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## Human Rights Council

Working Group on the Universal Periodic Review

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### **Compilation prepared by the Office of the United Nations High Commissioner for Human Rights in accordance with paragraph 15 (b) of the annex to Human Rights Council resolution 5/1 and paragraph 5 of the annex to Council resolution 16/21**

## **Kazakhstan**

The present report is a compilation of the information contained in reports of the treaty bodies and special procedures, including observations and comments by the State concerned, in reports of the United Nations High Commissioner for Human Rights, and in other relevant official United Nations documents. It is presented in a summarized manner owing to word-limit constraints. For the full texts, please refer to the documents referenced. The report does not contain any opinions, views or suggestions on the part of the Office of the United Nations High Commissioner for Human Rights other than those contained in public reports and statements issued by the Office. It follows the general guidelines adopted by the Human Rights Council in its decision 17/119. Information included herein has been systematically referenced in endnotes. The report has been prepared taking into consideration the periodicity of the review, and developments during that period.

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## I. Background and framework

### A. Scope of international obligations<sup>1</sup>

#### International human rights treaties<sup>2</sup>

	<i>Status during previous cycle</i>	<i>Action after review</i>	<i>Not ratified/not accepted</i>
<i>Ratification, accession or succession</i>	ICERD (1998)		ICCPR-OP 2
	ICESCR (2006)		ICRMW
	ICCPR (2006)		CRPD (signature, 2008)
	CEDAW (1998)		
	CAT (1998)		
	OP-CAT (2008)		
	CRC (1994)		
	OP-CRC-AC (2003)		
	OP-CRC-SC (2001)		
	CRPD (signature, 2008)		
<i>Reservations and/or declarations</i>	CPED (2009)		
	ICCPR-OP 1 (Declaration, art. 1, 2009)	OP-CAT (Declaration, art. 24 (1), 2010)	
<i>Complaints procedures, inquiries and urgent action<sup>3</sup></i>	OP-CRC-AC (Declaration, art. 3 (2), age of recruitment 19 years, 2003)		
	ICERD, art. 14 (2008)	OP-ICESCR (signature, 2010)	OP-ICESCR (signature, 2010)
	ICCPR-OP 1 (2009)		OP-CRPD (signature, 2008)
	OP-CEDAW, art. 8 (2001)		ICCPR, art. 41
	CAT, arts. 20 (1998), 21 and 22 (2008)		OP-CRC-IC
	OP-CRPD (signature, 2008)		ICRMW
			CPED, arts. 31 and 32

**Other main relevant international instruments<sup>4</sup>**

	<i>Status during previous cycle</i>	<i>Action after review</i>	<i>Not ratified</i>
<i>Ratification, accession or succession</i>	Convention on the Prevention and Punishment of the Crime of Genocide		Rome Statute of the International Criminal Court
	Palermo Protocol <sup>5</sup>		Conventions on stateless persons <sup>9</sup>
	Conventions on refugees <sup>6</sup>		UNESCO Convention against Discrimination in Education
	Geneva Conventions of 12 August 1949 and Additional Protocols thereto <sup>7</sup>		ILO Conventions Nos. 169 and 189 <sup>10</sup>
	ILO fundamental conventions <sup>8</sup>		

1. It was recommended that Kazakhstan ratify ICRMW,<sup>11</sup> Conventions on stateless persons,<sup>12</sup> and International Labour Organization (ILO) Conventions Nos. 143,<sup>13</sup> 97,<sup>14</sup> 143,<sup>15</sup> 111<sup>16</sup> and 102.<sup>17</sup>

2. Kazakhstan was encouraged to consider ratifying CRPD<sup>18</sup> and OP-CRPD,<sup>19</sup> OP-ICESCR,<sup>20</sup> ICCPR-OP2<sup>21</sup> and the United Nations Educational, Scientific and Cultural Organization (UNESCO) Convention against Discrimination in Education.<sup>22</sup>

3. The Committee on the Elimination of Discrimination against Women (CEDAW) encouraged Kazakhstan to accept the amendment to article 20, paragraph 1, of CEDAW.<sup>23</sup>

**B. Constitutional and legislative framework**

N/A.

**C. Institutional and human rights infrastructure and policy measures****Status of national human rights institutions<sup>24</sup>**

<i>National human rights institution</i>	<i>Status during previous cycle</i>	<i>Status during present cycle<sup>25</sup></i>
The Commissioner for Human Rights (CHR)	–	B (2012)

4. The Committee on the Elimination of Racial Discrimination (CERD) recommended that Kazakhstan inter alia strengthen the mandate of the Commissioner for Human Rights, provide the Commissioner with adequate resources, and ensure that he or she enjoys full independence.<sup>26</sup> The Human Rights Committee (HR Committee), the Committee on Economic, Social and Cultural Rights (CESCR) and the Special Rapporteur on adequate housing as a component of the right to an adequate standard of living, and on the right to non-discrimination in this context made similar recommendations.<sup>27</sup>

5. The United Nations country team (UNCT) in Kazakhstan stated that the National Human Rights Action Plan for 2009–2012 had not resulted in significant change in the human rights situation as many of its key recommendations had not been implemented.<sup>28</sup>

## II. Cooperation with human rights mechanisms

6. Kazakhstan submitted its mid-term report regarding the follow-up to the recommendations put forward during the universal periodic review, which was held in 2010.<sup>29</sup>

### A. Cooperation with treaty bodies<sup>30</sup>

#### 1. Reporting status

<i>Treaty body</i>	<i>Concluding observations included in previous review</i>	<i>Latest report submitted since previous review</i>	<i>Latest concluding observations</i>	<i>Reporting status</i>
CERD	August 2004	2008 and 2012	March 2010 and February 2014	Eighth to tenth reports due in 2017
CESCR	–	2007	May 2010	Second report due in 2015
HR Committee	–	2009	July 2011	Second report due in July 2014
CEDAW	January 2007	2011	February 2014	Fifth report due in 2018
CAT	November 2008	2013	–	Third report pending consideration in November 2014
CRC	June 2007 (CRC)/ September 2006 (OP-CRC-AC)/ January 2006 (OP-CRC-SC)	2011	–	Fourth report pending consideration in 2015
CED	–	2014	–	Initial report pending consideration

#### 2. Responses to specific follow-up requests by treaty bodies

<i>Concluding observations</i>			
<i>Treaty body</i>	<i>Due in</i>	<i>Subject matter</i>	<i>Submitted in</i>
CERD	2011 2015	Teaching of and use of minority languages; migrant workers. <sup>31</sup>  Equal opportunities; migrant workers; refugees and asylum-seekers. <sup>32</sup>	2011. <sup>33</sup> Further information requested. <sup>34</sup>
HR Committee	2012	Independence and resources of CHR; judicial independence; freedom of expression and assembly. <sup>35</sup>	2012. <sup>36</sup> Further information requested. <sup>37</sup>
CEDAW	2016	Violence against women; discrimination against women in employment. <sup>38</sup>	–

<i>Treaty body</i>	<i>Due in</i>	<i>Subject matter</i>	<i>Submitted in</i>
CAT	2009	Torture and ill-treatment; detention; severity of penalties for perpetrators of torture; and evidence obtained through torture. <sup>39</sup>	2010 <sup>40</sup> and 2011. <sup>41</sup>
<i>Views</i>			
<i>Treaty body</i>	<i>Number of views</i>	<i>Status</i>	
HR Committee	2 <sup>42</sup>	Violation. Follow-up dialogue ongoing. <sup>43</sup>	
CAT	3 <sup>44</sup>	Violation. Follow-up dialogue ongoing. <sup>45</sup>	

## B. Cooperation with special procedures<sup>46</sup>

	<i>Status during previous cycle</i>	<i>Current status</i>
<i>Standing invitation</i>	Yes	Yes
<i>Visits undertaken</i>	Independence of judges and lawyers (2004) Torture (2009) Minority issues (2009) <sup>47</sup>	Adequate housing (2010) <sup>48</sup> Education (2011) <sup>49</sup> Slavery (2012) <sup>50</sup> Freedom of religion (2014) <sup>51</sup>
<i>Visits agreed to in principle</i>	Adequate housing	Hazardous substances and waste Human rights defenders Freedom of association and assembly
<i>Visits requested</i>	—	Human rights and transnational corporations and other business enterprises
<i>Responses to letters of allegation and urgent appeals</i>	In the period under review 18 communications were sent. The Government replied to 12 communications.	
<i>Follow-up reports and missions</i>	Torture (Mission (2010) and reports <sup>52</sup> ) Slavery (Mission (2014)) <sup>53</sup>	

