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## **National report submitted in accordance with paragraph 5 of the annex to Human Rights Council resolution 16/21\***

### **Kazakhstan**

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## I. Methodology

1. This Report has been prepared by the Ministry of Justice in cooperation with state authorities and civil society institutions, and reflects the results of implementation of the adopted recommendations of the Second Universal Periodic Review (UPR).
2. The government ensured transparency and independent monitoring of the process. The Ministry of Justice facilitated more than 13 meetings with central and local government authorities and non-governmental organizations (NGOs) to independently evaluate the government's implementation of the UPR recommendations. Interim reports were presented annually at the KSO "DPCHI" at the MFA meetings with the participation of NGOs and representative offices of international organizations and foreign states, as well as at meetings of the Human Rights Council under the President of the Republic of Kazakhstan.
3. During implementation, the Government took into account industry-specific roadmaps to address the identified conflicts and gaps in the enforcement of human rights laws, which were developed and recommended by Kazakhstani NGOs as part of the Kazakhstan International Bureau for Human Rights and Rule of Law Initiative, as well as of the initiative by the Charter of Human Rights Fund.

## II. General information

4. Kazakhstan has adopted fundamental state programs (the Kazakhstan-2050 Strategy, the Nurly Zhol Infrastructure Development Program, Kazakhstan's Strategic Development Plan Through 2025, the Digital Kazakhstan Program, translation of the Kazakh language into the Latin alphabet) outlining the strategic goals and main trends for the country's longterm development. Kazakhstan developed these programs in conjunction with extensive public discussions involving international and national independent experts.
5. In 2017, Kazakhstan reformed its constitution to redistribute powers between the branches of government, transferring powers from the President to the Parliament, and making the Parliament and the Government more directly responsible to Kazakhstani citizens. A "feedback" mechanism was formed between the public and the Government, by creating public councils under the auspices of the central and local executive authorities, which are authorized to review government authorities' budgets or draft legislation, as well as to hear government authorities' reports on their activities. Heads of central and local executive authorities and presidents of state universities must now publish annual reports on their activities.
6. In 2019, Kazakhstan experienced a peaceful and transparent transition of power. Due to the early resignation by N. Nazarbayev, presidential elections were held on June 9, 2019. The newly elected President, Kassym-Jomart Tokayev, in his first public address, announced a speedy transition to the concept of a "Hearing Government", aimed at being responsive to public criticism and constructive proposals, as well as at establishing efficient communication with the public and business. This concept was initially affirmed in the Kazakhstan Strategic Development Plan Through 2025, and approved by the Decree of the President of the Republic of Kazakhstan in February of 2018.
7. 2018 ushered in the adoption of amendments to the laws on elections and local self-government, aimed at developing political competition, a multi-party system and pluralism, including the introduction of a proportional system of elections for representatives of local authorities. In accordance with this new law, the 2019 elections will be held for the Mazhilis of the Parliament and local representative bodies (the maslikhats) on-site.
8. In September 2019, Kazakhstan implemented a National Plan, ensuring adoption of social and economic legislative and practical measures to tighten punishments for violence, human trafficking, and other crimes committed against humanity, especially against children; measures to fight corruption, reinstate the anti-corruption expertise of draft regulatory legislation; enforce administrative justice in order to ensure equal conditions for individuals and businesses in legal disputes against government authorities; reform the

administrative police; adopt a new concept of development of a civil society; and reinforce the mandate of public councils at central and local government authority levels, as well as improve the legislation on rallies.

9. As part of the judicial and law enforcement system reforms, the Supreme Court has taken measures to improve the quality of court decisions, ensure uniformity of judicial practice, improve skills of judges, introduce digitization into court proceedings, and monitor execution of court decisions. The measures taken have already been yielding results. In the World Bank's Ease of Doing Business Index, the Kazakhstan judicial system has been in the top ten (ranked 4<sup>th</sup> in 2018) among 190 countries around the world for the past four years.

10. 79.9% of indicators of the Sustainable Development Goals (SDGs) were introduced by the Government into national strategic planning.

11. Since 2016, there has been a permanent mechanism in place for the Coordinating Council to monitor implementation of the SDGs under the leadership of the Deputy Prime Minister. It consists of representatives of government authorities, NGOs, UN agencies, and other international organizations. The Coordinating Council has five interagency working groups: People, Planet, Prosperity, Peace, and Partnership.

12. Kazakhstan thanks the Member States and the UN Security Council for supporting the initiative to achieve a world free of terrorism. In continuing this policy, Kazakhstan has taken decisive measures to repatriate Kazakhstani women and children from Syria as part of the Zhusan humanitarian operation.

### **III. General framework for protection and promotion of human rights, expanding the scope of international obligations**

#### **Recommendations 125.10, 125.26, 125.28, 125.29, 125.33**

13. For purposes of promoting and protecting human rights, and involving civil society in the discussion of urgent national tasks, the President has established the National Council of Public Trust, which includes well-known human rights advocates, economists and other independent experts, as well as the CHR and CRC.

14. Along with constitutional affirmation of the status of the CHR Commissioner for Human Rights, the institution of the CRC has been established. The government will continue its policy of strengthening these institutions. A national preventive mechanism for prevention of torture according to the "Ombudsman+" model, with the involvement of the NGOs in independent monitoring, is the next step in promoting this policy.

15. In an effort to protect the rights of persons with disabilities, especially children, and taking into account the recommendations of the second UPR, in February 2015, Kazakhstan ratified the Convention on the Rights of Persons with Disabilities. Ratification of the Optional Protocol to the International Covenant on Economic, Social and Cultural Rights, is currently underway.

16. In collaboration with the UN, a project was implemented over four years to improve national human rights mechanisms and effectively implement the commitments made in the area of human rights. Based on the OHCHR global human rights indicators, six national indicators were developed: the right not to be subjected to torture; the right to participate in the government; the right to education; the right to adequate housing; the right to a fair trial; and the issue of violence against women. These indicators will be implemented in the national assessment of observance and promotion of human rights.

17. In 2017 Kazakhstan amended Article Four of the Constitution to create a national mechanism for monitoring compliance with obligations adopted in relation to specific international treaties. The Constitution now provides that the terms of action (application) are determined by legislation.

18. A mandatory condition for application of legislation guaranteeing the rights, freedoms and duties of citizens is their official publication. Official publication of such legislation is enshrined as one of the three principles of integrity of the legislation of the Republic of Kazakhstan.

19. Consultative advisory bodies ensure the consistency of efforts to protect human rights and the ongoing dialogue between the public and non-governmental sectors. Among them are the Human Rights Council and the National Commission on Women's Affairs and Family Demographic Policy.

#### **IV. Strengthening cooperation by international organizations and human rights mechanisms**

##### **Recommendations 125.35, 125.36**

20. Kazakhstan cooperates with national human rights communities and organizations of Slovenia, Norway, Ukraine, Qatar, Finland, Switzerland, Germany, Kyrgyzstan, the Russian Federation, Tajikistan, Uzbekistan, the United States of America, and other UN Member States.

