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Contents

	<i>Paragraphs</i>	<i>Page</i>
Introduction	1–2	3
I. General information	3–360	3
A. Demographic, economic, social and cultural characteristics	3–92	3
B. Constitutional, political and legal structure of the State	93–360	10
II. General framework for the protection and promotion of human rights.....	361–387	31
C. Acceptance of international human rights norms.....	361	31
D. Legal framework for the protection of human rights at the national level.....	362–370	33
E. Framework within which human rights are promoted at the national level....	371–380	34
F. Reporting process at the national level	381–387	35
III. Information on non-discrimination and equality and effective remedies	388–432	36
Annexes.....		40

Introduction

1. The Republic of Kazakhstan covers a large area of more than 2.7 million km². The country is the ninth largest in the world. To the north and west, it has common borders with Russia (7,591 km), to the east with China (1,783 km) and to the south with Kyrgyzstan (1,242 km), Uzbekistan (2,351 km) and Turkmenistan (426 km). The total length of its land boundaries is 13,200 km.

2. Kazakhstan is the largest landlocked country in the world. Most of the country's territory consists of desert (44 per cent) and semi-desert (14 per cent). Steppes occupy 26 per cent of the area of Kazakhstan and forests 5.5 per cent. The country has 8,500 rivers. The north-eastern part of the Caspian Sea falls within the country's borders. The Aral Sea is shared between Kazakhstan and Uzbekistan. In Kazakhstan there are 48,000 large and small lakes. The largest of them are Balkhash, Zaysan and Alakol. Its distance from the ocean gives rise to a markedly continental climate.

I. General information

A. Demographic, economic, social and cultural characteristics

(a) Capital

3. Astana became the official capital of Kazakhstan on 10 December 1997. Almaty, the country's largest city with a population of 1,060,835, remains an important business and cultural centre.

(b) Administrative and territorial structure

4. As at 1 January 2018, Kazakhstan consisted of the following administrative and territorial units: 14 provinces, 175 districts (17 of which are within cities), 87 cities and towns (the major cities with a special administrative status, known as cities of national significance, and provincial and district centres) and 6,698 communities (30 settlements and 6,668 villages). The population density stands at 6.7 persons per km².

(c) Population

5. The population of Kazakhstan at the start of 2018 was 18.2 million, of whom 9.4 million (51.6 per cent) were female and 8.8 million (48.4 per cent) were male (annexes 1–3).

6. As at the beginning of 2018, the gender breakdown of children and young persons shows that the number of males is higher among the population aged 0–29 years.

7. There are almost one and a half times more women than men aged 60 and over. Compared to the start of 2017, the population aged between 50 and 54 has decreased nationwide, but life expectancy and the population aged 65 and over have increased.

8. As at 1 January 2018, there were 2,140,117 pensioners.

9. For decades there has been an uneven sex ratio in Kazakhstan: at the start of 2018, there were 1,065 women for every 1,000 men (annex 4).

10. At the start of 2018, the majority of the population (57.4 per cent) were living in urban areas and 42.6 per cent in rural areas. The number of children between the ages of 5 and 19 who lived in urban areas was 2,243,729 and in rural areas 2,029,124.

11. The ethnic composition of Kazakhstan at the start of 2018 included more than 125 different ethnic groups, including 12.3 million Kazakhs (67.5 per cent), 3.6 million Russians (19.8 per cent), 577,000 Uzbeks (3.2 per cent), 278,000 Ukrainians (1.5 per cent), 265,000 Uighurs (1.5 per cent), 202,000 Tatars (1.1 per cent), 179,000 Germans (1.0 per cent) and others.

12. The rate of natural increase in 2017 was 14.5. The main source of population growth is the high birth rate (21.64 births per 1,000 population in 2017) and the relatively low death rate (7.15 deaths per 1,000 population in 2017) (annex 5).

13. Over the past four years, as shown by the statistics provided, Kazakhstan has seen a high rate of natural increase owing to a high birth rate and a relatively low death rate, which has coincided with a rise in the life expectancy of older persons.

14. Maternal mortality is the number of women who die of complications during pregnancy, childbirth or within a 42-day postnatal period.

15. There are currently over 4.5 million women of childbearing age living in Kazakhstan, which amounts to almost 30 per cent of the total population.

16. In order to reduce maternal and infant mortality, the country is doing the following: introducing technologies and approaches recommended by the World Health Organization (“regionalization” of perinatal care, or the rationalization of such care at the regional level, effective perinatal care, confidential maternal death audits, an assessment tool for health-care quality, etc.); making evidence-based improvements to clinical guidelines and standards; providing essential equipment and a whole range of medicines to obstetric facilities; opening a national coordination centre and regional teaching centres at perinatal centres, two national centres for the assessment of the knowledge and professional skills of practising medical personnel and simulation centres at medical schools; and using modern communication methods (telemedicine, Skype, etc.) (annexes 6 and 7).

17. In 2017, Kazakhstan had a negative net migration rate (a larger number of emigrants than immigrants). The number of immigrants was 15,595 and the number of emigrants was 37,725, giving a net migration rate of -22,130.

18. According to preliminary data, the nominal per capita income in the second quarter of 2018 was 90,579 tenge, which represents an increase of 11.2 per cent in comparison with the same period in 2017. Real incomes increased by 4.7 per cent over this period.

19. In the second quarter of 2018, the leading areas for per capita income were Atyrau province and Astana, where the figures were respectively 1.9 and 1.6 times higher than the national average.

20. Among the regions with the lowest income levels in the second quarter of 2018 was Turkistan province, where income was 48 per cent of the national average.

21. Nominal per capita income in the second quarter of 2018 in the region with the highest per capita income level was 3.9 times greater than the region with the lowest level (and 3.7 times greater in the second quarter of 2017).

22. The subsistence level was calculated on the basis of 43 food items, with food accounting for 55 per cent of the basket of consumer goods.

23. The share of the population with incomes below the subsistence level (poverty line) in the second quarter of 2018 stood at 4.7 per cent, which is 2.5 percentage points lower than the corresponding period in the previous year (for the purposes of comparison, the data for the second quarter of 2017 were recalculated according to the new way of measuring the subsistence level* introduced on 1 January 2018).

(d) Religion

24. The most widely professed faiths in Kazakhstan are Islam and Orthodox Christianity. There are also Catholic, Jewish, Buddhist and Protestant communities in the country.

* On 1 January 2018, the calculation of the subsistence level changed. The fixed share of expenditures on non-food goods and services was set at 45 per cent of the cost of a consumer goods basket pursuant to the joint order by the Minister of Labour and Social Protection (No. 296 of 7 September 2017) and the Minister of Economic Affairs (No. 354 of 9 October 2017).

25. According to the 2009 census, 70 per cent of the population consider themselves to be Muslims. This includes members of the main ethnic group, the Kazakhs, but also ethnic Uzbeks, Uighurs, Tatars and Azerbaijanis. Approximately one third (26 per cent) of the population belong to the Orthodox Church of Kazakhstan (annex 8).

(e) Form of government

26. Kazakhstan declared independence in 1991. It is a unitary State with a presidential form of government. The Parliament consists of two chambers: the upper house (Senate) and the lower house (the Majilis). The Supreme Court and the Constitutional Council are the highest judicial authorities.

(f) Languages

27. The official 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 sector. Uighurs, Koreans and members of other ethnic minorities living in Kazakhstan speak in their ethnic languages and their local dialects.

(g) Political and social participation

28. In Kazakhstan, according to local government data, 18,517 non-governmental organizations (NGOs) are registered, of which 8,743 are active.

29. The non-governmental sector is one of the fastest growing sectors in Kazakhstan. This is thanks to a targeted policy to promote it by the State (annex 9).

30. NGO activity is regulated by the Voluntary Associations Act, the Non-Profit Organizations Act and the Act on State Social Procurement, Grants and Awards for Non-Governmental Organizations.

31. The National Plan for the Development of Cooperation between NGOs and the State for 2016–2020, approved by prime ministerial decree, is being fulfilled.

32. In Kazakhstan there are more than 300 discussion forums for cooperation with NGOs. The most significant are the Citizens' Forum, the Coordination Council for Cooperation with NGOs and public councils.

33. Government agencies and NGOs openly discuss various national issues and devise plans to address them through the Citizens Forum, a national platform for dialogue.

34. The Citizens Forum has been held since 2003, with the participation of NGOs from all regions of the country, international experts and government officials. The seventh Citizens Forum was held on 25 November 2016, which brought together representatives from NGOs and 10 ministries and resulted in the adoption of an action plan to implement the Forum's recommendations.

35. On 27 and 28 November, the eighth Citizens Forum held a meeting on the topic "Civil Society and the State: Dialogue – Partnership – Trust", attended by the President of Kazakhstan, Nursultan Nazarbayev. The Forum included a conference on social projects called "I believe' 2.0", 35 thematic sessions in the form of seminars, master classes, round tables and discussion forums, including on the participation of civil society in the implementation and promotion of the Sustainable Development Goals, sectoral meetings between 12 senior central government officials and relevant NGOs, a thematic meeting on the "Aýyl – el besigi" project and an international donors conference.

36. The Coordination Council for Cooperation with NGOs has been active since 2005. The Council regularly meets to consider issues relating to the improvement of legislation on NGOs and to examine reports from government agencies on their cooperation with NGOs. The Council includes representatives of the central government and leading national NGOs.

37. In order to coordinate the work of government agencies with NGOs, in recent years the Coordination Council has adopted decisions to develop social service standards for

NGOs, introduce a single monitoring system for social services provided by NGOs and develop a methodology for calculating the funding of social services that have been contracted out to NGOs. Since the Council began its work, it has considered more than 120 current issues related to NGOs and developed approximately 400 recommendations. As a result of implementing the recommendations, government social service procurement has been improved and new forms of NGO funding (grants and awards) have been introduced. NGOs are now members of consultative and advisory bodies and contribute to drafting laws and regulations as part of various working groups in government agencies.

38. The Ministry of Social Development has a standing working group on cooperation with NGOs. The primary objective of the working group is to draft proposals to improve legislation and examine current issues regarding the cooperation of government agencies with NGOs. The group has members from prominent domestic, foreign and international NGOs.

39. Government Decision No. 1194 of 31 December 2018 approving a model statute for public councils was adopted pursuant to the Public Councils Act.

40. NGO capacity is put to active use in the work of the public councils. Approximately 4,000 people are involved in the activities of 227 councils. Of that number, 75 per cent are civil society representatives and one third represent the non-governmental sector.

41. State social procurement is an effective mechanism for cooperation between government agencies and NGOs. According to official data from the Ministry of Finance, the volume of funding for State social procurement in 2018 was 1.6 times larger than in 2017, reaching 20.3 billion tenge (12.4 billion tenge in 2017). Spending stood at 822.6 million tenge (314.7 million tenge in 2017) at the national level and 19.5 billion tenge (12.4 million tenge in 2017) at the regional level.

42. The amendments made in December 2015 to the Act on State Social Procurement, Grants and Awards for Non-Governmental Organizations introduced the concepts of “grants for NGOs” and “awards for NGOs”.

43. Grants for NGOs are paid out by the grantor established in 2016, the non-profit corporation Citizen Initiative Support Centre. The procedure for grant allocation is regulated by specially developed rules. NGOs received 11 grants in 2016, 57 in 2017 and 93 in 2018. Grants are targeted at the fulfilment of projects to support socially disadvantaged groups, develop youth initiatives, promote a healthy way of life, develop local self-government and public monitoring, reinforce social harmony, defend civil rights and improve other areas.

