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**Kazakhstan\***

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## I. General information

### A. Land and people

1. Kazakhstan covers a large area of over 2.7 million square kilometres. Spanning 2,600 kilometres from its western border with the Russian Federation to its eastern border with the People's Republic of China, the country lies at the very centre of the Eurasian continent. Its land area is greater than that of the original 12 member countries of the European Union, and it is the ninth largest State in the world.

2. The nature and landscapes in Kazakhstan are extremely varied, as exemplified by both the high mountains of the east and the lowland plateaus of the west. The country is rich in energy resources and is characterized by a harsh climate in the industrial north, vast arid steppes in the centre and fertile plains in the south.

3. Astana (formerly called Aqmola) has been the official capital of Kazakhstan since 10 December 1997 and is situated 1,300 kilometres to the north of Almaty (the largest city and former capital, which remains an important business and cultural hub). It has a population of about 500,000.

4. As at 1 January 2010, Kazakhstan consisted of the following administrative and territorial units: 14 provinces, 2 cities with special status, 175 districts (15 of which are within cities), 86 cities and towns (cities with special status and provincial and district centres), and 7,066 smaller population centres (35 settlements and 7,031 villages). The population density stands at 5.9 persons per square kilometre.

5. The population of Kazakhstan as at 1 January 2011 was 16.4 million, of whom 8.5 million (52 per cent) were women and 7.9 million (48 per cent) were men.

6. As at 1 January 2010, there were 1,662,000 pensioners who made up 10 per cent of the country's total population.

#### Size and distribution of population by age (as at start of 2011)

<i>Age bracket (years)</i>	<i>2007</i>	<i>2008</i>	<i>2009</i>	<i>2010</i>
<b>Total population</b>	<b>15 396 900</b>	<b>15 571 500</b>	<b>15 776 500</b>	<b>16 036 100</b>
Up to 1 year	298 300	318 200	350 100	351 900
1–4	1 013 200	1 087 400	1 160 200	1 242 800
5–9	1 080 400	1 088 900	1 116 300	1 178 100
10–14	1 299 700	1 235 500	1 183 500	1 129 500
15–19	1 556 300	1 512 700	1 460 200	1 422 200
20–24	1 481 000	1 532 100	1 568 800	1 584 700
25–29	1 251 100	1 281 900	1 309 900	1 358 800
30–34	1 156 100	1 166 900	1 186 000	1 206 300
35–39	1 072 300	1 087 700	1 097 700	1 117 100
40–44	1 078 400	1 053 000	1 036 800	1 034 200
45–49	1 073 200	1 092 900	1 098 000	1 092 100
50–54	837 100	866 300	908 400	946 900
55–59	663 800	688 400	712 500	738 800

<i>Age bracket (years)</i>	<i>2007</i>	<i>2008</i>	<i>2009</i>	<i>2010</i>
60–64	328 100	353 700	412 000	487 300
65–69	512 500	474 000	406 500	341 300
70 and above	695 400	731 900	769 600	804 100

**As a percentage of the total population**

	<i>2007</i>	<i>2008</i>	<i>2009</i>	<i>2010</i>
<b>Total population</b>	<b>100.0</b>	<b>100.0</b>	<b>100.0</b>	<b>100.0</b>
Up to 1 year	1.9	2.0	2.2	2.2
1–4	6.6	7.0	7.3	7.8
5–9	7.0	7.1	7.1	7.3
10–14	8.5	7.9	7.4	7.0
15–19	10.1	9.7	9.3	8.9
20–24	9.6	9.8	9.9	9.9
25–29	8.1	8.2	8.3	8.5
30–34	7.5	7.5	7.5	7.5
35–39	7.0	7.0	7.0	7.0
40–44	7.0	6.8	6.6	6.5
45–49	7.0	7.0	7.0	6.8
50–54	5.5	5.6	5.8	5.9
55–59	4.3	4.4	4.5	4.6
60–64	2.1	2.3	2.6	3.0
65–69	3.3	3.0	2.6	2.1
70 and above	4.5	4.7	4.9	5.0

7. As at 1 January 2010, the breakdown of numbers of children and young adults (0 to 29 years of age) by gender reveals that there are numerically and relatively more males, while across the general population (from 29 years of age and older), there are more females.

8. There are almost twice as many women than men of 60 years of age and older. The overall population size for the 65 to 69 age bracket has decreased compared to 2006, yet life expectancy and the number of persons in the age bracket of 70 and above have risen.

**Breakdown of the population by sex and age, as at 1 January 2010**

<i>Age bracket (years)</i>	<i>2007</i>			<i>As at 1 January 2010</i>		
	<i>Total</i>	<i>Men</i>	<i>Women</i>	<i>Total</i>	<i>Men</i>	<i>Women</i>
<b>Total</b>	<b>15 396 878</b>	<b>7 409 284</b>	<b>7 987 594</b>	<b>16 036 100</b>	<b>7 718 700</b>	<b>8 317 400</b>
0–4	1 311 562	672 577	638 985	1 594 700	818 800	775 900
5–9	1 080 417	554 059	526 358	1 178 100	602 800	575 300
10–14	1 299 703	662 635	637 068	1 129 500	577 600	551 900
15–19	1 556 311	790 625	765 686	1 422 200	723 800	698 400

Age bracket (years)	2007			As at 1 January 2010		
	Total	Men	Women	Total	Men	Women
20–24	<b>1 481 032</b>	749 905	731 127	<b>1 584 700</b>	801 700	783 000
25–29	<b>1 251 044</b>	627 817	623 227	<b>1 358 800</b>	684 000	674 800
30–34	<b>1 156 012</b>	569 283	586 729	<b>1 206 300</b>	596 800	609 500
35–39	<b>1 072 279</b>	524 199	548 080	<b>1 117 100</b>	545 400	571 700
40–44	<b>1 078 383</b>	516 921	561 462	<b>1 034 200</b>	496 800	537 400
45–49	<b>1 073 229</b>	505 570	567 659	<b>1 092 100</b>	514 500	577 600
50–54	<b>837 138</b>	380 092	457 046	<b>946 900</b>	433 400	513 500
55–59	<b>663 799</b>	291 414	372 385	<b>738 800</b>	323 300	415 500
60–64	<b>328 083</b>	136 542	191 541	<b>487 300</b>	203 900	283 400
65 and above	<b>1 207 886</b>	427 645	780 241	<b>1 145 400</b>	395 900	749 500

9. For decades there has invariably been an uneven female-to-male ratio of the inhabitants in Kazakhstan: as at 1 January 2010, there were 1,078 women to every 1,000 men.

To every 1,000 men for the age bracket in question				
	2007	2008	2009	2010
<b>Total, women</b>	<b>1 078</b>	<b>1 079</b>	<b>1 078</b>	<b>1 078</b>

#### Breakdown by age in urban and rural areas (at the start of 2012)

Age bracket (years)	Urban population				Rural population			
	2007	2008	2009	2010	2007	2008	2009	2010
<b>Total</b>	<b>8 833 300</b>	<b>8 265 900</b>	<b>8 395 100</b>	<b>8 607 500</b>	<b>6 563 600</b>	<b>7 305 600</b>	<b>7 381 400</b>	<b>7 428 600</b>
Up to 1 year	173 400	172 200	192 900	194 200	124 900	146 000	157 200	157 700
1–4	573 100	576 100	621 700	677 900	440 200	511 400	538 500	564 900
5–9	545 400	507 900	540 200	589 000	535 000	581 000	576 100	589 100
10–14	631 000	535 100	509 300	497 600	668 700	700 400	674 200	631 900
15–19	815 700	714 100	676 100	656 200	740 600	798 600	784 100	766 000
20–24	825 100	791 300	810 000	820 000	656 000	740 900	758 800	764 700
25–29	766 900	738 100	744 600	763 400	484 100	543 700	565 300	595 400
30–34	685 300	645 100	663 400	689 500	470 800	521 800	522 600	516 800
35–39	646 500	610 800	615 200	628 300	425 800	476 900	482 500	488 800
40–44	646 800	584 900	577 700	581 300	431 500	468 100	459 100	452 900
45–49	655 900	616 300	617 200	615 400	417 300	476 600	480 800	476 700
50–54	515 800	491 400	514 300	537 000	321 400	374 900	394 100	409 900
55–59	416 700	397 500	409 600	424 100	247 100	290 800	302 900	314 700
60–64	196 100	202 100	238 700	285 100	132 000	151 600	173 300	202 200
65 and above	739 600	683 000	664 200	648 500	468 200	522 900	511 900	497 000

10. The majority of the Kazakh population (53.6 per cent) live in urban areas, while 46 per cent are in rural areas. Since families in rural areas tend to have more children, there are greater number of children between 5 and 19 years of age living in rural areas than in cities (1,987,000 compared to 1,742,800).