21. Project partnerships have been strengthened with the UN agencies (including UNHCR, OHCHR, UNDP, UNICEF, UNFPA), OSCE Office for the city of Nur Sultan, ODIHR and the EU, Penal Reform International, Asia-Pacific Forum of National Human Rights Institutions, OIC, Human Rights Watch, Amnesty International, Freedom House, Norwegian Helsinki Committee, Oslo Center for Peace and Human Rights, and the US Commission on International Religious Freedom.

22. Kazakhstan cooperates actively with the UN treaty bodies. The following national reports have been presented so far: in 2014-the third report on the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment; in 2015-the fourth report on the rights of the child; in 2016-the first report on forced disappearances and the second report on the International Covenant on Civil and Political Rights; in 2017-the first report to the UN Committee on the Rights of Persons with Disabilities; in 2018-the fourth report on the UN Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment, and the fifth report to the Committee on the Elimination of Discrimination against Women; in 2019-the second report of the International Covenant on Economic, Social and Cultural Rights, and the eighth and ninth reports of the Convention on the Elimination of All Forms of Racial Discrimination.

23. As part of an open invitation sent to the United Nations in 2009, Kazakhstan has completed over 15 special procedures: on contemporary forms of slavery including its causes and consequences (2014), on freedom of religion or belief (2014), on the rights to freedom of peaceful assembly and of association (2015), on the implications for human rights of the environmentally sound management and disposal of hazardous substances and wastes (2015), on the rights of persons with disabilities (2017), and on the promotion and protection of human rights and fundamental freedoms while countering terrorism (2019).

24. Government authorities have adopted step-by-step roadmaps to implement recommendations adopted following the special procedures.

25. Kazakhstan is committed to zero tolerance of torture and violence, especially against women and children. In this regard, most of the recommendations following the visit of the UN Subcommittee on Prevention of Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment delegation in September 2016 were implemented through legislation. Legislative amendments to toughen punishment for these crimes, their prevention will be adopted before the end of 2019.

## V. Overview of institutional mechanisms and implementation of the Paris Principles into the national legislation of the Republic of Kazakhstan

### Recommendations 125.11–125.17

26. Implementing a National Preventive Mechanism under the Optional Protocol to the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment, Parliament has expanded the mandate of the Commissioner for Human Rights and the Civil Sector. The number of institutions to be visited as part of the national preventive mechanism has increased from 400 in 2014 to 3,262 in 2019, including children's social institutions. The issue of further strengthening this mandate and ensuring its sufficient financial support is currently being discussed.

27. In 2017, on the initiative of the Head of State, the powers to elect the CHR were transferred to Parliament.

28. To improve the process of analyzing reports of violations of human rights submitted by the public and NGOs, and to ensure better monitoring of the existing laws by the CHR, an Expert Council has been established and is operated by representatives of the non-governmental sector and scientists. A memorandum of collaboration with the Supreme Court has also been issued. To ensure transparency, civil society representatives participate in this mechanism on a rotational basis every two years.

29. On the initiative of the CHR and with the support of the UNDP, the UN OHCHR, and the EU Representation, a platform for interaction between the Ombudsmen of Kazakhstan, Kyrgyzstan, Tajikistan, Turkmenistan and Uzbekistan (CASI-NHRI) has been created.

30. Currently, the CRC has made proposals to the President and the Government on strengthening this institution. Work to bring the mandate of the CHR and the CRC in line with the Paris Principles will continue.

## VI. Administration of justice and the judiciary system

### Recommendations 125.53, 125.68, 125.69, 125.70, 125.74

31. In accordance with the Constitution and the Constitutional Law *on the Judicial System and the Status of Judges of the Republic of Kazakhstan*, justice in the Republic is carried out only by the courts.

32. Judges are independent in the administration of justice and subject only to the Constitution and the law. Adoption of laws that diminish the status and independence of judges is not allowed. Interference in the courts' administration of justice is unacceptable and is punishable by the law.

33. A large-scale modernization of the judicial system is underway, focusing on ensuring the rule of law and high public trust. The focus of reforms is on ensuring civil rights and freedoms, and accessibility and transparency of legal proceedings that meet modern international standards.

34. In 2015, the Plan of the Nation-100 concrete steps for implementing five institutional reforms, was approved, namely: creating a modern government apparatus, ensuring the rule of law, industrialization and economic growth, a nation of a united future, and a transparent and accountable government.

35. A new Code of Civil Procedure and the Supreme Judicial Council Law have been adopted, and the *Judicial System and Status of Judges Constitutional Law*, as well as the procedural legislation, have been amended.

36. In 2018, a new *Advocacy and Legal Assistance* Law was adopted with the aim of further improving delivery of legal services, as well as ensuring the quality of the services provided, and their accessibility – especially to socially vulnerable groups – such as those living in rural areas.
37. To increase access, the system has been simplified from a five-level justice system (first instance, appellate, cassational, supervisory and re-supervisory) to a three-level one (first instance, appellate, cassational), with a significant strengthening of the role of the courts of the first and appellate instances.
38. The procedure of selecting judicial personnel, assessing their career growth and professional activities, as well as disciplinary proceedings against them, has been improved. In accordance with international experience, the Supreme Judicial Council has been radically reformed and has become an independent autonomous body for selection of judicial personnel.
39. In collaboration with international and national experts, legislative and organizational measures have been developed, aimed at strengthening independence of judges, optimizing and digitizing legal proceedings, eliminating bureaucracy, ensuring an efficient judicial process, and timely case resolution, as well as strengthening the jury system.
40. In 2019, new laws were adopted aimed at strengthening judicial autonomy and independence of judges from presiding judges, and toughening requirements when applying disciplinary measures.
41. A new collegial body of the Supreme Court has been created—an expanded plenary meeting which ensures the representation of judges in all instances, and the Commission on the Quality of Justice. This institution will ensure the development of judicial autonomy, independence, and objectivity in adoption of decisions regarding personnel.
42. The presidiums of the plenary sessions of the Supreme and regional courts, which essentially became an instrument of influence on presiding judges, have also been abolished.
43. Since 2018, a solution-oriented approach to management has been introduced in the Supreme Court and seven system projects have been developed. Their goal is to further promote civil rights and increase public trust in the judicial system.
44. A project office, a portfolio of priority projects for the Supreme Court, the Council for the Development of the Judicial System, and a number of implementation working groups for their implementation have been created.
45. These actions have yielded ten draft laws on modernization of the judicial system.
46. Transition to a windowless and remote principle of providing services to the public has been carried out. Front offices were opened in 66 courts, and 70 additional front offices are planned to be opened in 2019. As part of the Virtual Court project, 3,200 cases have been reviewed remotely.
47. As part of the Mediator Judge projects, new approaches to the use of mediation are being implemented. 46 out-of-court mediation centers and 1,042 mediation offices have been opened.
48. 84 mediation judges work in the courts. Their main function is peaceful, pre-trial resolution of disputes and conflicts filed in court. More than half of disputes (55%), in which parties chose the mediation process, result in a settlement.
49. “Family Court”, a pilot project, is being implemented in 27 courts. The project involves specialized courts that review civil cases arising from family disputes and cases of administrative offenses in the area of family relations.
50. These courts promote conflict resolution in the family, reconciliation of the parties, and protection of the interests of the child.
51. The Supreme Court has implemented the “Night Courts” project, which handles certain undisputed administrative cases on an expedited basis, usually within three days.

