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Chair: Mr. Soh

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The meeting was called to order at 10 a.m.

Consideration of reports submitted by States parties under article 40 of the Covenant (continued)

Third periodic report of Kazakhstan (continued) (CCPR/C/KAZ/3; CCPR/C/KAZ/QPR/3)

1. *At the invitation of the Chair, the delegation of Kazakhstan joined the meeting.*
2. **A representative of Kazakhstan**, responding to questions raised at the previous meeting, said that the entry into force of the constitutional act on the Human Rights Commissioner (Ombudsman) in 2022 had significantly changed the mandate of the Ombudsman and institutional mechanisms for human rights protection to reflect the Government's commitment to strengthening implementation of the "Ombudsman plus model", which encouraged collaboration with civil society. The act embodied more than half of the recommendations provided to the Government by the European Commission for Democracy through Law, which had provided positive feedback on the Ombudsman's expanded powers.
3. The national preventive mechanism was an independent institution with the power to carry out unannounced and confidential visits to places of deprivation of liberty. The results of all visits were compiled into an annual consolidated report containing key findings and recommendations. Such reports were disseminated to the public with the support of international organizations, published on the Ombudsman's official website and presented to the Subcommittee on Prevention of Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment in a manner that struck a balance between operational efficiency and public accountability in the monitoring process. Since 2023, such visits had resulted in disciplinary action being taken against 444 officials. Administrative sanctions had been imposed in 133 cases and 1 criminal case had been opened. Between January and May 2025, 122 disciplinary cases, 38 administrative cases and one criminal case had been opened. The functions of the Coordination Council for Cooperation with Non-Governmental Organizations included liaising with the Subcommittee and government agencies, assisting the national preventive mechanism, coordinating annual plans for carrying out preventive visits, receiving complaints of torture and selecting members of the national preventive mechanism. Public observer committees, Members of Parliament, the Procurator General, judges, the Ombudsman and the Commissioner for Children's Rights also had the power to visit penal institutions without special authorization.
4. **A representative of Kazakhstan** said that, while the Ombudsman had responsibility for monitoring and ensuring compliance with the Covenant, that responsibility lay primarily with the Government. The core principles guiding the work of the Ombudsman provided that he or she had to act in compliance with the Constitution, national law and international treaties, including the Covenant. He or she was entitled to submit reports on the outcome of his or her monitoring of the implementation of the Covenant to State bodies and to participate in the preparation and discussion of national reports that were submitted to United Nations and other entities as part of the country's international obligations.
5. The Ombudsman had not thus far exercised his or her right to request the Constitutional Court to review the constitutionality of legal instruments because such requests were to be made only in the case of serious and systematic issues, whereas the majority of the issues that were brought to the Ombudsman's attention could be resolved using other judicial and administrative mechanisms. The absence of any such appeals thus far was accordingly indicative not of inaction or a refusal to exercise authority on the Ombudsman's part, but of the prudent selection of the most appropriate mechanisms for addressing issues in a manner that took into account the circumstances of each case.
6. **A representative of Kazakhstan** said that the Labour Code directly prohibited discrimination, degrading treatment and endangerment of the lives, health or safety of others. Article 22 of the Code provided that workers were entitled to respect for their honour and dignity, occupational safety and protection from unlawful acts on the part of their employers. Under article 113, employers were obliged to prevent harassment and violence and provide safe and healthy working conditions. Persons who sexually harassed, threatened or insulted

others could be punished under articles 123, 125 and 131 respectively of the Criminal Code or under article 73 of the Code of Administrative Offences. Criminal liability for violations committed in the workplace would be strengthened taking into consideration existing criminal law, which covered the main types of offences committed in that domain. It was possible to submit complaints about criminal acts in the workplace to the labour inspectorate, the procurator and the police and to seek compensation before the courts. Perpetrators could also be dealt with by companies pursuant to their internal policies and codes of ethics, which were implemented through labour dispute settlement committees.

7. **A representative of Kazakhstan** said that, during the period 2016–2024, there had been 189 cases of suicide at institutions of the penal correction system, 118 of which had occurred in prisons and 71 of which had occurred in remand prisons. Of those cases, 185 had involved men and 4 had involved women. Every case of suicide was investigated and its causes and circumstances were established without fail. The main causes of suicides were psychological factors. A total of 264 corrections officials had faced disciplinary proceedings for malpractice in the performance of their duties.

