 151 home-based social assistance units operating in the country provide services to more than 11,000 children.

219. Under the relevant law of 27 June 2022, the term “invalid” was replaced with “person with disabilities”, and the term “invalid child” with “child with disabilities”. The rights of persons with disabilities to priority service at healthcare facilities have been specified. Persons with disabilities are exempt from paying for the services of private notaries when performing notarial acts of a legal and technical nature. The concept of “habilitation” – a set of measures aimed at helping persons with disabilities to acquire and develop capacities to carry out domestic, social, professional and other activities that they did not previously have – has been introduced.

220. On 26 June 2021, heads of educational organizations were made liable for violations of regulations governing the admission of children with disabilities to educational institutions and for failing to establish an appropriate environment for such children.

221. Under an established quota, 1 per cent of places requisitioned by the State for citizens enrolling in technical and vocational education institutions must be awarded to persons with category I or II disabilities, persons who have had disabilities since childhood and children with disabilities.

222. Persons with visual and hearing disabilities studying at technical and vocational education institutions who receive a State education grant and pass their midterm examinations with distinction are granted an increase of 75 per cent on the set total of their State scholarship.

223. A pilot project to perform medical and social assessments of disability status remotely is being conducted in all 20 regions in Kazakhstan. In 2023, more than 76,400 applications were processed remotely, which represents 30.4 per cent of the total number of persons with disabilities evaluated.

224. Since the beginning of 2024, persons with disabilities have received approximately 514,600 assistive devices and 8,100 persons have received sign language, 25,500 personal assistance and 33,300 sanatorium and health resort treatment services through the Social Services Portal.

225. Some 902 special social service centres or branches, 775 providers of assistive devices, and more than 30,000 providers of personal assistance, 745 sign language and 122 sanatorium and health resort treatment services are registered with the Social Services Portal.

226. As part of the implementation of the Social Code, Social Services Portal commissions established under local authorities have been given new powers to receive and review complaints from persons with disabilities about substandard goods or services within five days, to transmit complaints to suppliers and monitor how they are processed and to make the decision to remove the provider from the Social Services Portal and to place it on the list of unscrupulous suppliers.

227. The local authorities have established a 2 to 4 per cent job quota for persons with disabilities (excluding jobs involving arduous work or work in harmful or hazardous conditions) to provide them with employment opportunities. As at the end of 2023, 8,200 persons are employed under the quota system.

228. Over the period 2021–2022, more than 8,000 facilities underwent adaptation. From 2023 to 2027, at least 5,000 facilities (27,000 in five years) should be adapted annually. As at the end of 2023, including the period 2021–2022, 13,857 sites have been adapted.

229. Barrier-free access to court services has been established at 309 courts. To facilitate access to court buildings for persons with disabilities, ramps and lifts have been installed, along with tactile navigation systems, audible signalling devices at entrances, bright yellow circular markings on glass doors to guide persons with a visual impairment and signs in Braille indicating the names and numbers of offices, courtrooms and other areas.

Migrants and refugees

Recommendations 139.131 and 139.245

230. The Migration Policy Framework for the period 2023–2027 is being implemented.
231. On 1 January 2022, the functions of the Ministry of Internal Affairs regarding migration and refugee issues – except for functions and powers relating to preventing illegal immigration, readmitting illegal immigrants, issuing exit and entry visas and documenting the population and citizenship – were transferred to the Ministry of Labour and Social Protection.
232. The right of persons enjoying refugee status to asylum is enshrined in law. Asylum-seekers are entitled to remain in the territory of Kazakhstan until the procedure for considering their application for refugee status, including the appeal procedure, is completed.
233. In order to obtain refugee status, a person must submit a written application in person or through a designated representative of the local authorities responsible for employment within five calendar days of the date of his or her arrival in Kazakhstan or of the date on which, while in the territory of Kazakhstan, he or she became aware of circumstances giving rise to the application. The application is registered on the day of receipt and an asylum-seeker certificate is issued on the same day.
234. The certificate is issued to foreign nationals and stateless persons who have reached the age of 18 for a period of three months, which may be extended for a further three months. The application must be considered within one year at the latest. The certificate confirms that the foreign national or stateless person applying for refugee status may lawfully stay in the territory of Kazakhstan.
235. The investigating judge issues an order authorizing or refusing detention with a view to extradition. No extraditions of persons to countries where such persons were at risk of torture have taken place.
236. Registration of citizens' place of residence and places of temporary stay is carried out in order to monitor internal migration processes and to make a record of citizens to determine the level of development of each settlement when elaborating programmes for the development of the local area. Plans to create jobs and infrastructure and to build schools and hospitals are made on the basis of these calculations.
237. The administrative offence of a citizen's failure to register at his or her place of residence does not carry the penalty of administrative detention. Under the Code of Administrative Offences, failure to register place of residence is punishable by a warning or a fine equivalent to seven times the monthly calculation index.
238. On 27 December 2019, temporary registration was abolished for all categories of foreign nationals entering Kazakhstan.

