



中國傳媒大學  
COMMUNICATION UNIVERSITY OF CHINA



Institute for a Community  
with Shared Future  
人類命運共同體研究院



## Human Rights: An Analysis of Unprecedented Measures Adopted by the Republic of Kazakhstan



By Mr. Khalid Taimur Akram, Executive Director,  
Pakistan Research Center for a Community with  
Shared Future, jointly established with  
Communication University of China (CUC),  
Beijing, China

*Published on 2<sup>nd</sup> August 2021*

Human rights are rights inherent to all human beings, regardless of race, sex, nationality, ethnicity, language, religion, or other status. Human rights include the right to life and liberty, freedom from slavery and torture, freedom of opinion and expression,



the right to work and education, and many more. Everyone is entitled to these rights without discrimination. All human rights are universal, indivisible, and interdependence, meaning one set of rights cannot be enjoyed fully without the other- for example, making progress in civil and political rights amid exercising cultural, economic, and social rights. Likewise, violating economic, social and cultural rights can negatively impact many other rights. In this aspect, Kazakhstan, as one of the great counties of Central Asia, presents a great model of human rights measures and practical implementation. The Kazakh government policies and significant drastic structural transformation have enabled the country to implement the policies and make sure that the citizens are getting all their civil rights. The reforms bring out meaningful improvements in Kazakhstan's human rights records. The new public assemblies' laws proved to be a milestone development for the country in recent times. In this regard, the study provides a profound assessment of human rights policies in Kazakhstan. The article also highlights the government's priorities, measures and future developments for human rights in Kazakhstan.



## Measures by the Republic of Kazakhstan in Human Rights: 9<sup>th</sup> June 2021 Decree

The President instructed the government to approve the plan of priority measures in the Human Rights and annually provide the Presidential Administration with information on implementing the Plan of Measures, following the results of the year.

The Decree includes nine significant directions or priority actions plan as mentioned below:

- Improving the mechanisms of interaction with the United Nations (UN) on Human rights
- Rights of victims of human trafficking
- Rights of citizens with disabilities
- Elimination of women's discrimination
- Right to freedom of association
- Right to freedom of expression
- Right to life and public order
- Effectiveness of interaction with NGOs
- Human rights in the field of criminal justice, prevention of torture and ill-treatment

This priority actions plan by Kazakhstan shows that the government is heading in the right direction and ensuring all rights of its citizen from grass root level to the top. Moreover, the government's priority agenda has extensively covered all major aspects

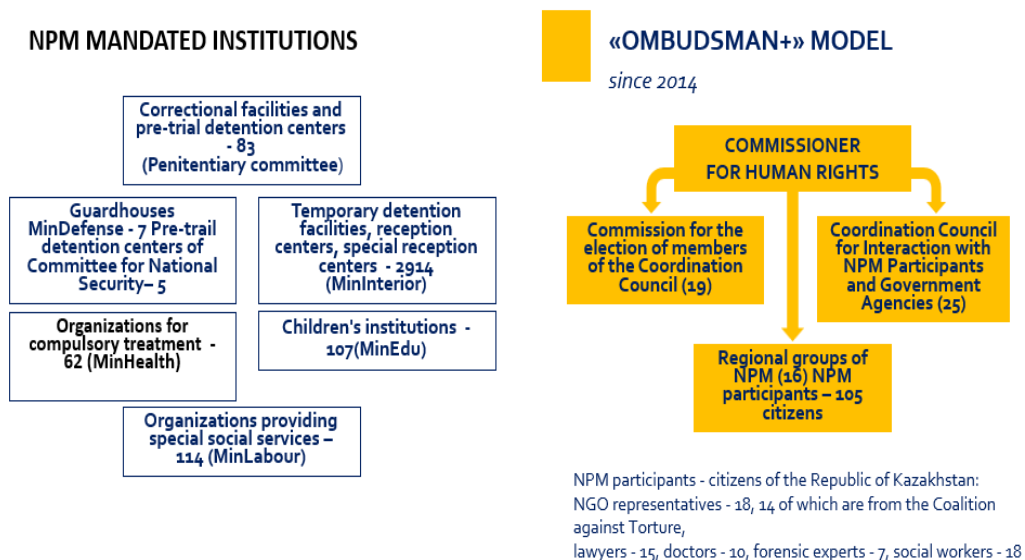
of ensuring human rights. The details of the Kazakhstan governments priorities are as follows:

