

Review of Kazakhstan's Compliance with the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment

Committee against Torture's 76th Session (17 Apr 2023 - 12 May 2023)

Statement on Urgent Steps to Improve the Human Rights Situation and Reduce Violence in Kazakhstan.

1 May 2023

The association "Justice for All International / Justice pour Tous Internationale" calls on members of the CAT to encourage the Government of Kazakhstan to take urgent action to enhance the human rights situation, focusing on reducing societal violence and eradicating torture and ill-treatment. President Tokayev's announcement of ongoing reforms and commitment to a transparent, honest, and mutually trusting New and Fair Kazakhstan offers an opportunity for progress.

To address this pressing issue, the association highlights the following crucial steps:

1. We urge the committee members to recommend that the Kazakh Government address the longstanding and serious issue of torture by implementing a comprehensive and multifaceted approach, which involves:
 - Establishing the Presidential Interagency Council to prevent torture and other ill-treatment, creating an ad hoc Truth and Reconciliation Commission to effectively address January 2022 events, and strengthening the existing Ombudsman in order to fully comply with the Paris Principles to obtain A status and build trust in the work of the national preventive mechanism. We urge the committee members to include these matters in the follow-up recommendations.
 - Building a modern police service by revising the legal framework, improving recruitment and training, increasing transparency, establishing accountability mechanisms, and implementing community policing. Complete the unfulfilled 2014 reform and take urgent steps to create a modern police service.
 - Overhauling the entire legal framework for police and creating a new legal basis for police discipline and complaints procedures, in line with international human rights standards.
2. We request that the committee members make another follow-up recommendation for the Kazakh Government to develop and adopt a comprehensive law on equality within one year and report on progress. This law should be based on the experiences of developed democratic countries, ensuring equal protection and prohibiting discrimination in accordance with international human rights standards. It will help create a more inclusive and just society where violence and discrimination are not tolerated.

3. We urge the committee members to include the protection of LGBTQ+ individuals' rights in their recommendations. The government should ensure full guarantees for LGBTQ+ individuals regarding equality before the law, personal security, freedom of belief in sexual orientation and sexuality, and privacy. Addressing the needs of vulnerable populations fosters a more compassionate society less prone to violence.
4. In this context, we call on the committee members to recommend that the Kazakh Government safeguard minority rights. Implement legal reforms to protect minority rights and promote social inclusion, along with the adoption of the new law on equality. This will help reduce societal tensions and prevent violence against minority groups.
5. We call on the committee members to recommend that the Kazakh Government strengthen the rule of law by ensuring judicial independence, revising vague or outdated laws hindering freedom of expression, and fostering a culture of accountability. This step is essential for reducing violence and safeguarding human rights in the country.
6. We underscore the need to call on the Kazakh Government to support civil society organizations. The government should collaborate with them and the international community to promote human rights in Kazakhstan. These organizations play a vital role in monitoring human rights abuses, providing support to victims, and advocating for change.

By implementing these measures, it is possible to make real progress toward a more just and equal society in Kazakhstan, where violence is reduced, and the rights of all individuals are respected and protected.