Right to social security

Recommendations 139.138, 139.140, 139.143, 139.144, 139.151–139.163 and 139.170–139.171

239. On 1 July 2023, a new Social Code which provides for a complete transformation of the social service system and improved access to special social services was enacted.
240. The Social Code sets forth seven main areas of social support for citizens, measures to promote employment and pension provision, including social support for persons or families with children; measures to promote employment; targeted social assistance for families living below the poverty line; special social services; social protection for persons with disabilities; pensions; and support for certain categories of citizen, including persons who have lost their breadwinner.
241. A Digital Family Map which is generated using data from all the existing information systems maintained by State agencies has been introduced. Since the beginning of 2024, more

than 251,000 persons have received short message service (SMS) notifications for the proactive provision of public services. Furthermore, some 115,000 persons have taken advantage of the opportunity to receive allowances or payments without having to submit an application.

242. Targeted social assistance, which will be focused more on preventing than offsetting the impact of hardships, has been stepped up. Citizens can apply for targeted social assistance through a career centre, to the head of the local authority if they reside in rural areas, or through the e-government portal (egov.kz).

243. The Social Code provides for additional social support measures for families with children, which include extension of childcare payments up to 1.5 years and conversion of the guaranteed social package for children aged 1–6 years from families receiving targeted social assistance into cash payments.

244. The social service system has been transformed with the main goal of increasing the accessibility of special social services for persons with disabilities.

245. Provision has been made for the involvement of family members in providing services to such persons. Relatives of persons with disabilities will be registered as personal assistants with appropriate pay and social security contributions.

246. The concept of the independent worker – a person who is gainfully employed but has not been officially registered with the relevant authorities – has been introduced. Provision has been made for the transformation of employment centres into mobile centres.

247. Provision has been made for a new migration policy which is intended to attract in-demand workers with simplified visas and the right to reside in Kazakhstan for 10 years. A quota for foreign specialists is established and allocated annually.

248. From January 2020, Kazakhstan switched to a new financing model, namely compulsory health insurance. At least 94 per cent of the population is covered by an additional package of health services.

249. A number of important documents have been adopted, including the Labour Market Development Policy Framework for the period 2024–2029 and the Safe Labour Policy Framework for the period 2024–2030. A new general agreement between the Government and associations of employers and trade unions for the period 2024–2026 has been signed.

250. The Electronic Labour Exchange – a unified digital employment platform which is used to search for jobs and recruit employees – is in operation.

251. To prevent labour disputes, the Ministry of Labour and Social Protection developed a Digital Map of Enterprises and integrated the Qlik Business Intelligence (BI) Platform scoring model into it in 2024. The system covers more than 13,000 enterprises.

252. Work is under way to transfer responsibility for labour inspection from local authorities to a central State body and to empower State labour inspectors to conduct occupational safety and health inspections at hazardous production facilities without prior notification.

253. From 1 January 2024, the special social benefit has been introduced. The benefit is allocated to persons who have left a job with harmful working conditions. Employees can either transfer to lighter work and receive a salary and benefit payments, or retire and receive the special social benefit until they are awarded a pension.

254. More than 963,000 persons have been placed in jobs. Some 265,100 persons have been employed through national projects, including more than 198,000 persons in State-subsidized jobs.

255. Rental housing is provided from the public housing stock to large families on the waiting list on a first come, first served basis. The “2-10-20” and “5-10-20” preferential mortgage schemes are also available.

256. Local authorities provide housing certificates as social assistance or social support in the form of a government loan. In 2023, funds amounting to 102.7 billion tenge were allocated to purchase 10,703 apartments.

257. Orphans and children left without parental care have priority in the allocation of housing from municipal housing stocks or housing rented by the local authorities on the private housing market.

258. In order to improve public health and early detection of diseases, screening is being conducted among target populations. In 2022, approaches to screening for residents of rural communities were revised and the list of examinations for early detection of gastrointestinal, urinary and respiratory diseases in the older age group and prostate cancer was expanded, as was the availability of examinations for persons aged 18 to 29 years.