44. Awards are given to non-governmental organizations for their contributions to addressing social issues at the national, sectoral or regional levels in 15 areas: education; science; information; fitness; sport; health protection; health promotion; environmental protection; youth policy and children’s initiatives; family, demographic and gender matters; support for socially disadvantaged groups; assistance for orphans and children from single-parent or large families; development of culture and the arts; preservation of historical and cultural heritage; and reinforcement of social harmony and national unity.

45. The first NGO awards contest was held in 2017, with 59 NGOs being declared winners. In 2018 there were 63 NGO award recipients. The award money for each area of activities is 2,000 monthly notional units (\$12,895). Thus, there is a positive trend for increased support of NGOs in various fields.

46. In order to increase the transparency of NGO activity, on the basis of international best practices, an NGO database has been established (inonpo.kz). Reporting obligations for NGOs have been made legally binding and there are administrative penalties for breaches. The purpose of the database is to systematize the information on their activities and increase the efficiency and effective targeting of disbursements of grants and awards.

(h) Political parties

47. 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.

48. 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.

49. A political party is created when a group of citizens calls a founding conference for the party.

50. There are currently seven political parties registered in Kazakhstan, reflecting the broad spectrum of political views among Kazakh citizens:

- Nýr Otan Party
- Birlik Party
- Aýyl National Democratic Party
- Ak jol Democratic Party of Kazakhstan
- Communist People's Party of Kazakhstan
- National Social Democratic Party
- Azat Democratic Party of Kazakhstan

51. Political parties are extremely important to the life of the country due to the major role played by Parliament in the political system and the fact that parliamentary elections are based on a system of proportional representation.

52. The parliamentary parties 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.

53. 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.

54. 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 opens up opportunities for political competition between parties.

(i) Trade unions

55. Trade unions in Kazakhstan are independent voluntary associations with fixed individual membership that are established voluntarily by citizens on the basis of common 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.

56. In June 2014, a new Trade Union Act was adopted, aimed at implementation of the "strong social partner" model and providing for the creation in Kazakhstan of a robust and effective trade union movement, based on the principle of freedom of association.

57. The Act has also provided a legal framework for increasing trade union representation and participation in social dialogue at all levels of management and labour. It provides for the following:

- The rights of trade unions to the independent formation of trade union bodies
- The freedom to establish trade unions on the basis of equality of membership (it is prohibited to prevent the formation of a trade union, hinder its activities or illegally interfere with its affairs)

- A ban on discrimination against citizens on the grounds of trade union membership
- Incentives to promote trade union activity based on the principle of freedom of association

58. In turn, that gives trade unions the right to take part systematically in the process of establishing a programme of action at all levels of industrial relations and to be consulted on the adoption of solutions to key issues that affect the rights and interests of workers on a consolidated basis.

59. More than 400 trade unions are active in Kazakhstan, representing more than 3 million employees. Furthermore, trade union coverage of workers has increased by 12.5 per cent since the previous period.

60. In November 2017, a general agreement for the period 2018–2020 was signed by the Government, national workers' associations and national employers' associations, under which the social partners have obligations related to:

- Examination of draft legislation in the field of social and labour relations
- Measures to anticipate and prevent social and labour conflicts and strikes
- Development of the labour market and support for productive employment of the population
- Elaboration and approval of a national framework for qualifications
- Working conditions and occupational health and safety, including industrial and environmental safety
- Development of social partnership and dialogue
- The establishment and activity of a monitoring group to participate in the drafting and adoption of agreements at sectoral and regional levels

(j) Religious associations

61. The model for relations between the State and religious associations in Kazakhstan is based on the democratic principles of respect for human rights and freedoms and on the balance of public and religious interests, partnership and a desire for mutual understanding.

62. 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.

63. The three main principles in Kazakhstan's policy on religious freedom are neutrality, tolerance and equality.

64. Of these principles, the neutral stance of the State, including non-interference in the internal affairs of religious associations, is paramount. Tolerance means a respectful attitude to religious beliefs.

65. Equality is contingent on all religious organizations and persons with different beliefs being equal before the law.

66. Kazakhstan has contributed significantly to global dialogue between civilizations and the strengthening of interfaith relations by holding six sessions of the Congress of Leaders of World and Traditional Religions in Astana.

67. As at the third quarter of 2018, the country had 3,720 registered religious entities, representing 18 faiths: 2,592 Muslim; 339 Orthodox; 86 Catholic; 591 Protestant; 60 Jehovah's Witnesses; 26 New Apostolic Church; 8 International Society for Krishna Consciousness; 7 Jewish; 6 Baha'i; 2 Buddhist; 2 Church of Jesus Christ of Latter-day Saints (Mormons); and 1 Unification Church.

68. In total, the country has 3,502 functioning places of worship, including 2,592 mosques, 301 Orthodox churches, 110 Catholic churches, 407 Protestant churches, 54 Jehovah's Witnesses Kingdom Halls, 26 New Apostolic Church buildings, 6 synagogues, 3

Baha'i Houses of Worship, 2 International Society for Krishna Consciousness temples and 1 Buddhist temple.

69. There are 554 officially registered missionaries, of whom 435 are foreign nationals and 119 are citizens of Kazakhstan.

70. On 24 May 2018, the Act amending Certain Legislative Acts on the Improvement of Business Regulations was adopted, stipulating that the registration of title deeds is to be carried out by the State-owned corporation Government for Citizens.

71. Therefore, for information on the registered titles for places of worship, it is necessary to contact the State-owned corporation.

(k) Ethnocultural associations

72. Members of more than 130 ethnic groups live in the country and there are approximately 1,000 active ethnocultural associations (including 29 national associations). The ethnocultural associations run 190 Sunday schools.

73. The Government is working systematically to achieve inter-ethnic policy priorities and collaborate with ethnocultural associations.

74. In order to build the institutional capacity of the People's Assembly of Kazakhstan, an expert advisory board has been established, made up of scholars, experts and leaders of the top research organizations.

75. There are 87 ethnolinguistic centres that teach the traditions, customs and languages of 25 ethnic groups concentrated in the regions. There are 33 ethnic publications issued in 15 languages.

76. An official depository for the People's Assembly has been opened at the National Academic Library. The People's Assembly web portal is operational.

77. Ethnic theatres enjoy success in Kazakhstan. Almaty is the only city in the Commonwealth of Independent States (CIS) to have a national Korean musical theatre and a national Uighur theatre (the K. Kozhamyarov Musical Theatre), a national German theatre and an Uzbek theatre (in Sayram in Turkistan province).

78. The Government has provided the right framework and all possible support for the development and preservation of the traditions, languages and culture of the people of Kazakhstan.

79. 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.

(l) People's Assembly of Kazakhstan

80. Pursuant to the Presidential Decree of 1 March 1995 on the Establishment of the Peoples' Assembly of Kazakhstan, Kazakhstan became the first CIS country to establish a People's Assembly as a public advisory body with the mandate to strengthen and develop inter-ethnic relations in the country.

81. In 2014, by a presidential decree, the national government agency Qoғamdyq kelisim was declared to be the executive body of the People's Assembly of Kazakhstan.

82. The Assembly has mediation offices for the out-of-court settlement of disputes.

83. Based on the regional friendship houses, communal Qoғamdyq kelisim agencies have been established within the local administrations of the provinces and the cities of Astana, Almaty and Shymkent.

84. The Assembly has constitutional status and the right to elect nine members of one of the houses of Parliament (the Majilis). In October 2008, the People's Assembly of Kazakhstan Act was adopted, strengthening the legal framework for the activity of ethnocultural associations and reinforcing the coordinating role of the Assembly in the implementation of ethnic policy.

85. To ensure cooperation between the People's Assembly of Kazakhstan and the People's Assembly parliamentary groups in the Majilis and in the local councils (*maslikhats*) in the provinces, in 2016 a new consultative and advisory body of the People's Assembly was established, the Parliamentarians Board. It consists of current and former members of the Majilis and prominent representatives of civil society.

86. One of the main aims is to facilitate interactive dialogue and organize forums on the current challenges in the development of civil society. Each year sees significant events such as the People's Assembly Session and the Forum of Ethnocultural Associations of the country members of the Conference on Interaction and Confidence-Building Measures in Asia. Ethnocultural associations receive social procurement funds.

(m) Media

87. As at 21 November 2018, Kazakhstan had 3,282 active media outlets. Of those, 2,765 (84.2 per cent) were newspapers and magazines, 195 (5.9 per cent) broadcast media outlets and 322 (9.8 per cent) Internet media outlets.

88. The non-State media dominate the country's information market with a share of around 80 per cent. Kazakh language media represent 16.5 per cent of the active media outlets and Russian language media 25.4 per cent. Furthermore, there is an upward trend in the number of publications issued in Kazakh and in Russian, now at 35.03 per cent, which is being driven by the market and popular demand.

89. The country has 52 ethnic media outlets in the following languages: Uighur; Uzbek; Kurdish; Arabic; Ukrainian; Korean; German; Azerbaijani; Tatar; Armenian; Dungan; and Belarusian.

90. The breakdown of media outlets in Kazakhstan by subject matter is as follows: news – 32.2 per cent; society and politics – 21.5 per cent; advertising – 26.4 per cent; science – 5.47 per cent; law – 6.01 per cent; other – 8.42 per cent.

91. The greatest concentration of print and electronic media by region is in Almaty, which has 1,038 media outlets. There are also a large number of media outlets in the provinces of Karaganda (265), Turkistan (331), East Kazakhstan (145) and Pavlodar (116) and the city of Astana (426).

92. Broadcasting has a special place in the country's media environment. At present, there are 327 broadcasters in Kazakhstan, as follows: 195 television and radio companies broadcasting from their own stations (126 television and 69 radio stations); 123 cable television operators; and 9 satellite broadcasting operators. Of the television and radio stations, 14 are State channels and 181 are non-State.

B. Constitutional, political and legal structure of the State

(a) Constitution

93. The current Constitution is the second to be adopted in the 25-year existence of independent Kazakhstan. The previous Constitution was in force from 28 January 1993 until 6 September 1995. The Constitution of the Kazakh Soviet Socialist Republic was in force in Kazakhstan until 1993.

94. The current Constitution was adopted by national referendum on 30 August 1995. The Constitution consists of a preamble, 9 sections and 98 articles.

95. Its preamble refers to the people of Kazakhstan as a particular bearer of rights and duties having adopted the Constitution and sets out the reasons for its adoption.

96. The first section, entitled "General provisions", sets out the principles on which the State is founded.

97. Pursuant to article 1 (1) of the Constitution, Kazakhstan holds itself to be a democratic, secular and social State based on the rule of law, whose supreme values are the person and the life, rights and freedoms of the person. This demonstrates the importance

that the State attaches to universal values and reflects the fact that, for the State, the person is the greatest concern.

98. Kazakhstan is a unitary State with a presidential form of government (art. 2).

99. The government's power is derived solely from the people. The people exercise power directly through national referendums and free elections and delegate the exercise of their power to State bodies. State authority in Kazakhstan is unitary and is based on the Constitution and laws, with the government divided into legislative, executive and judicial branches and relations between them subject to checks and balances (art. 3).

100. Article 4 defines the law in force in Kazakhstan and recognizes that the Constitution has supreme legal force and is directly applicable throughout the country (paras. 1–2). The international agreements ratified by Kazakhstan prevail over its laws. The national legislation determines the procedure and conditions governing the operation in Kazakhstan of the international treaties to which it is a party (para. 3).

101. Article 5 enshrines the principle of ideological and political diversity and regulates the activities of voluntary associations.

102. State and private property are recognized and protected equally (art. 6).

103. Kazakh is the State language of Kazakhstan (art. 7). Kazakhstan respects the principles and rules of international law, pursues a policy of cooperation and good-neighbourly relations among States on the basis of recognition of each other's equal status and non-interference in each other's affairs, the peaceful settlement of international disputes, and renunciation of first use of armed force (art. 8).