8. Social, psychological, medical, legal and educational measures were taken as part of continuous efforts to prevent suicides. In 2024, webinars on recognizing signs of depressive or suicidal behaviour among prisoners had been held for 3,800 corrections officials, probation service officers and members of the National Guard. Methodological recommendations and handbooks had been developed for group-based and individual work with prisoners at risk of suicide or self-harm. Art therapy programmes and film clubs had been established to provide psychological support to prisoners, suspects and accused persons. Prisoners attended training programmes aimed at building self-confidence, reducing aggression and helping them to build relationships with others. Under a programme for the period 2025–2027, institutions of the criminal justice system and the National Guard worked together closely to prevent injuries and suicides among the prison population. Non-governmental organizations (NGOs) provided significant practical assistance, including psychological assistance for prisoners, in efforts to prevent suicides. As a result of such efforts, the number of cases of suicide at institutions of the penal correction system had fallen from 12 in the first six months of 2024 to 8 in the first six months of 2025.

9. **Mr. Yigezu** said that he wished to know whether the State Party planned to enact legal provisions that specifically addressed the use of force by law enforcement officials and were in line with international standards in that area, such as the Basic Principles on the Use of Force and Firearms by Law Enforcement Officials. He wondered whether the State Party would take further steps to ensure that an independent and impartial body conducted thorough, transparent and effective investigations in line with international standards into allegations that law enforcement and military officials had used excessive and lethal force during the protests that had taken place in January 2022 and that a number of participants had suffered violations of their due process rights. He would like to know how the State Party would ensure that any officials responsible for such violations were brought to justice and given penalties commensurate with the severity of the violations committed and that victims were provided with adequate remedies. He would welcome information on the further action that the State Party would take to ensure that, in all circumstances, including during a declared state of emergency, all detainees were promptly informed of their rights and provided with basic legal guarantees from the outset, including timely access to a lawyer of their choice and confidential meetings with counsel, the right to medical assistance, the right to challenge the legality of their detention, the right to remain silent and the right not to incriminate themselves.

10. He would appreciate information on the steps that the State Party would take to bring its administrative detention practices and domestic law fully into line with article 9 of the Covenant; to ensure that the principles of legality and proportionality were strictly observed in any decisions restricting individuals' right to liberty and security; and to cease detaining and penalizing individuals before, during and after their participation in unsanctioned assemblies, in accordance with the requirements of the Covenant. Further information on the State Party's implementation of the Views adopted by the Committee concerning the violation of article 9 of the Covenant in similar cases and on any remedies provided to victims would be welcome. He wished to know what measures the State Party would take to ensure

that detention was applied only as a last resort following a comprehensive, individualized assessment of cases and for reasons expressly provided for by law in line with the Covenant.

11. **Ms. Bassim** said that she would like to know what steps the State Party had taken to amend article 146 of the Criminal Code to bring the definition of torture into line with article 7 of the Covenant and to ensure that investigations into allegations of torture were carried out by independent bodies and not unduly delayed. She would appreciate statistics on the number of complaints of torture and ill-treatment filed against police officials, particularly concerning the events of January 2022, and the proceedings that had taken place, the sanctions that had been handed down and any compensation that had been awarded to victims as a result.

12. She would be grateful for information on action taken to fully decriminalize defamation and the insulting of officials. She would welcome the delegation's comments on reports that persons convicted of defamation could face fines of up to 750 times the national minimum monthly salary and up to 30 days in jail; that, under Act No. 200-V of 23 April 2014, the Procurator General or his or her deputies were able to block websites or shut down the Internet without court approval, citing threats such as extremism, mass riots or unauthorized public gatherings; that provisions intended to protect children from cyberbullying were also being used to unduly restrict freedom of expression and access to information; that the government-mandated installation of "national security certificates" on personal devices was enabling surveillance and undermining privacy rights; that Internet blackouts had also been used to restrict access to media outlets and that independent media outlets had faced harassment and shutdowns, including during the protests in January 2022 and the presidential election of November 2022. Likewise, she would appreciate the delegation's response to reports that authorities could suspend communications without judicial oversight during emergencies; that the enactment of new, overly broad regulations such as a law on online platforms adopted in 2023 and a law on mass media adopted in 2024 had resulted in politically motivated prosecutions of journalists and critics; and that the Government had used allegations of financial crime to target journalists and opposition figures, particularly those who had exposed cases of government corruption. She would welcome statistical data on the number of social media users, journalists, political activists, and human right defenders who had faced criminal charges during the reporting period and the number of complaints of harassment, threats and violence against human rights defenders and journalists that had been submitted and the outcome of those complaints. She wondered what measures had been taken to guarantee the safety and integrity of such persons and to ensure that they were able to exercise their profession fully without restrictions. Lastly, she would be grateful to receive a report on the achievements of the working group to protect human rights defenders.