- Mechanism interaction with the special procedures of the Human Rights Council and the UN treaty bodies.
- Linking the Office of the High Commissioner for Human Rights (OHCHR) human rights indicators with the Sustainable Development Goals (SDG) indicators.
- Reboot of the Regional Hub for Countering Extremism, Drug and Arms Trafficking, Human Trafficking, Cybercrime and Corruption at the Academy of the Prosecutor General's Office.
- Participation of persons with disabilities and people with limited mobility in the coordination of construction projects and their acceptance into operation.
- Exclusion of the List of jobs where the employment of women is restricted.
- Implementation of resolutions 1325 (2000), 1820, 1888, 1889, 1960, 2106, 2122, 2242, 2467, adopted by the UN Security Council on the equal and full participation of women in conflict prevention, peace and security, and violence.
- Simplification of the procedure for registration of religious associations
- Creating favorable conditions for interfaith cooperation
- Ensuring police transparency through the introduction of service model elements
- Transformation of the mechanism of grant financing of NGOs and expansion of support for civil initiatives.
- Transfer of the medical service from the penitentiary system to the civil administration as part of public health.

- Introduction of digital technologies in the work of penitentiary institutions for the prevention of torture and ill-treatment, other violations and rapid data collection.
- Expanding the conditions for the employment of convicts and their social adaptation.

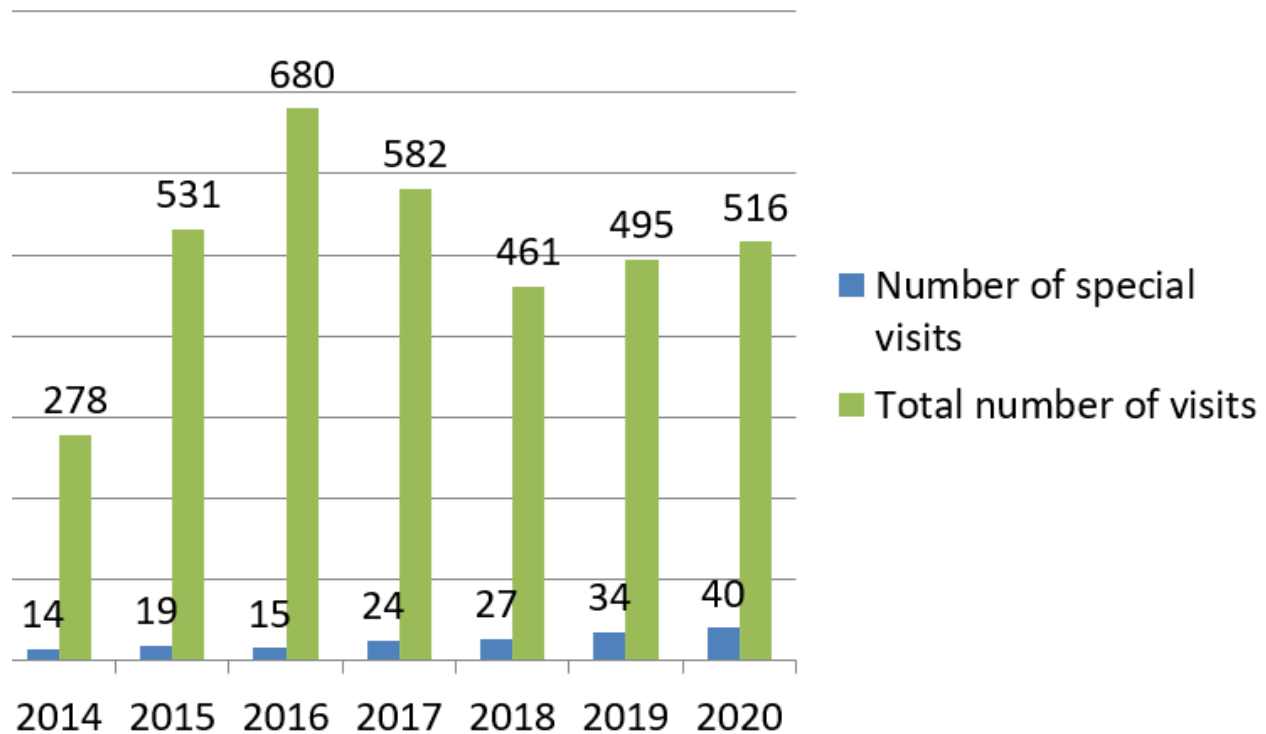
## Significant Role of National Human Rights Commissioner in the Republic Kazakhstan:

The role of Kazakhstan’s human rights commissioner is vital to examine for the betterment of civil rights in the country. The functions of the commissioner include monitoring the observance of human rights, consideration of citizens’ appeals, making recommendations for improving legislation, interaction with NGOs and government agencies, legal advice for citizens, promotion of legal education of citizens, and coordination of the national preventive mechanism (NPM). The NPM has strong mandated institutions. The details of coordination of NPM in Kazakhstan are mentioned below:



As per estimation of data results of NPM performance (2014-2020), a significant increase in the special and total number of visits can be witnessed. The details are shown in the graph below:

### NPM PERFORMANCE RESULTS (2014-2020)



### Major Projects of Kazakhstan's Human Rights Commissioner:

The human/civil rights main projects are as follows:

- Monitoring social institutions of Kazakhstan
- Strengthening the national preventive mechanism
- protecting children in the migration process



- strengthening anti-trafficking in human beings by improving the identification, investigation and prosecution of trafficking in Kazakhstan

### Development of the Ombudsman and the Law Daft in Kazakhstan:

Presidential Decree No. 947 of 19 September 2002 established the Commissioner for Human Rights and approved the Regulation on the Commissioner for Human Rights. In this aspect, certain significant details are as follows:

- 2012: The Ombudsman is accredited in the category " B " of the UN GANRI
- 2017: The Constitution of the Republic of Kazakhstan establishes the election of the Ombudsman by the Senate of the Parliament
- 2021: January-Decision on the adoption of the Law on the Ombudsman and strengthening its capacity
- 2021 December: The Law is expected to be adopted

### The Institution of the Ombudsman: A Brief Prelude of Principles and Objectives

On 15<sup>th</sup> January 2021 His Excellency, President of the Republic of Kazakhstan Kassym Jomart Tokayev, in his address the first session of the Parliament of the Republic of Kazakhstan of the VII convocation, noted the need to and adopted a law on the Commissioner for Human Rights, which would allow developing the potential of the institution of the Ombudsman. The principles of the Ombudsman's activity include legality, objectivity, fairness, openness,





independence, responsivity, and impartiality in the interests of human rights and freedom. The potential objectives of the draft law are as follows:

- Improvement of legislation in the protection of human and civil rights and freedoms.
- Strengthening the institution of the Commissioner for Human Rights in the Republic of Kazakhstan in terms of restoring violated human and civil rights and freedoms, taking into account the Paris and Venice Principles, and taking comprehensive measures to prevent violations in general.
- Strengthening the expertise of the Ombudsman's Office
- Introduction of digitalization in the process of online receptions and consultations of citizens
- Strengthening project capacity for human rights analysis
- Establishment of a unit for monitoring the implementation of decisions of the UN treaty bodies
- Opening of representative offices in Nur-Sultan, Almaty, Shymkent and 14 regional centers

### Kazakhstan's Successful Policy Measures and Transparency: Major Determinates of Structural Reforms

The transformative policies regarding human rights are the clear manifestations that Kazakhstan has left no stone unturned for ensuring equal rights to its citizens. Under the visionary leadership of His Excellency, President Kassym Jomart and



startling human rights policies, the country has been experiencing prosperity and transparency. Kazakhstan has settled an excellent precedent in promoting human rights, contributing to national development.



Under all mentioned laws and Decree, the incumbent government is fully committed, ensuring human rights and considers it as a pre-requisite for developing a modern and progressive society. The visionary leadership is fully aware that the active participation of their citizens would pave the way for the socio-economic and political development of the country.