52. Night courts are convenient for citizens. Disputes are resolved quickly, after hours. Previously the process could take as long as 100 days; in the new Night Court system, disputes can be adjudicated within 15 days. In 2018, more than 7,000 cases related to traffic accidents were examined by the courts in this new format.

53. As part of digitization of the judicial system, e-justice is underway within the framework of the SMART COURT project.

54. Since 2016, “Torelik”, a new information and analysis system for the judicial authorities, has been implemented and integrated with IT programs of government authorities.

55. The Situation Center, the “Courtroom”, “Database of Judicial Acts”, “Familiarization with Court Documents”, “List of Hearings” and “Court summons” services, as well as a system for notifying trial participants by sending text and e-mail messages, have been functioning successfully.

56. In particular, the “Courtroom” service provides an opportunity for users to file a lawsuit online. Users access over 1 million documents per year. Users are provided with access to 8 million court documents. Today, 90% of claims are filed electronically.

57. All courtrooms are equipped with modernized systems of audio and video recording (AVR), which has reduced complaints about judicial proceedings. In 2018, 2,300 cases were reviewed remotely.

58. In 2018, electronic criminal proceedings were launched. Approximately 10% of criminal cases were begun electronically. Full transition to the electronic format is currently being discussed.

59. One of the main trends in the work of the judicial system is a prompt permission to apply through court accounts on social networks. The Supreme Court Call Center is also used for these purposes, which received 59,000 calls in 2018.

60. Equipping 100% of courtrooms with AVR systems and online services create transparency and expedite justice.

61. Recent reforms have made the judicial system in Kazakhstan one of the most accessible and fastest in the world. The World Bank’s Ease of Doing Business survey ranked the Kazakhstan judicial system among the top ten (4<sup>th</sup> rank in 2018), among 190 countries of the world for the last four years.

62. Additionally, there is a “Legal assistance for women” section on the Supreme Court’s website, which contains information regarding the legal framework for elimination of all forms of discrimination against women, as well as court practices and useful links.

## **VII. Legislative and institutional aspects of protection and promotion of human rights**

### **Right to life**

#### **Recommendations 125.42–47**

63. Kazakhstan continues to observe a moratorium on the use of the death penalty.

64. In 2003, a Presidential Decree introduced an unlimited moratorium on the death penalty.

65. Work is underway to narrow the scope of the death penalty in Kazakhstani law.

### **Protection against torture (National Torture Prevention Mechanisms)**

*Recommendations 125.22–125.24, 125.48*

66. The NPM's mandate has been expanded in adoption of the Law "On Amendments and Additions to Some Legislative Acts of the Republic of Kazakhstan on Issues Related to Activities of Organizations Performing Functions for Protection of the Rights of the Child", issued on April 1, 2019.

67. The NPM mandate includes over 3,000 institutions.

68. More than 2,500 preventive visits have been conducted to-date: 277 visits (14 unscheduled) in 2014, 528 visits (20 unscheduled) in 2015, 680 visits (14 unscheduled) in 2016, 534 visits (24 unscheduled) in 2017, and 461 visits (27 unscheduled) in 2018.

69. In 2017, based on the recommendation of the Istanbul Protocol, a Methodology was developed for a comprehensive forensic medical, psychological, and psychiatric expert study in cases of torture. Physical and psychological evidence of torture was outlined. Forensic and psychological and psychiatric examinations are carried out based on the methodology.

70. In 2018, as part of the KSO "DPCHI" at the MFA meeting, the project "Improving National Human Rights Protection Mechanisms and Effectively Implementing International Obligations of the Republic of Kazakhstan: Stage II" was presented at the Ministry of Foreign Affairs, and the Second Forum of the National Preventive Mechanism "Preventing Torture by the Joint Efforts of National Human Rights Institutions and NPMs" was held.

71. In 2016 and 2018, as part of the UN HRC sessions in Geneva, the Ombudsman conducted side events to present the international community with the activities of Kazakhstan's NPM. The events were attended by representatives of government authorities and NGOs of Kazakhstan, international experts, members of the UN treaty bodies, representatives of international human rights organizations, diplomatic missions, etc.

72. In 2018, the NPM Second Forum "Prevention of Torture through Joint Efforts of National Human Rights Institutions and NPMs" presented the annual consolidated report of NPM participants on 2017 preventive visits. Invitees were members of the UN Subcommittee on Prevention of Torture and other Cruel, Inhuman or Degrading Treatment or Punishment, representatives of the Asia-Pacific Forum of National Human Rights Institutions, employees of the office of the Ombudsman of Slovenia, and the NHRIs of Central Asian countries and the Russian Federation.

73. Under the 2016 *Probation Law*, measures are being taken to reduce the level of penitentiary and post-penitentiary repeat offenses, and increase social rehabilitation.

74. A Comprehensive Strategy for Social Rehabilitation of Citizens Released from Prisons and Registered by the Probation Service has been approved for 2017–2019. An Action Plan aimed at implementing this strategy has also been adopted.

75. In 2016, in order to effectively prevent and eradicate causes and conditions of torture, the Attorney General's Office developed the Comprehensive Measures Plan to Combat Torture.

76. The Penal Code was amended in 2018, including a ban on exemption from criminal liability in connection with active repentance and exemption from criminal liability in connection with reconciliation to the category of crime of torture.

77. In 2018, the *Victims Compensation Fund Law* was adopted.

## **Protection from violence and other cruel or degrading treatment**

### **Recommendations 125.49–125.55, 125.58, 125.60–125.61, 125.71–125.73, 125.75**

78. Kazakhstan prioritizes prevention of domestic violence, based on close cooperation between the appropriate government authorities and NGOs.

79. The 2009 Law on Prevention of Domestic Violence defines the legal, economic, social and organizational foundations for the efforts of government authorities, local governments, organizations and citizens, for prevention of domestic violence.

80. New levers of influence on offenders have been implemented, including issuance of protective orders and establishment of special offender behavior requirements, which allow timely protection of victims of violence.
81. Approximately 70,000 protective orders have been issued, and courts have established special offender behavior requirements for approximately 80,000 offenders (in 2018, over 64,000 protective orders and 6,600 special offender behavior requirements were issued).
82. The level of domestic crime has decreased by an average of 7–10% annually.
83. In 2017, the Law on Improving the Law Enforcement System was signed.
84. Two criminal offenses have been decriminalized - premeditated infliction of non-serious harm to health (Article 108 of the Penal Code) and battery (art. 109 of the Penal Code), and recategorized as [non-violent] administrative offenses (art. 73-1 and art. 73-2 of the Code of Administrative Offenses (CAO)). Special requirements have been established for offender behavior (art. 54 of the CAO) (in 2018, over 23,000 of offenses pursuant to this article, as well as 16976 offenses pursuant to art. 73-1 of the CAO, and 6152 offenses pursuant to art. 73-2 of CAO, were received by courts).
85. In accordance with the Special Social Services Law, a person who is in a difficult life situation and has suffered from domestic violence, may receive special social services.
86. At crisis centers, women and children who are victims of violence receive temporary shelter, counseling, social, legal and psychological assistance, assistance in finding work, signing up for social housing, and restoration of lost documents.
87. In 2018, over 12,000 women who suffered from violence applied for assistance (more than 11,000 were referred to crisis centers).
88. In 2018, helplines operating at police stations received over 10,000 calls and took appropriate response measures.
89. Protection of Women from Police Violence Units communicate with NGOs as part of grants for activities related to prevention of domestic violence.
90. In 2018, counseling was provided to over 22,000 women who were victims of violence. Helplines received over 16,000 calls.
91. “Family Court”, a pilot project, is being implemented (see para. 49, above).

