

Nur-Sultan (capital), Kazakhstan

Public
Association
Dignity



Human Rights Defenders Security
and Protection

There are no:

- Previous recommendations on HRDs (from 101 in 2011 to 555 in 2018 cases of threats)
- Legislation on national protection mechanism of HRDs, civil activists (from 2014 lobbying it)
- Legislation of implementation mechanism of international treaty bodies decisions (no procedures – no results)
- Access to effective measures of protection on national level
- One who take responsibility for crimes against Human Rights Defenders

Key problems

- Control of civil society
- Detention without access to attorney, night court sessions
- Access to the Internet has been blocked
- Journalists were attacked
- Threats have been made against the family members of Human Rights Defenders

Recommendations

- Establish a state mechanism for the protection of human rights defenders before the next Review. Such mechanism could be created under the Commissioner for Human Rights, with the condition of its independence, bringing it in accordance with the Paris Principles.
- Thoroughly investigate every case of threats or attacks on human rights defenders and activists. Ensure the right to an effective remedy in accordance with art. 2 of the International Covenant on Civil and Political Rights (ICCPR).
- Eliminate the provision in the Criminal Code (from subjects) that allows to prosecute a “leader of a public association.”

Recommendations

- Strictly observe the principles of admissibility of evidence, legality, necessity, and proportionality when making any decisions that limit the rights of human rights defenders and activists.
- Recognize the need to raise the standard of evidence in cases against human rights defenders. Exclude the possibility of the falsification of evidence, and provide access to evidence to the defence.
- Eliminate (from the Criminal Code) the possibility of imposing deprivation of engagement in public activity as a punishment.