## C. Cooperation with the Office of the United Nations High Commissioner for Human Rights

7. In 2012, The High Commissioner for Human Rights (HC) paid a two-day visit to Kazakhstan.<sup>54</sup> In 2012, through its Regional Office in Central Asia (based in Bishkek, covering Kazakhstan<sup>55</sup>), OHCHR jointly organized with UNDP a regional seminar aimed at sharing experiences and strengthening national and regional cooperation in the implementation of recommendations from United Nations human rights mechanisms, involving representatives from the government, national human rights institutions and civil society from Kazakhstan *inter alia*.<sup>56</sup>

8. In 2010, 2011, 2012, 2013 and 2014, Kazakhstan contributed financially to OHCHR, including to the Voluntary Fund for implementation of the UPR.<sup>57</sup>

### **III. Implementation of international human rights obligations**

#### **A. Equality and non-discrimination**

9. CERD encouraged Kazakhstan to adopt a comprehensive anti-discrimination law, including a definition of direct and indirect discrimination.<sup>58</sup> CEDAW called upon Kazakhstan to adopt a comprehensive legal definition of discrimination against women, and prohibit and sanction such discrimination.<sup>59</sup>

10. CEDAW remained concerned at the persistence of harmful practices and traditions, and patriarchal attitudes and deep-rooted stereotypes regarding the roles and responsibilities of women and men in the family and in society.<sup>60</sup> CESCR<sup>61</sup> and the HR Committee<sup>62</sup> made similar observations.

11. The Special Rapporteur on freedom of religion or belief stated that incidents of interreligious clashes seemed to remain very rare, and that people mostly appreciated religious diversity as something normal. However, that positive attitude did not equally include members of non-traditional communities, who confirmed that they sometimes faced societal scepticism, suspicion and discrimination.<sup>63</sup>

12. CERD recommended that Kazakhstan adopt special measures to promote equal opportunities for different ethnic groups.<sup>64</sup> It recommended that Kazakhstan promote tolerance, intercultural dialogue and respect for diversity, with a focus on the role of journalists and public officials. CERD recommended that Kazakhstan combat hate speech in the media and on the Internet, and effectively investigate and, as appropriate, prosecute and punish, acts of hate speech.<sup>65</sup>

13. CESCR was concerned at the systemic discrimination against migrants, refugees and asylum-seekers with respect to their economic, social and cultural rights and at the fact that those groups were not eligible for State social assistance.<sup>66</sup>

#### **B. Right to life, liberty and security of the person**

14. While noting the moratorium on the death penalty with respect to certain crimes, the HR Committee encouraged Kazakhstan to abolish the death penalty.<sup>67</sup>

15. The Committee against Torture (CAT) stated that torture and ill-treatment committed by law enforcement officials remained an issue of serious concern.<sup>68</sup> In 2012, the Special Rapporteur on torture and other cruel, inhuman or degrading treatment or punishment called upon Kazakhstan to ensure that torture is established as a serious crime, sanctioned with appropriate penalties.<sup>69</sup> The HR Committee recommended that allegations of torture and ill-treatment be effectively investigated, and perpetrators prosecuted and punished with appropriate sanctions.<sup>70</sup>

16. CESCR was alarmed by the high level of violence against women and children.<sup>71</sup> CEDAW was concerned about: the lack of legislation criminalizing all forms of violence against women, including stalking; the underreporting of domestic violence cases, and the lack of adequate State funding for crisis centres and shelters for the victims.<sup>72</sup>

17. CEDAW urged Kazakhstan to revise its legislation to cover all forms of violence against women, and ensure that the definition of the crime of rape is in accordance with the Convention and the Committee's jurisprudence.<sup>73</sup> The Special Rapporteur on torture

expressed hope that adequate funding would be allocated for the establishment of crisis centres for domestic violence victims.<sup>74</sup> CEDAW urged Kazakhstan to ensure effective investigation of all complaints and the ex officio prosecution of acts of violence against women.<sup>75</sup>

18. CEDAW called upon Kazakhstan to adopt comprehensive legislation to combat sexual harassment in the workplace.<sup>76</sup>

19. The HR Committee recommended that Kazakhstan put an end to corporal punishment in schools and institutions, and encourage non-violent forms of discipline as alternatives to corporal punishment in family settings.<sup>77</sup>

20. In 2010, CESCR was concerned about the persistence of child labour, including by children of migrant workers on tobacco and cotton farms.<sup>78</sup> In 2013, the Special Rapporteur on contemporary forms of slavery made a similar observation.<sup>79</sup> During the 2014 follow-up visit, the Special Rapporteur on slavery noted that, despite the steps taken to increase protection for migrant tobacco workers, the risk of debt bondage and cases of hazardous child labour still persisted on some farms.<sup>80</sup>

21. The ILO Committee of Experts on the Application of Conventions and Recommendations (ILO Committee of Experts) encouraged Kazakhstan to ensure the elimination of child labour on tobacco and cotton plantations.<sup>81</sup> CESCR and the HR Committee made similar recommendations.<sup>82</sup>

22. CEDAW remained concerned that Kazakhstan was a country of origin, transit and destination for trafficked women and girls and at the low reporting of trafficking crimes.<sup>83</sup> The Special Rapporteur on slavery stated that the definition of trafficking in the Criminal Code needed to be revised in order to incorporate the definition of all the elements of the offence and all the means used by perpetrators, as set out in the Palermo Protocol.<sup>84</sup> CEDAW recommended that Kazakhstan address the root causes of human trafficking and ensure the rehabilitation and social integration of the victims.<sup>85</sup>

23. The Special Rapporteur on slavery stated that forced and bonded labour occurred in the tobacco, cotton and construction industry and that there were no services for victims of forced labour.<sup>86</sup> She recommended that Kazakhstan revise the legislation to bring it into line with international standards.<sup>87</sup> During the 2014 follow-up visit, the Special Rapporteur on slavery urged Kazakhstan to ensure that slavery, and slavery-like practices, including domestic servitude, forced labour, and forced early marriages are designated as crimes in the draft Criminal Code.<sup>88</sup>

### **C. Administration of justice, including impunity and the rule of law**

24. The HR Committee expressed concern at the lack of an independent judiciary, at the conditions for appointing and dismissing judges, which did not guarantee the proper separation of powers between the executive and the judiciary, and at reports that corruption was widespread in the judiciary.<sup>89</sup> Kazakhstan provided its response to those observations.<sup>90</sup> In 2011, the HR Committee recommended that Kazakhstan safeguard the independence of the judiciary, and guarantee the competence, independence and tenure of judges. Kazakhstan should eradicate all forms of interference with the judiciary.<sup>91</sup> In its 2013 follow-up letter, the HR Committee noted that additional measures remained necessary to strengthen the independence of the judiciary, and reiterated its recommendation of 2011. It expressed concern at the information indicating that 400 judges had been dismissed during the preceding two years.<sup>92</sup>

25. The HR Committee expressed concern at reports indicating that the prosecution had undue influence on the judiciary, thereby affecting judicial decisions.<sup>93</sup> UNCT stated that

inequality of arms remained a key characteristic of the criminal process. Lawyers continued to have limited powers to collect evidence, which hampered their capacity to counterbalance the prosecutor's powers and impact on the judicial process.<sup>94</sup>

26. UNCT stated that there were cases when lawyers were subject to threats or disciplinary action, including disbarment for conduct they saw as the legitimate exercise of their profession.<sup>95</sup>

27. The HR Committee was concerned at reports of undue restrictions on access to lawyers, especially in cases involving State secrets. It recommended that Kazakhstan ensure that measures taken to protect State secrets should not involve undue restrictions on an individual's right to access to lawyers of their choice.<sup>96</sup> UNCT stated that the draft Criminal Procedure Code did not address that issue.<sup>97</sup>

28. The HR Committee was concerned at the lack of legal obligation on the part of police officers to inform accused persons of their right to legal assistance.<sup>98</sup> CEDAW was concerned about the lack of adequate provision of free legal aid.<sup>99</sup>

29. The HR Committee recommended that Kazakhstan address overcrowding in detention centres and prisons, including through increased resort to alternative forms of punishment. Kazakhstan should end the practice of tolerating inter-prisoner violence and address the underlying causes of self-mutilation by prisoners.<sup>100</sup> CESCR urged Kazakhstan to abolish forced labour as a punitive measure for convicts.<sup>101</sup>

30. The HR Committee was concerned at reports that judges admitted as evidence testimony obtained under torture. Kazakhstan should ensure that measures were put in place to guarantee the exclusion by the judiciary of evidence obtained under torture.<sup>102</sup> In 2011, the Special Rapporteur on torture made similar recommendations.<sup>103</sup>