104. Section II, entitled "The person and the citizen", deals with human rights, freedoms and responsibilities and with the citizen and citizenship.

105. In accordance with article 12 (1) and (2) of the Constitution, "in Kazakhstan, human rights and freedoms are recognized and guaranteed in accordance with the Constitution", and "human rights and freedoms belong to everyone from birth and are held to be absolute and inalienable; they determine the content and application of laws, regulations and other enactments".

106. The basic human rights and freedoms and rights and freedoms of citizens set out in section II of the Constitution are innate and are recognized as absolute and inalienable (art. 12 (2)). They include the right to recognition of legal personality (art. 13 (1)), the right to life (art. 15 (1)), the right to personal freedom (art. 16 (1)), the right to dignity (art. 17 (1)) and freedom of speech (art. 20 (1) and (2)). The rights and freedoms set out in articles 11, 13 to 15, 16 (1), 17, 19, 22 and 26 (2) may not be restricted under any circumstances (Constitution, art. 39 (3)).

107. Sections III (President), IV (Parliament) and V (Government) set out the rules governing the election or appointment of the President, Parliament and the Government, their powers, functions and lines of action in various political situations, their relations with other bodies, their work to develop the country economically and their conduct of domestic and foreign policy. The areas of activity of the Constitutional Council are set out in section VI (Constitutional Council). The rules governing the formation of the courts and the judicial system and their activities are set out in section VII (The courts and the judiciary). The rules governing local State government are set out in section VIII (Local State government and self-government). Section IX contains concluding and transitional provisions on the procedure for implementing certain constitutional rules.

108. Article 91 of the Constitution establishes the procedure for amending the Constitution. Pursuant to article 91 (1), the Constitution may be amended by national referendum held either by decision of the President acting on his or her own initiative or at the proposal of Parliament or the Government. A draft amendment to the Constitution is not put to a national referendum if the President decides to submit it to Parliament for consideration. In such cases, Parliament takes a decision in accordance with the procedure set out in the Constitution. If the President rejects a parliamentary proposal to hold a national referendum on a constitutional amendment, Parliament is entitled, by a majority of at least four fifths of the total membership of each house, to pass a law incorporating the

amendment in question into the Constitution. In that case, the President either signs the law or puts it to a national referendum, which is deemed to have been held if votes are cast by more than one half of the citizens entitled to take part in national referendums. A constitutional amendment put to a national referendum is deemed to have been adopted if it carries the support of more than one half of the citizens participating in the vote in at least two thirds of the provinces, the capital and the major cities with a special status.

109. Pursuant to article 91 (2) of the Constitution, the independence of the State, the unitary system, territorial integrity and form of government of the Republic, and the fundamental principles of its activities, as set forth by the founder of independent Kazakhstan, its first President, the *Elbasy* (the Head of State), and his status are immutable.

110. Constitutional amendments are put to a national referendum or submitted to Parliament for consideration if the Constitutional Council has issued an opinion indicating that they comply with the requirements of article 91 (2) of the Constitution. The 1995 Constitution was amended four times when it was in force.

111. Act No. 284-I of 7 October 1998 amending the Constitution introduced amendments to 19 articles of the Constitution. The purpose of these amendments was to improve the country's political system with a view to increasing active popular participation in affairs of State. The introduction of a mixed electoral system was an important step in this direction. Thus, the number of members of the Majilis, one of the houses of Parliament, was increased by 10, and these additional seats are awarded on a proportional basis to political parties on the party lists that are successful in elections. The major amendments to the Constitution included expanding the powers of Parliament, strengthening the accountability of members of the Government to Parliament and increasing the term served by Members of Parliament from four years to five years for members of the Majilis and to six years for members of the Senate. The Constitution was supplemented with a provision on the election (or appointment) of heads of the local authorities (*akims*) (except for the heads of provinces, the capital and the major cities with a special status) in accordance with the procedure set down by the President. Jury trials and other changes have been introduced into criminal proceedings.

112. On the second occasion, the Constitution was amended by Act No. 254-III of 21 May 2007 amending the Constitution, which introduced amendments to 40 articles, including the addition of article 94-1. The main substantive elements of this constitutional reform were: lifting the ban on the merger of voluntary and State institutions and on the public funding of voluntary associations; restricting the use of the death penalty and ensuring that only a court may order a person to be remanded in custody; updating the status of the Majilis and the Senate and endowing the Majilis with the function of implementing party programmes; increasing the number of senators appointed by the President to 15; creating a new mechanism to govern relations between the legislative branch, or Parliament (principally the Majilis), and the executive branch of government; and enhancing the constitutional status of the Supreme Judicial Council as well as the People's Assembly of Kazakhstan, with the Assembly electing nine members of the Majilis. Amendments were introduced to certain constitutional provisions regulating the activities of the judicial and law enforcement systems, local government and self-government.

113. On the third occasion, paragraph 3-1, which established extraordinary elections for the position of Head of State, was added to article 41 pursuant to Act No. 403-IV of 2 February 2011 amending the Constitution of the Republic of Kazakhstan.

114. The 2017 constitutional reform was a logical step in the gradual and comprehensive process of reshaping society and the State. Act No. 51-VI of 10 March 2017 amending the Constitution introduced changes to 25 articles of the Constitution.

115. Several of these amendments were aimed at ensuring the supremacy of the Constitution in the system of existing law and its unconditional implementation across the country, improving State governance, strengthening the protection of human rights and freedoms and the rights and freedoms of citizens, as set out in the Constitution, and ensuring that citizens fulfil their constitutional duties.

116. The Act brought about a democratic modernization of the presidential form of government by clarifying the constitutional status of the Head of State, strengthening the role, independence and accountability of Parliament and the Government, and redistributing powers among the President, Parliament and the Government on the basis of the principles of unity and the separation of powers. It provides for changes to the constitutional framework for the judicial system and the procurator's office.

117. Act No. 51-VI of 10 March 2017 amending the Constitution of Kazakhstan strengthened constitutional oversight and enhanced the accountability of the Constitutional Council with an eye to increasing the effective operation of the Constitution.

118. The list of specially protected constitutional values was expanded under article 91 (2) of the Constitution: "The constitutionally established independence of the State, unity, territorial integrity and form of government of the Republic, and fundamental principles of its activities, as set forth by the founder of independent Kazakhstan, its first President, the *Elbasy* (the Head of State), and his status are immutable."

119. The amendments introduced by the Act give the constitutional values and the fundamental principles of the Republic added substance.

120. The President, Members of Parliament, and the Government have the right to initiate legislation, which may be exercised only in the Majilis.

121. The President has the right to prioritize the consideration of bills, which means that they must be voted on as a matter of priority, within two months.

122. Parliament has the right to issue laws regulating the most important social issues and establishing the basic principles and rules concerning: the legal personality, civil rights, freedoms, duties and responsibilities of individuals and entities; ownership and other property rights; the principles governing the organization and activities of State bodies and local self-government bodies and civil and military service; taxation and the introduction of fees and other mandatory charges; the national budget; matters concerning the judiciary and legal proceedings; education, health care and social security; the privatization of State-owned companies and their assets; environmental protection; the administrative and territorial structure of Kazakhstan; and national defence and security.

123. All other issues are regulated by delegated legislation.

124. Parliament adopts legislative instruments in the form of national laws, parliamentary decisions, and decisions of the Senate and the Majilis, which are binding across the entire country.

125. National laws enter into force upon signature by the President.

126. Such laws and the decisions of Parliament and its houses must not be at variance with the Constitution. The decisions of Parliament and its houses must not contradict any laws.

127. The procedure for drafting, submitting, discussing, enacting and promulgating legislative acts and other laws and regulations is addressed in a special law and the regulations of Parliament and its houses.

(b) President

128. Article 1 (1) of the Constitution stipulates that Kazakhstan is a unitary State with a presidential form of government.

129. The President of Kazakhstan is the Head of State and the country's highest official who determines the main aims of domestic and foreign State policy and represents Kazakhstan domestically and internationally.

130. The President is the symbol and guarantor of the unity of the people and government, the inviolability of the Constitution and human rights and freedoms and the rights and freedoms of citizens.

131. The President ensures the coordinated functioning of all branches of government and the accountability of the authorities to the people.

132. In accordance with Constitutional Act No. 2464 of 28 September 1995 on Elections, 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.

133. Citizens of Kazakhstan by birth who are at least 40 years of age, fluent in the State language, have lived in Kazakhstan for the previous 15 years and have higher education are eligible to be elected president. Additional requirements for presidential candidates may be established by constitutional law.

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

135. On the basis and in implementation of the Constitution and laws, the President issues decrees and orders that are binding throughout the country.

136. In his address to the people of 25 January 2017, the President outlined the main points in his proposal to reform the division of powers between the branches of government.

137. On 10 March 2017, the Head of State, Nursultan Nazarbayev, signed the Act amending the Constitution of Kazakhstan, in accordance with which powers were redistributed among the branches. The Act introduced 26 amendments to 19 articles of the Constitution.

138. Responsibility for establishing the procedure for appointing or electing administrative heads of districts, cities (except for the capital and the major cities with a special status), districts within cities, rural areas, villages (*auls*) and rural settlements has been delegated to Parliament; this responsibility had previously been assigned to the President pursuant to article 17 of Constitutional Act No. 2733 of 26 December 1995 on the President of the Republic of Kazakhstan.

139. Changes to the President's powers to repeal government decisions and prime ministerial orders are envisaged; under those changes, such enactments could be repealed only by the Government and the Prime Minister, respectively. This therefore abolishes the President's right to repeal or suspend governmental or prime ministerial enactments, which strengthens the Government's independence and accountability.

140. The amendments to the Constitution have brought about a democratic modernization of the presidential system by strengthening the role, independence and accountability of Parliament and the Government and devolving some of the President's powers to them.

141. The President may be turned out of office before the end of his or her term if the President is no longer able to perform his or her duties owing to ill health.

142. The President is responsible for actions taken in the performance of his or her duties only in the event of high treason and may thus be removed from office by Parliament.

143. The President may be removed from office by Parliament only if he or she commits high treason.

144. The removal of the President from office may not be initiated when he or she is considering the possibility of the early dissolution of Parliament or its lower house.

145. If the President of Kazakhstan is removed or dismissed or dies before the expiry of his or her term, the powers of the President pass to the President of the Senate for the remainder of the term; if the President of the Senate is unable to assume the powers of the President of the Republic, they pass to the President of the Majilis; if the President of the Majilis is unable to assume the powers of the President of the Republic, they pass to the Prime Minister. A person who assumes the powers of the President must resign from the positions of President of the Senate, President of the Majilis or Prime Minister, as appropriate. In such cases, the vacant government post is filled in the manner prescribed by the Constitution.

146. A person who assumes the powers of the President, on the grounds and in the manner prescribed in article 48 (1) of the Constitution, does not have the right to introduce amendments to the Constitution.

147. The status and powers of the first President of Kazakhstan are set out in the Constitution of Kazakhstan and Constitutional Act No. 83-II of 20 July 2000 on the First President of the Republic of Kazakhstan and Leader of the Nation.

148. The Security Council Act was adopted on 5 July 2018. The Act determines the legal status, powers and organization of the activities of the Security Council of Kazakhstan. The law stipulates that, “by virtue of his historical mission, the first President of the Republic of Kazakhstan, the *Elbasy* (Head of State), has the right to preside over the Security Council for life”.

149. The Security Council is a constitutional body set up by the President of Kazakhstan. It coordinates the implementation of a common national security and defence policy with a view to maintaining internal political stability and protecting the constitutional order, State independence and the territorial integrity and national interests of Kazakhstan on the international stage.

