

## ADVANCE QUESTIONS TO KAZAKHSTAN

### **DENMARK**

- With the adoption in 2009 of new legislation on the use of the internet, access to express oneself is seriously restrained in Kazakhstan.
- How does Kazakhstan intend to fulfill its obligation to protect freedom of expression – including on web based media?
- Does Kazakhstan plan to establish a fully independent and competent authority with the mandate to investigate claims of torture or other kinds of cruel treatment against persons in detention, imprisoned or under arrest?
- Does Kazakhstan intend to ease the process of registration for religious communities so that all denominations will have the right to practice their freedom of religion or belief and peaceful activities without the threat of harassment or detention from the authorities?

### **SWEDEN**

- 1 Credible reports, including reports from Human Rights Watch, show that freedom of assembly continues to be significantly restricted in Kazakhstan. Public meetings of political nature that are not organized directly or indirectly by the government have been denied a permit or broken up by police. Kazakhstan's law on public assemblies requires demonstrations as small as a one-person picket to be registered with the relevant municipality mayor's office at least 10 days in advance, and requires detailed information about, inter alia, the demonstration and its goals, as well as information on participants.
- Could the government of Kazakhstan elaborate on how the right to assembly will be respected in accordance with Kazakhstan's international human rights obligations?
- 2. Kazakhstan passed the so called "Law on the Internet" (Law on amendments to some legislative acts on information-communication network) in July 2009. International concerns have been raised by the European Union and others that the law does not conform to Kazakhstan's obligations under international law. According to the law, all internet resources are considered to be media and their owners and journalists bear criminal, civil and administrative responsibility.
- Could the government of Kazakhstan elaborate on measures it is taking to ensure that its legislation relating to the Internet and other new communication technologies respect Kazakhstan's international human rights obligations with regard to freedom of expression and the right to privacy including any plans to amend the law?

## **UNITED KINGDOM OF GREAT BRITAIN & NORTHERN IRELAND**

- What is the Government's latest timetable for implementing the National Preventative Mechanism under the Optional Protocol to the Convention against Torture. And how will the Government ensure that monitors have unlimited and unconditional access to places of detention?
- The Government has spoken about decriminalising libel in the past. Does the Government intend to change libel to a civil offence? Also how does the Government intend to ensure that recent changes in legislation (internet law and privacy law) do not hinder the ability of journalists to undertake independent reporting?
- We welcome the Government's intention to sign the 2nd Optional Protocol of the International Covenant on Civil & Political Rights. What scope is there to accelerate consideration of the legislation that will give effect to the Protocol?
- We recognise that Kazakhstan has taken some steps with regards to electoral reform but note that some political parties have found it difficult to register. What further steps are planned to ensure easier registration of political parties?
- How does the Government ensure the participation of independent, non-Government funded NGOs in Kazakh civil society?
- We welcome the fact that scope exists for people to assemble and protest but note this can be subject to restrictions on location and timing. What steps does the Government intend to take to promote equality of treatment for demonstrations of other points of view?

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