31. The HR Committee expressed concern at the low rate of investigation of allegations of torture.<sup>104</sup> CAT referred to allegations that widespread impunity for acts of torture and ill-treatment continued and that complaints mechanisms were ineffective.<sup>105</sup> The Special Rapporteur on torture stressed the need to establish an effective and independent mechanism to investigate all allegations of torture promptly, independently and thoroughly.<sup>106</sup>

32. The HC stated that allegations that investigations into the events which occurred on Independence Day in Zhanaozen in December 2011 were flawed or incomplete and that due process and fair trial guarantees had not been followed.<sup>107</sup> She recommended that Kazakhstan authorize an independent international investigation into the events in Zhanaozen.<sup>108</sup>

33. UNCT stated that the national preventive mechanism (NPM) was in the process of being established and that significant funds had been allocated for its functioning. It noted the lack of a single, overarching definition of deprivation of liberty, and that the NPM mandate was scattered across various laws.<sup>109</sup>

#### **D. Right to privacy, marriage and family life**

34. CEDAW was concerned that a considerable number of childbirths were not registered. It recommended that Kazakhstan ensure that poor and rural women are able to easily access birth registration services.<sup>110</sup>

35. CEDAW recommended that Kazakhstan protect the rights of women upon dissolution of marriages that were solely based on religious ceremonies and customary traditions, regardless of their registration status.<sup>111</sup> It urged Kazakhstan to combat child marriages and polygamy.<sup>112</sup>

## **E. Freedom of religion or belief, expression, association and peaceful assembly, and the right to participate in public and political life**

36. The HR Committee was concerned that legislation provided for the compulsory registration of religious associations and groups.<sup>113</sup> The Special Rapporteur on freedom of religion explained that non-registered religious groups could exercise hardly any collective religious functions and that their activities were deemed illegal and could incur serious administrative sanctions. He reported on police raids on the premises of some non-registered groups, leading to the confiscation of literature, computers and other property.<sup>114</sup>

37. The Rapporteur on freedom of religion stated that, while the vast majority of religious communities had re-registered after the enactment of the 2011 Law on Religious Associations, some communities had lost their legal status. There were a few small groups which, as a matter of conviction, refused to register with the State. Given the high threshold for national registration, only Sunni Islam, the Russian Orthodox Church and the Catholic Church possessed the status of religious association countrywide, while other re-registered communities merely met the thresholds for local and/or regional registration.<sup>115</sup>

38. The Special Rapporteur stated that individuals who carried out religious functions with some degree of public visibility were legally required to register as missionaries. While representatives of traditional religious communities in practice could carry out religious functions without specific missionary permits, members of smaller groups were sanctioned for merely talking about their faith or answering questions in public.<sup>116</sup>

39. The Special Rapporteur recommended far-reaching reforms of the Law based on an understanding that registration should be optional. Non-registered communities must be able to operate free from discrimination and free from fear of intimidation. The requirement of registering missionary activities as well as the practice of licensing the import and distribution of religious literature should be generally overhauled.<sup>117</sup>

40. The HR Committee encouraged Kazakhstan to review its legislation with a view to providing for alternative military service. The law should clearly stipulate that individuals have the right to conscientious objection to military service.<sup>118</sup>

41. UNCT stated that the accepted UPR recommendations on decriminalization of defamation had yet to be fully implemented.<sup>119</sup> The HR Committee was concerned at the provisions under the Criminal Code on defamation of public officials, and the enactment of the Law on the Leader of the Nation, which introduced a new article into the Criminal Code prohibiting and punishing insults against the honour of the President.<sup>120</sup>

42. UNESCO encouraged Kazakhstan to decriminalize defamation. It recommended reforming the provisions on insult and their penalties, particularly correctional labour and imprisonment, to align them with international standards on freedom of expression.<sup>121</sup> CERD recommended that Kazakhstan clearly define criminal offences, in particular those in article 164 of the Criminal Code on incitement to national, ethnic or racial enmity or discord, or insult to the national honour and dignity or religious feelings of citizens, so as to ensure that they do not result in unnecessary or disproportionate interference with freedom of expression.<sup>122</sup> The Special Rapporteur on freedom of religion stated that the ongoing reform of the Criminal Code offered an opportunity to revise those articles.<sup>123</sup>

43. The HC noted concerns indicating that the space for public criticism was shrinking rather than expanding. The media were only partially reporting difficult stories, which suggested a stifling form of self-censorship.<sup>124</sup> The HR Committee was concerned at reports that threats, assaults, harassment and intimidation of journalists and human rights defenders had reduced the exercise of freedom of expression.<sup>125</sup> UNESCO made similar observations.<sup>126</sup>

44. UNCT noted the draft law on access to information and the wide consultations during the drafting process. It encouraged Kazakhstan to accelerate the adoption of the law.<sup>127</sup>

45. The ILO Committee of Experts reiterated its request to amend the legislation to ensure that judges can establish organizations for furthering and defending their interests. Likewise, it requested Kazakhstan to ensure that firefighters and prison staff are guaranteed the right to establish and join organizations for furthering and defending their interests.<sup>128</sup>

46. The HR Committee expressed concern at the application of the law on the registration of political parties, which imposed undue restrictions on the registration of political parties and public associations, resulting in obstacles and delays in the registration of opposition parties and groups. Kazakhstan should bring its law and practice into line with ICCPR and should not use the process of registration to victimize groups holding political views contrary to those of the ruling party.<sup>129</sup>

47. The HC stated that freedom of assembly was far too restricted, with the organizers held responsible – with heavy penalties – for security, which they were powerless to provide, and which should be the responsibility of the police. Groups wishing to make public protests were subjected to a range of complex or easily abused bureaucratic requirements that undermined freedom of assembly.<sup>130</sup> The HR Committee made similar observations.<sup>131</sup>

48. The HC referred to the tragic events in Zhanaozen, when some 15 people were killed and dozens injured after police fired live rounds into crowds of people, and another incident at a nearby railway station the following day.<sup>132</sup> Several special procedures mandate holders sent a joint communication regarding allegations of widespread acts of violence and excessive use of force against protesters in Zhanaozen.<sup>133</sup> The Special Rapporteur on torture expressed concern at the reported incidence of violence and excessive use of force by law enforcement officials against the protesters.<sup>134</sup>

49. The HC stated that the 1995 law on freedom of assembly should be replaced by a new law that is in accordance with international standards.<sup>135</sup> The Special Rapporteur on freedom of peaceful assembly urged Kazakhstan to ensure that any individual and legal entity can peacefully exercise their rights of freedom of peaceful assembly and of association.<sup>136</sup>

50. CERD was concerned about the underrepresentation of minorities in political life and decision-making, the limited participation of minorities, particularly in the parliament and at reports about the significant underrepresentation of non-Kazakh ethnic groups in the civil service.<sup>137</sup>

51. CEDAW remained concerned that women continued to be underrepresented on legislative bodies, in leadership positions in political parties, and in the public service and the diplomatic service. It recommended that Kazakhstan, *inter alia*, implement the Gender Equality Strategy 2006–2016 and take measures to increase women's leadership in political parties.<sup>138</sup>

## **F. Right to work and to just and favourable conditions of work**

52. CEDAW remained concerned about the gender pay gap, the high level of unemployment among women, and occupational segregation between women and men.<sup>139</sup> CEDAW called upon Kazakhstan to reduce unemployment among women; eliminate structural inequalities and occupational segregation, both horizontal and vertical; and narrow and close the pay gap between women and men.<sup>140</sup> The ILO Committee of Experts

urged Kazakhstan to amend the Labour Code to give full legislative effect to the principle of equal remuneration for men and women for work of equal value.<sup>141</sup>

53. Noting with concern the restrictions on the right to strike, CESCR urged Kazakhstan to revise its legislation on the right to strike to bring it into line with ICESCR and the ILO conventions relating to the right to strike.<sup>142</sup>

## **G. Right to social security and to an adequate standard of living**

54. CESCR was concerned about the high level of poverty in rural areas and in some regions, despite the macroeconomic achievements of the State party.<sup>143</sup>

55. CESCR was concerned that the social security system was not comprehensive, leaving part of the population without adequate protection, and that the basic and minimum pensions might not provide an adequate standard of living.<sup>144</sup>

56. CESCR was concerned at reports of long waiting periods and corruption associated with the provision of accommodation assistance and that disadvantaged and marginalized individuals and groups were not given priority access to the State housing construction programme.<sup>145</sup> UNCT noted with concern the limited space for civil society and other stakeholders to participate in the development of housing-related policies and programmes.<sup>146</sup>