(c) Parliament

150. Parliament is the supreme representative body of the Republic exercising legislative power.

151. It consists of two houses in continuous session: the Senate and the Majilis.

152. The composition of the Senate is determined in the manner prescribed by constitutional law and consists of two persons from each province, the capital and each of the major cities with a special status. The President appoints 15 senators, taking into account the need to ensure that the ethnic cultural and other important interests of society are represented in the Senate.

153. The Majilis has 107 members who are elected in accordance with constitutional law.

154. Members of the Senate serve a six-year term and members of the Majilis a five-year term.

155. Of the members of the Majilis, 98 are elected on the basis of universal, equal and direct suffrage by secret ballot, and 9 are elected by the People’s Assembly of Kazakhstan. Regular elections for members of the Majilis are held no later than two months prior to the end of the current parliament.

156. Senators are elected by secret ballot on the basis of indirect suffrage. Half of the elected members of the Senate are re-elected every three years. Regular senatorial elections are held no later than two months prior to the expiry of their term of office.

157. Extraordinary elections of Members of Parliament or members of its lower house are held within two months of the early suspension of Parliament or its lower house, as appropriate.

158. Only citizens of Kazakhstan who have resided permanently in its territory for the previous 10 years may serve as Members of Parliament. Only persons who have reached the age of 30 years, have a higher education and at least five years of work experience and have resided permanently in the relevant province, the capital or the major cities with a special status for at least three years may serve as senators. The minimum age for a member of the Majilis is 25 years.

159. 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 missing with whereabouts unknown, and in the other cases specified in the Constitution and constitutional legislation.

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

161. The mandates of members of either house of Parliament are terminated in the event of the dissolution of the house in question.

162. Parliament adopts and amends laws and ratifies and denounces international treaties.

163. At joint sessions of its two houses, Parliament may adopt amendments to the Constitution, at the proposal of the President, and approve the reports of the Government and the National Budget Performance Monitoring Committee regarding the execution of the national budget. Failure by Parliament to approve the Government's national budget performance reports constitutes a vote of no confidence in the Government. Parliament also takes decisions on matters of war and peace; takes decisions on the use of the armed forces to fulfil international obligations for the maintenance of peace and security; hears annual messages from the Constitutional Council regarding the observance of constitutional law in the country; forms joint commissions of the houses, elects and dismisses their Presidents and hears reports on their activities; and exercises other powers vested in it by the Constitution.

164. The President, Members of Parliament and the Government have the right to initiate legislation, which may be exercised only in the Majilis.

165. By conducting a detailed examination of the issues in two readings, first in the Majilis and then in the Senate, Parliament adopts laws and constitutional laws, including those approving or amending the national budget, introducing and abolishing State taxes and duties, establishing a procedure for addressing matters concerning the administrative and territorial structure of Kazakhstan, awarding State decorations, addressing matters of amnesty, and ratifying and denouncing international treaties.

166. 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.

167. Without the participation of the other house, each of the houses of Parliament: appoints two members to the Constitutional Council; appoints two members to the Central Election Commission and three members to the National Budget Performance Monitoring Committee, each for a five-year term; appoints half of the members of the commission to be formed by Parliament in the circumstances set out in article 47 (1) of the Constitution; elects half of the members of joint commissions of the houses; dismisses members of the houses and, at the proposal of the Procurator General, takes decisions regarding the lifting of a member's immunity; conducts parliamentary hearings on matters that fall within its competence; and may, by a majority of not less than one third of its total membership, hear reports by members of the Government on aspects of their work. Once the report has been heard, a majority of not less than two thirds of the total membership of the house may petition the President for the dismissal of a member of the Government if he or she has breached the law. In this case, the President dismisses the member of the Government, forms coordination and working bodies of the houses and adopts regulations governing their activities and other decisions on matters concerning the organization and internal rules of the house.

168. After consulting the Presidents of the two houses of Parliament and the Prime Minister, the President of the Republic may dissolve Parliament or its lower house.

169. The organization and activities of Parliament and the legal status of its members are set out in Constitutional Act No. 2529 of 16 October 1995 on the Parliament of the Republic of Kazakhstan and the Status of its Members.

(d) Government

170. The Government exercises executive power in Kazakhstan, is in charge of the central authorities and directs their work.

171. The Government is a collegial body and is accountable to the President and to Parliament.

172. The Government's powers, organizational procedures and activities are set out in Constitutional Act No. 2688 of 18 December 1995 on the Government of the Republic of Kazakhstan.

173. The Government has the right to initiate legislation, which may be exercised only in the Majilis.

174. The President forms the Government as follows:

- Following consultations with parliamentary parties represented in the Majilis, the President submits to the Majilis for approval his or her candidate for the post of prime minister
- With the agreement of the Majilis, the President appoints the Prime Minister
- At the Prime Minister's proposal, the President determines the structure of the Government
- At the Prime Minister's proposal, following consultations with the Majilis, the President appoints the members of the Government
- The President independently appoints the ministers of foreign affairs, defence and internal affairs
- The President swears in the members of the Government

175. The Government of Kazakhstan: prepares the general thrust of the State's socioeconomic policy, defence capability, security and public law and order; organizes their implementation; approves State programmes and provides for their implementation, in agreement with the President; submits the national budget to Parliament and a report on its execution; provides for the execution of the budget; submits bills to the Majilis and provides for their enactment; organizes the management of State property; draws up measures regarding the conduct of State foreign policy; directs the work of ministries, State committees and other central and local executive bodies; fully or partially revokes or suspends acts issued by these bodies; approves, in agreement with the President, a unified system for financing and paying the salaries of the staff of all State-funded bodies; and carries out other functions assigned to it by the Constitution, laws and presidential decrees. The Prime Minister: organizes and manages the activities of the Government and is personally responsible for its work; signs government decisions; and reports to the President and Parliament on the main areas of the Government's work and on all its major decisions and other functions related to the organization and management of the Government's activities. Members of the Government take independent decisions within the limits of their powers and are personally accountable to the Prime Minister for the State bodies under their authority. A member of the Government who does not agree with a policy pursued by the Government or who does not pursue it must resign or face dismissal. The Government resigns once a new Majilis is elected.

176. The Government, or any of its members, may tender their resignation to the President if they are deemed no longer able to discharge their functions.

177. The Government tenders its resignation to the President if the Majilis or Parliament passes a vote of no confidence in it.

178. Acceptance of the resignation denotes the end of the Government's term or that of the member in question. Acceptance of prime minister's resignation denotes the end of the term of the Government as a whole.

179. 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 from office amounts to the dissolution of the Government.

180. At joint sessions of its two houses, Parliament approves reports of the Government and the National Budget Performance Monitoring Committee regarding the execution of the national budget. Failure by Parliament to approve the Government's budget performance reports constitutes a vote of no confidence in the Government.

181. At the initiative of at least one third of its total membership, each of the houses of Parliament may, independently and without the involvement of the other, hear reports by members of the Government on aspects of their work. Once it has heard the report, each house is entitled, by a majority vote of no less than two thirds of its total membership, to make an appeal to the President of the Republic for the removal from office of a member of the Government for failing to comply with the law. The President then dismisses that member of the Government.

(e) Constitutional Council

182. The Constitutional Council is a State body that ensures the primacy of the Constitution of Kazakhstan throughout its territory. It exercises its powers impartially and independently of other State bodies, organizations, officials and citizens and is subject only to the Constitution.

183. The Constitutional Council has seven members who serve a six-year term. Former Presidents of the Republic are life members of the Council.

184. The President of the Republic appoints the President of the Constitutional Council and has the deciding vote in the event of a tie.

185. Two members of the Constitutional Council are appointed by the President of the Republic, and the Senate and the Majilis each appoint two members.

186. Half of the members of the Constitutional Council are renewed every three years.

187. In accordance with the Constitution of 30 August 1995, the original composition of the Constitutional Council was determined as follows: the President of the Republic, the President of the Senate and the President of the Majilis each appointed one member of the Constitutional Council for a three-year term and another for a six-year term, and the President of the Republic appointed the President of the Constitutional Council for a six-year term.

188. Constitutional Act No. 2737 of 29 December 1995 on the Constitutional Council governs the Council's organization and activities.

189. At the request of the President of the Republic, the President of the Senate, the President of the Majilis, a majority of at least one fifth of the total membership of Parliament or the Prime Minister, the Constitutional Council: rules on the correctness of the conduct of the election of the President or Members of Parliament and the conduct of national referendums in the event of a dispute; reviews the laws adopted by Parliament before signature by the President to ensure their compatibility with the Constitution; examines international treaties before their ratification, for the same purpose; issues official interpretations of provisions of the Constitution; and, prior to the adoption by Parliament of a decision on the early dismissal of the President or a final decision on his or her removal, issues opinions on compliance with established constitutional procedures, as appropriate.

190. At the President's request, the Constitutional Council examines laws and other instruments that have entered into force for consistency with the Constitution with a view to protecting human rights and freedoms and the rights and freedoms of citizens and ensuring national security, sovereignty and State integrity. The Council also issues opinions in the circumstances prescribed in article 91 (3) of the Constitution.

191. The Constitutional Council considers applications from the courts to have instruments declared unconstitutional if a court considers that a law, regulation or other applicable enactment infringes the human rights and freedoms and rights and freedoms of citizens set out in the Constitution. In addition, on the basis of the overview of constitutional proceedings, the Constitutional Council addresses Parliament on the observance of constitutional law in the Republic.

192. The Constitutional Council issues its decision within one month of receipt of the application for review. For urgent issues, this period can be reduced to 10 days at the request of the President.

193. Laws and international treaties found to be at variance with the Constitution cannot be signed and therefore cannot be ratified or enter into force.

194. Laws and other enactments found to be unconstitutional, including those infringing the human rights and freedoms or rights and freedoms of citizens enshrined in the Constitution, are repealed and cease to be applicable.

195. The decisions of the Constitutional Council enter into force on the day of their adoption; they are binding throughout the country, final and not subject to appeal.

196. Between January 1996 and January 2017, the Constitutional Council received over 190 applications, including 21 from the President, 77 from the Presidents of the two houses of Parliament and its members, 27 from the Prime Minister and 67 from the courts.

197. In all, the Constitutional Council has adopted over 140 prescriptive decisions, including 6 providing additional interpretation of earlier decisions.

198. Between 1996 and 2008, the Constitutional Council delivered 22 addresses on the observance of constitutional law at joint sessions of the houses of Parliament. They touched on human rights protection, the improvement of the law-making process, the harmonization of legislation with the Constitution, the judicial system and legal proceedings, the administrative reform under way and other areas regulated by the Constitution.

(f) Judicial system

199. In accordance with the Constitution of Kazakhstan, justice in the Republic is administered only by the courts.

200. Judicial power is vested only in the courts in the person of regular judges and jurors involved in criminal proceedings in the circumstances and manner established by law.

201. Judicial power is exercised on behalf of the Republic of Kazakhstan and is intended to protect the rights, freedoms and legitimate interests of citizens and organizations and ensure implementation of the Constitution, laws, other legislative and regulatory instruments and international treaties.

202. No one may be deprived of the right to a trial in accordance with all the requirements of the law and justice by a competent, independent and impartial court.

203. Since gaining independence, Kazakhstan has made great progress in becoming a sovereign and democratic State based on the rule of law and has done so in a short space of time by historical standards.

204. Pursuant to the 1991 Constitutional Act on State Independence and the 1993 Constitution, the judiciary was recognized as one of the branches of government.

205. The current Constitution, adopted in 1995, has played a key role in the country's development. It set out the strategic aims for the development of society and the State, strengthened basic human rights and freedoms and the rights and freedoms of citizens and introduced a new system of State institutions.