## B. Ethnic composition of Kazakhstan

11. According to census data, Kazakhstan has more than 140 peoples and ethnic groups, including Kazakhs (10 million, or 63 per cent of the total), Russians (3.8 million, or 24 per cent), Ukrainians (333,000, or 2.1 per cent), Uzbeks (457,000, or 2.9 per cent), Uighurs (223,000, or 1.4 per cent), Tatars (203,000, or 1.3 per cent) and Germans (178,000, or 1.1 per cent).

12. Since 2007, the natural population increase has risen substantially: from 16.3 in 2007 to 16.4 in 2010. Major factors in the population increase are the high birth rate (321,900 births in 2007) and the relatively low mortality rate (10.2 per 1,000 inhabitants in 2007). The rate of natural increase stood at 10.6 per cent in 2007.

<i>Years</i>	<i>Births</i>	<i>Deaths</i>	<i>Total natural population increase</i>	<i>Births (per 1,000 inhabitants)</i>	<i>Deaths (per 1,000 inhabitants)</i>	<i>Rate of natural increase</i>
<b>Total population</b>						
<b>2007</b>	<b>321 900</b>	<b>158 300</b>	<b>163 600</b>	<b>20.8</b>	<b>10.2</b>	<b>10.6</b>
<b>2008</b>	<b>357 500</b>	<b>152 800</b>	<b>204 700</b>	<b>22.8</b>	<b>9.7</b>	<b>13.1</b>
<b>2009</b>	<b>357 500</b>	<b>142 800</b>	<b>214 700</b>	<b>22.5</b>	<b>9.0</b>	<b>13.5</b>
<b>2010</b>						
Urban population						
2007	174 300	92 400	<b>81 900</b>	21.3	11.3	10.0
2008	197 800	88 900	<b>108 900</b>	23.7	10.7	13.0
2009	197 600	82 500	<b>115 100</b>	23.2	9.7	13.5
2010						
Rural population						
2007	147 600	65 900	<b>81 700</b>	20.2	9.0	11.2
2008	159 700	63 900	<b>95 800</b>	21.7	8.7	13.0
2009	159 900	60 300	<b>99 600</b>	21.6	8.1	13.5
2010						

13. Over the past four years, a high rate of natural increase in Kazakhstan has been recorded owing to a high birth rate and a relatively low mortality rate. As can be seen from the statistics, this has coincided with a rise in the life expectancy of the older generation.

14. Kazakhstan has a positive migration balance (a larger number of immigrants than emigrants). Number of immigrants – 41,485; number of emigrants – 33,983; migration balance – 7,502.

15. There are currently over 4 million women of childbearing age living in Kazakhstan, which amounts to almost 30 percent of the total population.

16. Maternal mortality is the number of women who die of complications during pregnancy, childbirth or the postnatal period. Statistics on maternal mortality are inconsistent.

17. Maternal deaths in Kazakhstan are primarily caused by three main factors: haemorrhaging during delivery, indirect causes and complications of abortion. These conditions are closely interrelated and are causes of death among women.

	2007	2008	2009	2010
<b>Total maternal deaths due to all causes</b>	<b>153</b>	<b>113</b>	<b>133</b>	

18. The infant mortality rate is the number of deaths among children under 1 per 10,000 births.

2007		2008		2009		2010	
<i>Total deaths due to all causes</i>	<i>Total deaths of children under 1</i>	<i>Number of deaths of children under 1 per 10,000 births</i>	<i>Total deaths of children under 1</i>	<i>Number of deaths of children under 1 per 10,000 births</i>	<i>Total deaths of children under 1</i>	<i>Number of deaths of children under 1 per 10,000 births</i>	<i>Total deaths of children under 1</i>
	<b>4 646</b>	145.7	<b>7 322</b>	207.6	<b>6 516</b>	182.3	

19. The reason for such a significant variation in the infant mortality statistics is that new international criteria have been introduced for live births and stillbirths. At the same time, the child mortality rate is higher for boys than for girls, while the mortality rate of children under 5 years of age is one and a half times higher in rural areas than in cities.

## C. Religion

20. The main religions in Kazakhstan are Islam and Christianity, while Judaism and Buddhism are also practised.

21. In the 2009 census, 70 per cent of the population considered themselves to be Muslim. These include not only ethnic Kazakhs, but also ethnic Uzbeks, Uighurs and Tatars. Approximately one third of the population (26 per cent) belong to the Russian Orthodox Church.

### Percentages

	<i>Total population</i>	<i>Respondents:</i>						<i>Declined to respond</i>
		<i>Islam</i>	<i>Christianity</i>	<i>Judaism</i>	<i>Buddhism</i>	<i>Other</i>	<i>Atheist</i>	
		Both sexes						
<b>Total population</b>	<b>100</b>	<b>70.2</b>	<b>26.3</b>	<b>0.0</b>	<b>0.1</b>	<b>0.0</b>	<b>2.8</b>	<b>0.5</b>
Of which:								
Kazakhs	<b>100</b>	98.3	0.4	0.0	0.0	0.0	1.0	0.3
Russians	<b>100</b>	1.4	91.6	0.0	0.0	0.0	6.1	0.8
Uzbeks	<b>100</b>	99.1	0.4	0.0	0.0	0.0	0.4	0.2
Ukrainians	<b>100</b>	0.9	90.7	0.0	0.0	0.0	7.3	0.9

	<i>Total population</i>	<i>Respondents:</i>						<i>Declined to respond</i>
		<i>Islam</i>	<i>Christianity</i>	<i>Judaism</i>	<i>Buddhism</i>	<i>Other</i>	<i>Atheist</i>	
Uighurs	100	98.4	0.5	0.0	0.0	0.0	0.6	0.5
Tatars	100	79.6	10.2	0.0	0.0	0.1	8.1	2.0
Germans	100	1.6	81.6	0.0	0.0	0.1	14.0	2.7
Koreans	100	5.2	49.4	0.2	11.4	0.1	28.5	5.2
Turks	100	99.1	0.3	0.0	0.0	0.0	0.3	0.2
Azerbaijanis	100	94.8	2.5	0.0	0.0	0.0	1.9	0.8
Belarusians	100	0.8	90.2	0.0	0.0	0.0	7.8	1.1
Dungans	100	98.9	0.4	0.0	0.0	0.0	0.3	0.3
Kurds	100	98.3	0.5	0.0	0.0	0.0	0.7	0.4
Tajiks	100	97.8	0.9	0.0	0.0	0.1	0.8	0.4
Poles	100	0.7	90.1	0.0	0.0	0.1	7.3	1.8
Chechens	100	93.7	3.0	0.0	0.0	0.1	2.1	1.2
Kyrgyz	100	96.7	0.9	0.0	0.0	0.0	1.5	0.9
Other ethnic groups	100	34.7	52.3	0.8	0.9	0.1	8.4	2.7

### Household sizes

22. According to the 2009 national census, the average family size was 3.5 persons. Two-person families were most common (30 per cent), followed by three-person families (27 per cent), four-person families (22 per cent) and five-person and larger families (21 per cent). Seventy-two per cent of children up to the age of 18 live with both parents, 15 per cent with only their mother, 6 per cent with only their father and 6 per cent without either parent.