13. **Mr. Korkelia** said that he wished to know what steps the State Party had taken to improve the quality of healthcare provided to detainees, particularly those in need of specialized treatment, including HIV treatment, harm reduction programmes, opioid substitution therapy and needle and syringe programmes; to provide the necessary medicines and medical equipment in all correctional facilities; and to ensure independent medical examination and documentation of detainees' health status and provide mandatory training to medical personnel in detecting torture and ill-treatment in accordance with the Manual on the Effective Investigation and Documentation of Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (Istanbul Protocol), as revised. He wondered what action had been taken to ensure that military barracks and schools fell under the monitoring mandate of the national preventive mechanism, to adopt a separate law on the national preventive mechanism and to ensure that it was independent in practice from the Office of the Human Rights Commissioner and its regional representatives. It would be useful to hear whether the State Party planned to amend or repeal article 428 (3) of the Criminal Code, pursuant to which prisoners could be convicted for acts of self-harm without assessment of the underlying causes or examining possible links between such acts and the conduct of prison authorities.

14. It would be helpful to receive up-to-date information on any recent or planned measures to legally recognize conscientious objection and establish a civilian alternative to military service. He would welcome details of any action to bring the Act on Religious

Activity and Religious Associations and the amendments made thereto in 2021 fully into line with the Covenant. He wondered how many individuals were currently serving sentences for engaging in non-violent religious expression and under which legal provisions they had been convicted. He would like to know what steps were being taken to ensure that any such cases were reviewed in accordance with the international fair trial guarantees set out in the Covenant and that no restrictions were imposed on persons who had received such convictions during detention or following release solely on the basis of religious affiliation or belief.

15. He would like to know what steps had been taken to remove complex registration requirements for NGOs, political parties and trade unions. He would also like to know how the State Party ensured that civil society and religious groups could function without interference, harassment or surveillance by State authorities or individuals acting on their behalf.

16. Despite the State Party's efforts to improve political participation and inclusion, reports suggested that minorities, especially the Roma community, continued to face discrimination and limited access to decision-making processes and that women remained significantly underrepresented in the political system. He would therefore appreciate a detailed description of the legal and administrative framework that governed political parties, including the procedures and grounds for the suspension or dissolution of parties. It would also be interesting to learn what steps had been taken to develop and promote the effective participation of the Roma community in political life and to ensure its fair and equitable representation. Lastly, he would like to know what measures the State Party had adopted to address social barriers that limited women's full engagement in political and public life.

17. **Mr. Helfer**, commending the State Party for its adoption in 2024 of the Act on Combating Trafficking in Persons and the recent amendment of article 128 of the Criminal Code, said that he would like to know how it ensured the effective implementation of those reforms. It would be useful to learn whether labour inspectors had adequate resources and training to identify trafficking cases and what measures had been adopted to prevent the use of informal third-party employment intermediaries, which could facilitate trafficking and workplace exploitation. He would also like to know how the State Party ensured that individuals facing deportation could invoke protections under the Act on Combating Trafficking in Persons prior to removal and whether individuals who claimed to have been trafficked could challenge deportation decisions. Clarification of the steps taken to ensure that all migrant children were properly registered and documented upon entry would also be appreciated.

18. The Committee welcomed the increase in prosecutions under articles 128 and 135 of the Criminal Code and efforts to increase penalties for trafficking offences. Yet it remained concerned, given reports that suggested that prosecutions for trafficking, even in cases involving coercion or sexual exploitation, were sometimes filed under lesser criminal provisions, resulting in sentences below the statutory minimum. It would therefore be useful to learn what steps were being taken to ensure that trafficking offences were appropriately classified and charged under the Criminal Code.

19. The Committee welcomed recent positive developments relating to the treatment of aliens, asylum-seekers, refugees and stateless persons, such as the extension of visas under Decree No. 961 of 2022 and the provision of social benefits to foreign nationals. Although it understood that article 10 of the Refugees Act allowed for the submission of asylum applications without valid identity documents, reports suggested that there was no de facto procedure for processing such applications, nor were there appropriate procedures in place for those with special needs, such as unaccompanied children and persons with disabilities. The Committee had also received credible reports that immigration authorities were reluctant to grant asylum to persons with Russian, Chinese or Uzbek nationality; he would welcome the delegation's comments on those reports. He would, moreover, like to know how the asylum application process had changed since the transfer, in 2022, of responsibilities for migration issues from the Ministry of Internal Affairs to the Ministry of Labour and Social Protection. Detailed information on the appeal procedures available to detained migrants and the services to which they had access would also be appreciated.

