



Kazakhstan: Annual Human Rights Dialogue and Subcommittee on Justice and Home Affairs

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Press releases

On 2-3 December 2021, the European Union and the Republic of Kazakhstan held online the 13th Human Rights Dialogue and 19th Subcommittee on Justice and Home Affairs.

Discussions were timely, following the recent first official visit of President Tokayev to Brussels, and were held in an open and constructive atmosphere.

On 2 December, during the **Human Rights Dialogue**, the EU and Kazakhstan had a frank exchange on a broad range of human rights related issues. The EU took note of President Tokayev's fourth stage of political reforms aimed at further democratisation of society and the Decree on Human Rights adopted in June 2021. The EU welcomed the strengthened cooperation with Kazakhstan on human rights and the mutual agreement that reforms must be effectively implemented.

The EU welcomed the announcement of legislation to implement the ratification of the second Optional Protocol to the International Covenant on Civil and Political Rights, which abolishes the death penalty in law and in practice, in the criminal code. Both parties discussed the National Preventive Mechanism (NPM) and its access to information and to places of detention, detention conditions, and efforts to prevent torture and ill-treatment, including prompt, thorough, impartial and independent investigations into all allegations of torture.

The EU thanked Kazakhstan for hosting the third EU-Central Asia Civil Society Forum in October. The EU stressed the need to protect the right to peaceful assembly and freedom of association, including not harassing or sanctioning peaceful protesters or detaining them, including prior to announced meetings or demonstrations, or to resort to disproportionate measures such as kettling. The EU reiterated concerns in relation to restrictions on freedom of expression, including that the offenses of "insult" and "insulting a government representative" remain subject to criminal penalty (Articles 131 and 378), and recalled that laws to fight terrorism and extremism should not be used to target the freedom of expression of political groups and critical voices. Kazakhstan openly outlined its reforms in these areas, including

Article 59 of the Penal Code (ban on public and professional activities), and welcomed further discussions with the EU. Kazakhstan also underlined the importance of dialogue with civil society.

In relation to trade unions, the EU recalled its statement delivered on Kazakhstan at the 109th session of the ILO, in relation to Freedom of Association and Protection of the Right to Organise, Convention, 1948 (No. 87). Kazakhstan expressed its commitment to reforms and to cooperation with the ILO. Other topics discussed included violence against women and girls, freedom of religion and belief and non-discrimination, including against members of the LGBTI community.

The EU congratulated Kazakhstan on its election to the UN Human Rights Council for 2022-2024, underlining that Members of the Human Rights Council have a responsibility to uphold the highest standards in the promotion and protection of human rights. The EU noted with appreciation Kazakhstan's voluntary commitments and looked forward to seeing them being operationalised .

The EU raised a number of individual cases during the dialogue and a list will be handed over by the EU Delegation. It was agreed to further strengthen dialogue on individual cases, and follow up through regular bilateral discussions.

On 3 December, during the **Subcommittee on Justice and Home Affairs**, Kazakhstan presented measures undertaken to further improve its administrative and criminal justice systems; including an increase in the number of lawyers, better training and user-friendly services for citizens, including e-criminal justice. The EU reaffirmed its support to rule of law reforms and the importance of an independent and impartial justice system, and gave an overview of the implementation of the Central Asia Rule of Law programme. Rule of law is one of the priority areas of EU funding for the period 2021-2027

The EU and Kazakhstan discussed judicial cooperation in civil and criminal matters. Kazakhstan outlined its commitment to tackle money laundering and corruption, including in the framework of the Group of States against Corruption in the Council of Europe (GRECO), and new anti-corruption mechanisms. The EU welcomed Kazakhstan's efforts to tackle corruption and to meet Financial Action Task Force (FATF) conditions.

The EU and Kazakhstan had a comprehensive exchange on migration, asylum and border management, including in the context of the situation in Afghanistan, and the fight against human trafficking, including the trafficking of children, and assistance to victims. The EU thanked Kazakhstan for its ongoing engagement in the framework of the EU-funded Border Management Programme in Central Asia (BOMCA). On tackling illicit drugs, Kazakhstan

reiterated its support for the cooperation with the EU and international organisations, and outlined efforts for the treatment and rehabilitation of addicts and their reintegration into society. The EU gave an update on the EU-funded Central Asia Drug Action Programme (CADAP).

Both sides stressed the importance of international and regional cooperation in countering terrorism and the prevention of violent extremism.

The EU delegation was headed by Mr. Dietmar Krissler, Head of Central Asia Division of the European External Action Service. The delegation of Kazakhstan was headed by Mr. Bolat Dembaev, Deputy General Prosecutor of the Republic of Kazakhstan.

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