### Assessment of per capita income in January 2011

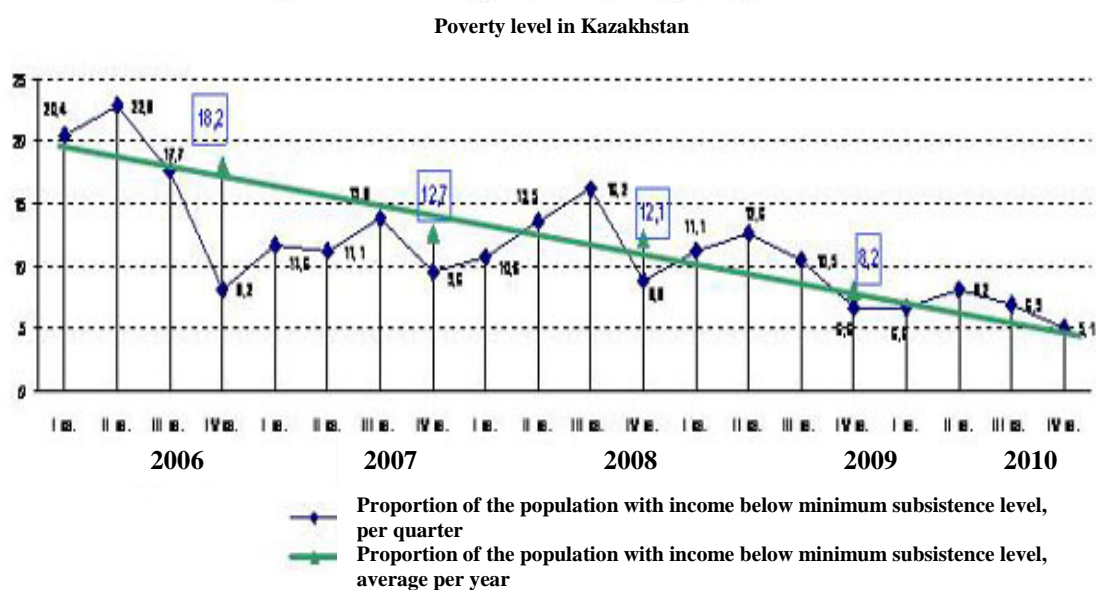
23. According to preliminary data, the nominal per capita income in December 2010 was 41,122 tenge following an increase of 17 per cent in comparison with 2009. Real incomes rose by 8.2 per cent.

24. In December 2010, the leading areas for per capita income were Atyrau province and the cities of Almaty and Astana, where the figures were 1.7 to 2.3 times higher than the national average.

25. In the same month, South Kazakhstan, Almaty and Zhambyl provinces were recorded to have the lowest earnings, with income on average at 61.4 and 74 per cent of the national average. However, the largest growth in real incomes was recorded in Kostanay and Almaty provinces.

26. In January 2011, nominal incomes for the highest-earning region exceeded those of the lowest-earning region by a factor of 3.8 (a factor of 3.9 in January 2010).





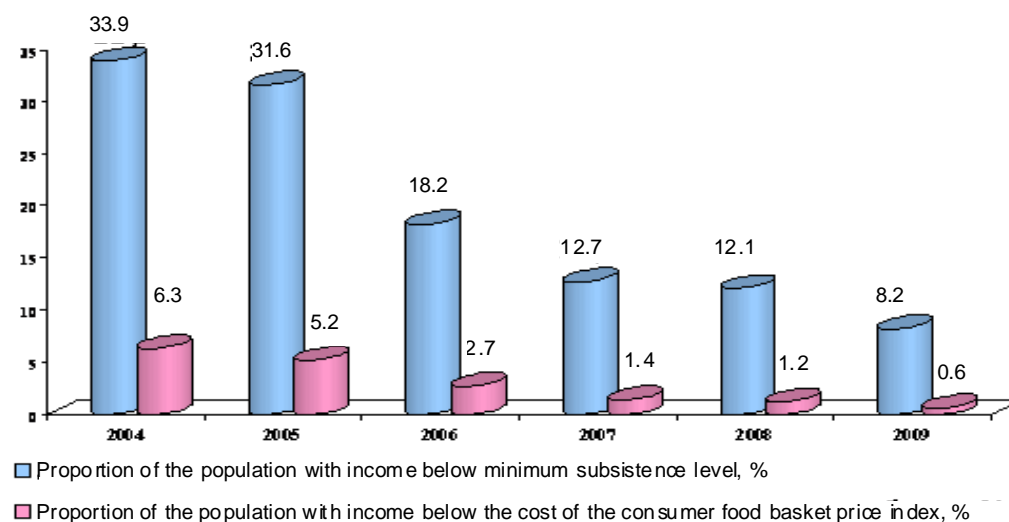
#### D. Standard of living indicators

No.	Indicators	2007	2008	2009	2010
1	Proportion of the population with incomes below the subsistence minimum, %	12.7	12.1	8.2	6.5
	Urban	6.9	8.1	4.1	3.7
	Rural	18.1	15.9	12.1	10.1
2	Proportion of the population with incomes below the consumer foodstuffs price index, %	1.4	1.2	0.6	0.4
	Urban	0.7	0.6	0.2	0.3
	Rural	2.1	1.7	0.9	0.6
3	Depth of poverty, %	2.4	2.3	1.3	1.1
4	Severity of poverty, %	0.8	0.7	0.3	0.3
5	Average household income spent on consumption per capita, tenge	16 935	20 037	21 348	26 152
	Urban	19 865	23 365	25 008	30 529
	Rural	13 687	16 271	17 136	20 985
6	Income spent on consumption as a percentage of subsistence minimum, %	175.4	162.1	168.6	193.9
7	Average nominal income per capita, tenge	25 226	32 984	34 828	40 473
8	Index of real income, %	118.9	111.8	96.9	110.2
9	Average nominal income per capita, tenge	15 516	18 324	19 718	24 460
	Urban	19 172	22 569	24 220	29 754
	Rural	11 465	13 520	14 537	18 209
10	Ratio between the income of the wealthiest 10% and the poorest 10%	7.2	6.2	5.3	5.7
11	Index of income concentration (Gini coefficient)	0.309	0.288	0.267	0.278

No.	Indicators	2007	2008	2009	2010
12	Average household size, number of persons	3.4	3.3	3.4	3.5
	Urban	2.9	2.9	3.0	3.2
	Rural	3.9	3.9	4.0	4.2

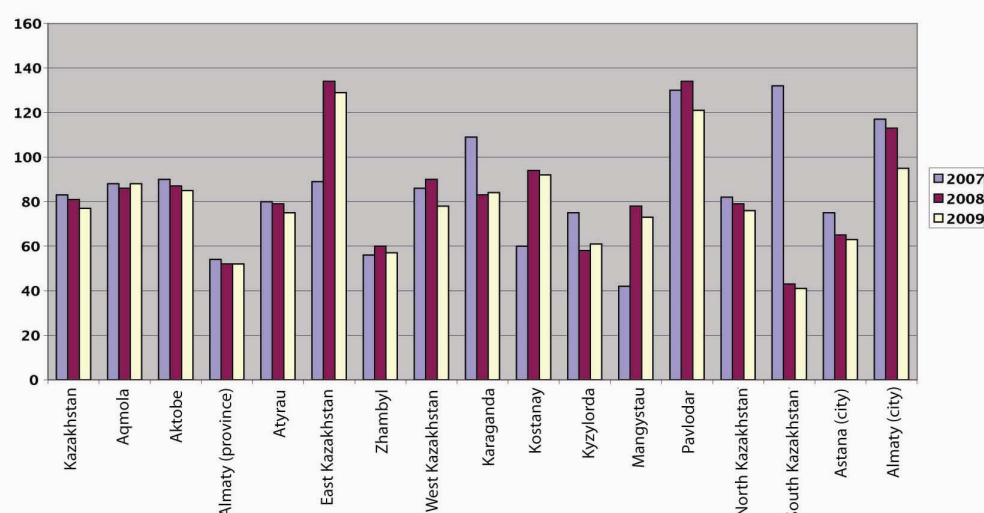
27. The minimum subsistence level was determined on the basis of 43 foodstuffs, of which 60 per cent made up the index of the basket of foodstuffs.