259. As at the end of 2022, 896,000 residents of rural communities have been examined, of whom 33,000 (3.8 per cent) have been found to have early signs of diseases. A high rate of early detection was observed in the case of respiratory diseases (49.8 per cent), chronic kidney diseases (34.8 per cent) and gastrointestinal disorders (30.7 per cent).

260. In 2020, the State Programme for the Development of Healthcare in Kazakhstan for the period 2020–2025 – which has been transformed into the national “Healthy Nation” project to provide quality and accessible healthcare for every citizen for the period 2021–2025 – was launched, and the Policy Framework for the Development of Healthcare in Kazakhstan up to 2026 is being implemented.

261. Coronavirus disease (COVID-19) has been a major challenge for the healthcare system. Measures have been taken to counter the spread of infection. Kazakhstan is one of the few countries to have produced its own COVID-19 vaccine (QazVac).

262. A new Code on Public Health and the Healthcare System, which was adopted in July 2020, is in effect. Pursuant to the Code, citizens are entitled to give informed consent to or refuse treatment and other medical interventions, including vaccinations. The term “medical incident”, or medical errors, has been introduced.

263. On 7 July 2020, the title of article 319 of the Criminal Code was changed from “Illegal performance of abortion” to “Illegal performance of artificial termination of pregnancy”.

264. Article 151 (Surgical sterilization) of the Code on Public Health and the Healthcare System provides that surgical sterilization as a method of preventing unwanted pregnancy may be performed on patients of at least 35 years of age or with at least two children, or, if medically indicated, with the consent of an adult, irrespective of age or number of children.

265. According to administrative data from the national education database, there are 7,833 general education schools in the country, of which 6,903 or 88.1 per cent are State schools. The number of general education schools in rural areas is 5,271, with 1,555,132 students.

266. Some 49,693 children with other nationalities, 5,154 Kazakh repatriates, 935 refugee children and 87 stateless children are currently studying at secondary education institutions.

267. In 2022, the decision was taken to introduce a new quota under which 15 per cent of the total number of places for students enrolling at specialized educational institutions were reserved for children from socially vulnerable groups.

268. On 26 June 2021, amendments were made to the Education Act under which the State guaranteed that it would provide the conditions needed by persons, including children, with special educational needs to be able to grow, to continue lifelong learning at all levels of education and to develop their abilities freely, including by enjoying the right to choose a form of education within the limits provided by the education system that takes into account their individual developmental progress.

269. On 23 February 2024, local authorities were vested with new responsibilities to ensure the quality of education, to develop and submit to a plan for the development of education in their respective territories to the local representative body and to take measures to provide material and technical support to educational institutions.

270. Plans have been established to develop and approve the Inclusive Policy Framework until 2030 by the end of 2024.

Combating trafficking in persons, drug trafficking and other serious crimes

Recommendations 139.120, 139.128–139.130, 139.132–139.133 and 139.215

271. On 5 July 2024, the Act on Combating Trafficking in Persons and related bills were passed. The Act introduces a new conceptual framework, including the concept of “victim of trafficking in persons”, “potential victim of trafficking in persons”, “situation of vulnerability” and “actors involved in combatting trafficking in persons”.

272. The concept of trafficking-related offences was introduced; the definition of “exploitation of persons” with regard to the methods used to commit the offence was expanded; article 309 (2) (Brothel-keeping and pimping) of the Criminal Code was amended to include commission of the offences through the Internet as a new constituent element; the right of the victim to receive special social services was introduced; and the obligation of officials to inform the procuratorial authorities of the abandonment of children in their custody is enshrined in law.

273. The law establishes a procedure for dealing with victims of trafficking in persons from the moment they are identified until they escape that situation, regardless of citizenship. The legal foundations for providing assistance to potential victims are being established. A separate chapter is devoted to the protection of the rights of minors, who represent the most vulnerable group.

274. Since 2003, an interdepartmental commission has been working to prevent people smuggling and trafficking in persons. Relevant government plans of action are being adopted in stages. The next plan of action for the period 2024–2026 was approved in November 2023. Anti-trafficking units within the Ministry of Internal Affairs are in operation.

275. More than 20 NGOs operate in the country to provide assistance to victims of trafficking in persons. Victims receive various services, namely welfare, medical, psychological, educational, employment, cultural, economic and legal services. Foreigners detected and identified as victims of trafficking in persons are provided with a guaranteed amount of special social services.

276. There are helplines (11616) run by NGOs providing counselling on various migration issues, which more than 940 citizens have called. Every call is reviewed by law enforcement authorities.

