



UPR INTERVENTION FOR KAZAKHSTAN

Canadian HIV/AIDS Legal Network & International Lesbian and Gay Association – European Region

Thank you Mr. President, distinguished members of the delegation,

We welcome Kazakhstan's constructive participation in the UPR process, and would like to address the following four points:

- 1) We commend Kazakhstan's acceptance of recommendations 39 and 40 in paragraph 95 of the Working Group, which deal with measures to combat discrimination against persons with drug dependence and persons living with HIV/AIDS, and to redouble its efforts to eliminate stigmatization of and discrimination against persons infected and affected by HIV/AIDS. To this end, we urge Kazakhstan to take steps to prevent HIV infection in prisons, including by ensuring access to treatment for drug dependence and to sterile injection equipment, abolishing compulsory HIV testing of prisoners, and removing laws requiring registration by name of those with history of drug use and prohibit sharing of information with other than medical personnel (e.g., police, prosecutors, employers).
- 2) We commend the government of Kazakhstan for developing anti-discrimination legislation and encourage it to include sexual orientation and gender identity as recognized grounds of discrimination.
- 3) We urge Kazakhstan to apply international best practices (eg the *Yogyakarta Principles on the application of international law in relation to sexual orientation and gender identity*) to recognize the rights of transgender people to change gender and name in passports and other official documents in accordance with their self-defined gender identity and without the need to undergo surgeries.
- 4) Finally, in response to recommendation 2 in para 97, made by France, that Kazakhstan join the UN declaration on sexual orientation and gender identity, we appreciate the government's response that Kazakhstan does not support discrimination on any ground, including sexual orientation, and remains open to consideration of this recommendation in future. We would ask what measures may assist the government in reaching a favourable conclusion in this regard?