#### Proportion of the population on low incomes



For several years running, the proportion of people living below the poverty line has been decreasing and, in 2010, stood at 6.5 per cent.

#### Crime level, per 10,000 people



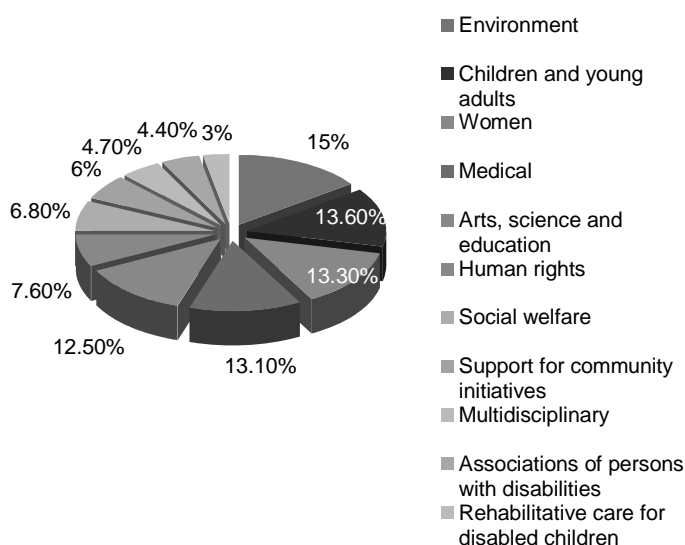
28. State governance: the Republic of Kazakhstan declared independence in 1991. Kazakhstan is a constitutional republic with a presidential form of government. The Parliament consists of two chambers: the upper chamber (Senate) and lower chamber (the Majilis). The Supreme Court and the Constitutional Council are the highest judicial authorities.

29. Languages: the official State language is Kazakh, which is a Turkic language related to Uzbek, Kyrgyz, Turkmen and Turkish. Russian has the status of a lingua franca within the country and is used widely in urban areas, whereas Kazakh is still the main language used in rural areas. English is the main language used for business exchanges in the country's international business environment. Uighurs, Koreans and representatives of other ethnic minorities living in Kazakhstan speak in their ethnic languages and their local dialects.

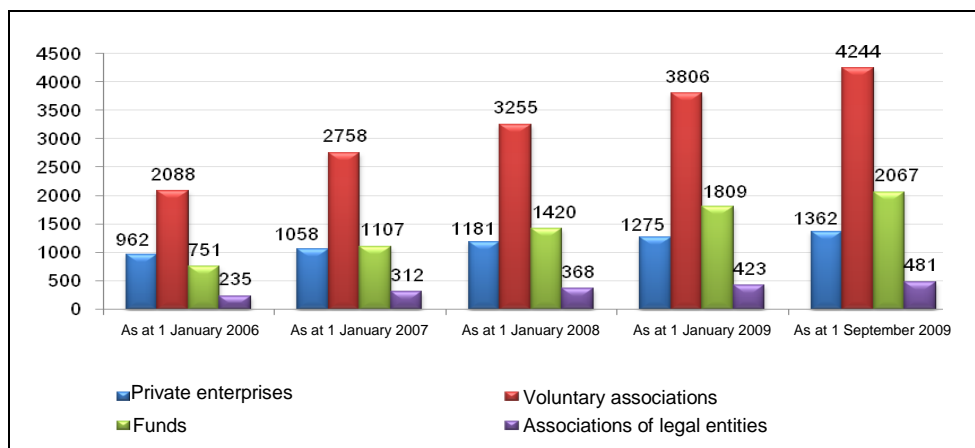
30. Political and social activity: Kazakhstan has over 35,000 registered non-profit organizations, of which 18,000 are NGOs. The non-governmental sector is one of the most dynamically developing ones in Kazakhstan thanks to a targeted policy to promote it by the State.

31. The Non-Profit Organizations Act was passed in 2001. The Code on Taxes and Other Mandatory Budget Payments provides for tax incentives to non-profit organizations. Government Order No. 1660 of 19 December 2001, on the setting of fees for State-registered legal entities, relaxes the registration conditions for youth organizations.

## E. Main areas of NGO activity



32. The bulk of the organizations with legal status in Kazakhstan's "third sector" are voluntary associations (40 per cent); in second place are institutions (29 per cent); in third place are funds (24 per cent); and then associations of legal entities (7 per cent). It should be noted that statistics on the number of non-profit organizations come from various sources and may diverge due to fundamentally different approaches to counting NGOs of different statuses.

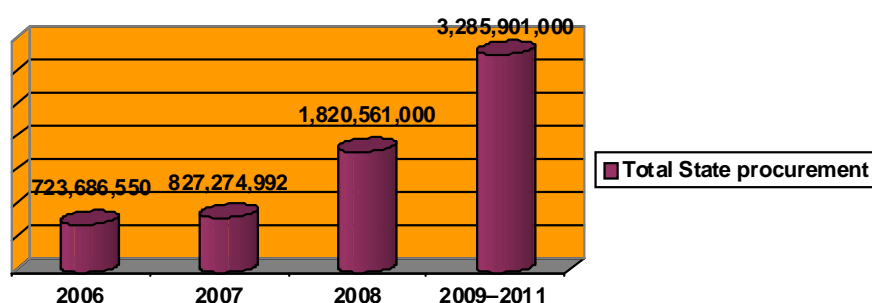


33. The Guidelines for the Development of Civil Society in Kazakhstan 2006–2011 underpin relations between the State and the non-profit sector. NGO representatives played a most direct and active role in the drafting of the Guidelines.

34. Government authorities and NGOs openly discuss various national issues, and devise plans to address them through the Citizens' Forum, a national platform for dialogue. The Civil Alliance of Kazakhstan is an organization that brings together major national associations of NGOs, businesses and trade unions, and can cooperate effectively with the authorities to ensure that civil society institutions play a considerably greater role in society.

35. In 2005, the State Social Procurement Act was adopted, pursuant to which, NGOs are offered grants to participate in the implementation of large-scale social initiatives by the State. The adoption of this Act ensured that funding for NGO activities was incorporated into the system. State social procurement currently takes place at the central and local levels. The annual budget for this is more than 2 billion tenge.

#### Trends in State social procurement at the central and local levels



36. The Coordinating Council for Cooperation with NGOs was established under the Government. Councils working with NGOs are active in the departments of ministries focusing on the protection of social rights as well as offices of mayors and governors (*akims*) at all levels. By taking part in the work of these councils, voluntary associations play an active role in the process of State decision-making.

37. The Chamber of Public Experts of the Majilis may be considered to be one of the most important means of collaboration between the authorities and the NGOs. It manages the public review mechanism during the law-making process. There are also public councils

in various sectors to monitor and assess the implementation progress of Government programmes and various social and political processes.

38. The party system in Kazakhstan is an effective mechanism for connecting society with the State. It plays an important role in boosting the stability of domestic politics and the democratization of society.

39. The Political Parties Act defines a political party as a voluntary association of Kazakh citizens that represents the political wishes of citizens and various social groups, takes up their interests in representative and executive bodies of central and local government and is involved in forming such bodies.