206. The Constitution set out the basic rules governing the judicial system and the operation of the country's courts, the principle of the unity of the judicial system, and safeguards for the independence of courts and judges and their status and role with regard to the protection of human rights and freedoms.

207. Pursuant to a presidential decree of 1995 on the courts and the status of judges, which has the status of constitutional law, and to the Constitutional Act on the Judicial System and the Status of Judges, of 2000, everyone is guaranteed judicial protection against any unlawful infringements, decisions, actions and omissions on the part of State bodies, organizations, officials and other persons who violate or restrict their rights, freedoms and legitimate interests.

208. The national legal policy framework for 2002–2010, which was adopted in 2002, expands the judicial protection of the rights of citizens and enhances access to justice.

209. Its implementation involved the establishment of specialized inter-district economic and administrative courts, juvenile courts and criminal courts.

210. The Jurisdiction Act was adopted to strengthen the role of local courts, simplify court proceedings and strengthen the role of appellate courts.

211. The constitutional amendments of 2007 abolished the death penalty for all offences other than acts of terrorism that cause fatalities and especially serious offences in wartime. The remand of persons in custody is now subject to a judicial decision, which is an important mechanism for protecting the constitutional rights of citizens.

212. The Head of State highlighted the further development of the justice system in the Strategy for the Development of Kazakhstan for the period up to 2050. One of the main goals of this strategy and the National Plan entitled “100 Concrete Steps: A Modern State for All” is to make Kazakhstan into one of the 30 most developed States in the world.

213. The plan, announced in 2015, provides for institutional reforms in five main areas: (1) creating a modern machinery of government; (2) ensuring the rule of law; (3) industrialization and economic growth; (4) forming a shared national vision; and (5) creating an accountable and transparent State.

214. Efforts to modernize the judicial system have been an important component of the reforms aimed at ensuring the supremacy of the law. In a short space of time, the judicial system has been streamlined through a transition from a court structure with five levels to one with three. The functions of the courts of cassation were transferred from provincial courts to the Supreme Court, and courts of supervisory instance were abolished.

215. The Supreme Court set up a specialized investment dispute board and the International Council for the Adoption of Foreign Best Practices.

216. The system for selecting judges has been improved, and more stringent qualification requirements for candidates and acting judges have been imposed, so as to enhance the professionalism of the judiciary.

217. The panel of judges on judicial qualifications and nominations has been restructured. The Higher Council of the Judiciary has been radically reformed, becoming an independent State institution for the selection and nomination of judicial personnel, with its own staff.

218. An Academy of Justice has been established under the Supreme Court. It will offer a specialized master’s programme and operate an advanced training institute for judges and a research centre.

219. A new Code of Civil Procedure has been adopted and entered into force on 1 January 2016. It provides for an easy and fast procedure for hearing civil cases aimed at conciliation and widening the use of information technologies in the judicial system.

220. The Code introduced a number of significant amendments, including an expansion of the list of cases heard in simplified proceedings and the introduction of judicial mediation, alternative dispute resolution and writs of execution. The Code increases the requirements for preparing a case to be brought before the courts, makes the parties liable for court costs in the event that the hearing of a case is delayed, extends the jurisdiction of juvenile courts and minimizes the involvement of the procurator.

221. The criminal justice model in place since 2015 has been altered so as to expand the use of juries and the powers of investigative judges.

222. One of the most important measures was the introduction of mandatory audio and video recording for all trials, and courtrooms were accordingly fitted throughout with modern equipment.

223. The judicial system in Kazakhstan consists of the Supreme Court and local and other courts.

224. The Supreme Court is the highest judicial body in civil, criminal and other matters. It functions as a court of cassation for such matters and interprets points of judicial practice.

225. The organs of the Supreme Court are:

- Plenary
- Bureau of the plenary
- Civil division
- Criminal division
- Specialized division

226. Local courts include provincial and related courts (and courts of the cities of Astana and Almaty and military courts) (referred to hereinafter as provincial courts) and district and related courts (and city and inter-district specialized courts).

227. Provincial courts are judicial bodies that perform an appellate function for civil, criminal and other matters under their jurisdiction.

228. The organs of the provincial court are:

- Plenary
- Bureau of the plenary
- Civil division
- Criminal division

229. Kazakhstan currently has 371 courts. These are the Supreme Court, 17 provincial and related courts, 353 district courts (including specialized courts: 10 military, 16 economic, 26 administrative, 17 criminal and 19 juvenile courts).

230. Candidates for the position of judge in Kazakhstan are selected and appointed on a competitive basis.

231. The President and the judges of the Supreme Court are elected by the Senate at the proposal of the President of the Republic on the basis of a recommendation of the Supreme Judicial Council.

232. The Presidents and judges of local courts are appointed by the President of the Republic on the basis of recommendations made by the same body.

233. The Supreme Judicial Council is a permanent independent body established to ensure the President's constitutional powers to form the courts and guarantee the independence of judges and their immunity.

234. Judges and retired judges make up half of the membership of the Supreme Judicial Council, and Supreme Court judges and retired provincial and district judges enjoy equal representation.

235. There is a special law to regulate the functions and powers of the Supreme Judicial Council.

236. The above-mentioned panel of judges includes disciplinary and qualification commissions.

237. The panel evaluates the professional performance of judges after their first year of service and every five years thereafter when it participates in competitive examinations for the post of judges of higher courts, President of the court and President of a court division.

238. The panel has also been empowered to consider complaints from citizens regarding the actions of judges, matters concerning the affirmation of a judge's right to retiree status and the termination of that right and matters concerning disciplinary action against judges.

239. With respect to judicial training, the Academy of Justice under the Supreme Court is a special-status higher educational institution that carries out postgraduate educational programmes and conducts retraining and skills development for staff in the judicial system and research.

240. As for measures to integrate the latest international standards into the practice of the Kazakh courts, the Supreme Court regularly cooperates with international partners in all key areas of development. These include the United Nations Office in Kazakhstan, the United Nations Development Programme, the United Nations Children's Fund (UNICEF), the International Organization for Migration (IOM) and the Organization for Security and Cooperation in Europe Programme Office in Astana. A constructive partnership has been formed with the European Union within the framework of the rule of law initiative, the Deutsche Gesellschaft für Internationale Zusammenarbeit, the German Foundation for International Legal Cooperation, the American Bar Association and the World Bank.

241. The acceptance of the Union of Judges of Kazakhstan, a national voluntary association, as a full member of the International Association of Judges in 2012 is evidence of the work done by the judicial community of Kazakhstan to guarantee the rights and freedoms of citizens. This has a positive impact on the further integration of Kazakh justice into the global legal system and on the level of judicial protection enjoyed by Kazakh citizens and their well-being.

242. The International Council under the Supreme Court acts as an advisory and consultative body to implement international best practices and improve the legal regulation of the activities and law enforcement practice of the courts. This is the first time that such a body has been set up in the judicial system.

243. The right to seek an opinion from the experts and specialists of the Council is enshrined in law in the context of the consideration of investment disputes.

244. International rankings: the judicial system is currently fairly effective in ensuring the rule of law.

245. The country has jumped 6 places (from 71 to 65) on the Rule of Law Index compiled by the World Justice Project, an international NGO.

246. In the past year, the Kazakh courts climbed five places, to occupy the ninth spot among 189 countries, for the effectiveness of dispute resolution on the Doing Business ranking compiled by the World Bank.

247. Use of information technologies in court proceedings. In recent years, active measures have been taken to integrate advanced information technologies, which increase the efficiency and transparency of justice, into the practice of the courts. The main goal is to create easy, simple and user-friendly tools with which the public can contact the courts at the most convenient time and in the easiest way possible.

248. All stages of judicial activity have been digitized, from the receipt of documents, the automatic processing of claims and cases and court proceedings right up to the issuance of decisions and writs of execution.

249. Electronic statements of claim can be submitted via the “Judicial Office” portal. In the past year, six of the portal’s sections have been updated, and it is now possible to file appeals, cassational appeals and other applications electronically, conduct a search of court cases and find information on their progress, and apply for legal certification of official documents issued by judicial bodies.

250. The mobile version of this portal allows Internet users to access information on scheduled court hearings, consult electronic documents, download them to a mobile device, track their current status, add events to a calendar and add information concerning court hearings to which the user is a party.

251. In 2016, 81 per cent of claims to the Kazakh courts were received electronically, through the portal. Parties to proceedings received over 1.5 million electronic notifications (regarding the receipt of their claims, the dates set for consideration, the issuance of judicial instruments and so forth).

252. One of the key innovations is the introduction of a new information system, Törelük, which hosts all the electronic portals of the Supreme Court.

253. In addition, the court information system has been integrated with the systems used by other State bodies to ensure that access to information is as efficient and cost-effective as possible.

254. As a result, digitization measures make it possible to organize the work of judges effectively, to significantly simplify and streamline the judicial protection of the rights and freedoms of citizens, to provide mechanisms for monitoring and collecting information and to minimize the impact of human error and contacts between parties to the proceedings judges and judicial staff outside the courtroom on the ongoing work of the courts.

255. The courts are actively introducing audio and video systems to record trials. All courtrooms have now been fitted with modern technical equipment, which also serves to facilitate remote participation in the judicial process.

256. The use of videoconference systems will make it possible to hear criminal cases without transferring defendants from prison. In addition, it will make it possible for the parties to the proceedings to participate from other regions in the country, thereby significantly expediting the process.

257. Information technologies are becoming increasingly important for the purposes of analysis and ensuring consistent judicial practice. One of the new developments in this regard is the Taldaw Forum service, which contains a database of judicial instruments, case law analysis, reference information and regulatory decisions of the Supreme Court, categorized by type of case.

258. Facilitating the work of the courts: in accordance with the Constitution and the Constitutional Act on the Judicial System and the Status of Judges, organizational, material and technical support for the activities of the Supreme Court is provided by a competent body established by the President of Kazakhstan.

259. The creation of a special State body with these functions is considered an important step in ensuring the independence of the judiciary and preventing the executive bodies from exercising any unlawful influence on the courts.

260. The department to facilitate the work of the courts under the Supreme Court and its local subdivisions in the regions manage provincial and military courts, provide staffing, analytical, legal, financial and technical support to the courts, maintain judicial statistics, work to digitize the courts, organize legal assistance and develop international links in addition to exercising other powers assigned to them.

261. The Kazakh judicial system currently satisfies all the requirements of a State governed by the rule of law, successfully ensures compliance with the Constitution and the law, and protects the rights, freedoms and legitimate interests of citizens and organizations.

262. In the light of new challenges to the implementation of national strategic plans for the development of Kazakhstan, the Supreme Court is further modernizing the justice system on the basis of past experience and the latest international standards.

(g) Office of the Procurator

263. On behalf of the State, the Procurator's Office exercises overall supervision of due process of law in Kazakhstan in accordance within the limits and in the manner established by law, represents the State in court and conducts criminal prosecutions on its behalf.

264. The procurator's office is a unified and centralized system staffed by junior procurators subordinate to senior procurators and to the Procurator General. It exercises its powers independently of other State bodies and officials and is answerable solely to the President.

265. The Procurator General serves a five-year term.

266. The powers, organization and procedure of the procurator's office are set out in the Procurator's Office Act of 21 December 1995.

(h) Local authorities

267. State government at the local level is in the hands of local representative and executive bodies, which are responsible for carrying out State policy in their respective areas and developing such policy within the limits of their powers as set out in the Act on State Government and Self-Government at the Local Level and other national legislative acts. These bodies are responsible for the state of affairs in the area in question.

268. Local representative bodies (*maslikhats*) are elected by the people of a province, a major city with a special status, the capital or a district (or a city with the status of a province). They express the will of the people and, in accordance with national legislation,

determine the measures needed to implement that will and monitor the implementation of such measures.