277. In order to prevent and detect trafficking in persons, investigative and preventive measures are carried out on a regular basis during which peasant farms and construction sites are inspected to detect forced labour and hotels and bathhouses to prevent sexual exploitation.

278. Over the previous four years, there were 111 crimes related to trafficking in persons in 2020, 103 in 2021, 80 in 2022, and 152 in 2023.

Combating corruption

Recommendation 139.84

279. The anti-corruption policy pursued by Kazakhstan is intended to improve the lives of citizens by eradicating the causes of and conditions that give rise to corruption.

280. A strategic document in this area is the Anti-Corruption Policy Framework for the period 2022–2026 approved by the President.

281. As part of efforts to foster a culture of anti-corruption, a set of educational, awareness-raising and organizational measures is being undertaken.

282. Anti-corruption values are inculcated at all stages of personal development in a way that takes into account the peculiarities and specifics of each age.

283. The preconditions for corruption are identified and eliminated through anti-corruption monitoring, corruption risk analysis, the review of draft laws and regulations by academic experts in the field and other measures.

284. Targeted work is under way to remove barriers and establish the most favourable, competitive conditions possible for business and foreign investors. Anti-corruption compliance has been introduced in the quasi-governmental sector.

285. Penalties imposed for corruption, which have been increased to the greatest extent possible, take the form of strict sanctions for law enforcement officers and judges who are found guilty of corruption and for bribe-givers and intermediaries; revocation of parole for serious and especially serious corruption offences; a lifetime ban from working in the civil service and the quasi-governmental sector for persons convicted of corruption; and criminal prosecution of law enforcement officers and special government agency officials who induce a person to commit a crime.

286. On 3 January 2023, a law was passed pursuant to which public servants were made liable for unjust enrichment.

287. Protection for whistle-blowers has been stepped up. Provision has been made for guarantees protecting the rights of such persons, including against unfair dismissal.

288. Payments for reporting corruption have been increased to 10 per cent of the amount of the bribe or damage, with a maximum remuneration amount of 4,000 times the monthly calculation index depending on the seriousness of the offence. Citizens can report corruption in various ways, including through the 1424 unified call centre, the @AntikorKZ_Bot Telegram chatbot or the e-government portal; sending an email to kense@antikor.gov.kz; or directly contacting employees of the anti-corruption service).

289. The Majilis is considering a draft law that provides for the criminalization of promising or offering a bribe, increasing liability for legal entities, improving the regulation of conflicts of interest, introducing a public register of corrupt officials and holding heads of State bodies and organizations liable for failure to take anti-corruption measures.

290. A national report on combating corruption in the country is published annually.

Right to a healthy environment

Recommendations 139.55 and 139.57–139.59

291. Since 1 July 2021, a new Environmental Code has been in effect, which involves moving towards the higher environmental standards of the Organisation for Economic Co-operation and Development (OECD). The OECD polluter pays principle by which the polluter should bear the costs of pollution prevention and control, has been introduced, reflecting the preventive nature of efforts to address the effects of environmental harm.

292. By fulfilling its commitments under the Paris Agreement, Kazakhstan aims to reduce greenhouse gas emissions by 15 per cent of the 1990 level by 2030.

293. In February 2023, the Strategy for Achieving Carbon Neutrality by 2060, which provides for the widespread use of renewable energy sources; hydrogen energy, carbon capture, use and storage technologies; and increased energy efficiency and energy savings in all sectors of the economy, was approved.

294. In June 2024, the Framework for a Transition to a Green Economy for the period 2021–2030 was updated.

295. Kazakhstan has been implementing the Sendai Framework for Disaster Risk Reduction 2015–2030 for eight years. In order to prevent emergencies, road maps for preventing flood, mudflow and landslide risks and ensuring seismic safety have been approved.

296. A national report on the state of the environment and the use of natural resources is published annually to inform the population about the actual environmental situation and measures taken to improve it.

297. Rules on public hearings, which were developed in compliance with the Convention on Access to Information, Public Participation in Decision-Making and Access to Justice in

Environmental Matters and the Environmental Code, have been approved and govern the procedures for holding such hearings.

298. The Ministry of Ecology and Natural Resources has developed a Unified Environmental Portal with the support of the OSCE office to centralize all announcements, materials and minutes of public hearings. The creation of the Portal has expanded access to information, public participation in decision-making and access to justice in environmental matters.

299. A State Fund of Environmental Information is maintained and a public service for provision of environmental information is in operation.