57. The Special Rapporteur on adequate housing urged Kazakhstan to consider reviewing the Housing Relations Act to ensure that persons belonging to vulnerable and disadvantaged groups receive priority consideration in the allocation of social housing units.<sup>147</sup> Kazakhstan should review its approach centred solely on the market and mortgage-based home-ownership, and develop a comprehensive national housing policy.<sup>148</sup>

58. The Special Rapporteur on adequate housing indicated that the legal and policy framework regarding housing, and in particular the legislation on forced eviction, did not comply fully with international human rights standards. He reported a high rate of demolition of informal settlements and forced evictions without prior notification, judicial control or review, or any provision of adequate compensation or alternative accommodation.<sup>149</sup>

59. The Special Rapporteur on adequate housing recommended that Kazakhstan review, inter alia, its legislation and policies on housing to ensure their consistency with international human rights standards, and adopt a comprehensive approach to address forced evictions, security of tenure, the legalization of informal settlements and slum upgrading.<sup>150</sup> Kazakhstan was urged to adopt a specific law on eviction to ensure that forced evictions are carried out only in the exceptional circumstances provided for by legislation, and only for the purpose of promoting general welfare. Protection against forced evictions should apply to all vulnerable individuals and groups, irrespective of whether they hold title to a home and or property under domestic law.<sup>151</sup> CESCR made similar recommendations.<sup>152</sup>

## **H Right to health**

60. The HR Committee recommended that Kazakhstan adopt measures to help girls avoid unwanted pregnancies and recourse to illegal abortions.<sup>153</sup> CESCR recommended that Kazakhstan provide a broad range of sexual and reproductive health-care services through its primary health-care system.<sup>154</sup> In 2010, CESCR recommended that Kazakhstan include sexual and reproductive health education programmes in schools.<sup>155</sup> In 2014, CEDAW made a similar recommendation.<sup>156</sup>

61. CESCR noted with concern the reported neglect of mental health patients and the low level of protection of mental health patients from abuse, including forced internment. It recommended a comprehensive review of the State party's mental health policy and legislation to bring them into line with international standards.<sup>157</sup>

62. CEDAW called upon Kazakhstan to step up the implementation of strategies to combat HIV/AIDS, particularly preventive strategies, and continue the provision of free antiretroviral treatment to those living with HIV/AIDS.<sup>158</sup>

## **I. Right to education**

63. The Special Rapporteur on the right to education commended Kazakhstan for achieving almost universal enrolment at the primary and secondary levels of education.<sup>159</sup> Noting the remaining challenges, he stated that Kazakhstan should invest more in education and ensure that investments focus on improving quality standards that are applied uniformly throughout the country. Priority must be granted to reaching groups traditionally excluded from education systems, such as children living in poverty, children with disabilities and children belonging to minorities.<sup>160</sup>

64. CEDAW was concerned about the increasing number of girls who dropped out of school, partly owing to child marriages.<sup>161</sup>

65. The Special Rapporteur on education recommended that Kazakhstan ensure inclusive education, providing all children, including migrant and refugee children, with access to education without any legal or administrative preconditions, such as the *propiska*.<sup>162</sup> The ILO Committee of Experts made a similar recommendation.<sup>163</sup>

66. The Special Rapporteur on adequate housing stated that human rights education should be improved. He recommended that Kazakhstan organize, with the assistance of the OHCHR Regional Office for Central Asia, training opportunities and awareness-raising activities for judges, lawyers and public officials, to familiarize them with economic, social and cultural rights.<sup>164</sup> CERD<sup>165</sup> and CESCR<sup>166</sup> made similar recommendations.

## **J. Persons with disabilities**

67. CESCR noted with concern the difficulties that persons with disabilities experienced in the exercise of their economic, social and cultural rights.<sup>167</sup>

68. The Special Rapporteur on education stated that inclusive education had not been developed and that only one third of children with disabilities had access to teaching and development programmes. Children with disabilities were placed in special boarding schools away from home. Public schools did not have the necessary conditions or trained teaching staff to work with children with disabilities.<sup>168</sup>

## **K. Minorities and indigenous peoples**

69. CERD recommended that Kazakhstan ensure the use of minority languages, particularly in regions with compact minority communities, and the protection of the cultural rights of minority groups.<sup>169</sup>

70. CERD recommended that Kazakhstan increase access for children from ethnic minorities to instruction in, and study of, their mother tongue, and ensure improved access to higher education for students from all ethnic groups without discrimination.<sup>170</sup> The Special Rapporteur on education made a similar recommendation.<sup>171</sup>

71. CERD recommended that Kazakhstan alleviate the reportedly precarious socioeconomic situation of Roma, ensuring their enjoyment of economic, social and cultural rights without prejudice or stereotyping.<sup>172</sup>

## **L. Migrants, refugees and asylum seekers**

72. CERD was concerned that the system of work permits and quotas for recruiting foreign workers were restrictive and might lead to discrimination.<sup>173</sup> During the 2014 follow-up visit, the Special Rapporteur on slavery welcomed the amendments to the legislation on migration, noting that the complex and lengthy process of issuance of work permits constrained the opportunities for legal employment. Its simplification was an important step forward and would allow for the legalization of migrant workers.<sup>174</sup>

73. The Special Rapporteur on slavery stated that migrants without regular status and without written contracts were vulnerable to exploitation and that irregular migrants who were victims of forced labour could not turn to the police because they feared deportation as they had no work permits.<sup>175</sup> CESCR made similar observations.<sup>176</sup>

74. The Special Rapporteur on slavery noted that irregular migrants and their children had no access to medical care unless they had an acute or life-threatening disease.<sup>177</sup> With the introduction of individual identity numbers, undocumented workers and their families could only receive medical care in the event of an emergency.<sup>178</sup>

75. CERD recommended that Kazakhstan ensure that migrant workers and their families enjoy equal access to education, health care and other essential public services, and prevent incidents of violence, extortion and trafficking against migrant workers and prosecute and punish the perpetrators of such acts.<sup>179</sup>

76. The Office of the United Nations High Commissioner for Refugees (UNHCR) stated that legislation prohibited the return and extradition of refugees and asylum-seekers. However, Kazakhstan was bound by a duty to extradite individuals who fell under the purview of bilateral or multilateral extradition agreements or from regional instruments, such as the Minsk Convention on Legal Aid and Legal Relations on Civil, Family and Criminal Cases. UNHCR was particularly concerned at allegations of the forcible return of asylum-seekers from two countries that were party to the Shanghai Convention on Combating Terrorism, Separatism and Extremism.<sup>180</sup> The HR Committee made similar observations.<sup>181</sup>

77. UNHCR recommended that Kazakhstan uphold the principle of non-refoulement in accordance with the 1951 Convention and ensure (a) that no person is expelled, extradited or in any other way returned to a country where he/she would be in danger of being persecuted and (b) that all persons whose applications for asylum were rejected have the right to lodge an effective appeal with suspensive effect.<sup>182</sup> HR Committee made similar recommendations.<sup>183</sup>

78. UNHCR recommended that Kazakhstan establish an accessible asylum and referral procedure at all border points and guarantee the right of every person to seek asylum in Kazakhstan.<sup>184</sup> CERD made similar recommendations.<sup>185</sup>

79. UNHCR recommended ensuring that refugees and asylum-seekers are not penalized for illegal entry and stay in the country and that the detention of asylum-seekers is only used as a last resort and, where necessary, for as short a period as possible, and that judicial safeguards are in place to prevent arbitrary and/or indefinite detention.<sup>186</sup>

80. CEDAW was concerned that there were still stateless persons facing difficulties in accessing education, health care and other services owing to a lack of identification documents and proof of residence.<sup>187</sup> CERD recommended that Kazakhstan address

statelessness and ensure that laws concerning acquisition of Kazakh nationality do not increase the number of stateless persons.<sup>188</sup>

## **M. Right to development, and environmental issues**

81. The HC noted the disparities in the distribution of wealth and the differences in the resources available to cities like Astana and Almaty and rural towns and districts.<sup>189</sup> CESCR urged Kazakhstan to address disparities between urban and rural areas and among regions with regard to adequate housing, sanitation systems and water connections.<sup>190</sup>

82. CESCR and the Special Rapporteur on adequate housing urged Kazakhstan to step up its efforts to combat corruption.<sup>191</sup>

83. CESCR was concerned about the regional environmental hazards, in particular the depletion and pollution of the Aral Sea and the environmental pollution of the former nuclear test site of Semipalatinsk. It was concerned about air pollution and accumulation of waste, and contamination of soil and water by industrial waste, agricultural pollutants and chemicals.<sup>192</sup>

## **N. Human rights and counter-terrorism**

84. The HR Committee recommended that Kazakhstan ensure that the activities of its law enforcement officials in the fight against terrorism did not target individuals solely on the basis of their status or religious belief and manifestation, and that any measures to combat terrorism were compatible with international human rights law.<sup>193</sup> CESCR called on Kazakhstan to ensure that counter-terrorism measures and legislation do not have a discriminatory effect on the enjoyment of economic, social and cultural rights by certain groups, in particular ethnic minorities.<sup>194</sup>

### *Notes*

<sup>1</sup> Unless indicated otherwise, the status of ratification of instruments listed in the table may be found on the official website of the United Nations Treaty Collection database, Office of Legal Affairs of the United Nations Secretariat, <http://treaties.un.org/>. Please also refer to the United Nations compilation on Kazakhstan from the previous cycle (A/HRC/WG.6/7/KAZ/2).