20. Despite the State Party's assertions that asylum-seekers could remain in Kazakhstan until their asylum procedure was completed, reports indicated that that was not always the case. For instance, in December 2022, the State Party had deported a Russian officer, Mikhail Zhilin – who had fled the Russian Federation because he refused to serve in the war in Ukraine – even though his asylum proceedings had not been concluded. He would welcome an explanation of why Mr. Zhilin had nevertheless been deported. He would also like to know how the State Party ensured protection against refoulement notwithstanding agreements such as the Shanghai Convention on Combating Terrorism, Separatism and Extremism, which required cooperation on extradition but did not contain non-refoulement guarantees. Regarding statelessness, the Committee understood that individuals were required to renounce their existing citizenship before receiving Kazakh nationality. Would the State Party consider adopting measures to close that legislative gap, in order to reduce the risk of statelessness?

21. Regarding children's rights, the Committee would appreciate more detailed information on how the Comprehensive Plan to Protect Children from Violence, Prevent Suicide and Ensure Children's Rights and Welfare (2023–2025) had been implemented and what gaps in protection remained. It would be interesting to learn what activities were carried out by the family support centres set up under the Plan; what specific services were provided to children; and whether child victims of violence could obtain support independently from their parents. Clarification of whether the law on women's rights and child safety, adopted in 2024, prohibited all forms of corporal punishment, including at home, in school and in care institutions, would be appreciated.

22. He would welcome a description of the monitoring functions of the Committee for the Protection of Children's Rights and clarification as to whether children living in residential care institutions, or their guardians or representatives, could file complaints of mistreatment. The Committee had received credible reports that children in such institutions faced violence, abuse and neglect. How would the State Party prevent such abuses in the future? He would welcome information about the system of foster families being introduced by the Commissioner for Children's Rights as an alternative to residential care facilities, as well as any other alternatives to institutional care.

23. While the State Party's report indicated that birth certificates were issued to children who were born in medical institutions and whose mothers lacked identity documents, he understood that children born outside medical institutions to undocumented parents did not receive birth certificates, which put them at risk of statelessness and hindered their education and healthcare. Would the State Party consider adopting measures to provide those children with birth certificates?

24. **Ms. Donders** said that the amendments made to the law of March 2023, aimed at reinforcing judicial independence by introducing the election of Supreme Court justices by the Senate, said that the updated procedure seemed nonetheless to give limited discretion to the Senate, since it could choose only from candidates nominated by the President. She would like to know how the State Party guaranteed the independence of judges and whether it would consider strengthening the Senate's role in the appointment of justices. She would also like to know what concrete measures the State Party had taken to address corruption throughout the judiciary system and whether the bill mentioned in the State Party's periodic report that would establish a new mechanism for the disciplinary liability of judges had been adopted.

25. The Committee had received reports of a lack of access to justice, especially in rural areas, and complaints about the quality of legal aid, some of the key obstacles cited being a scarcity of qualified lawyers and high legal fees. She would like to know what steps the State Party intended to take to ensure the rights to a fair trial and access to justice, including affordable fees and direct, competent representation, as well as confidentiality of communication between suspects and their attorneys. It would also be useful to learn how suspects were informed of their rights. Information on the percentage of legal proceedings that were now held online would be welcome.

26. Regarding the right to peaceful assembly, she would like to know whether the law was sufficiently clear concerning the procedures and possible grounds on which the authorities could refuse permission for events. She would appreciate the delegation's

response to reports that the requirement to notify the authorities of peaceful assemblies had led to surveillance, the preventive arrest of protesters or practical obstacles that de facto led to an undue restriction or denial of peaceful assembly. Specifically, she would welcome an explanation of the low percentage of applications that had been approved during the reporting period. It would also be useful to know whether it was possible to appeal a rejection or file another request at a later stage. Lastly, she would like to know how the State Party upheld the rights of foreigners, stateless persons and refugees under the Covenant, which applied to all persons in the territory.

The meeting was suspended at 10.55 a.m. and resumed at 11.15 a.m.

27. **A representative of Kazakhstan** said that, under the Charter of the United Nations, every State had a sovereign right to ensure its own internal security and public order; thus, a State was permitted to use all possible means, including the use of force, in order to put an end to any real threat of mass violence and disorder. The situation facing the Government in January 2022 had not been that of a peaceful protest, but rather an armed uprising, leading to a large-scale crisis, as was evidenced by the number of arms that had been confiscated, the destruction of archives, attacks against government buildings and the death and injury of large numbers of law enforcement officers, soldiers and emergency workers. Kazakhstan had enacted several laws which adequately regulated the use of arms, including in emergency situations. There was no need for a law enforcement officer to await further instructions before acting; any officer could assess the prevailing situation and take appropriate action when there was a threat against the life or health of a citizen or the destruction of property. Investigations into allegations of excessive and lethal use of force had been carried out and sentences had been handed down as early as 2022. Some investigations were ongoing, but already nine cases had resulted in convictions and the supervisors of those who had been convicted for excessive use of force had also been penalized. Moreover, no military personnel had benefited from amnesty or been released. There was therefore no need to change the law or adopt additional regulations.