269. The responsibilities of these local councils include: approving plans and economic and social programmes for the development of the area in question and local budgets and reports on their performance, including budget programmes implemented by administrative heads of a district within a city, a city with the status of a district, a town, a village or a rural area (for each of them separately).

270. The local councils are responsible for: approving plans and economic and social programmes for the development of an area and local budgets and reports on their performance, dealing with matters that fall within their competence concerning the local administrative organization, considering reports of the directors of local executive bodies on matters that fall within their competence by law, establishing standing committees and other working groups of the council, hearing reports on their activities, dealing with other matters relating to the organization of the work of the council and performing other functions in accordance with national legislation to protect the rights and legitimate interests of citizens.

271. Local authorities (*akimat*) are collegiate executive bodies headed by an administrative head of a province, the capital or other major city with a special status, a district or a city with the status of a province that, within the limits of their powers, carry out local-level State government and self-government over the area in question.

272. Local executive bodies are responsible for: drawing up plans and economic and social programmes for the development of the area, the local budget and its execution, managing community property, appointing and dismissing heads of local executive bodies, dealing with other issues relating to the organization of the work of local executive bodies, and exercising other powers vested in local executive bodies by the legislation of Kazakhstan in the interests of local State government. The local authority is run by the head (*akim*) of the relevant administrative and territorial unit, who represents the President and the Government of Kazakhstan.

273. The administrative heads of provinces, the capital and other major cities with a special status are appointed by the President with the approval of the local representative bodies of the relevant province, the capital or other major city with a special status.

274. A motion of no confidence in an administrative head may be tabled at the proposal of at least one fifth of the total membership of a local representative body. In such cases, that body is entitled, by a simple majority of its total membership, to express its lack of confidence in the administrative head and submit a request for his or her removal from office to the President of the Republic or to a more senior administrative head, as appropriate. The mandates of administrative heads of provinces, the capital and other major cities with a special status are terminated when a newly elected President of the Republic takes up his or her post.

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

(i) Human Rights Commission under the Office of the President

276. In accordance with the universally recognized principles relating to the status of national institutions for the promotion and protection of human rights (the Paris Principles), Kazakhstan has two different national human rights institutions: the Human Rights Commission and the Office of the Human Rights Commissioner.

277. The Commission is an example of one of the most common forms of national human rights institution in the world.

278. The Commission is an advisory and consultative body under the Office of the President. It assists the Head of State in the exercise of his or her constitutional powers as guarantor of human rights and freedoms and the rights and freedoms of citizens.

279. The Commission serves as the main link, or bridge, between the Head of State, on the one hand, and civil society and NGOs working on human rights, on the other. The Commission is an effective platform for dialogue on human rights under the Office of the President and studies public opinion, current legislation and law enforcement practice. It keeps the President, Parliament and the Government informed of the human rights situation in the country and the needs of civil society. It acts as an independent public advisor to the Head of State, who has deemed it to be necessary and useful as an additional and at times contrasting source of information and new ideas in the field of human rights protection.

280. In many respects, the Human Rights Commission is unique. On the one hand, it operates on a voluntary basis, as all its members hold permanent positions in other State bodies, higher education institutions, NGOs, religious associations or media outlets. On the other, civil society and State body representatives serve on the Commission, whose membership currently numbers 31, on an equal footing. Thus, 15 of its members represent State bodies and organizations and 16 civil society. This composition, which is in accordance with the Paris Principles, makes it possible to formulate robust, consensus proposals for improving State policy on human rights protection.

281. Each year, the Commission prepares and publishes reports in Kazakh, Russian and English on topical aspects of human rights protection and disseminates them among the population. The Commission's partners in this regard are NGOs and international organizations accredited in Kazakhstan.

282. The Commission devotes special attention to protecting the rights of the most vulnerable population groups. For example, according to data compiled by the Office of the United Nations High Commissioner for Refugees (UNHCR) and IOM, the Commission's projects to protect the rights of repatriates, stateless persons, refugees, migrant workers and victims of trafficking are unparalleled in many States in the world. These projects have also been favourably received by international and national experts.

283. The Human Rights Commission is on hand to share its experience in developing human rights initiatives of this kind and others.

284. The Commission regularly conducts training events in Kazakh and Russian on the theme "National and international human rights protection mechanisms" for civil servants, judges, law enforcement officials, NGO representatives and the general public in the regions of Kazakhstan.

285. Each year, the Commission's secretariat considers over 1,000 written and oral communications from individuals and legal entities concerning violations of human rights and freedoms and offers assistance and guidance to central and local executive bodies on handling communications from citizens.

(j) Office of the Human Rights Commissioner

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

287. Prior to the establishment of the Office, efforts were made on various fronts to raise awareness of the institution, and an analysis and forecast were conducted of how it would improve public administration.

288. The National Centre for Human Rights operates under the Office.

289. The Office publishes annual reports on human rights protection in Kazakhstan, the measures taken in response to complaints of human rights violations, its recommendations to State bodies regarding the elimination of violations and the results of their implementation.

290. The constitutional reform of 2017 endowed the Office of the Human Rights Commissioner with a constitutional status. The Constitution was supplemented with a

provision stipulating that the Human Rights Commissioner is elected and dismissed by the Senate at the proposal of the President of the Republic.

291. The new status of the Human Rights Commissioner offers an opportunity to further strengthen the legislation underpinning its work, in accordance with the Paris Principles, a collection of universally accepted standards for national human rights institutions.

(k) National Commission on Women’s Affairs and Family and Demographic Policy under the Office of the President

292. Pursuant to a presidential decree of 1 February 2006, the National Commission on Women’s Affairs and Family and Demographic Policy was established under the Office of the President. It is a consultative and advisory body concerned with the protection of the family, the rights of children, women and men and the development of gender policy.

293. The membership of the Commission includes representatives of governmental, non-governmental and other organizations in Kazakhstan.

294. The Commission is responsible for the implementation of the Convention on the Elimination of All Forms of Discrimination against Women. Since 2000, Kazakhstan has been presenting and defending periodic reports in accordance with the Convention.

(l) Committee for the Protection of Children’s Rights (Ministry of Education and Science)

295. Children’s rights are the focus of significant attention in Kazakhstan. In his annual address to the people of Kazakhstan, entitled “The Kazakh journey 2050: A shared goal, shared interests and a shared future”, President Nazarbayev announced that child protection was a fundamental priority of national policy.

296. The Convention on the Rights of the Child was one of the first international treaties that Kazakhstan signed, on 16 February 1994.

297. In its 25 years of independence, Kazakhstan has developed a national child protection model at the institutional and legislative level in accordance with international standards.

298. In Kazakhstan, child protection legislation is based on the Constitution, the Children’s Rights Act and other laws and regulations.

299. Concerted efforts are being made to implement international instruments in the legal sphere and put them into practice. Around 60 international human rights instruments have been ratified, including more than 15 on children’s rights.

300. A comprehensive plan of action is being implemented to put into effect the previous recommendations of the Committee on the Rights of the Child. Over the years, Kazakhstan has ratified a number of conventions, including the Hague Convention on the Civil Aspects of International Child Abduction, the International Labour Organization Workers with Family Responsibilities Convention, 1981 (No. 156) and the Convention on the Rights of Persons with Disabilities. Thanks to policies under way, gross domestic product per capita is increasing year on year, which makes it possible to increase State spending on child protection. New national programmes and plans for children are being implemented. In September 2015, at the seventieth session of the Committee on the Rights of the Child, held in Geneva, Kazakhstan presented its fourth periodic report on the implementation of the Convention on the Rights of the Child. Following the presentation of this report, an action plan for the implementation of the Committee’s recommendations is being put into effect and has been agreed with all State bodies. The combined fifth and sixth periodic reports are scheduled for submission in September 2021.

301. The Children’s Rights Act has been in force since 2002. Kazakhstan is a party to the Convention on the Rights of the Child. Since 2006, the Ministry of Education and Science has operated a Children’s Rights Committee.

302. The Committee’s main functions are to implement State child protection policy and protect children’s rights and legitimate interests.

303. From 2007 to 2013, local subdivisions, or departments for protecting children's rights, operated in all regions. In 2013, they were reorganized into units for the protection of children's rights under the education directorates of the provinces and the cities of Astana, Almaty and Shymkent.

304. In 2016, the Government ratified the Convention against Discrimination in Education, the Convention on the International Recovery of Child Support and Other Forms of Family Maintenance and the Protocol on the Law Applicable to Maintenance Obligations.

305. Act No. 501-V amending certain legislative acts concerning child protection was adopted on 9 April 2016.

306. On 6 May 2017, Presidential Decree No. 475 on measures to implement the Convention on the International Recovery of Child Support and Other Forms of Family Maintenance of 23 November 2007 was adopted. In 2017, 2 government decisions and 12 orders to protect children's rights and guarantee their security were adopted.

307. The Government's Interdepartmental Commission for Minors and their Rights has been active since 2007. The Committee for the Protection of Children's Rights under the Ministry of Education and Science serves as its executive arm.

308. The Interdepartmental Commission deals with such issues as crime prevention, neglect and homelessness among minors and the work done by police school inspectors and child integration centres to develop the juvenile justice system and prevent child abuse and violence against children.

309. The State has crafted a well-balanced policy to safeguard children's rights and protect their legitimate interests, and centralized and regionalized functions have been separated.

310. An effective inter-agency mechanism has been set up to coordinate the activities of the central and local State bodies and NGOs in implementing State policy for children (21 memorandums of cooperation have been signed with NGOs, including 4 with international organizations).

311. International activities are actively being developed in the field of child rights protection, and joint projects are being implemented with UNICEF, UNHCR, SOS Children's Villages International, Penal Reform International and others.

312. In conjunction with the UNICEF office, the committee continues to implement the international Child-Friendly Cities Initiative, which aims to support 25 participating cities and districts in all aspects of the organization of local government, infrastructure and services in accordance with the Convention on the Rights of the Child.

313. One of the key features of this initiative, which sets it clearly apart from other social programmes, is the requirement for the participation of children and young people in the processes by which decisions affecting their interests are made. This programme is implemented through a platform for monitoring the situation of children in all spheres of life at the local level, within the framework of the Convention on the Rights of the Child, the Millennium Development Goals, the Kazakhstan 2050 National Strategy and other programmes aimed at improving children's quality of life.

314. In all cities in which the Child Friendly Cities Initiative is being implemented, the composition of an inter-agency coordination council is approved by a decision of the local authorities.

315. Since November 2017, the Ministry of Education and Science has been operating an inter-agency working group to develop measures to rehabilitate minors who have returned from terrorist hotspots.

316. Since August 2018, as part of a State social service contract, a public interest project has been implemented to organize activities to deradicalize and rehabilitate minors who arrive in the country from terrorist hotspots.

317. The project involved the establishment of rehabilitation centres in nine of the country's regions (Akmola, Aktobe, Almaty, Atyrau, West Kazakhstan, Karaganda, Mangistau, South Kazakhstan and Astana). They work to improve the quality of special social service provision and to create and develop an inter-agency system for reintegrating families into society.

318. The National Council of Heads of Educational Organizations for Orphans and Children without Parental Care has been operational since 2008.

319. Since 2011, a consultative and advisory council of NGOs has been operating under the Committee for Protection of Children's Rights.

320. The "Self-Discovery" National Council for Personal Moral and Spiritual Development, has been operational since 2013.

321. Measures to prevent crime among children are being carried out as part of inter-agency crime-prevention plans (2017–2019) and the "Kazakhstan without domestic violence" and "Let's protect children together" road maps.

322. On 10 February 2016, the voluntary position of Commissioner for Children's Rights was created to improve the national child protection system. By order of the Head of State, a member of the Senate, Aytpaeva Saule, was appointed Commissioner for Children's Rights.