## **Children's rights**

### **Recommendations 125.18–125.21, 125.32, 125.51**

92. To implement the UN Convention on the Rights of the Child, the Institute of the CRC was established by Presidential Decree of the Republic of Kazakhstan in 2016.
93. Legislation on protection of the rights of the child was amended in 2016.
94. The law regulates individual complaints to the CRC on violations of children's rights.
95. A 24-hour helpline (“111”) has been created for children to provide emergency assistance free of charge to respond to violations of children's rights.
96. In 2018, with reference to the norms of the Convention on the Rights of the Child, 15,098 cases were closed (10,811 civil cases, 292 criminal cases, and 3,995 administrative offense cases).
97. In 2015, the new PC increased the punishment for sexual and financial exploitation of children, and for non-fulfillment or improper fulfillment of parental duties. The law provides life sentences for rape and sexual assault against minors.

98. The latest PC articles (121, 122, 124, 128, 132, 134) provide significantly longer prison terms and lifetime bans on occupying certain official positions and engaging in certain activities.

99. In 2015, a Decree was signed to approve the Rules for registering and deregistering as the “Accountable Person” by the Integrated Database of the MIA for persons who committed sexual offenses against minors and children in the “pedophile” and “pedophile registered with a psychiatric facility” categories.

100. In 2016, the Law on Amending Legislation on the Protection of the Rights of the Child was signed, thus increasing the punishment for committing crimes against sexual integrity of minors.

101. Expulsion of foreigners or stateless persons was introduced for persons who have served the basic sentence for committing criminal offenses that violate sexual integrity of minors (part 2 of art. 51 of the PC).

102. The list of articles of the CAO has been expanded, which establishes special offender behavior requirements (art. 127, 434, 435, 440, 482, 485).

103. In cases of using networks or telecommunication to promote sexual exploitation of minors and child pornography, the Attorney General submits a recommendation to the authority to stop violations of the law by requiring measures to temporarily suspend the network (*Law on Communication*).

104. Over the past 5 years of legislative and organizational and practical measures, the number of sexual crimes committed against minors has decreased by 1.3 times (2014–943, 2018–722).

105. 20 specialized inter-district juvenile courts are currently operating successfully.

106. Jurisdiction of juvenile courts includes criminal cases of crimes committed by minors and violating the rights of minors, as well as civil and administrative cases.

107. Psychological counseling, legal protection, and a favorable environment for conversation are currently being provided.

108. Courts cooperate with NGOs in resolving issues of social adaptation of children.

109. Special courses are offered, aimed at studying and applying national legislation, international treaties related to the rights of the child.

110. Since 2016, the Code of Civil Procedure has been expanded with a detailed list of cases under the jurisdiction of specialized inter-district juvenile courts.

111. The following Supreme Court decisions have been adopted: “On application by the courts of legislation when examining cases related to establishing a child’s background”; “On application by the courts of legislation in resolving disputes related to the upbringing of children”; “On application by the courts of legislation in cases of dissolution of a marriage (matrimony)”; “On the practice of application by the courts of legislation on the adoption of children.”

112. In 2016, a steady increase in the number of lawsuits filed in the interests of minors (6.33%) was noted, which is an indicator of growth of public confidence in juvenile courts.

113. Over 40,000 (54.86% of the total number of juvenile court proceedings) cases of child support for minor children have been examined pursuant to the CAO.

114. The number of closed cases over the past two years has increased by 6.26%, which indicates an improvement of the legal system. In the cassation procedure for the period between 2016 and 2018, the Supreme Court examined 54 cases (compared with 2016, it increased by 2%).

115. Meetings have been held with the representative office of the United Nations Children’s Fund (UNICEF) in Kazakhstan to develop training and professional development of judges examining cases related children as part of the recommendations for a joint analysis of the Supreme Court and UNICEF, “Development of Specialized Inter-district Courts for Juvenile Affairs in Kazakhstan.”

116. In relation to employers, 52 complaints were filed with the prosecutor's office, and labor and social security authorities.

117. Since 2016, the Law on Communications has restricted access to users on the territory of the Republic to more than 31,000 materials (26,081-related to the propaganda of the cult of cruelty and violence, suicide and pornography, 3,155-propaganda of the ideas of terrorism and religious extremism, 490-propaganda of drugs, 448-providing online casino services and others).

118. In 2017, access was limited to more than 10,000 materials (5,532 related to promotion of the cult of cruelty and violence, suicide and pornography, 1,958-propaganda of ideas of terrorism and religious extremism, 718-online casino services, 2,103-propaganda of drugs and other).

119. A mechanism has been established for the exchange of information between state authorities on detected violations. In 2016, Rules of Communication between government authorities regarding compliance with the requirements of Kazakhstan legislation on telecommunication networks, were approved.

120. There is a Hotline to Combat Illegal Content in Kazakhstan on the website of the Internet Association of Kazakhstan, safekaznet.kz.

121. In 2017, a Law was signed amending legislation on information and communications:

- The CAO of 2014 provides fines for disseminating in the media, in violation of the requirements of the legislation of Kazakhstan, information about a child who has suffered as a result of illegal actions.
- The Mass Media Law prohibits, without the consent of the legal representatives of children, dissemination of information which allows identification of children who have suffered as a result of unlawful actions (inaction), as well as minors, suspected and (or) accused of committing and (or) having committed administrative and (or) criminal offenses.

122. The Bolashak Association has created a catalog of "White" sites for children and adolescents, which includes 3,556 Internet resources (549 Kazakhstan and 3,007 foreign sites).

## **Women's rights**

### **Recommendations 125.38–125.40, 125.54, 125.59, 125.78, 125.79**

123. Our country has demonstrated a commitment to gender equality and is working closely with the international community. Kazakhstan has signed the Beijing Platform for Action (1995), ratified the Convention on the Elimination of All Forms of Discrimination against Women (1998), and has signed the Optional Protocol (2001).

124. Implementation of the Gender Equality Strategy for 2006–2016 has achieved significant results.

125. At the direction of the Head of State, an Action Plan has been adopted for the period through 2016, to promote women to decision-making levels from the ranks of the most qualified women.