28. During the protests in January 2022, medical care had been provided freely to all those in need. Investigations into allegations of violations of the right to receive medical treatment had concluded that people who had been arrested for engaging in violence and injuring others had been given medical assistance on site and that those who required additional medical care had been taken to medical centres in penitentiary vehicles. All the persons concerned by criminal proceedings had been provided with a defence lawyer. About 300 people had been found to be detained unlawfully and had been released. All 29 minors who had been arrested for carrying out serious offences had been released.

29. **A representative of Kazakhstan** said that when a request to hold a peaceful assembly was received by the authorities, efforts were made to resolve the issues being raised by the demonstrators even before the protest was held; in the past five years, such efforts had been successful in 400 cases, resulting in the cancellation of protests. While the majority of citizens acted within the law, some gatherings took place in violation of the law, sometimes owing to a poor understanding of the law itself. Indeed, 90 per cent of the organizers of some 1,000 past gatherings had failed to observe the deadline for notifying the authorities of the events they were organizing; in other cases, the notifications had had to be returned to the organizers because the forms had been improperly completed, for example, the date, place or time of the planned event was missing. Such information was vital for law enforcement bodies, which must ensure the safety of participants and other people in the vicinity of the planned event. The authorities held regular awareness-raising activities about the procedures to be followed; as a result, the number of unlawful gatherings had been halved between 2020 and 2023. It was very rare that citizens were taken to court or taken into custody for having organized or participated in unlawful gatherings; usually, they received a fine or a mere warning.

30. **A representative of Kazakhstan** said that, since 2019, there was no statute of limitations for torture, nor were suspended sentences permitted for cases of torture. Only the prosecutor's office could investigate or give evidence of torture. Medical examinations were carried out and the rights of detainees to inform their relatives of their detention was upheld. Legal provisions had been adopted regarding the punishment of falsification or incorrect records of detention. Special instructions aimed at preventing torture, including with regard

to interrogations, had been issued in 2022. Some 40,000 video cameras had been installed and were functioning in police and penitentiary institutions. Footage was monitored on a daily basis. Every report of torture must be logged; notwithstanding that obligation, fewer and fewer complaints of torture had been registered since 2019. Of the 165 persons convicted in cases of torture, 140 had been given prison sentences.

31. The Government was considering ways of improving the mechanism for determining the compensation to be attributed to victims of ill-treatment and providing measures of rehabilitation, in line with the recommendations of the revised Istanbul Protocol. Accordingly, there were plans to increase the amount of compensation tenfold. Specifically regarding the events of January 2022, a fund had been created, with the participation of the local authorities, to compensate those who had died, including soldiers, law enforcement officers and miners. Housing assistance had also been provided to the families of those who had died. None of the organizers of the events had been amnestied, nor had any of the officers or soldiers who had been found responsible for committing human rights violations.

32. **A representative of Kazakhstan** said that, when it came to blocking Internet content, the first step was to send a warning letter to the owner of the website or online platform. A total of 1,651 such letters had been issued since the beginning of 2025. If the offending content was taken down in response to the warning letter, no legal action was taken. It was not true that provisions intended to protect children online were used to unduly restrict freedom of expression and access to information. Since the beginning of the year, a total of 12,360 cases of unlawful content had been identified, of which only 362 cases had involved children. The vast majority of that content had been independently removed by the owners of the online platforms themselves and had not had to be blocked. National security certificates were used only as a protective measure in the public service on computers used by civil servants to access the Internet; they did not apply to private businesses and individuals. There was no record of spyware having been acquired or installed on computers in Kazakhstan.

33. Restrictions on Internet access were imposed only in exceptional circumstances, such as when there was a real threat of serious offences being committed or during natural or human-caused disasters or social emergencies. During the events of January 2022, a state of emergency had been declared and Internet access had been restricted in certain areas. A separate issue was the limited Internet coverage in some remote areas of the country for geographical reasons. To remedy that problem, there were plans to extend high-speed fibre-optic or satellite Internet services to the majority of villages throughout the country by 2027. The 2023 Online Platforms and Online Advertising Act had been very closely aligned with the European Union Digital Services Act, particularly with respect to the provisions on illegal content, and also reflected the provisions of existing rules and user agreements applicable to social media sites. Far from expanding State control, the Act sought to liberalize the field. Since defamation had been made an administrative rather than a criminal offence in 2020, there had been a steady decline in the number of cases being brought against social media users, journalists and political activists. Furthermore, only four prosecutions had been brought under revised article 174 of the Criminal Code concerning incitement to social, ethnic, clan, racial, class or religious discord. No journalists or activists had been prosecuted for libel against public officials.