40. A political party is created when a group of citizens calls a constituent congress or conference for the party. There are currently 10 political parties registered in Kazakhstan, reflecting the broad spectrum of political views among Kazakh citizens:

- Nur Otan National Democratic Party;
- Auyt Kazakhstan Social and Democratic Party;
- Ak Zhol Democratic Party of Kazakhstan;
- Kazakhstan Patriots' Party;
- Adilet Democratic Party of Kazakhstan;
- Ruhaniyat Party;
- Communist People's Party of Kazakhstan;
- Communist Party of Kazakhstan;
- National Social Democratic Party;
- Azat Democratic party of Kazakhstan.

41. Political parties are extremely important to life in Kazakhstan due to the major role played by Parliament in the political system and the fact that parties are represented there through the proportional voting system.

42. The parliamentary party groups have considerable powers in Parliament. The President consults them about candidates for the position of Prime Minister, and the Prime Minister in turn proposes the composition of the Government. In general, the main factor in the formation of the country's Government is the relative strength of the parties.

43. The parliamentary parties determine how their members will vote and have the right to remove a member of Parliament from his or her duties for breaching party discipline or refusing to support the party line.

44. Parties also have the right to receive partial funding for their activities from the national budget. This helps to strengthen political parties and the party system in general and boosts the possibility for political competition between parties.

45. During 2009, Kazakhstan made a number of important advances toward establishing an open, balanced and democratic political system, including by increasing the role of political parties.

46. On 6 February 2009, an act was passed amending the Political Parties Act. The amendments resulted in seven changes to six articles of the Act (arts. 6, 7, 10, 11, 14, 18).

47. The amendments have helped to liberalize the law, simplify procedures for party registration, and provide transparency and closer control of the activities of the organizational committees on the establishment of political parties.

48. Under the amendments, the eligibility criterion governing the number of members required for the registration of political parties has been relaxed and it is prohibited to use the names of registered voluntary associations when naming re-established political parties.
49. An article has been included outlining the procedures for State funding of political parties. These provisions reflect the decisions adopted at the seventeenth annual session of the Organization for Security and Cooperation in Europe (OSCE) Parliamentary Assembly on the creation of favourable conditions for political parties to operate in Kazakhstan.
50. Trade unions in Kazakhstan are independent voluntary associations with fixed individual membership which are established voluntarily by citizens on the basis of a commonality of their professional interests to represent and protect not only their members' labour rights, but also other social and economic rights and interests, and to protect and enhance working conditions.
51. The Federation of Trade Unions of Kazakhstan, the Kazakhstan Confederation of Labour and 10 creative workers' unions (artists, architects, designers, cinematographers, writers, etc.) are active at the national level.
52. To support the trade union movement, a general agreement was signed for the period 2009–2011 between the Government, national workers' associations and national employers' associations. The agreement provides for the introduction of the necessary working conditions, decent pay, better welfare for workers and their families, broader opportunities for workers' professional and career development, greater labour productivity and job security and improved health and safety in the workplace.
53. The model for cooperation between the State and religious associations in Kazakhstan is based on the democratic principles of respect for human rights and freedoms, a balance of public and religious interests, cooperation on a partnership basis and a desire for mutual understanding.
54. In the years since independence, an appropriate legal framework has been created which safeguards the equality of the rights and freedoms of all citizens regardless of their religious affiliation.
55. The three main precepts in Kazakhstan's policy on religious freedom are: neutrality, tolerance and parity. Of these principles, the country's neutral stance, including non-interference in the internal affairs of religious associations, is paramount.
56. Tolerance means a respectful attitude to religious beliefs.
57. Parity implies the equality before the law of all religious organizations and persons with different beliefs.
58. Kazakhstan contributed significantly to global dialogue between civilizations and the strengthening of relations between religions by holding three sessions of the Congress of Leaders of World and Traditional Religions in Astana.
59. There are a total of 4,362 religious associations in Kazakhstan representing over 40 religions and denominations. In 1990, there were 670.
60. Religious associations use 3,235 places of worship, including 2,128 Muslim mosques, 265 Orthodox churches, 88 Catholic churches, 5 synagogues and more than 500 Protestant and other churches.
61. Missionaries from 22 countries currently work in Kazakhstan. In 1990, there were 12 missionaries.
62. Religious associations publish 38 periodicals.

63. In Kazakhstan, there are representatives of over 130 ethnic groups and 820 active ethnocultural associations.
64. The State is working steadfastly to achieve the priorities of the inter-ethnic policy and to collaborate with ethnocultural associations. To publicize the ethnocultural associations' activities, 33 publications are issued in 15 languages.
65. Kazakhstan has 88 schools in which teaching is entirely in Uzbek, Tajik, Uighur or Ukrainian. The languages of 22 ethnic groups in Kazakhstan are taught as subjects in their own right in 108 of the country's schools.
66. In addition, the State provides support to ethnocultural associations. Funds from local budgets support over 200 Sunday schools, where more than 30 ethnic languages are taught.
67. Kazakhstan was the first country from the Commonwealth of Independent States (CIS) to create a People's Assembly as a public advisory body with the mandate to strengthen and develop inter-ethnic relations in the country.
68. The People's Assembly is instrumental in its role of consolidating and bringing stability. Following the 2007 constitutional reform, the Assembly received the status of a constitutional authority whose membership is decided by the President.
69. The Assembly has genuine influence over the adoption of legislation. In 2007, nine members of the People's Assembly were elected to Parliament, the country's supreme legislative authority. Any bill now is thus subject to further consideration in Parliament to check that it meets the interests of inter-ethnic harmony and tolerance.
70. The Assembly's main aim is to strengthen unity between ethnic groups. The People's Assembly of Kazakhstan Act contributed to this aim when it was adopted in 2008 by fortifying the legal framework for the work of ethnocultural associations and reinforcing the coordinating role of the People's Assembly in the implementation of ethnic policy.
71. One of the State's main activities in inter-ethnic relations is to support national platforms for dialogue and organize forums on current issues in the development of civil society. Each year sees significant events such as the session of the People's Assembly and the Forum of ethnocultural associations of countries of the Conference on Interaction and Confidence Building Measures in Asia (CICA). Ethnocultural associations receive social service funds.
72. There are 2,973 media outlets in the country, of which 91 per cent are newspapers and magazines, 8.5 per cent are electronic media and 0.5 per cent are news agencies. Of the print media, 254 are owned by voluntary associations while religious associations own 41 publications.
73. The non-State media dominate the country's news market with a share of over 80 per cent.
74. Of all the media, 20 per cent are in the Kazakh language and 32 per cent in Russian, although it should be noted that these percentages have remained virtually unchanged over the past three years.
75. There is, however, an upward trend in the number of publications released in Kazakh and Russian courtesy of a propitious economic environment and an increase in popular demand for them.
76. There are 31 publications for ethnic groups in the following languages: Uighur, Uzbek, Kurdish, Arabic, Ukrainian, Korean, German, Azerbaijani, Tatar, Armenian, Dungan and Belarusian.

77. The media in Kazakhstan is structured as follows: news – 45.5 per cent; society and politics – 13.9 per cent; advertising – 19.4 per cent; science – 6.3 per cent; and other – 3.9 per cent.

78. The greatest concentration of media by region is in the city of Almaty, which has 1,246 media outlets. There are also a large number of media outlets in the provinces of Karaganda (223), South Kazakhstan (298), East Kazakhstan (187) and Pavlodar (131) and the city of Astana (160).

79. Electronic media have a special place in the country's media environment. At present, there are 250 electronic media outlets in Kazakhstan, including 103 television and radio stations broadcasting their own channels to television (63) or to radio (40), and 142 cable television companies. There are 16 State television companies and 234 non-State ones.

## **II. Legal framework**

### **The Constitution**

80. The current Constitution is the second to be adopted in the 15-year existence of independent Kazakhstan. The first Constitution was in force from 28 January 1993 until 30 August 1995. The Constitution of the Kazakh Soviet Socialist Republic was in force until 1993.