126. Currently, 34 women representatives serve in the Parliament of the Republic of Kazakhstan, or approximately 22% of the total number of representatives, which, compared with the previous congress (2011), has almost doubled (2011-13.7%, 2012-7.8%, 2013-20.1%, 2014-20.1%, 2015-20.4%, 2016-21.7%, 2017-22.2%).

127. NGOs play an important role in the social and political life of the country. There are 22,398 NGOs in Kazakhstan, of which over 500 are involved in family and gender policy issues.

128. 8,220 NGOs (36.7%) are headed by women. There is a national network of schools for women's leadership, which includes about 70 NGOs. In all 17 regions of the country, "Women Politician Clubs" are operating.

129. In the Global Report on Gender Equality, compiled by the World Economic Forum, Kazakhstan is among the countries where women's opportunities in the economic, political and other fields are evaluated positively.

130. There has been a positive trend of increasing civic engagement of women, and female NGOs have been active.

131. 12 international instruments in the area of gender equality have been ratified, including: the Convention on the Elimination of All Forms of Discrimination against Women, the Declaration on the Elimination of Violence against Women, the Beijing Declaration and Platform for Action, the 2015 Declaration on "Transforming Our World: the SDG Agenda through 2030", and others.

132. Development of gender policy in Kazakhstan is reflected in the implementation of the 2016 Concept of Family and Gender Policy in Kazakhstan through 2030, developed on the basis of the Constitution, the Kazakhstan 2050 Strategy, the Nation Plan "100 Concrete Steps", and the Concept on Kazakhstan's Entry into 30 most developed countries, the UN Convention on the Elimination of All Forms of Discrimination against Women, the SDGs, and other international treaties.

133. In 2015, 3,318 articles were published on the subject of "Gender Policy (there are 589 stories on national television channels, 369 articles in print media, 730 publications on the internet; 657 on regional TV channels, 796 articles in print media, and 177 articles on the internet).

134. Activity of women in small and medium-sized businesses has increased significantly over the past 5 years. Of the number of registered active entrepreneurs in the amount of 536,300, as of 1 January 2019, the share of women entrepreneurs was 43.2%. Moreover, in regions such as the Kostanay and Karaganda regions, the proportion of small and medium-sized businesses led by women has reached 48%.

135. When registering a business, most women prefer to be self-employed. 79.4% of Kazakhstani sole proprietors are women (vs 47.7 % in 2014). As such, in 12 regions and in the cities of Nur-Sultan and Almaty, the number of women entrepreneurs exceeds that of men.

136. Since 2015, 1,926 women received microloans (1,102 started their business for the first time). Additional permanent jobs have been created for 573 women.

137. In 2012, 12 million Kazakhstani Tenge were allocated for research for a phased implementation of the gender component as part of grant funding for four higher educational institutions.

138. In 2010-2016, over 50% of the total number of students in secondary schools were girls.

139. To implement the Strategy for Gender Equality for 2006-2016, the ILO Maternity Protection Convention and the Convention concerning Equal Opportunities and Equal Treatment for Men and Women Workers: Workers with Family Responsibilities were ratified in 2012.

140. The Concept of Family and Gender Policy through 2030 defines the target indicator: the share of women in executive, representative and judicial government branches, as well as state and corporate sectors at the decision-making level, will be 22% by 2020, 25% by 2023, and 30 % by 2030.

141. In 2015, the Methodology for Development of a System of Indicators of Gender Statistics was approved. The methodology provides 72 indicators characterizing the socio-economic status of men and women in the republic.

## Protection of persons with disabilities

### Recommendations 125.1-125.8, 125.90–92

142. Law of the Republic of Kazakhstan No. 288-V, dated February 20, 2015, ratified the Convention on the Rights of Persons with Disabilities.

143. In 2013, 32 legislative acts were audited for compliance with this Convention. Based on the results, a Law was adopted in 2015 on amendments to 24 legislative acts (including 3 Codes) on protection of the rights of persons with disabilities. Legal gaps in the areas of development of a barrier-free environment for people with disabilities, ensuring access to services in the healthcare system, education, transport, providing information, and protecting the rights and freedoms of citizens, have since been eliminated.

144. In 2015, laws were adopted to protect the rights of persons with disabilities, issues of migration and employment, aimed at improving the quality of life of people with disabilities.

145. Work in social security and creating equal opportunities for participation in society for people with disabilities was carried out in accordance with the Plan of Measures to Ensure the Rights and Improve the Quality of Life of People with Disabilities for 2012-2018 (hereinafter – the Plan) (670,000 people with disabilities live in the republic, of which 416,000 are able to work, and 84,000 are children under 18 years old).

146. In 2017, the List of Technical Means for Rehabilitation of Persons with Disabilities was expanded, the time for providing sign language services specialists for people with hearing disabilities was increased from 30 to 60 hours per year, and for disabled people over 18 years of age and with a cochlear implant, services for replacing speech processors were provided for the first time.

147. In 2018, a new benefit was introduced for persons caring for grade I (since childhood) disabled adults (for 14,000 families, this is additional cash assistance). The benefit is awarded for life, which provides quality care for persons in need of permanent assistance.

148. A new format for passing the medical and social examination has been developed and is being tested in the pilot mode. This new format eliminates the need for step-by-step applications to be filed with institutions on a first-come-first-serve, in-person basis. Instead, an examination based on medical data is provided in absentia.

149. In 2018, a pilot for the modernization of the medical and social examination system was launched in four regions (Karaganda, Akmola, Kostanay, the West Kazakhstan region). Overall transition will be carried out in 2019.

150. Guaranteed state disability benefits and social disability benefits from the State Social Security Fund are awarded without requiring the recipient to file a claim, and rehabilitation facilities and services are provided as well.

151. As of July 1, 2018, 31,500 objects have been certified for accessibility of facilities and services in the main areas of life for people with disabilities, of which 21,100 are subject to adaptation, and 18,200 objects have already been adapted.

152. A draft Roadmap has been developed to ensure availability of the VET system for people with special educational needs. The share of VET organizations that have created equal conditions and barrier-free access for students with special educational needs is 27% (plan for 2018 was 30%). Changes were made to 11 regulative and legislative acts making it possible for persons with special educational needs to acquire a profession.

153. In 2016, Kazakhstan ratified the Convention Against Discrimination in Education and the Convention on the Rights of Persons with Disabilities. The availability of quality training is being implemented at all levels of Kazakhstani education. This has been made possible thanks to the targeted support of all the education and science initiatives at the state, private and public sector levels.

154. On September 4–12, 2017, the United Nations Special Rapporteur on the rights of persons with disabilities, K. Devandas-Aguilar, visited Kazakhstan. She visited several institutions and organizations, including the Department of the Committee for Labor, Social Protection and Migration in the city of Nur Sultan, centers for social services, mental health, and schools with inclusive education. A final meeting was held with representatives of state authorities, in which K. Devandas-Aguilar offered preliminary conclusions and recommendations.

155. At the same time, on the sidelines of the 37th session of the UN HRC, Permanent Mission of the Republic of Kazakhstan in Geneva, on the same day, held a side event together with the Special Rapporteur, to present Kazakhstan's experience in implementing the rights of persons with disabilities.