34. **A representative of Kazakhstan** said that, in most prisons, inmates were held in dormitories, with only a small proportion in cells. In order to improve conditions of detention and provide more accommodation in cells, work was under way on the construction of new prisons. Five new prisons were due to be completed in 2025, and new living quarters were being built at four existing facilities. Prison facilities were cleaned and disinfected regularly, inmates received clean clothes and bedding, and there were ongoing awareness-raising campaigns to ensure that personal hygiene was maintained. Vaccination campaigns were conducted, information leaflets were distributed on the prevention of infection, medical staff carried out regular inspections and inmates with contagious illnesses were kept in isolation. Under recent amendments to the law on sentence enforcement, persons with serious diseases or health conditions could either serve their sentences in more appropriate facilities, be given a lighter sentence or have the sentence waived entirely. An extensive list of medical conditions specific to women's health was taken into account in sentencing. Medical teams

at women's facilities included specialized staff such as gynaecologists. The appropriate conditions were provided for pregnant women and mothers in detention, and two units for mothers and their children were being developed.

35. **A representative of Kazakhstan** said that, under the Health Act, all citizens had equal access to medical services and protection against discrimination on the basis of a medical condition. Detainees and prisoners had prompt access to free medical care. All citizens had access to the mandatory health insurance system, regardless of their place of residence. The recommendations of the World Health Organization were followed to ensure the mental and physical well-being of all persons in detention. All persons entering the prison system underwent a medical assessment, which included screening for the most common conditions: diabetes, glaucoma, three types of cancer, hepatitis and mental or behavioural disorders. Medical care was provided to prisoners at a number of medical centres and specialized outpatient clinics, including in remote areas, and through telemedicine. A full range of high-quality medical and diagnostic services was available to the prison population. Antiretroviral therapy covered all strains of HIV, including those prevalent in the prison system. Methadone was currently available only in liquid form, but there were plans to introduce other forms that were easier to administer.

36. **A representative of Kazakhstan** said that the country's policy with respect to the activities of religious organizations had been liberalized in recent years, and there were now over 400 registered missionaries in the country. There had been a steady decrease in the number of fines imposed in connection with religious practices over the past five years. The Act on Religious Activity and Religious Associations recognized the right to practise and disseminate religion, and lawful religious activities were protected; the only exceptions were religious activities carried out for financial purposes or to disseminate terrorist or extremist ideas. Kazakh legislation was in line with the Covenant, which provided that States could introduce restrictions on religious freedoms for security or other reasons. Under the relevant legislation, certain religious groups could be released from the obligation to do military service; 109 persons had registered as conscientious objectors in 2024, marking an increase over previous years. It was also possible to delay military service or to perform an alternative form of service.

37. The unique model of ethnic diversity in Kazakhstan was a cornerstone of the country's identity. Reference was made to ethnicities rather than communities. Five seats in the lower house of Parliament and in the Senate were reserved for representatives of different ethnic groups; the groups represented changed regularly, and there were no restrictions on the representation of particular groups.

38. **A representative of Kazakhstan** said that the national preventive mechanism operated under the Office of the Ombudsman but maintained full operational autonomy. Members of the national preventive mechanism were selected by the Coordination Council for Cooperation with Non-Governmental Organizations. Visit planning and report preparation were conducted in line with the Optional Protocol to the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment. The national preventive mechanism's mandate already covered military detention facilities at the Ministry of Defence, but there were plans to expand that mandate further. A draft stand-alone law on the national preventive mechanism developed by civil society was currently under discussion with the State authorities.

39. **A representative of Kazakhstan** said that, under a 2003 law, the number of persons required to establish a public association had been reduced from five to three. There were no restrictions on the receipt of foreign funds by such associations. With regard to trade unions, Kazakhstan had ratified the International Labour Organization Freedom of Association and Protection of the Right to Organise Convention, 1948 (No. 87) and Collective Bargaining Convention, 1981 (No. 154). There were 543 registered trade unions in the country. The number of signatures required by law for the registration of a political party had been reduced in 2023. Temporary restrictions on the activities of political parties could be imposed in the event of serious violations that threatened democratic principles, the political system and the well-being of the country's citizens. The dissolution of a political party was an extreme measure taken pursuant to a court order or at the initiative of the party itself.

