



**43rd Regular Session of the UN Human Rights Council
Item 6: Adoption of Universal Periodic Review Outcomes of Kazakhstan
Oral Statement Delivered by Rosanna Ocampo
On behalf of the Asian Forum for Human Rights and Development (FORUM-ASIA)
and Amnesty International
Thursday, 12 March 2020**

Madam President,

FORUM-ASIA and Amnesty International welcome Kazakhstan's cooperation with the UPR and its acceptance of 214 out of the 245 recommendations it received, including recommendations on eradicating torture and ill-treatment; and strengthening the independence and mandate of its national human rights institution (NHRI) in line with the Paris Principles. We welcome that Kazakhstan has accepted recommendations to amend article 174 of the Criminal Code in line with article 19 of the ICCPR.

We regret that key recommendations on the rights to peaceful assembly and association were merely noted. NGOs face undue restrictions, and stringent reporting requirements under legislation introduced at the end of 2015, as well as frequent tax inspections.

Permission from local authorities is required in order to hold any kind of street protest and this is often refused, or permission is given to hold the event in a non-central location. The Criminal Code and the Administrative Code provide sanctions of deprivation of liberty for breaching the law on holding assemblies, including for organising or participating in an illegal demonstration. Article 400 of the Criminal Code forbids providing "assistance" to "illegal" assemblies, including by "means of communication".

Madam President,

We remain concerned at the lack of protection for those who exercise their right to freedom of expression. In November 2016, Maks Bokayev was sentenced to five years in prison under article 174 of the new Criminal Code for his involvement in organising peaceful demonstrations and social media posts against proposed changes to the Land Code. We urge the government to immediately and unconditionally release Maks Bokayev, and to respect and protect the right to freedom of expression, online and offline.

We regret that Kazakhstan did not accept recommendations to adopt comprehensive legislation on non-discrimination based on sexual orientation and gender identity. Kazakhstan must also follow through with the implementation of recommendations from the previous cycle of its UPR to prohibit discrimination against women.

We call on Kazakhstan to accept its remaining recommendations, and to create a concrete, time bound action plan in consultation with civil society and all stakeholders.

Thank you, Madam President.