<sup>2</sup> The following abbreviations have been used in the present document:

ICERD	International Convention on the Elimination of All Forms of Racial Discrimination
ICESCR	International Covenant on Economic, Social and Cultural Rights
OP-ICESCR	Optional Protocol to ICESCR
ICCPR	International Covenant on Civil and Political Rights
ICCPR-OP 1	Optional Protocol to ICCPR
ICCPR-OP 2	Second Optional Protocol to ICCPR, aiming at the abolition of the death penalty
CEDAW	Convention on the Elimination of All Forms of Discrimination against Women
OP-CEDAW	Optional Protocol to CEDAW
CAT	Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment
OP-CAT	Optional Protocol to CAT
CRC	Convention on the Rights of the Child
OP-CRC-AC	Optional Protocol to CRC on the involvement of children in armed conflict
OP-CRC-SC	Optional Protocol to CRC on the sale of children, child prostitution and child pornography

OP-CRC-IC	Optional Protocol to CRC on a communications procedure
ICRMW	International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families
CRPD	Convention on the Rights of Persons with Disabilities
OP-CRPD	Optional Protocol to CRPD
CPED	International Convention for the Protection of All Persons from Enforced Disappearance

- <sup>3</sup> A table in the previous UPR compilation contained the following information under Recognition of specific competences of treaty bodies: Individual complaints: ICCPR-OP 1, art 1; OP-CEDAW, art. 1; OP-CRPD, art. 1; OP-ICESCR, art. 1; OP-CRC-IC, art. 5; ICERD, art. 14; CAT, art. 22; ICRMW, art. 77; and CPED, art. 31; Inquiry procedure: OP-CEDAW, art. 8; CAT, art. 20; CPED, art. 33; OP-CRPD, art. 6; OP-ICESCR, art. 11; and OP-CRC-IC, art. 13; Inter-State complaints: ICCPR, art. 41; ICRMW, art. 76; CPED, art. 32; CAT, art. 21; OP-ICESCR, art. 10; and OP-CRC-IC, art. 12; Urgent action: CPED, art. 30.
- <sup>4</sup> Information relating to other relevant international human rights instruments, including regional instruments, may be found in the pledges and commitments undertaken by Kazakhstan before the Human Rights Council, as contained in the note verbale dated 2 June, 2012 sent by the Permanent Mission of Kazakhstan to the United Nations, addressed to the President of the General Assembly (A/67/122).
- <sup>5</sup> Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children, supplementing the United Nations Convention against Transnational Organized Crime.
- <sup>6</sup> 1951 Convention relating to the Status of Refugees and its 1967 Protocol.
- <sup>7</sup> Geneva Convention for the Amelioration of the Condition of the Wounded and Sick in Armed Forces in the Field (First Convention); Geneva Convention for the Amelioration of the Condition of Wounded, Sick and Shipwrecked Members of Armed Forces at Sea (Second Convention); Geneva Convention relative to the Treatment of Prisoners of War (Third Convention); Geneva Convention relative to the Protection of Civilian Persons in Time of War (Fourth Convention); Protocol Additional to the Geneva Conventions of 12 August 1949, and relating to the Protection of Victims of International Armed Conflicts (Protocol I); Protocol Additional to the Geneva Conventions of 12 August 1949, and relating to the Protection of Victims of Non-International Armed Conflicts (Protocol II); Protocol Additional to the Geneva Conventions of 12 August 1949, and relating to the Adoption of an Additional Distinctive Emblem (Protocol III). For the official status of ratifications, see Federal Department of Foreign Affairs of Switzerland, at [www.eda.admin.ch/eda/fr/home/topics/intla/intrea/chdep/warvic.html](http://www.eda.admin.ch/eda/fr/home/topics/intla/intrea/chdep/warvic.html).
- <sup>8</sup> International Labour Organization Convention No. 29 concerning Forced or Compulsory Labour; Convention No. 105 concerning the Abolition of Forced Labour; Convention No. 87 concerning Freedom of Association and Protection of the Right to Organise; Convention No. 98 concerning the Application of the Principles of the Right to Organise and to Bargain Collectively; Convention No. 100 concerning Equal Remuneration for Men and Women Workers for Work of Equal Value; Convention No. 111 concerning Discrimination in Respect of Employment and Occupation; Convention No. 138 concerning Minimum Age for Admission to Employment; Convention No. 182 concerning the Prohibition and Immediate Action for the Elimination of the Worst Forms of Child Labour.
- <sup>9</sup> 1954 Convention relating to the Status of Stateless Persons, and 1961 Convention on the Reduction of Statelessness.
- <sup>10</sup> International Labour Organization Convention No. 169 concerning Indigenous and Tribal Peoples in Independent Countries and Convention No. 189 concerning Decent Work for Domestic Workers.
- <sup>11</sup> A/HRC/24/43/Add.1, para. 127; E/C.12/KAZ/CO/1, para. 43; CEDAW/C/KAZ/CO/3-4, para. 40; CERD/C/KAZ/CO/4-5, para. 22 and CERD/C/KAZ/CO/6-7, para. 22.
- <sup>12</sup> UNHCR submission for UPR of Kazakhstan, p. 8. See also CERD/C/KAZ/CO/6-7, para. 19 (d).
- <sup>13</sup> CERD/C/KAZ/CO/6-7, para. 16 (d).
- <sup>14</sup> A/HRC/24/43/Add.1, para. 127.
- <sup>15</sup> Ibid., para. 127.
- <sup>16</sup> CERD/C/KAZ/CO/4-5, para. 22.
- <sup>17</sup> E/C.12/KAZ/CO/1, para. 23.
- <sup>18</sup> Ibid., para. 43.