40. **A representative of Kazakhstan** said that the Act on Combating Trafficking in Persons, adopted in 2024, provided for the relevant definitions to be brought into line with international standards and for the establishment of a national mechanism to safeguard the rights of trafficked persons, including minors and foreign nationals. New offences linked to human trafficking had been introduced in the Criminal Code, including sexual crimes and cybercrimes. An intergovernmental and interregional commission on combating human trafficking had been created, and groups comprising police officers, labour inspectors, prosecutors and NGOs had been set up in each oblast to conduct awareness-raising on labour exploitation and respond to incidents of forced labour. In 2025, 170 visits had been conducted in the various oblasts. The Ministry of Internal Affairs had organized training for officials involved in combating human trafficking in partnership with a number of international and European organizations. In 2024, an organized crime group operating in the north of the country and engaged in sexual exploitation, prostitution and procuring had been disbanded and those involved had received prison sentences of between 4 and 16 years. The members of a group that had used physical and psychological violence to force persons with disabilities to engage in begging had also been prosecuted. More than 100 judicial investigations were under way in cases of human trafficking, and more than 190 victims had been identified.

41. **A representative of Kazakhstan** said that Kazakh legislation on refugees was in line with international law. There were clear and transparent procedures in place for seeking asylum in the country, and Kazakhstan abided by the principle of non-refoulement. The review of the provisions on refugees would be conducted by the Ministry of Labour and Social Protection and other relevant institutions. A special commission examined all asylum applications and decided on whether to grant, extend or deny refugee status. Refugees had the right to medical care, social assistance and education at all levels.

42. The Labour Inspectorate currently employed 331 labour inspectors, who were fully empowered to carry out their duties and could refer cases to the courts. Work was ongoing on the digitization of labour inspections, and a road map was being developed in cooperation with the International Labour Organization.

43. Social services were entirely funded by the State and covered social, medical, psychological, cultural, pedagogical, labour and economic services. Among others, persons with disabilities and victims of domestic violence and of human trafficking were eligible to receive such services. Special social services centres were available for children to receive comprehensive assistance and rehabilitation; the legal requirements for the issuance of licences to the operators of such centres had recently been made more stringent.

44. **A representative of Kazakhstan** said that the extradition of individuals who had been granted asylum or whose asylum application was still pending or under appeal was not permitted. The decisions of the Prosecutor General's Office on extradition could be appealed to the Supreme Court. In 2025, Kazakhstan had received 85 extradition requests from foreign States, 90 per cent of which had been refused due to human rights or other concerns. In the case of Mr. Zhilin, whose asylum application had been rejected for lack of sufficient grounds in November 2022, he had been convicted of having illegally crossed the border and the court had ordered his expulsion from Kazakhstan. At the same time, the Russian authorities had requested his extradition on the charges of desertion and illegal border crossing. However, Mr. Zhilin had not been extradited, as extradition for military offences was prohibited under Kazakh law and he had already been sentenced in Kazakhstan for the illegal border crossing. He had been deported to the Russian Federation in December 2022 in execution of the final judgment of the Kazakh court. Mr. Zhilin had had ample time to file an appeal against the asylum decision issued in November 2022 and his deportation at the end of December 2022 but had failed to do so. While Kazakhstan was a party to the Shanghai Convention on Combating Terrorism, Separatism and Extremism, article 9 (6) of that instrument provided that requests for assistance could be refused if they were contrary to national legislation or the country's other international obligations, and individuals who had been granted asylum were therefore not extradited or deported.

45. **A representative of Kazakhstan** said that foreign nationals and stateless persons were not permitted to participate in demonstrations. There were other avenues available to them if they wished to raise issues related to the subject of a particular demonstration, and they could submit a request in writing to have their issue addressed. In any case, there was

no monitoring of the participation of foreign nationals and stateless persons in demonstrations, and it was not true that they would be automatically arrested if they participated in an unlawful demonstration. Instead, the focus was on outreach and awareness-raising, and law enforcement bodies provided relevant information. The offence of defamation, which had been transferred from the Criminal Code to the Administrative Code, applied only to acts committed against physical persons and not against State institutions. Over 2,000 cases had been dismissed either because the parties had reconciled or for lack of substantiation of the allegations.

46. **A representative of Kazakhstan** said that the broad reforms being undertaken included improving access to justice and the quality of the justice system. The Constitutional Court had become an important institution for the protection of citizens' rights. As of June 2025, there were three independent constitutional courts that heard complaints by citizens. An appeals mechanism had been established by law to ensure that the judgments of courts of first instance could be appealed; the number of cases being reviewed had increased; and the process had been partly automated. Free legal assistance was provided to persons involved in judicial proceedings, and the Judicial Office provided consultations free of charge. The vast majority of legal documents could be submitted electronically and a large proportion of proceedings also took place online. Digital assistance was provided using artificial intelligence to help judges handling routine cases. In response to recommendations made by the Committee on the Rights of Persons with Disabilities, universal accessibility measures had been introduced for persons with disabilities; for example, material was available in Braille and easy-to-read formats. A comprehensive set of measures had been taken to ensure the independence of the judiciary, including the introduction of a competitive examination and more transparent procedures for the appointment and promotion of judges and an increase in the budget for judges' salaries.