81. The current Constitution was adopted by a referendum of 30 August 1995.

82. An Act of 21 May 2007 on the amendment of the Constitution introduced, inter alia, the following changes:

- Authorization for State funding of voluntary associations, including political parties (this was previously prohibited by law);
- Transfer to the courts of the power to order arrest (previously a function of the procuratorial authorities);
- A reduction of the President's term of office from seven to five years;
- Removal of the provision in the Constitution that while in office the President must suspend his or her membership of a given political party;
- An increase in the number of seats in the lower and upper chambers of Parliament (the Majilis and the Senate respectively);
- An increase in the number of members of the Senate appointed by the President;
- The introduction of a compulsory rule to deprive members of the Majilis of their seats in Parliament in the event that they leave or are expelled from their party or if that party ceases activities;
- An increase in the term of office of members of local representative bodies (*maslikhat*).

83. Section II of the Constitution guarantees fundamental human rights and freedoms. The Constitution may be amended by Parliament on the proposal of the President. Amendments to the Constitution may also be made by national referendum held by decision of the President, acting on his or her own initiative or on the proposal of Parliament or the Government. If the President decides to submit a draft amendment to the Constitution to Parliament for consideration, it is not submitted to a national referendum. In such cases, the



Parliament takes its decision in accordance with the procedure set out in the Constitution. If the President rejects a parliamentary proposal to submit an amendment to a national referendum, Parliament is entitled, by a majority of at least four fifths of the total membership of each chamber, to pass an act incorporating that amendment in the Constitution. In that case, the President must either sign the act or submit it to a national referendum, which is deemed to have been held if votes are cast by more than one half of the citizens of Kazakhstan entitled to take part in national referendums. An amendment submitted to a national referendum is considered to have been adopted if it is supported by more than one half of the citizens participating in the vote in at least two thirds of the provinces, the city of Almaty and the capital, Astana.

84. The President, members of Parliament and the Government have the right of legislative initiative; such proposals are acted on exclusively in the Majilis.

85. The President has the right to prioritize the consideration of bills, as well as to declare the consideration of certain bills urgent, with the implication that Parliament must consider them within a month from the date of their submission. If Parliament does not fulfil this requirement, the President has the right to issue a decree which has the force of law and is valid until Parliament passes a new law in accordance with the procedure established by the Constitution.

86. Parliament has the right to issue laws which regulate the most important social issues and establish the basic principals and norms concerning:

- The legal capacity, obligations, responsibilities and civil rights and freedoms of individuals and legal entities;
- The system of ownership and other rights in rem;
- The basis of the organization and activities of central and local government bodies and of civil and military service;
- Taxation and the application of fees and other mandatory charges;
- The national budget;
- Issues concerning the judicial system and legal proceedings;
- Education, health care and social security;
- Privatization of companies and their property;
- Protection of the environment;
- Administrative and territorial structure of Kazakhstan;
- National defence and security.

87. All other issues are covered by local by-laws. Parliament adopts legislative acts in the form of national laws, parliamentary decisions and orders by the Senate and the Majilis, which are binding across the entire country.

88. National laws enter into force upon signature by the President. National laws and decisions by Parliament and its chambers must not be at variance with the Constitution. Decisions by Parliament and its chambers must not be in contradiction with any laws.

89. Procedures for drafting, submitting, discussing, enacting and promulgating national legislation and regulations are covered by the special laws and regulations of Parliament and its chambers.

90. The main laws protecting human rights include: the Civil Code, the Criminal Code, the Code of Criminal Procedure, the Code of Civil Procedure, the Penal Enforcement Code,

the Code of Public Health and the Health-care System, the Environmental Code, the Pension System Act, the Marriage and Family Code, the Code of Administrative Offences, the Social Security Act, the Act on the Protection of the Rights of the Child, the Act on Equal Rights and Opportunities for Men and Women, the Education Act, the Mediation Act, the Migration Act and the Refugees' Rights Act.

91. Kazakhstan has now ratified 825 international treaties (702 through legislation, 57 through Supreme Council decisions and 66 through presidential decrees). Of the international treaties ratified, 33 are universal multilateral human rights conventions (i.e. within the framework of Kazakhstan's membership of the United Nations, the International Labour Organization, etc.). Of these 33 conventions, 7 are core United Nations conventions defining fundamental human rights and freedoms for which Kazakhstan submits national periodic reports on current implementation progress.

92. Kazakhstan is one of the first countries of the CIS to have adopted a national plan of action on human rights. The plan was drawn up in coordination with civil society, and is implemented under the State legal policy framework document.

93. Article 4 of the Constitution provides that all international treaties ratified by the State take precedence over domestic law and are implemented directly except in cases in which the application of an international treaty requires the promulgation of a law. The President and the Government make efforts to ensure that Kazakhstan implements its international agreements.

94. Central government agencies act within their jurisdiction to ensure compliance with the obligations of international agreements adopted by Kazakhstan and monitor the exercise by Kazakhstan of the rights resulting from these treaties.

95. To ensure that the obligations of the international treaties that have been ratified are actively applied in judicial practice, on 10 July 2008, the Supreme Court issued a regulatory decision on the implementation of international treaties by Kazakhstan. The decision requires judges to be guided by the standards of international treaties to which Kazakhstan is party, those standards being an integral part of prevailing Kazakh law.

### **III. Political structure and national human rights mechanisms**

96. Kazakhstan has a presidential form of government. In accordance with the Elections Act of 28 September 1995, the President is elected for a term of five years in a secret ballot by Kazakh citizens of voting age on the basis of universal, equal and direct suffrage.

97. The same person may not be elected president more than twice in succession, although this provision does not apply to the first President of the Republic.

98. The President determines the Government's main domestic and foreign policies, calls parliamentary elections, takes decisions concerning the holding of referendums and signs laws, international agreements and instruments of ratification.

99. The President has the right to initiate legislation.

100. Following consultations with parliamentary parties in the Majilis, the President may submit to the Majilis for approval his or her candidate for the post of Prime Minister. After obtaining this approval he appoints the Prime Minister, whom he may also remove from his or her post. On the Prime Minister's proposal, the President determines the structure of the Government and may constitute, dissolve and reorganize the central executive bodies of Kazakhstan which do not form part of the Government. He or she appoints the members of the Government, ministers of foreign affairs, defence, internal affairs and justice, may remove members of the Government from office and swears in members of the

Government. He or she presides over governmental meetings on particularly important issues, may instruct the Government to table draft legislation in the Majilis and may fully or partially revoke or suspend acts of the Government, the Prime Minister or the mayors or governors of the provinces, Almaty and Astana.

101. With the consent of the Senate, the President appoints the Governor of the National Bank, the Procurator-General and the Chairperson of the National Security Committee; he or she also removes them from their posts.

102. He or she appoints the Chairperson and two of the members of the Constitutional Council.

103. The President appoints the Chairperson and two members of the Central Electoral Commission and the Chairperson and two members of the National Budget Performance Monitoring Committee, each for five-year terms.

104. After consulting the Presidents of the two chambers of Parliament and the Prime Minister, the President may dissolve Parliament or its lower chamber.

105. The President is the Supreme Commander-in-Chief of the Armed Forces of Kazakhstan and presides over meetings of the Government on particularly important issues.

106. The President constitutes the Security Council and other consultative and advisory bodies, the People's Assembly of Kazakhstan and the Higher Council of the Judiciary.

107. The President takes decisions on questions of citizenship and the granting of political asylum, pardons citizens and confers State decorations, honours and higher military and other appointments, service grades, diplomatic ranks and higher qualifications, as well as performing other duties specified in the Constitution.

108. The President has the right to veto acts adopted by Parliament and to revoke or suspend any regulatory measures taken by the Government or the executive authorities; he may issue decrees and orders with binding force in Kazakhstan, and, in the cases specified in the 1995 Constitution, laws and decrees having the force of laws.

109. The President's other powers are set out in the Presidency Act of 26 December 1995.

110. The President may be removed from office by Parliament only if he commits treason. The final decision to remove the President requires the support of a majority of no less than three quarters of the total membership of each of the two chambers, following a decision by the Supreme Court that the charge of treason is justified and a decision by the Constitutional Council that the established constitutional procedures have been observed.