156. According to K. Devandas-Aguilar's 2018 report to the UN Human Rights Council, the Kazakhstani coordinating authority operating experience, provided for by Article 33 (1) of the UN Convention on the Rights of Persons with Disabilities, is one of the most successful and could become an example for other states.

## **The right to social security**

### **Recommendations 125.9, 125.27, 125.30, 125.41, 125.57, 125.80–90**

157. Kazakhstan supports the recommendation to ratify the Optional Protocol to the International Covenant on Economic, Social and Cultural Rights. An intrastate procedure is underway to allow it to go into effect.

158. Legislation provides government assistance with employment, including establishment of quotas for employment of certain categories of citizens.

159. In accordance with the Employment Law of 2016 (hereinafter referred to as the Law), the state provides measures to assist citizens in finding employment. According to the Law, local executive authorities ensure implementation of the government labor policies by establishing a quota for jobs for people with disabilities in the amount of two to four percent, excluding heavy labor jobs and jobs in hazardous and dangerous working conditions.

160. A Program for the Development of Productive Employment and Mass Entrepreneurship for 2017-2021 (hereinafter the Program) was adopted to replace the 2020 Employment Roadmap.

161. The program is aimed at creating an effective system for acquiring a sought-after profession in the labor market, developing mass entrepreneurship, and creating an effective labor mediation model, including supporting socially vulnerable groups.

162. As of March 1, 2018, the number of persons applying for the program amounted to 89,600 people, of which 72,300 were admitted to the program.

163. Among the persons participating in the program, 50,200 were unemployed (56%), and 1,800 were self-employed citizens (2%).

164. Over 65,800 people have been provided with employment.

165. Free technical and vocational education has been introduced in technical/community colleges for a period of up to 2.5 years after graduation for young people who have not applied or been admitted to higher educational institutions.

166. As of March 1, 2018, 3,921 people were enrolled in short-term professional education programs, including 1,422 young people, 220 in the low-income category, 1 orphan, and 76 disabled persons.

167. Microcredit tools have been expanded, both in rural areas and in cities.

168. As part of the Program for Development of Productive Employment and Mass Entrepreneurship for 2017-2021, microloans of up to 8 thousand MCI (19 million Tenge) with a total interest rate of not to exceed 6% are provided in cities and single-industry

towns through the Damu Fund, in rural areas-through the Agricultural Credit Corporation and the Agriculture Financial Support Fund.

169. In 2018, 1,079 microloans in the amount of 11.4 billion Tenge were issued. The unified business support and development program “Business Roadmap 2020” is aimed at ensuring sustainable and balanced growth of regional entrepreneurship, as well as maintaining existing and creating new permanent jobs.

170. State support measures as part of the Unified Program are provided to small and medium-sized enterprises.

171. As part of the Program, 7.8 thousand young people, 4.4 thousand low-income persons, 348 persons with disabilities and 2 orphans were hired: social jobs-2.7 thousand young people, 1.2 thousand low-income citizens, 488 disabled persons, and 3 orphans; youth practice-7.2 thousand young people, 74 low-income persons, 110 disabled persons and 1 orphan; for public works-5.6 thousand young people, 2.5 thousand low-income persons, 1.3 thousand persons with disabilities, and 3 orphans.

172. Under the Comprehensive Plans for Promoting Employment in the Regions, 273,000 were employed; 160,000 people were additionally employed with the help of the electronic labor exchange.

173. Since January 2018, for the first time in 12 years, the structure of the minimum cost of living has been revised. The share of non-food items increased from 40 to 45%, and the share food-related items decreased to 55%, which reflects the current dynamics of public consumption.

174. As a result, all social benefits increased to 16%. This affected the income of more than 3 million Kazakhstanis.

175. In 2018, a new format for the provision of TSA was fully implemented.

176. TSA citizens with disabilities are awarded TSA automatically. For able-bodied family members, financial assistance is provided subject to their participation in measures to promote employment.

177. As of August 1, 2018, 64% of recipients of TSA who are able to work (70,000 persons) are provided with measures to promote employment (31,800-hired for permanent job positions).

178. Over 32,000 low-income families have been given the opportunity to develop their own households, and about 2,200 families have organized or expanded their individual entrepreneurial activities using the funds received.

179. In addition to TSA, 14 types of other social assistance are provided for social support of low-income persons in the regions.

180. The assistance provided is divided into lump-sum, periodic and holiday payouts, and is paid to WWII veterans or disabled veterans, retirees, disabled people and low-income citizens.

181. Changes are being introduced in the types of assistance provided for greater support of low-income families.

182. The pension benefit has been updated, and payments are directly related to length of professional experience.

183. Since January 2018, the size of joint pensions increased by 8%, and increase in the basic pension benefit amounted to 6%. Since July 2018, the average basic pension increased by another 68%. This is due to a change in the methodology of calculating the basic pension benefit, which is now calculated based on the length of service from 54% to 100% of the minimum cost of living.

184. Pursuant to the 2018 Address of the President on “New Development Opportunities in the Era of the Fourth Industrial Revolution” to improve the relationship between the length of professional experience and the amount of social benefits, a new Draft Law on Mandatory Social Security has been developed.

185. The Draft Law provides revises eligibility for social benefits, taking into account the recommendations of international experts.
186. Comprehensive protection of motherhood and childhood, as well as preservation and strengthening of the health of pregnant and lactating women, are ensured through a multi-level system of social assistance and social insurance.
187. Since 2018, all state social benefits for families with children have been raised by 6%. The birth benefit is now 121,000 Tenge.
188. The average pregnancy and childbirth social benefit for working women is currently 391,000 Tenge; the monthly payment for caring for a child up to one year of age ranges from 17,000 to 32,000 Tenge.
189. Caring for a child up to three years of age is counted towards the length of professional experience when calculating the pension benefit, and mandatory pension contributions are subsidized for women during the period of caring for a child up to a year.
190. Costs of motherhood and childhood assistance for 2018 amounted to 275 billion Tenge, or 12% more as compared to 2017.
191. Centers for temporary housing of oralmans (repatriates) have been operating and providing temporary housing accommodations for oralmans and their families.
192. The Program for Development of Productive Employment and Mass Entrepreneurship for 2017-2021 stimulates territorial mobility of labor resources by facilitating voluntary resettlement.
193. Kazakhstan guarantees mandatory free secondary education. According to the Law on Education, the basic principles of state policy in the area of education are equal rights for all to receive quality education, prioritizing development of the education system, and accessibility to education for all social levels while considering intellectual development, psychophysiological and individual characteristics of each person.
194. The direct responsibility for organizing enrollment of school-age children is vested in local executive authorities.
195. In 2017, the right to free mandatory secondary education was provided by 7,414 general education schools (95% state-owned and 5% private), where 3,050,700 children were enrolled.
196. Access to quality pre-school education and school education for every citizen is ensured, as well as the opportunity to gain new professional skills in college and university, and to develop research and creative competencies.
197. The average score of Kazakhstani schoolchildren in the International Study of the Quality of Reading and Understanding of the PIRLS-2016 Text was 536 points. Kazakhstan is in 27<sup>th</sup> place among 50 countries. The result is comparable with peers from Germany (537) and the Slovak Republic (535).
198. Kazakhstan, in the IMD-2018 Global Competitiveness Rating for the Education Sub-factor, took the 29<sup>th</sup> place among 63 countries, moving up by 6 points as compared to 2017.
199. In 2018, Kazakhstan, along with 80 countries, participated in PISA-2018 in a new computer format. Approximately 17,000 students and 597 school principals participated in the study (70% are automated, and 30% are monitored by the OECD on the online portal). The results will be published in December 2019.
200. Since 2017, the project “Free Vocational Education for All” has been implemented. 14,479 students have been studying under the Serpin Project (2,276 people in colleges and 12,203 people in universities).
201. The goal of the State Program for Development of Education and Science for 2016-2019 is to increase competitiveness of education and science, to develop human capital for sustainable economic growth: ensure equal access to high-quality secondary and higher education, protect the rights and legitimate interests of children and develop citizens who