47. **Ms. Bassim** asked what criteria were used when deciding to send a warning letter to an individual in connection with Internet content.

48. **Ms. Donders** said that she wished to know whether spontaneous protests or counter-demonstrations – with no prior notification – were permitted and whether organizers who did not comply with the rules on demonstrations were barred from organizing peaceful assemblies for a given period. She would welcome confirmation of whether defence lawyers were always granted access to their clients' files, whether they were present from the very start of the process, and whether confidentiality between suspects and their lawyers was guaranteed. With regard to the use of artificial intelligence in judicial proceedings, she wished to know how issues such as privacy and the potential biases of artificial intelligence tools were taken into account to ensure the safety of the process.

49. **Mr. Korkelia** said that he would be interested to know whether there were any plans to abolish the foreign funding register, whereby organizations and individuals that received foreign funding for certain types of activities were required to report on the use of such funding to the tax authorities. He would also appreciate information on the specific purpose of the working group established by the Ministry of Culture and Information to improve legislation on NGOs, what kind of improvements were foreseen and whether they would meet international human rights standards.

50. **A representative of Kazakhstan** said that the specialized structure that monitored the entire information space with a view to detecting violations of Kazakh law was fully in line with European standards and the requirements of the social networks themselves. If a violation was detected, a warning or notification was sent to the administrator of the online platform requesting the removal of the content and explaining the reasons for the request. The warnings were not sent directly to the holder of the social media account but to the official representatives of each platform in Kazakhstan.

51. **A representative of Kazakhstan** said that, in 2024, 15 cases had been brought under article 128 of the Criminal Code and 8 under article 131. All of the cases had been taken to trial and the perpetrators had received prison sentences of between 1 and 20 years.

52. **A representative of Kazakhstan** said that, since the adoption of the 2024 law on child protection, cases of corporal punishment against children had been steadily declining. A bill that would make corporal punishment in boarding schools or residential facilities a

criminal offence was currently under consideration. Thorough investigations were carried out into cases of violence against children in residential facilities and perpetrators were duly punished.

53. **A representative of Kazakhstan** said that, in 2023, a road map for the protection of children from violence had been finalized, providing for stricter penalties for all forms of violence. A single standard had been adopted for educational establishments at all levels, with video surveillance and security measures. Education professionals and social workers had received training and were held to account if they failed to report a case of violence against children. A national anti-bullying programme would be rolled out in all schools in September 2025, while a suicide prevention programme had been implemented in 2023. There were 20 psychological support centres, which had been attended by some 200,000 children. A programme was also in place to provide support for children who were victims or witnesses of violence. The 111 hotline had received calls from more than 1,000 children over the past six months, and there was also a text messaging service.

54. **A representative of Kazakhstan** said that there were no plans to abolish the foreign funding register, which had been developed in line with the relevant standards of the Organisation for Economic Co-operation and Development. Work on the proposed new legislation on NGOs was being carried out with the participation of representatives of a range of NGOs. The new legislation was being developed in response to a recent scandal in the charity sector, which had involved major violations of the rules on financing.

55. **A representative of Kazakhstan** said that the security aspects of all judicial services, including those that used artificial intelligence, had been verified. The final decision in all cases was taken by a judge. The number of complaints in relation to pretrial detention had decreased in the last year, and the use of electronic bracelets as an alternative to detention had increased.

56. **A representative of Kazakhstan** said that her delegation was grateful for the constructive dialogue with the Committee and would endeavour to submit any outstanding replies within 48 hours. It had been encouraging to see the active participation of civil society in the review process, including the submission of 22 alternative reports. The Committee's recommendations would be incorporated into future action plans on human rights, and that work would be carried out in close collaboration with civil society.

57. **The Chair** said that the dialogue had highlighted both progress and persistent challenges in Kazakhstan. While the dialogue was formally between the State Party and the Committee, great value was placed on the input and engagement of civil society. It was essential that civil society actors were able to engage with the Committee freely, safely, and without fear of harassment or reprisals, whether in Geneva or in the State Party. No person or organization should face any form of intimidation, harassment, or reprisal for cooperating with the Committee or participating in its public meetings.

The meeting rose at 1 p.m.