- <sup>19</sup> CEDAW/C/KAZ/CO/3-4, para. 40.
- <sup>20</sup> E/C.12/KAZ/CO/1, para. 41.
- <sup>21</sup> CCPR/C/KAZ/CO/1, para. 12.
- <sup>22</sup> CERD/C/KAZ/CO/4-5, para. 22; CERD/C/KAZ/CO/6-7, para. 22, and UNESCO submission for UPR of Kazakhstan, para. 28.
- <sup>23</sup> CEDAW/C/KAZ/CO/3-4, para. 36.
- <sup>24</sup> According to article 5 of the rules of procedure of the International Coordinating Committee of National Institutions for the Promotion and Protection of Human Rights (ICC) Sub-Committee on Accreditation, the classifications for accreditation used by the Sub-Committee are: A: Voting Member (fully in compliance with each of the Paris Principles), B: Non-Voting Member (not fully in compliance with each of the Paris Principles or insufficient information provided to make a determination), C: No Status (not in compliance with the Paris Principles).
- <sup>25</sup> For the list of national human rights institutions with accreditation status granted by the International Coordinating Committee of National Institutions for the Promotion and Protection of Human Rights (ICC), see A/HRC/23/28, annex.
- <sup>26</sup> CERD/C/KAZ/CO/6-7, para. 10. See also UNCT submission for UPR of Kazakhstan, p. 3.
- <sup>27</sup> CCPR/C/KAZ/CO/1, para. 7, E/C.12/KAZ/CO/1, para. 10, and A/HRC/16/42/Add.3, para. 97.
- <sup>28</sup> UNCT submission for UPR of Kazakhstan, p. 3.
- <sup>29</sup> See <http://lib.ohchr.org/HRBodies/UPR/Documents/Session7/KZ/KazakhstanFollowUp.pdf>.
- <sup>30</sup> The following abbreviations have been used in the present document:
- |              |  |
|--------------|--|
| CERD         | Committee on the Elimination of Racial Discrimination        |
| CESCR        | Committee on Economic, Social and Cultural Rights            |
| HR Committee | Human Rights Committee                                       |
| CEDAW        | Committee on the Elimination of Discrimination against Women |
| CAT          | Committee against Torture.                                   |
- <sup>31</sup> CERD/C/KAZ/CO/4-5, para. 28.
- <sup>32</sup> CERD/C/KAZ/CO/6-7, para. 27.
- <sup>33</sup> CERD/C/KAZ/CO/4-5/Add. 1.
- <sup>34</sup> Letter from CERD to the Permanent Mission of Kazakhstan to the United Nations Office and other international organizations in Geneva, dated 2 September 2011, available from [http://tbinternet.ohchr.org/Treaties/CERD/Shared%20Documents/KAZ/INT\\_CERD\\_FUL\\_KAZ\\_11970\\_E.pdf](http://tbinternet.ohchr.org/Treaties/CERD/Shared%20Documents/KAZ/INT_CERD_FUL_KAZ_11970_E.pdf).
- <sup>35</sup> CCPR/C/KAZ/CO/1, para. 30.
- <sup>36</sup> CCPR/C/KAZ/CO/1/Add. 1.
- <sup>37</sup> Letters from the HR Committee to the Permanent Mission of Kazakhstan to the United Nations Office and other international organizations in Geneva, dated 3 April 2013 and 2 December 2013, available from [http://tbinternet.ohchr.org/Treaties/CCPR/Shared%20Documents/KAZ/INT\\_CCPR\\_FUL\\_KAZ\\_15875\\_E.pdf](http://tbinternet.ohchr.org/Treaties/CCPR/Shared%20Documents/KAZ/INT_CCPR_FUL_KAZ_15875_E.pdf) and [http://tbinternet.ohchr.org/Treaties/CCPR/Shared%20Documents/KAZ/INT\\_CCPR\\_FUL\\_KAZ\\_15876\\_E.pdf](http://tbinternet.ohchr.org/Treaties/CCPR/Shared%20Documents/KAZ/INT_CCPR_FUL_KAZ_15876_E.pdf).
- <sup>38</sup> CEDAW/C/KAZ/CO/3-4, para. 41.
- <sup>39</sup> CAT/C/KAZ/CO/2, para. 36.
- <sup>40</sup> CAT/C/KAZ/CO/2/Add.1.
- <sup>41</sup> CAT/C/KAZ/CO/2/Add.2.
- <sup>42</sup> CCPR/C/103/D/2024/2011, 31 October 2011, *Arshidin v. Kazakhstan*; and CCPR/C/110/D/2104/2011, *Vaeltov v. Kazakhstan*.
- <sup>43</sup> CCPR/C/103/D/2024/2011, para. 12; and CCPR/C/110/D/2104/2011, para. 17.
- <sup>44</sup> CAT/C/48/D/433/2010, 24 May 2012, *Gerasimov v. Kazakhstan*; CAT/C/48/D/444/2010, 1 June 2012, *Abdussamatov and 28 other complainants v. Kazakhstan*; CAT/C/51/D/441/2010, 17 December 2013, *Eyloe v. Kazakhstan*.
- <sup>45</sup> CAT/C/48/D/433/2010, para. 14; CAT/C/48/D/444/2010, para. 15; CAT/C/51/D/441/2010, para. 12.
- <sup>46</sup> For the titles of special procedures, see [www.ohchr.org/EN/HRBodies/SP/Pages/Themes.aspx](http://www.ohchr.org/EN/HRBodies/SP/Pages/Themes.aspx) and [www.ohchr.org/EN/HRBodies/SP/Pages/Countries.aspx](http://www.ohchr.org/EN/HRBodies/SP/Pages/Countries.aspx).
- <sup>47</sup> A/HRC/13/23/Add.1.
- <sup>48</sup> A/HRC/16/42/Add.3.

- <sup>49</sup> A/HRC/20/21/Add.1 and comments by the State (A/HRC/20/21/Add.3).
- <sup>50</sup> A/HRC/24/43/Add.1 and comments by the State (A/HRC/24/43/Add.3).
- <sup>51</sup> Press release, Statement by Heiner Bielefeldt; Special Rapporteur on freedom of religion or belief — end of visit to the Republic of Kazakhstan, available from [www.ohchr.org/EN/NewsEvents/Pages/DisplayNews.aspx?NewsID=14468&LangID=E](http://www.ohchr.org/EN/NewsEvents/Pages/DisplayNews.aspx?NewsID=14468&LangID=E).
- <sup>52</sup> A/HRC/16/52/Add.2 and A/HRC/19/61/Add.3.
- <sup>53</sup> Press release, UN rights expert urges Kazakhstan to step up its fight against all forms of slavery, available from [www.ohchr.org/EN/NewsEvents/Pages/DisplayNews.aspx?NewsID=14444&LangID=E](http://www.ohchr.org/EN/NewsEvents/Pages/DisplayNews.aspx?NewsID=14444&LangID=E).
- <sup>54</sup> Press release, Pillay to visit Kyrgyzstan and Kazakhstan, 8–12 July, available from [www.ohchr.org/EN/NewsEvents/Pages/DisplayNews.aspx?NewsID=12326&LangID=E](http://www.ohchr.org/EN/NewsEvents/Pages/DisplayNews.aspx?NewsID=12326&LangID=E).
- <sup>55</sup> A/HRC/17/41, para. 2. See also [www.ohchr.org/en/countries/enacaregion/pages/centralasiasummary.aspx](http://www.ohchr.org/en/countries/enacaregion/pages/centralasiasummary.aspx).
- <sup>56</sup> OHCHR Report 2012, p. 149.
- <sup>57</sup> OHCHR Report 2013, pp. 131 and 157; OHCHR Report 2012, p. 117; OHCHR Report 2011, p. 125; OHCHR Report 2010, p. 79.
- <sup>58</sup> CERD/C/KAZ/CO/6-7, para. 6. See also E/C.12/KAZ/CO/1, para. 12, and A/HRC/13/23/Add.1, para. 83.
- <sup>59</sup> CEDAW/C/KAZ/CO/3-4, para. 11.
- <sup>60</sup> Ibid., para. 16.
- <sup>61</sup> E/C.12/KAZ/CO/1, para. 15.
- <sup>62</sup> CCPR/C/KAZ/CO/1, para. 9.
- <sup>63</sup> Statement by Heiner Bielefeldt; Special Rapporteur on Freedom of Religion or Belief — End of visit to the Republic of Kazakhstan: Presentation of preliminary findings, 4 April 2014, Astana, section II, para. 1 (see endnote 51). See also A/HRC/13/23/Add.1, para. 88–89.
- <sup>64</sup> CERD/C/KAZ/CO/6-7, para. 8.
- <sup>65</sup> Ibid., para. 11. See also A/HRC/13/23/Add.1, para. 91.
- <sup>66</sup> E/C.12/KAZ/CO/1, para. 14.
- <sup>67</sup> CCPR/C/KAZ/CO/1, para. 12. See also CCPR/C/KAZ/CO/1/Add.1, para. 78.
- <sup>68</sup> List of issues prior to the submission of the third periodic report of Kazakhstan (CAT/C/KAZ/Q/3) in February 2011, para. 3.
- <sup>69</sup> A/HRC/19/61/Add.3, para. 64. See also CCPR/C/KAZ/CO/1, para. 14.
- <sup>70</sup> CCPR/C/KAZ/CO/1, para. 14.
- <sup>71</sup> E/C.12/KAZ/CO/1, para. 25.
- <sup>72</sup> CEDAW/C/KAZ/CO/3-4, para. 18.
- <sup>73</sup> Ibid., para. 19 (a) and (d). See also E/C.12/KAZ/CO/1, para. 25; and CCPR/C/KAZ/CO/1, para. 10.
- <sup>74</sup> A/HRC/16/52/Add.2, para. 67.
- <sup>75</sup> CEDAW/C/KAZ/CO/3-4, paras. 18–19.
- <sup>76</sup> Ibid., para. 29 (d).
- <sup>77</sup> CCPR/C/KAZ/CO/1, para. 15. See also CCPR/C/KAZ/CO/1/Add.1, paras. 132–144.
- <sup>78</sup> E/C.12/KAZ/CO/1, para. 27.
- <sup>79</sup> A/HRC/24/43/Add.1, para. 83. See also A/HRC/24/43/Add.3, pp. 21–22.
- <sup>80</sup> Press release: UN rights expert urges Kazakhstan to step up its fight against all forms of slavery (see endnote 53).
- <sup>81</sup> ILO Committee of Experts on the Application of Conventions and Recommendations, Observation concerning ILO Minimum Age Convention, 1973 (No. 138) – Kazakhstan, adopted 2013, published 103rd ILC session (2014) available from [www.ilo.org/dyn/normlex/en/f?p=1000:13100:0::NO:13100:P13100\\_COMMENT\\_ID:3149636](http://www.ilo.org/dyn/normlex/en/f?p=1000:13100:0::NO:13100:P13100_COMMENT_ID:3149636)
- <sup>82</sup> E/C.12/KAZ/CO/1, para. 27. See also CCPR/C/KAZ/CO/1, para. 16.
- <sup>83</sup> CEDAW/C/KAZ/CO/3-4, para. 20.
- <sup>84</sup> A/HRC/24/43/Add.1, para. 119.
- <sup>85</sup> CEDAW/C/KAZ/CO/3-4, para. 21. See also UNCT submission for UPR of Kazakhstan, p. 9, E/C.12/KAZ/CO/1, para. 26, and CCPR/C/KAZ/CO/1, para. 16.
- <sup>86</sup> A/HRC/24/43/Add.1, paras. 36–81. See also A/HRC/24/43/Add.3, paras. 35–55.
- <sup>87</sup> A/HRC/24/43/Add.1, para. 119.