323. On the initiative of the Commissioner for Children's Rights and the Ministry of Education and Science, and with the support of the UNICEF office in Kazakhstan, an international conference entitled "Child-friendly Kazakhstan" is being held for a third year with the aim of implementing the recommendations of the Committee on the Rights of the Child. A national festival and forum of the same name takes place as part of the conference. Its purpose is to support and encourage children in the country who show talent and promise, create conditions for the comprehensive development of gifted children and children's and young people's creativity and instil in them active and constructive civic spirit and high moral standards anchored in the national idea of Mängilik El. Each year, 320 gifted children from all regions of the country take part in the event.

324. Since 2017, the Commissioner for Children's Rights has operated a 24-hour helpline (111), which takes calls on matters concerning the protection of children's rights, including matters concerning the abuse of minors. The aim of the helpline is to provide information and advisory, legal and psychological assistance.

325. The Committee for the Protection of Children's Rights under the Ministry of Education and Science monitors and oversees the situation of children in the country. Each year, the Head of State is presented with a report on the situation of children in the country.

326. Mechanisms to protect children's rights have been established and are continuously being strengthened. Legislation is being improved proactively. Currently, juvenile justice and inclusive education systems are being developed, and the system for delivering special social services to children is being reformed.

327. The extent to which children are legally protected is one of the indicators identified in the strategic plan of the Ministry of Education and Science for 2017–2021.

328. In order to make progress in this regard, the Ministry is working with NGOs to conduct annual social research and with educational organizations in the provinces and the cities of Almaty, Shymkent and Astana to organize 10 days dedicated to law and conduct surveys among children.

329. Surveys and social research show an increase in literacy rates among children.

330. On the basis of this work, a handbook entitled *The Legal Protection of Children* is published each year. It contains the results of social research and an analysis of international experience and of advanced practice regarding the legal education of parents, specialists belonging to educational institutions and organizations working to protect the rights of children, social workers and NGOs.

331. Each year, the Ministry works with civil society to conduct social research aimed at improving the lives of children.
332. Each year, in April–May, the Ministry and provincial education directorates survey children on the theme “A child’s world and the Convention”.
333. The survey revealed a relatively high level of legal knowledge and awareness among students. Of those surveyed, 86.2 per cent were aware of the Convention on the Rights of the Child and knew that children’s rights were regulated by the Children’s Rights Act (versus 84.6 per cent in 2017).
334. All ministries and agencies responsible for children’s well-being specifically monitor matters concerning the inviolability of children’s lives.
335. Experts have identified anticipation and prevention, awareness-raising among parents and strengthening parent-child relationships as important components of the prevention of violence, suicide and other social problems. Parents should first and foremost care for their children, converse with them and teach them how to find ways out of complex situations.
336. Since 2017, a national database of child orphans and children without parental care and persons wishing to adopt children into their families has been maintained. The requirements placed on accredited adoption agencies have been amended, and new forms of alternative placement have been introduced for child orphans and children left without parental care, such as host and foster families. The penalties applicable for sexual offences against minors have been increased.
337. In implementation of step 97 of the National Plan entitled “100 specific steps to implement the Head of State’s five institutional reforms”, the Committee for Protection of Children’s Rights is contracting out five of its functions on a competitive basis.
338. Compliance with legislation on the protection of children’s rights is monitored.
339. In 2018, a number of legislative, regulatory and legal acts were adopted to identify at-risk children and offer them appropriate assistance and protection.
340. A provision was inserted into the Education Act to require teachers to inform the law enforcement agencies of criminal offences committed by students, including those committed against fellow students.
341. Awareness-raising and efforts to enhance the legal literacy of parents and children play an important role in preventing violence against children.
342. Each year, the following information campaigns are held to improve teenagers’ resilience and tolerance of stress: “Childhood without Abuse and Violence” (every November), “12 Days against the Exploitation of Child Labour” (every June) and national campaigns entitled “Care”, “The Road to School”, “Children in the City at Night”, “A Safe School” and “Balaquygy – adamquygy” (every January and August–September).
343. The Committee for Protection of Children’s Rights maintains a website (www.bala-kkk.kz) to provide children with timely assistance in solving their problems, collect and analyse information on the judicial protection of children and their awareness of their rights and disseminate materials on children’s rights.
344. There are mechanisms for filing complaints and applications in the interests of children: the helpline operated by the Committee for Protection of Children’s Rights (742528), a 24-hour, nationwide telephone service operated free of charge (150), around 160 helplines in the regions, the websites of government agencies, official blogs and drop-in centres for children in all regions. Complaints boxes have been installed in all educational institutions, juvenile adaptation centres and orphanages. The website of the Committee for Protection of Children’s Rights under the Ministry of Education and Science (<http://www.bala-kkk.kz>) has a “Serving the Community” section, which publicizes children’s initiatives to improve child protection and quality of life for children.
345. In accordance with the amendments introduced to the Constitution in 2017, a special legal regime for the financial sector may be established in Astana.

346. Pursuant to Constitutional Act of 2015 on the Astana International Financial Centre, the Centre has its own court, which bases its work on the procedural principles and rules of England and Wales and the standards of the world's leading financial centres. In 2018, the court's rules were approved.

(m) International cooperation

347. Kazakhstan actively cooperates with the United Nations Human Rights Council, the Office of the United Nations High Commissioner for Human Rights (OHCHR) and other human rights bodies and mechanisms in the United Nations system.

348. In October 2014, Kazakhstan underwent the second cycle of the universal periodic review in the Human Rights Council. Following the review, Kazakhstan accepted 112 of the 128 recommendations received.

349. Special importance is attached to cooperation with the United Nations treaty bodies. In recent years, Kazakhstan has presented the following initial and periodic reports: an initial report to the Committee on Economic, Social and Cultural Rights, in May 2010; an initial report to the Human Rights Committee, in July 2011; combined sixth and seventh periodic reports to the Committee on the Elimination of Racial Discrimination, combined third and fourth periodic reports to the Committee on the Elimination of Discrimination against Women and a third periodic report to the Committee against Torture, all in 2014; a fourth periodic report to the Committee on the Rights of the Child, in 2015; and an initial report to the Committee on Enforced Disappearances and a second periodic report to the Human Rights Committee, both in 2016. In 2017, Kazakhstan presented its initial report to the Committee on the Rights of Persons with Disabilities and its second periodic report to the Committee on Economic, Social and Cultural Rights. In 2018, the country submitted its fourth periodic report to the Committee on the Elimination of Racial Discrimination and its combined eighth to tenth periodic reports to the Committee against Torture.

350. Kazakhstan attaches great importance to the implementation of the recommendations of the treaty bodies and thus develops and implements inter-agency plans. Efforts are being made to harmonize national legislation with the treaties that have been ratified, which clearly shows the country's commitment to its obligations.

351. Kazakhstan has recognized the competence of the Committee against Torture, the Human Rights Committee, the Committee on the Elimination of Racial Discrimination and the Committee on the Elimination of Discrimination against Women to receive individual complaints from Kazakh and foreign nationals regarding violations of their rights under the corresponding treaties.

352. In 2009, Kazakhstan extended a standing invitation to all the mandate holders of the Human Rights Council special procedures. The country has received visits from an OHCHR delegation of experts (2001); the United Nations Deputy High Commissioner for Human Rights, Bertrand Ramcharan (2003); the Special Rapporteur on the independence of judges and lawyers, Leandro Despouy (2004); the Special Rapporteur on the promotion and protection of human rights and fundamental freedoms while countering terrorism, Martin Scheinin (2006); the Special Rapporteur on torture and other cruel, inhuman or degrading treatment or punishment, Manfred Nowak (2009 and 2010); the Independent Expert on minority issues, Gay McDougall (2009); the Special Rapporteur on adequate housing as a component of the right to an adequate standard of living, and on the right to non-discrimination in this context, Raquel Rolnik (2010); the Special Rapporteur on the right to education, Kishore Singh (2011); the Special Rapporteur on contemporary forms of slavery, including its causes and consequences, Gulnara Shahinian (2012 and 2014); the Special Rapporteur on freedom of religion or belief, Heiner Bielefeldt (2014); the Special Rapporteur on the rights to freedom of peaceful assembly and of association, Maina Kiai (January 2015); and the Special Rapporteur on the implications for human rights of the environmentally sound management and disposal of hazardous substances and wastes, Başkut Tuncak (March–April 2015). In addition, in 2016, the Subcommittee on Prevention of Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment conducted a visit to Kazakhstan. In September 2017, the Special Rapporteur on the rights of persons with disabilities, Catalina Devandas Aguilar, visited the country. Following these visits, the

competent State agencies develop and implement action plans to implement the recommendations of the special rapporteurs.

353. Efforts are currently under way to organize a visit to Kazakhstan by the Special Rapporteur on the promotion and protection of human rights and fundamental freedoms while countering terrorism, in 2019.

354. In the period 2013–2015, Kazakhstan was a member of the Human Rights Council. In 2015, it served as the Vice-President of the Council representing the Asia-Pacific Group.

355. In 2016, for the first time, Kazakhstan was elected to serve as a non-permanent member of the Security Council, for 2017–2018. During its presidency, around 30 meetings were held, taking the form of consultations, briefings and debates, following which resolutions and press statements by the President of the Council were adopted.

356. Kazakhstan chairs the Security Council committees established pursuant to resolutions 1988 (2011) (Afghanistan and the Taliban); 1267 (1999), 1989 (2011) and 2253 (2015) (Islamic State in Iraq and the Levant (Daesh) and Al-Qaida); and 751 (1992) and 1907 (2009) (Somalia and Eritrea).

357. As a sovereign State and Member State of the United Nations, Kazakhstan has a fully independent policy on all of the issues on the agenda of the Security Council and strives to make a constructive contribution to the Council's work in accordance with its main priorities.

358. In a statement delivered at the seventieth session of the General Assembly, the President of the Republic of Kazakhstan, Nursultan Nazarbayev, called for the establishment of a global counter-terrorism coalition of States under the auspices of the United Nations. To provide a foundation for the coalition, Kazakhstan made a political appeal to the States members of the United Nations Security Council (1 January 2017) for a code of conduct towards achieving a world free from terrorism.

359. On 28 September 2018, at the seventy-third session of the General Assembly, over 70 States Members of the United Nations signed the code.

360. The code is innovative, as it recognizes for the first time the interdependence of security, counter-terrorism and development. It currently enjoys broad support among developing States because it creates a critical mass for the advancement of the Sustainable Development Goals.

