**The statement**

I am Anara Ibrayeva, working in dignity Public Association from the capital of Kazakhstan – Nur-Sultan. I will be talking about Human Rights Defenders Security and Protection.

Last review didn’t not result in any recommendations on Human Rights Defenders Security and Protection.

Human rights defenders and civil are under increasing threat. Last year we observed 555 cases of threats to HRDs and civil activists. For 2019, I can single out 3 periods:

* First 5 months of 2019 with 188 cases of threats. A few civil movements like “Mothers having many children”, “Oyan, Kazakhstan” (from Kazakh mean is “Wake up, Kazakhstan!”, “Kaharman” (which means hero), “Coalition of civil powers”, “For reforms of Ministry of interior” were initiated.
* 9-11 June 2019 with 4 000 detainees (during the Presidential elections). There were many cases of arbitrary detention and enforced disappearance.
* September 2019 over 100 arrested activists (protesting against building 55 Chinese factories in west of Kazakhstan, in Atyrau).

Each period characterizing with next main violations:

* The state not disclosing a list of detainees
* People being attacked by police and police dispersing assemblies as illegal
* Police depriving detainees of their mobile phones
* Trials taking place in police stations at night and/or no trials
* Arrested people being taken out of Nur-Sultan to other cities (on 200-300 km)
* Detainees having no access to attorneys
* Six journalists detained and 2 of them attacked
* Access to internet blocked
* Provocateurs being used against protesters (aggressive women or men who burst of an events)

So, in Kazakhstan we don’t have:

* Previous recommendations on HRDs in previous UPR cycles
* Legislation on national protection mechanism of HRDs, civil activists (from 2014 lobbing it)
* Legislation of implementation mechanism of international treaty bodies decisions (no procedures – no results)
* Access to effective measures of protection on national level
* Anyone bearing responsibility for crimes against 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.”
* Strictly adhere to 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 lift 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 the right to engage in public activity as a punishment.

- (New) recommendations:

• Investigate every case of arbitrary detention, enforced disappearance of citizens, physical violence against detainees on 9-11 June 2019, especially in the cities of Nur Sultan and Almaty, and prosecute those responsible.

• To introduce strict criminal liability of law enforcement officials even for the smallest non-compliance with the procedures established in the Code of Administrative Offences and the Code of Criminal Procedure of the Republic of Kazakhstan.

• Ensure in practice the presumption of innocence.

• Prohibit night courts.

• Ensure the right to counsel of choice to.

• Avoid mass blocking of Internet access.

• Stop blocking access to websites of non-profit human rights organizations.