- <sup>88</sup> Press release: UN rights expert urges Kazakhstan to step up its fight against all forms of slavery (see endnote 53).
- <sup>89</sup> CCPR/C/KAZ/CO/1, para. 21. See also E/C.12/KAZ/CO/1, para. 11.
- <sup>90</sup> CCPR/C/KAZ/CO/1/Add.1, paras. 207–243.
- <sup>91</sup> Ibid., para. 21. See also E/C.12/KAZ/CO/1, para. 11.
- <sup>92</sup> Letters from HR Committee to the Permanent Mission of Kazakhstan to the United Nations Office and other international organizations in Geneva, dated 3 April 2013 and 2 December 2013, available from [http://tbinternet.ohchr.org/Treaties/CCPR/Shared%20Documents/KAZ/INT\\_CCPR\\_FUL\\_KAZ\\_15875\\_E.pdf](http://tbinternet.ohchr.org/Treaties/CCPR/Shared%20Documents/KAZ/INT_CCPR_FUL_KAZ_15875_E.pdf) and [http://tbinternet.ohchr.org/Treaties/CCPR/Shared%20Documents/KAZ/INT\\_CCPR\\_FUL\\_KAZ\\_15876\\_E.pdf](http://tbinternet.ohchr.org/Treaties/CCPR/Shared%20Documents/KAZ/INT_CCPR_FUL_KAZ_15876_E.pdf) (accessed on 16 June 2014), See also UNCT submission for UPR of Kazakhstan, pp. 8–9.
- <sup>93</sup> CCPR/C/KAZ/CO/1, para. 22. See also CCPR/C/KAZ/CO/1/Add.1, paras. 254–258.
- <sup>94</sup> UNCT submission for UPR of Kazakhstan, p. 7.
- <sup>95</sup> Ibid., p. 9.
- <sup>96</sup> CCPR/C/KAZ/CO/1, para. 20. See also CCPR/C/KAZ/CO/1/Add.1, paras. 200–205.
- <sup>97</sup> UNCT submission for UPR of Kazakhstan, p. 7.
- <sup>98</sup> CCPR/C/KAZ/CO/1, para. 20. See also UNCT submission for UPR of Kazakhstan, p. 7–8, and CCPR/C/KAZ/CO/1/Add.1, paras. 194–198.
- <sup>99</sup> CEDAW/C/KAZ/CO/3-4, para. 12.
- <sup>100</sup> CCPR/C/KAZ/CO/1, para. 17. See also CCPR/C/KAZ/CO/1/Add.1, paras. 176–189.
- <sup>101</sup> E/C.12/KAZ/CO/1, para. 16.
- <sup>102</sup> CCPR/C/KAZ/CO/1, para. 22. See also CCPR/C/KAZ/CO/1/Add.1, paras. 259–263.
- <sup>103</sup> A/HRC/16/52/Add.2, para. 62.
- <sup>104</sup> CCPR/C/KAZ/CO/1, para. 14. See also CCPR/C/KAZ/CO/1/Add.1, paras. 109–113.
- <sup>105</sup> CAT/C/KAZ/Q/3, para. 36. See also UNCT submission for UPR of Kazakhstan, p. 2.
- <sup>106</sup> A/HRC/19/61/Add.3, para. 65. See also A/HRC/16/52/Add.2, para. 61.
- <sup>107</sup> Opening remarks by UN High Commissioner for Human Rights Navi Pillay at a press conference during her mission to Kazakhstan, Astana, 12 July 2012, available from [www.ohchr.org/EN/NewsEvents/Pages/DisplayNews.aspx?NewsID=12343&LangID=E](http://www.ohchr.org/EN/NewsEvents/Pages/DisplayNews.aspx?NewsID=12343&LangID=E).
- <sup>108</sup> Ibid.
- <sup>109</sup> UNCT submission to UPR of Kazakhstan, pp. 1–2.
- <sup>110</sup> CEDAW/C/KAZ/CO/3-4, paras. 24–25 (b).
- <sup>111</sup> Ibid., para. 35.
- <sup>112</sup> Ibid., para. 17 (c).
- <sup>113</sup> CCPR/C/KAZ/CO/1, para. 24.
- <sup>114</sup> Statement by Heiner Bielefeldt; Special Rapporteur on Freedom of Religion or Belief – End of visit to the Republic of Kazakhstan: Presentation of preliminary findings, 4 April 2014, Astana, section III, para. 1, (see endnote 51).
- <sup>115</sup> Ibid., section III, para. 1, (see endnote 51).
- <sup>116</sup> Ibid., section III, para. 3 (see endnote 51).
- <sup>117</sup> Ibid., section VI (see endnote 51).
- <sup>118</sup> CCPR/C/KAZ/CO/1, para. 23.
- <sup>119</sup> UNCT submission for UPR on Kazakhstan, p. 10.
- <sup>120</sup> CCPR/C/KAZ/CO/1, para. 25. See also UNESCO submission for UPR of Kazakhstan, paras. 17 and 18, and CCPR/C/KAZ/CO/1/Add.1, paras. 283–288.
- <sup>121</sup> UNESCO submission for UPR of Kazakhstan, paras. 32 and 33.
- <sup>122</sup> CERD/C/KAZ/CO/6-7, para. 13.
- <sup>123</sup> Statement by Heiner Bielefeldt; Special Rapporteur on Freedom of Religion or Belief – End of visit to the Republic of Kazakhstan: Presentation of preliminary findings, 4 April 2014, Astana, section IV, para. 2 and section VI (see endnote 51).
- <sup>124</sup> Opening remarks by UN High Commissioner for Human Rights Navi Pillay at a press conference during her mission to Kazakhstan Astana, 12 July 2012 (see endnote 107). See also UNESCO submission for UPR of Kazakhstan, para. 22.
- <sup>125</sup> CCPR/C/KAZ/CO/1, para. 25.
- <sup>126</sup> UNESCO submission for UPR of Kazakhstan, para. 22.