are intellectually and physically successful and spiritually developed, etc. In the area of preschool education, coverage of preschool education for children 3–6 years old was 93.1%. 43% of children have been enrolled in an updated educational content (as compared to 12.6% in 2016). About 150 thousand teachers (74,149 in 2016 and 744,558 in 2017) have been trained according to the updated curricula.

202. In the 2018-2019 academic year there were 66,389 seats (undergraduate–50,894, master’s–13,220, doctoral–2,275).

203. 383 organizations and 22,081 people have been engaged in research and development. Research projects for 2018-2020 have been implemented within the framework of seven priorities for the development of science.

204. For 2018–2020, 1,096 research grant financing projects and 92 on program-targeted financing of science programs have been implemented.

205. Kazakhstan emphasizes English language education.

206. Kazakhstan provides non-financial support:

- 17,985 students (since implementation, 164,300) have attended Business School trainings, 424 heads of enterprises have participated in the training for SME top management (since implementation, 2,949), 536 people have been trained as part the Business Relations project (since implementation, 4,435), and 469 people have undergone foreign internships at specialized enterprises in the U.S. and Germany.
- Over 127,500 consultations (since implementation, 972,700) on state-funded business support programs have been provided at Entrepreneur Support Centers; 55,376 clients (since implementation, 492,055) have received services from state-funded business support programs; and 39,720 (since implementation, 223,424) services have been provided to 53,692 (since implementation, 418,199) entrepreneurs.

207. The 80<sup>th</sup> step in the “Plan of the Nation-100 Concrete Steps” provides for primary care, which is the central element of national health care for prevention and early control of diseases. In the framework of the State program “Densaulyk” for 2016-2019, work is ongoing to improve primary health care.

208. In Kazakhstan, there are 525 providers of PHC services, of which 29% are private organizations. There are 11,013 facilities in primary care organizations, and over 65% are general practitioner clinics (7,267), and 18% are pediatric facilities (2,058). Over the past 2 years, 2,171 facilities have been opened (as compared to 1,054 facilities in 2018).

209. In 2018, an 8.7% decrease in the incidence of tuberculosis and a 20% decrease in mortality were noted.

210. This improved trend of tuberculosis epidemiology has been the highest in the country to-date (based on the 2018 WHO mission assessment).

211. Immunization coverage of newborns against tuberculosis is 95.0%.

212. For early detection of tuberculosis, modern diagnostic methods are being used that are consistent with international standards.

213. In all TBO bacteriological laboratories, new innovative genetic-molecular laboratory technologies have been introduced to accelerate diagnosis (within 2 hours) of tuberculosis.

214. In 2018, an innovative method of monitoring treatment was introduced – video-controlled treatment using smartphones. For the first time in 8 regions, work was organized by 12 NGOs for people from high-risk groups, using grants from the Global Fund, to assist in the search for violators of the treatment regimen, to conduct information sessions on prevention and adherence to treatment, and to accompany patients in undergoing diagnostic procedures.

215. All TBO tuberculosis treatment and prevention centers have been centralized vertically, and all tuberculosis clinics (tuberculosis offices) are horizontally transferred to the jurisdiction of the primary health care network, which strengthens the role and

responsibility of the PHC network in reducing incidence of tuberculosis. Reinforcement of the infection prevention system in TBO is one of the priority tasks of the National Program and Policy, aimed at minimizing the risk of spread of tuberculosis among the population.

216. A Roadmap has been approved for improving reproductive health, which includes educational programs based on WHO recommendations, including a training course and manuals, guidelines for teaching personal hygiene and sex education of girls and boys, as well as education on sexually transmitted infections and HIV/AIDS.

217. As part of the implementation of the Densaulyk State Health Development Program for 2016-2019, 96 Youth Health Centers are currently operating which provide adolescents and youth with comprehensive medical and psychosocial services, including reproductive health services.

218. Youth centers operate in an effort to provide family counseling, reduce the number of abortions, protect reproductive health of young people, and educate young people on prevention of unwanted pregnancies and abortions.

219. Since 2011, social worker and psychologist positions for working with families in difficult life circumstances have been added to the staffing needs of primary health care organizations. There are currently 4,268 social educators and 8,362 psychologists.

220. Family health centers, youth-friendly clinics, youth health centers and preventive health centers have been created to raise awareness of the importance of family and reproductive health in the modern society, and to draw public attention to young and single-parent family issues.

221. Work is underway to expand educational topics on reproductive health in primary school disciplines.

222. Measures are being taken to implement the Chronic Disease Management Program (CDMP), which is a dynamic monitoring system for patients with chronic diseases including active involvement of patients in self-management.

223. The legislation governing the attraction of foreign labor workforce to Kazakhstan (hereinafter the FLW) has undergone dramatic changes towards liberalization of the labor migration regime.

224. The system for issuing work permits has been revised.

225. In 2017, requirements for the permit issuance procedure were abolished and a new paid permit issuance system was introduced, according to which the employer pays a tax fee in order to issue a work permit.

226. Wait times for issuing have been reduced (seven business days).

227. The procedure for carrying out internal company transfers (ICT) has been improved. The legislation has been aligned with WTO standards.

228. Since 2017, a system has been implemented to attract skilled independent foreign job applicants.

229. Within the framework of the ICT, the requirements for local personnel composition have been simplified as a 50:50 ratio for managers and specialists, respectively, and have been removed completely for executives.

230. Work permits are not required for business immigrants who arrive to carry out entrepreneurial activities.

231. In an effort to implement the Concept of Migration Policy, measures were taken in 2018 to further improve the system of regulation of migration processes, and certain mechanisms for attracting in-demand foreign labor have been designed.

## Rights of national minorities

### Recommendations 125.31, 125.34, 125.37, 125.77, 125.93, 125.94

232. The Constitution guarantees equal of rights and freedoms of persons and citizens, regardless of race, ethnicity, religion, or affiliations.

233. The principles of national unity: “One country-one destiny”; “Different origins-equal opportunities”; “Unity in Diversity”; “Development of the national spirit” define the content of all social development strategies, concepts and programs.