111. The President may be dismissed from office before the end of his or her term in the event of persistent incapacity to perform his or her duties owing to ill health.

112. Parliament consists of two chambers: the Senate and the Majilis. The Senate is elected on the basis of two members from each province and from the cities of Almaty and Astana. Senators are elected by members of the local representative bodies. Fifteen senators are appointed by the President.

113. The Majilis has 107 members, 98 of whom are elected by universal, equal and direct suffrage in a secret ballot.

114. The other nine members are elected by the People's Assembly. Seats in the Majilis are distributed on the basis of the party lists of those political parties that won at least 7 per cent of the votes cast in the relevant election. Senators are elected for a term of six years and members of the Majilis for five years.

115. The mandate of a member of Parliament is terminated in the event of retirement or death, the declaration in a final court decision that the member lacks legal capacity, is dead or is missing with whereabouts unknown, as well as in other cases specified in the Constitution and other legislation.

116. A member of Parliament forfeits his or her mandate on taking up permanent residence outside Kazakhstan, being convicted of a criminal offence for which the sentence has become final, or losing Kazakh nationality.

117. The mandate is also terminated if the member leaves or is expelled from the political party from whose list he or she was elected under the Constitutional Act or if, in line with the Constitutional Act, the party is wound up.

118. The mandates of appointed senators may be terminated before the end of their term of office by decision of the President.

119. The mandates of members of either chamber of Parliament are terminated in the event of the dissolution of the chamber in question.

120. Parliament enacts and amends legislation and ratifies and denounces Kazakhstan's international agreements.

121. At joint sessions of its two chambers and on the proposal of the President, Parliament may:

- Adopt amendments to the Constitution;
- Approve the reports of the Government and the National Budget Performance Monitoring Committee; if Parliament does not approve the Government's budget performance reports, it constitutes a vote of no confidence in the Government;
- On the President's initiative and with a two-thirds majority of the total membership of each of the two chambers, delegate legislative powers to the President for a maximum period of one year;
- Take decisions on matters of war and peace;
- On the President's proposal, take decisions on the use of the Armed Forces to fulfil international commitments to maintain peace and security;
- Exercise other powers assigned to it by the Constitution.

122. The President, the members of Parliament and the Government have the right of legislative initiative; such proposals are acted on exclusively in the Majilis.

123. If an act or an article of an act prompts an objection by the President, Parliament shall, within one month of the notification of the objection, conduct a detailed examination of the issues in two separate readings, first in the Majilis and then in the Senate, followed by a vote. Failure to comply with this time limit constitutes acceptance of the President's objection. If the Majilis and the Senate confirm their previous decision by a two-thirds majority of the total members of each chamber, the President signs the act in question into law within one month. If neither of the two chambers votes down the President's objections, the act is deemed to be either rejected or adopted in the wording proposed by the President. If the President has objections to constitutional acts, these may be rejected by a vote of at least three quarters of the total membership of each chamber.

124. On the proposal of the President, the Senate may elect and dismiss the President of the Supreme Court and its judges and approve the President's nominees for Governor of the National Bank, Procurator-General and Chairperson of the National Security Committee.

125. When the Majilis is not in session owing to the early termination of its mandate, the Senate performs the functions of Parliament with regard to the adoption of constitutional and other acts.

126. The decision to consider draft constitutional and other acts submitted to Parliament and the consideration of such acts falls exclusively on the Majilis. The President's candidate for Prime Minister is also subject to approval by a majority vote of the total membership of the Majilis.

127. On the proposal of at least one fifth of its total membership, the Majilis is empowered to adopt, by a simple majority of its total membership, a vote of no confidence in the Government. After consulting the Presidents of the two chambers of Parliament and the Prime Minister, the President may dissolve Parliament or its lower chamber.

128. The organization and activities of Parliament and the legal status of its members are set out in the Constitutional Act of 16 October 1995 on Parliament and the status of its members.

129. The Government exercises executive power, heads the system of executive bodies and directs their work. The Government is formed by the President, is accountable to the President and reports to Parliament. The Government is a collegial body, and is accountable to the President in all its activities and to the Majilis and Parliament in certain cases stipulated by the Constitution.

130. The Prime Minister is appointed by the President with the approval of the Majilis. Parliament considers the Government's programme and approves or rejects it.

131. Following its consideration of the Government's reports, each chamber of Parliament is entitled, by a majority vote of its total membership and without the involvement of the other chamber, to adopt requests to the President for the removal from office of members of the Government for failing to comply with the law. If the President rejects the request, the members of the chamber in question have the right, by a majority vote, to put to him the same request for the removal of the member of the Government six months after the date of the original submission. The President must then dismiss that member.

132. The President is entitled on his or her own initiative to decide to dissolve the Government or to remove any of its members from office. The removal of the Prime Minister signifies the dissolution of the Government.

133. The powers of the Government and the procedure for its organization and functions are set out in the Constitutional Act on the Government of Kazakhstan of 18 December 1995.

134. The Government of Kazakhstan: prepares the general thrust of the country's socioeconomic policy, defence capability, security and public law and order; organizes its implementation; submits the national budget to Parliament; reports on budget performance; implements the budget; submits bills to the Majilis and provides for their enactment; organizes the management of State property; draws up measures regarding State foreign policy; directs the work of ministries, State committees, other central and local executive bodies; fully or partially revokes or suspends acts issued by these bodies; may appoint and dismiss heads of central authorities which are not part of the Government; and carries out other functions assigned to it by the Constitution, laws and presidential acts.

135. The Constitutional Council is formed in accordance with the 1995 Constitution. It reviews the legislation enacted by Parliament before signature by the President to ensure that it is compatible with the Constitution; examines international treaties before their ratification for the same purpose; issues official interpretations of the provisions of the

Constitution; in the event of a dispute, it rules on the proper conduct of presidential and parliamentary elections as well as of national referendums; reviews the decisions taken by Parliament and its chambers to ensure their compatibility with the Constitution; and exercises the other powers specified in the Constitution.

136. The Constitutional Council performs these functions only at the request of the President, the Prime Minister, the President of the Senate, the President of the Majilis or of at least one fifth of the total membership of Parliament.

137. Laws or regulations deemed to infringe the civil and human rights and freedoms enshrined in the Constitution are abrogated and their application is cancelled by the Constitutional Council.

138. The Constitutional Council comprises seven members appointed for a term of six years. The Senate and the Majilis each appoint two of these members, while the other two members and the Council's President are designated by the President.

139. The courts consist of permanent judges, whose independence is protected by the Constitution and the law. The system consists of the Supreme Court and local courts.

140. All judges except for the members of the Supreme Court are appointed by the President. The Supreme Court is Kazakhstan's highest judicial authority.

141. The President and judges of the Supreme Court are elected by the Senate on the proposal of the President. The courts are not entitled to apply laws and other legislation that restrict the human and civil rights and freedoms enshrined in the Constitution.

142. The status of the courts and the Higher Council of the Judiciary and the procedures for their formation and the organization of their work are set out in the Constitutional Act on the Courts and their Status in Kazakhstan of 25 December 2000.

143. Jury trials were introduced in Kazakhstan on 1 January 2007 in line with the act amending legislation to that effect.

144. There are now courts that specialize in economic, administrative, military or juvenile affairs.

145. The Office of the Procurator-General is responsible for the overall supervision of the accurate and uniform application of laws, presidential decrees and other laws and regulations. It represents the interests of the State in the courts and conducts criminal investigations in accordance with the limits prescribed by law.

146. The Office is a single centralized system staffed by junior procurators subordinate to senior procurators and to the Procurator-General, who is appointed by the President for a term of five years. The Office is answerable solely to the President.

147. The powers, organization and activities of the Office are set out in the Procurator's Office Act of 21 December 1995.