- <sup>127</sup> UNCT submission for UPR of Kazakhstan, p. 11. See also UNESCO submission for UPR of Kazakhstan, paras. 19 and 34.
- <sup>128</sup> ILO Committee of Experts on the Application of Conventions and Recommendations, Observation concerning ILO Freedom of Association and Protection of the Right to Organise Convention, 1948 (No. 87) – Kazakhstan, adopted 2011, published 101st ILC session (2012) available from [www.ilo.org/dyn/normlex/en/f?p=1000:13100:0::NO:13100:P13100\\_COMMENT\\_ID:2698737](http://www.ilo.org/dyn/normlex/en/f?p=1000:13100:0::NO:13100:P13100_COMMENT_ID:2698737)
- <sup>129</sup> CCPR/C/KAZ/CO/1, para. 27. See also CCPR/C/KAZ/CO/1/Add.1, paras. 301–304.
- <sup>130</sup> Opening remarks by UN High Commissioner for Human Rights Navi Pillay at a press conference during her mission to Kazakhstan Astana, 12 July 2012 (see endnote 107).
- <sup>131</sup> CCPR/C/KAZ/CO/1, para. 26.
- <sup>132</sup> Opening remarks by UN High Commissioner for Human Rights Navi Pillay at a press conference during her mission to Kazakhstan Astana, 12 July 2012 (see endnote 107). See also UNCT submission for universal periodic review of Kazakhstan, p. 2.
- <sup>133</sup> A/HRC/20/30, p. 37. See also UNCT submission for UPR of Kazakhstan, p. 2.
- <sup>134</sup> A/HRC/19/61/Add.3, para. 66. See also A/HRC/23/39/Add.2, paras. 217, 218 and 219.
- <sup>135</sup> Opening remarks by UN High Commissioner for Human Rights Navi Pillay at a press conference during her mission to Kazakhstan Astana, 12 July 2012 (see endnote 107).
- <sup>136</sup> A/HRC/23/39/Add.2, para. 220.
- <sup>137</sup> CERD/C/KAZ/CO/6-7, para. 9. See also CERD/C/KAZ/CO/4-5, paras. 11, 12, and 14; and CCPR/C/KAZ/CO/1, para. 28.
- <sup>138</sup> CEDAW/C/KAZ/CO/3-4, paras. 22–23. See also CCPR/C/KAZ/CO/1, para. 9.
- <sup>139</sup> CEDAW/C/KAZ/CO/3-4, para. 28. See also E/C.12/KAZ/CO/1, para. 19.
- <sup>140</sup> CEDAW/C/KAZ/CO/3-4, para. 29 (a) and (b).
- <sup>141</sup> ILO Committee of Experts on the Application of Conventions and Recommendations, Observation concerning ILO Equal Remuneration Convention, 1951 (No. 100) – Kazakhstan, adopted 2013, published 103rd ILC session (2014) available from [www.ilo.org/dyn/normlex/en/f?p=1000:13100:0::NO:13100:P13100\\_COMMENT\\_ID:3150276](http://www.ilo.org/dyn/normlex/en/f?p=1000:13100:0::NO:13100:P13100_COMMENT_ID:3150276)
- <sup>142</sup> E/C.12/KAZ/CO/1, para. 22.
- <sup>143</sup> *Ibid.*, para. 28.
- <sup>144</sup> *Ibid.*, paras. 23–24.
- <sup>145</sup> *Ibid.*, para. 30. See also UNCT submission for UPR of Kazakhstan, p. 5.
- <sup>146</sup> UNCT submission for UPR of Kazakhstan, p. 5.
- <sup>147</sup> A/HRC/16/42/Add.3, para. 109.
- <sup>148</sup> *Ibid.*, para. 93. See also UNCT submission for UPR of Kazakhstan, p. 5.
- <sup>149</sup> A/HRC/16/42/Add.3, p.2. See also UNCT submission for UPR of Kazakhstan, p. 4, and E/C.12/KAZ/CO/1, para. 29.
- <sup>150</sup> A/HRC/16/42/Add.3, paras. 93 and 99. See also UNCT submission for UPR of Kazakhstan, p. 5.
- <sup>151</sup> A/HRC/16/42/Add.3, paras. 99–100.
- <sup>152</sup> E/C.12/KAZ/CO/1, para. 29.
- <sup>153</sup> CCPR/C/KAZ/CO/1, para. 11.
- <sup>154</sup> E/C.12/KAZ/CO/1, para. 33. See also CCPR/C/KAZ/CO/1, paras. 11 and para. 31 (c).
- <sup>155</sup> E/C.12/KAZ/CO/1, para. 33. See also CCPR/C/KAZ/CO/1, para. 11, and UNCT submission for UPR of Kazakhstan, p. 6.
- <sup>156</sup> CEDAW/C/KAZ/CO/3-4, para. 27 (c).
- <sup>157</sup> E/C.12/KAZ/CO/1, para. 32.
- <sup>158</sup> CEDAW/C/KAZ/CO/3-4, para. 31.
- <sup>159</sup> A/HRC/20/21/Add.1, para. 89. See also UNESCO submission for UPR of Kazakhstan, para. 26.
- <sup>160</sup> A/HRC/20/21/Add.1, para. 93. See also UNESCO submission for UPR of Kazakhstan, para. 31.
- <sup>161</sup> CEDAW/C/KAZ/CO/3-4, para. 26.
- <sup>162</sup> A/HRC/20/21/Add.1, para. 94. See also UNHCR submission for UPR of Kazakhstan, p. 9. A/HRC/24/43/Add.1, para. 124, press release: UN rights expert urges Kazakhstan to step up its fight against all forms of slavery (see endnote 53) and A/HRC/20/21/Add.3, pp. 13.
- <sup>163</sup> ILO Committee of Experts on the Application of Conventions and Recommendations, Direct Request concerning ILO Worst Forms of Child Labour Convention, 1999 (No. 182) – Kazakhstan, adopted 2013, published 103rd ILC session (2014) available from [www.ilo.org/dyn/normlex/en/f?p=1000:13100:0::NO:13100:P13100\\_COMMENT\\_ID:3149659](http://www.ilo.org/dyn/normlex/en/f?p=1000:13100:0::NO:13100:P13100_COMMENT_ID:3149659).

- <sup>164</sup> A/HRC/16/42/Add.3, para. 96.
- <sup>165</sup> CERD/C/KAZ/CO/4-5, para. 17.
- <sup>166</sup> E/C.12/KAZ/CO/1, para. 9.
- <sup>167</sup> Ibid., para. 13.
- <sup>168</sup> A/HRC/20/21/Add.1, para. 69. See also A/HRC/20/21/Add.3, pp. 13–15.
- <sup>169</sup> CERD/C/KAZ/CO/4-5, para. 20. See also A/HRC/13/23/Add.1, para. 86.
- <sup>170</sup> CERD/C/KAZ/CO/6-7, para. 17. See also CERD/C/KAZ/CO/4-5, para. 9, and A/HRC/13/23/Add.1, para. 87.
- <sup>171</sup> A/HRC/20/21/Add.1, para. 95.
- <sup>172</sup> CERD/C/KAZ/CO/6-7, para. 20. See also A/HRC/13/23/Add.1, para. 92.
- <sup>173</sup> Ibid., para. 15. See also press release: UN rights expert urges Kazakhstan to step up its fight against all forms of slavery (see endnote 53) and CERD/C/KAZ/CO/4-5, para. 16.
- <sup>174</sup> Press release: UN rights expert urges Kazakhstan to step up its fight against all forms of slavery (see endnote 53).
- <sup>175</sup> A/HRC/24/43/Add.1, paras. 51–65.
- <sup>176</sup> E/C.12/KAZ/CO/1, para. 20.
- <sup>177</sup> A/HRC/24/43/Add.1, para. 50. See also UNCT submission for UPR of Kazakhstan, p. 6.
- <sup>178</sup> Ibid., para. 125. See also press release: UN rights expert urges Kazakhstan to step up its fight against all forms of slavery (see endnote 53).
- <sup>179</sup> CERD/C/KAZ/CO/6-7, para. 16 (a) and (c). See also CERD/C/KAZ/CO/4-5, para. 16, and E/C.12/KAZ/CO/1, para. 14.
- <sup>180</sup> UNHCR submission for UPR of Kazakhstan, p. 6.
- <sup>181</sup> CCPR/C/KAZ/CO/1, para. 13.
- <sup>182</sup> UNHCR submission for UPR of Kazakhstan, p. 7.
- <sup>183</sup> CCPR/C/KAZ/CO/1, para. 13.
- <sup>184</sup> UNHCR submission for UPR of Kazakhstan, p. 7.
- <sup>185</sup> CERD/C/KAZ/CO/6-7, para. 18, and CERD/C/KAZ/CO/4-5, para. 15.
- <sup>186</sup> UNHCR submission for UPR of Kazakhstan, p. 7.
- <sup>187</sup> CEDAW/C/KAZ/CO/3-4, para. 24.
- <sup>188</sup> CERD/C/KAZ/CO/6-7, para. 19. See also UNHCR submission for UPR of Kazakhstan, pp. 9–10.
- <sup>189</sup> Opening remarks by UN High Commissioner for Human Rights Navi Pillay at a press conference during her mission to Kazakhstan, Astana, 12 July 2012 (see endnote 107). See also UNCT submission for UPR of Kazakhstan, p. 5.
- <sup>190</sup> E/C.12/KAZ/CO/1, para. 31. See also A/HRC/16/42/Add.3, para. 108.
- <sup>191</sup> A/HRC/16/42/Add.3, para. 98, and E/C.12/KAZ/CO/1, para. 11.
- <sup>192</sup> E/C.12/KAZ/CO/1, para. 35.
- <sup>193</sup> CCPR/C/KAZ/CO/1, para. 8.
- <sup>194</sup> E/C.12/KAZ/CO/1, para. 39.
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