234. The Assembly of the People of Kazakhstan has been established.

235. Activities of the Assembly are aimed at the formation of an integrated society, where representatives of all ethnic groups are involved in the socio-political, economic, social and cultural life of the nation.

236. The Assembly ensures representation of interests of ethnic groups at all levels of the country's political system. The Chairman of the Assembly is the President, who is the guarantor of the observance of the rights and freedoms of persons and citizens.

237. The purpose of the Assembly is civic participation. Its composition is dominated by representatives of the public sector, primarily ethnocultural associations.

238. The Assembly collaborates with 1,155 ethnocultural associations (29 of which are national). To support their activities, 40 open houses are operating as resource, cultural and methodological centers.

239. Integration into the state power and civil society system allows the Assembly to formulate and broadcast public requests in a timely manner, to facilitate corrections in ethnopolitics, and provide a flexible and prompt response of government authorities to all changes and trends.

240. Support in the field of preservation and development of traditions, languages and culture is one of the priorities of the state policy.

241. Kazakhstan promotes study and development of languages of ethnic minorities. There are currently 190 Sunday schools operating, where study traditions, customs, and languages of 26 ethnic groups.

242. Under the auspices of ethnocultural associations, 52 printed publications are issued in 15 languages. There are four television broadcasts in 11 languages.

243. In addition to the Kazakh and Russian theaters, 4 national theaters are successfully operating in Kazakhstan-Uzbek, Korean, German and the only Uigur theater in the world. In 2016, the Uyghur, Korean and German theaters were granted academic status.

244. Trilingual education is being implemented, with a simultaneous creation of conditions for study and development of minority languages, corresponding to the Ljubljana recommendations encouraging multilingualism as an element of integration.

245. Measures are being taken to maximize school enrollment of children from ethnic minority families, and to create conditions for enabling children to learn in their native language.

246. Regional Secretariats of the Assembly of the Peoples of Kazakhstan carry out systematic work to harmonize interethnic relations, develop native languages, promote and preserve national customs and traditions in accordance with the regional plan, with 86 ethnocultural associations (24 regional).

247. In Kazakhstan, representatives of more than 3,693 religious entities have been peacefully coexisting and interacting, representing 18 faiths and denominations, including Mormons, Hare Krishnas, Meunites, Baha'is and others.

248. Based on the President's initiative, the Congress of Leaders of World and Traditional Religions is held every three years in the capital. Leaders of the largest faiths in

the world, famous politicians and representatives of international organizations participate in inter-religious forums.

249. The state policy of Kazakhstan is aimed at preserving and strengthening inter-faith harmony and respect for human rights to freedom of religion, which is evidenced by the Kazakhstan international initiative to convene the Congress of Leaders of World and Traditional Religions.

250. On October 10-11, 2018, the VI Congress for “Religious Leaders for a Safe World” was held in the city of Nur-Sultan and received 82 delegations from 46 countries representing all global and traditional religions, prominent political figures and leaders of reputable international organizations.

251. This year, a resolution was adopted on the establishment of a non-profit joint-stock company “N. Nazarbayev Center for Development of Interfaith and Intercivilizational Dialogue”.

## **Combating human trafficking**

### **Recommendations 125.62–125.68**

252. Kazakhstan is party to the main international conventions on combating human trafficking: the UN Slavery Convention; UN Convention for the Suppression of the Traffic in Persons and of the Exploitation of the Prostitution of Others; Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children, supplementing the UN Convention against Transnational Organized Crime.

253. Bilateral and multilateral agreements have been signed with bordering and foreign countries.

254. The Penal Code establishes punishment for crimes related to trafficking in persons.

255. Five government plans for prevention and combating crime related to human trafficking (for 2004–2005, 2006–2008, 2009–2011, 2012–2014 and 2015–2017) have been adopted in stages.

256. The Government’s Action Plan for Prevention and Combating Crimes Related to Human Trafficking for 2018-2020 is currently being implemented.

257. The 2014-2018 Program of Cooperation of the CIS member states in the fight against human trafficking and the 2019-2023 Interstate Program of Joint Measures to Combat Crime are currently being implemented.

258. An Interdepartmental Commission has been functioning, aimed at combating illegal export, import and trafficking of persons with participation of representatives of 14 government agencies, 2 international organizations and 5 NGOs.

259. The main forms of human trafficking in Kazakhstan are human trafficking for the purpose of sexual exploitation; forced labor; trade in newborns (children) for adoption. Isolated cases are trafficking in persons for criminal exploitation and for forcing people to panhandle.

260. In 2018, internal affairs authorities opened 276 criminal cases: 1 regarding abduction of a person for the purpose of exploitation; 19—for illegal deprivation of liberty for the purpose of exploitation; 14—for human trafficking; 10—for involving a minor in prostitution; 5—for trafficking in minors; 48 – for involvement in prostitution and 179 facts of organization or maintenance of brothels for prostitution, and pandering.

261. NGOs provide psychological, medical, legal and other types of assistance and rehabilitation for victims. Since 2016, organizations that provide special social services to victims of human trafficking funded by the state budget have been operating in each region.

262. This referral mechanism for victims of human trafficking operates on the basis of the Evaluation Criteria and the Standard for the provision of special social services.

263. Jointly with the Union of Crisis Centers of Kazakhstan, an Association of Legal Entities, a project has been implemented since 2016 to provide free legal assistance to victims of human trafficking.

264. The project was funded by the U.S. Embassy and had a positive effect on the quality of investigation and prosecution of perpetrators.

265. Protection and assistance to victims of human trafficking is carried out under the 2001 Law on Protection by the Government of Persons Participating in the Criminal Procedure.

266. In accordance with the 2018 *Victims Compensation Fund* Law, persons recognized as victims of crimes related to human trafficking are entitled to receive compensation in the amount of 30 MCI (72,000 Tenge), effective 2020.

267. Memorandums on rehabilitation of victims of human trafficking have been signed with NGOs.

268. In 2016, a Protocol was signed with the OSCE Office in Nur-Sultan.

## **The right to a healthy environment**

### **Recommendations 125.96**

269. In 2013, an Action Plan to Implement the Concept of Transition of the Republic of Kazakhstan to a “Green Economy” for 2013-2020 was approved.

270. In accordance with the 2014 Presidential Decree, the National Report on Transition to the Green Economy (hereinafter the “Report”) is revised every three years during the meeting of the Presidential Council for Transition to the Green Economy.

271. The Report provides information on sustainable use of water resources, development of sustainable and high-yielding agriculture, energy conservation and increase in energy efficiency, development of the electric energy industry, waste management, reduction of air pollution and conservation and effective management of ecosystems, transition to a green economy in the context of the country's regions, as well as rating regions on the implementation of the Concept's provisions. The existing legislative framework and increased efforts will make it possible to achieve the planned target indicators by 2020.

272. In an effort to create conditions for conservation, restoration and improvement of the quality of the environment, as well as control and supervision of the use of natural resources, the Ministry of Ecology, Geology and Natural Resources of the RK was created by a Decree No. 17 by the President of the Republic of Kazakhstan dated June 17, 2019, *On measures for Improvement of the Public Administration System of the Republic of Kazakhstan*.