148. The Office of the Procurator-General is responsible on the State's behalf for the overall supervision of the accurate and uniform application in Kazakhstan of laws, presidential decrees and other laws and regulations and the legality of all stages of criminal investigations and administrative and enforcement procedures. It takes steps to identify and eliminate any violations of the law and challenges laws and regulations contrary to the Constitution and national legislation. The Office represents State interests in the courts and conducts criminal investigations in the cases, according to the procedure and within the limits prescribed by law.

149. State administration is performed at the local level by local representative and executive bodies responsible for matters in their respective territory. The local councils

(*maslikhat*) are representative bodies, elected by the local populations by universal, equal and direct suffrage for a term of five years.

150. The local councils are responsible for: the approval of plans and economic and social programmes for local development, local budgets and budget performance reports; decisions on local administration and development issues; the examination of the reports of the heads of local executive bodies on matters falling within the councils' jurisdiction; and the exercise of other powers to protect the rights and legitimate interests of citizens.

151. The local executive bodies are part of an integrated national system of executive bodies. They are responsible for implementing the State-wide policies of the central executive authorities in their respective areas.

152. The local executive bodies are responsible for: the drafting of economic and social development plans and local budgets; the management of public property; and the exercise of other powers set out in the Constitution and legislation.

153. The mayors and governors of the provinces and the cities of Almaty and Astana are appointed by the President with the approval of the local council in the relevant administrative district.

154. A motion of no confidence in the mayor or governor may be tabled on the proposal of at least one fifth of the total membership of a local council. In such cases the local council may, by a simple majority of its total membership, express its lack of confidence in the mayor or governor and submit a request for his or her removal from office to the President or to a more senior mayor or governor, as appropriate. The mandates of the mayors or governors of provinces and the cities of Almaty and Astana are terminated when a newly elected President takes up his or her post.

155. In addition to Government agencies and the courts, there are also human rights institutions in Kazakhstan such as the Human Rights Commission under the Office of the President; the Human Rights Commissioner (Ombudsman); the National Commission for Women's Affairs and Family and Demographic Policy; the People's Assembly; and the Committee for the Protection of Children's Rights.

156. By presidential decree of 12 February 1994, the Human Rights Commission was established as a consultative and advisory body under the President. The Commission includes representatives of Government agencies, and non-governmental and other organizations in Kazakhstan.

157. As of 18 January 2007, there were 22 persons on the Commission representing various social and economic strata, ethnic identities and political, professional and departmental groups which reflected specific aspects of Kazakh society.

158. The Commission's principal task is to assist the President in the exercise of his or her constitutional mandate to safeguard human rights and freedoms. It prepares proposals to improve the Government policy in the area of human rights and boost the effectiveness of the human rights machinery. The principal benefit of the submission of petitions to the Commission is that this procedure enables it to examine the human rights situation and identify deficiencies in the legislation and in its practical application by State agencies.

159. The Commission cooperates with State agencies, the courts, the Office of the Procurator-General and the police as well as with NGOs in joint activities aimed at protecting the legitimate rights and interests of the people of Kazakhstan.

160. It publishes annual reports on the human rights situation in Kazakhstan as well as recommendations and proposals for Government bodies.

161. The position of Human Rights Commissioner was established by a presidential decree of 19 September 2002.

162. Prior to the establishment of the Office of the Human Rights Commissioner, efforts were made in a number of areas to promote awareness about the institution and to study and analyze its possible constructive influence on State governance.

163. The National Centre for Human Rights operates under the Human Rights Commissioner.

164. The Human Rights Commissioner publishes annual reports on: the protection of human rights in Kazakhstan; measures taken in connection with complaints about human rights violations; recommendations to Government bodies on how to eliminate violations; and the results of their implementation.

165. The National Commission on Family Affairs and Gender Policy works under the Office of the President.

166. By presidential decree of 1 February 2006, the National Commission on Family Affairs and Gender Policy was established under the Office of the President. This consultative and advisory body deals with the protection of the family, the rights of children, women and men and the development of gender policy. The Commission includes representatives of Government agencies, and non-governmental and other organizations of Kazakhstan.

167. By a presidential decree of 1 March 1995 on the creation of the People's Assembly of Kazakhstan, this consultative and advisory body was established under the Office of the President to address inter-ethnic harmony in Kazakhstan. The Assembly has constitutional status and the right to elect nine members of one of the chambers of Parliament. In October 2008, the Act on the People's Assembly of Kazakhstan was passed, regulating its activities under the law.

#### **Committee for the Protection of Children's Rights**

168. A special body, the Committee for the Protection of Children's Rights, was established within the Ministry of Education and Science by Government Decision No. 36 of 13 January 2006 to coordinate the activities of the central and local authorities and cooperation with NGOs and other sectors of civil society in implementing the Convention on the Rights of the Child.

169. An act on the procedure for considering the petitions of individuals and legal entities was adopted in January 2007. It established the procedures for the submission of petitions by individuals and legal entities and the consideration of the petitions by Government bodies to ensure the enjoyment and protection of the rights, freedoms and legitimate interests of those individuals and legal entities.

170. The Act sets out sufficiently clearly the procedure for reviewing complaints, requests and statements by citizens, as well as the procedure for responding to them. Human rights and freedoms are protected by the legislature, the executive and the judiciary. The independence of the judiciary is enshrined in article 77 of the Constitution.

171. In addition to legal defence, everyone has the right to appeal for the protection of his or her rights to the Human Rights Commissioner, the Human Rights Commission attached to the President's Office, the National Commission on Family Affairs and Gender Policy attached to the Office of the President and the Committee for the Defence and Protection of Children's Rights within the Ministry of Education and Science. The Prime Minister and heads of ministries and departments each have an official website to help ensure that



citizens' constitutional rights, freedoms and interests are protected and complaints about their violation are dealt with in a timely manner.

172. There are mediation and arbitration institutions in Kazakhstan that offer citizens broad access to means to protect their rights.

173. In order to improve the level of legal awareness and the knowledge of the law and international treaties to which Kazakhstan is party, free points of access to an electronic database of current legislation have been set up in a number of public places. A free online version of the database is also available on the website of the Ministry of Justice.

#### **IV. International cooperation**

174. Of the international institutional mechanisms for the protection of human rights, Kazakhstan has recognized the competence of the Human Rights Committee, the Committee against Torture, the Committee on the Elimination of Racial Discrimination and the Committee on the Elimination of Discrimination against Women to receive individual complaints.

175. Kazakhstan collaborates on a permanent basis with the international human rights law monitoring mechanisms. It regularly submits reports to treaty bodies, endeavours to implement their recommendations and brings its legislation into line with the relevant treaties. The Government has now successfully defended its initial reports, and, in some Committees, its second and third periodic reports, which is an important indication of the country's commitment to its obligations. In 2010, Kazakhstan successfully completed its universal periodic review in the Human Rights Council.

176. In recent years, Kazakhstan has been visited by delegations of experts from the Office of the United Nations High Commissioner for Human Rights (OHCHR) (2001); Mr. Bertrand Ramcharan, the Deputy High Commissioner for Human Rights (2003); Mr. Leandro Despouy, the Special Rapporteur on the independence of judges and lawyers (2004); Mr. Martin Scheinin, the Special Rapporteur on the promotion and protection of human rights while countering terrorism (2006); Ms. Louise Arbour, the United Nations High Commissioner for Human Rights (2007); Mr. Manfred Nowak, the Special Rapporteur on torture and other cruel, inhuman or degrading treatment or punishment (May 2009); Ms. Gay McDougall, the independent expert on minority issues (July 2009); and also Ms. Raquel Rolnik, the Special Rapporteur on adequate housing (September 2010). In July 2009, Kazakhstan extended a standing invitation to all Human Rights Council special procedures.

177. Kazakhstan continues to cooperate closely with OHCHR and its regional office in Bishkek. It is carrying out a number of projects with the latter, including in relation with the universal periodic review. Kazakhstan allocated \$50,000 in voluntary contributions to OHCHR in 2008 and 2009.

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