II. General framework for the protection and promotion of human rights

C. Acceptance of international human rights norms

(a) Ratification of the main international human rights instruments

361. In the years since independence, Kazakhstan has acceded to the following core international human rights treaties:

No.	Name of treaty	Signature, ratification/accession	Reservations and declarations	Derogations, restrictions, or limitations
1.	International Covenant on Economic, Social and Cultural Rights	2 December 2003 24 January 2006	-	-
2.	International Covenant on Civil and Political Rights	2 December 2003 24 January 2006	-	-

<i>No.</i>	<i>Name of treaty</i>	<i>Signature, ratification/accession</i>	<i>Reservations and declarations</i>	<i>Derogations, restrictions, or limitations</i>
3.	International Convention on the Elimination of All Forms of Racial Discrimination	26 August 1998	-	-
4.	Convention on the Elimination of All Forms of Discrimination against Women	26 August 1998	-	-
5.	Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment	26 August 1998	-	-
6.	Convention on the Rights of the Child	16 February 1994 12 August 1994	-	-
7.	International Convention for the Protection of All Persons from Enforced Disappearance	27 February 2009	-	-
8.	Convention on the Rights of Persons with Disabilities	11 December 2008 21 April 2015	-	-
9.	Optional Protocol to the International Covenant on Civil and Political Rights	30 June 2009	-	-
10.	Optional Protocol to the Convention against Torture	25 September 2007 22 October 2008	-	-
11.	Optional Protocol to the Convention on the Elimination of All Forms of Discrimination against Women	24 August 2001	-	-
12.	Individual complaints procedure under the International Convention on the Elimination of All Forms of Racial Discrimination	29 May 2008	-	-
13.	Optional Protocol to the Convention on the Rights of the Child on the involvement of children in armed conflict	6 September 2000 10 April 2003	-	-
14.	Optional Protocol to the Convention on the Rights of the Child on the sale of children, child prostitution and child pornography	6 September 2000 24 August 2001	-	-

No.	Name of treaty	Signature, ratification/accession	Reservations and declarations	Derogations, restrictions, or limitations
15.	Optional Protocol to the International Covenant on Economic, Social and Cultural Rights	-	-	-
16.	Individual complaints procedure under the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families	-	-	
17.	Optional Protocol to the Convention on the Rights of the Child		-	
18.	Optional Protocol to the Convention on the Rights of Persons with Disabilities		-	
19.	Individual complaints procedure under the International Convention for the Protection of All Persons from Enforced Disappearance		-	

D. Legal framework for the protection of human rights at the national level

362. The legal status of a person enshrined in the Constitution of 1995 is based on the concept of human and civil rights and derives from the basic provisions of international legal instruments. The Constitution incorporates the main ideas and provisions of international human rights instruments and, taking into consideration the specific conditions in the country, enshrines them, including in section II: The person and the citizen.

363. Article 4 (1) of the Constitution provides that the law in force in Kazakhstan is the Constitution, laws adopted in accordance with it, other instruments, international treaties and other obligations and decisions of the Constitutional Council and the Supreme Court.

364. In accordance with article 4 (3) of the Constitution, international treaties ratified by Kazakhstan take precedence over domestic law.

365. In its decision No. 18/2 of 11 October 2000 on the official interpretation of article 4 (3) of the Constitution, the Constitutional Council gave its interpretation of article 4 (3) of the Constitution, stating that international treaties concluded by Kazakhstan in accordance with its Constitution under the procedure prescribed by law and ratified by Parliament through the adoption of a corresponding law prevail over domestic law.

366. At the same time, the main ideas and provisions of the instruments comprising the International Bill of Human Rights are incorporated in the Constitution.

367. The applicability of the International Covenant on Civil and Political Rights was also invoked in Constitutional Council decision No. 5 of 9 April 2004 on the review of the constitutionality of the Constitutional Act amending the Constitutional Act on Elections. In its ratio *decidendi*, the Constitutional Council used the interpretation of human and civil rights and freedoms under international law as an additional argument. In particular, the Council referred to articles 4, 5 and 25 of the Covenant.

368. In accordance with article 76 (1) of the Constitution, the judiciary exercises power on behalf of the Republic of Kazakhstan and its purpose is to protect the rights, freedoms and lawful interests of citizens and organizations and uphold the Constitution, laws, regulations, other enactments and international treaties.

369. Moreover, in accordance with article 83 (1), the Procurator's Office, within the limits and in the manner prescribed by law, exercises overall supervision of due process of law in Kazakhstan on behalf of the State, represents the interests of the State in court and brings criminal prosecutions on its behalf.

370. In accordance with article 4 (1) of the Procurator's Office Act, the Office, within the limits prescribed by law, works to protect and uphold human and civil rights and freedoms and the legitimate interests of legal persons, society and the State.

E. Framework within which human rights are promoted at the national level

371. Pursuant to Presidential Decree No. 1042 of 19 March 2003, the Human Rights Commission attached to the Office of the President was established.

372. In accordance with the statute of the Commission, it is a consultative and advisory body, assisting the President in exercising his or her constitutional mandate to safeguard the human and civil rights and freedoms recognized and guaranteed under the Constitution.

373. In accordance with paragraph 3 of the Commission's statute, its main tasks are:

- To create the conditions for the President to fulfil his or her constitutional role to safeguard human and civil rights and freedoms in Kazakhstan
- To help improve the mechanism for protecting and fulfilling human and civil rights and freedoms
- To facilitate the work of central and local government agencies in implementing government policy in the field of protecting and fulfilling human and civil rights and freedoms
- To contribute to the development of frameworks and programmes for government policy in the field of protecting and fulfilling human and civil rights and freedoms
- To help reinforce international cooperation in the field of protecting and fulfilling human rights and freedoms

374. Pursuant to Presidential Decree No. 947 of 19 September 2002, the position of Human Rights Commissioner was established, while the National Centre for Human Rights was established pursuant to Decree No. 992 of 10 December 2002.

375. In accordance with paragraph 1 of the Statute of the Office of the Human Rights Commissioner, the Commissioner is an official who monitors respect for human and civil rights and freedoms, empowered within the limits of his or her mandate to take measures in order to redress violations of human and civil rights and freedoms.

376. At the same time, the National Centre for Human Rights carries out research, organizational, legal and other activities of the Commissioner for Human Rights.

377. In accordance with article 4 (4) of the Constitution, all laws and international treaties to which the country is a party are published. The official publication of legal instruments concerning the rights, freedoms and obligations of citizens is a prerequisite for enforcing such instruments.

378. Furthermore, in accordance with article 4 (4) of the Legal Instrument Act, integrity of the legislation system of Kazakhstan is ensured by the official publication of legal instruments concerning the rights, freedoms and obligations of citizens.

379. In accordance with article 37 (2) of the Legal Instrument Act, legislation is also officially published in printed periodical publications by companies accorded that right

through a competitive tender, under the procedure defined by the Government of Kazakhstan.

380. Laws and regulations are also officially published in electronic format in the standard reference database of laws and regulations.

F. Reporting process at the national level

381. As a State party to international human rights treaties, Kazakhstan submits periodic reports to the United Nations bodies established to monitor the implementation of the following treaties (annex 10):

- International Covenant on Civil and Political Rights (Human Rights Committee)
- International Covenant on Economic, Social and Cultural Rights (Committee on Economic, Social and Cultural Rights)
- Convention on the Elimination of All Forms of Discrimination against Women (Committee on the Elimination of Discrimination against Women)
- Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (Committee against Torture)
- Convention on the Rights of the Child (Committee on the Rights of the Child)
- International Convention on the Elimination of All Forms of Racial Discrimination (Committee on the Elimination of Racial Discrimination)
- International Convention for the Protection of All Persons from Enforced Disappearance (Committee on Enforced Disappearances)
- Convention on the Rights of Persons with Disabilities (Committee on the Rights of Persons with Disabilities)

382. In accordance with the Statute of the Interdepartmental Commission on International Humanitarian Law and International Human Rights Treaties, approved by the Minister of Foreign Affairs in decree No. 11-1-2/547 of 22 November 2017, the Interdepartmental Commission is a consultative and advisory body of the Ministry of Foreign Affairs. The objective of the Commission is to develop proposals on issues related to international humanitarian law and international human rights treaties.

383. In its work, the Commission is guided by the Constitution and laws, regulations and other enactments, international treaties and its current Statute.

384. The role of the Commission is to develop proposals on matters related to:

- Fulfilment of the country's obligations under international humanitarian law and international human rights treaties
- Improvement of national legislation in line with the norms of international humanitarian law and international human rights treaties to which Kazakhstan is a party
- Cooperation by Kazakhstan with the human rights mechanisms of the United Nations system, including the Human Rights Council, the Office of the High Commissioner for Human Rights, the universal periodic review, the treaty bodies and special procedures
- Coordination of the implementation by Kazakhstan of the recommendations of the universal periodic review, the treaty bodies and special procedures of the United Nations, including approval of action plans for the implementation of recommendations made under United Nations special procedures

385. The Commission consists of a chair, vice-chair, secretary and members, who are all representatives of government agencies.

386. The Commission operates through the Ministry of Foreign Affairs.

387. Since 2013, the consultative and advisory body Dialogue Platform on the Human Dimension has been working within the Ministry of Foreign Affairs. Its participants include representatives of government agencies, civil society, Members of Parliament and international organizations in Kazakhstan. The work of the body is based on the implementation process for recommendations resulting from the universal periodic review, Human Rights Council special procedures and ratified human rights conventions.

III. Information on non-discrimination and equality and effective remedies

388. Kazakhstan has a unique public institution, the People's Assembly of Kazakhstan, whose aim is to implement inter-ethnic policy and ensure more effective cooperation between government and civil society institutions in the field of inter-ethnic relations.

389. The Assembly is a constitutional body. The President of the country presides over the Assembly. The legal status of the Assembly is defined by a special law, the People's Assembly of Kazakhstan Act and the Statute of the People's Assembly of Kazakhstan Act, which regulate its formation, structure and governing bodies. These instruments also define its goals, basic tasks and areas of activity, the way in which its cooperation with government agencies and voluntary associations is organized and the mechanisms for participation in the development and implementation of government policy in the field of inter-ethnic relations.

390. The supreme governing body of the Assembly is the meeting of the members, or Session, which is presided over by the President of the country. All its decisions must be considered, both by government agencies and by civil society institutions.

391. The People's Assembly of Kazakhstan is a constitutional body. One of the main functions of the Assembly is to represent the interests of ethnic groups in Parliament. The Assembly elects nine members to the Majilis.

392. It operates through the People's Assembly of Kazakhstan secretariat, which is an independent department within the presidential administration. The structure of the Assembly also includes an expert advisory board, a club of journalists and experts on inter-ethnic relations, the People's Assembly of Kazakhstan Foundation, the Tildaryn resource centre for innovative approaches to language learning and the Entrepreneurs Association.

393. Friendship centres are active in all regions. The Palace of Peace and Reconciliation in Astana, built on the instructions of the President, is used to hold the annual sessions of the People's Assembly of Kazakhstan, Congresses of Leaders of World and Traditional Religions and other significant events. In 2014, the national government agency Qoғamdyq kelisim, reporting to the President, was established pursuant to a presidential decree.

394. The Government is working to improve legislation in the area of inter-ethnic relations. The agenda for the People's Assembly of Kazakhstan (up to 2025), approved by presidential decree in accordance with the action plan for 2016–2018, the agenda for the People's Assembly of Kazakhstan friendship centres and a number of other laws and regulations aimed at reinforcing unity and inter-ethnic harmony are currently being implemented.

395. At the opening of the thirtieth session of the sixth Parliament on 4 September 2017, the President of Kazakhstan called for the amendment of the People's Assembly of Kazakhstan Act, which resulted in the introduction of amendments to the Act on 27 April 2018.

396. The Assembly has mediation offices established for the out-of-court settlement of disputes. In all regions of the country, including in communities, councils for public consultations have been established, whose main role is to resolve social issues and prevent tensions in society.

397. The Act specifies central areas of focus of the Assembly's work in facilitating the development of charity and mediation and reflects those areas in the corresponding articles of the Act.

398. Reinforcement of the Assembly as an institution requires legislative regulation of its infrastructures.
399. With the introduction of the new national government agency Qoғamdyq kelisim and the increased role for ethnocultural associations in the work of the Assembly, the Act envisages recognizing the status of such associations as the basis for the Assembly.
400. To strengthen the role of the Assembly Council and its effectiveness in government policy on reinforcing social harmony, it was necessary to broaden its powers.
401. In that regard, the Act provides for the formation of the Assembly Council from the leaders of national ethnocultural associations and for granting the Council the right to establish civic awards.
402. One of the most important objectives for government policy is to ensure social harmony and national unity in the country, which currently has residents from more than 100 ethnic groups. All government agencies, other organizations and institutions work to that end.
403. The People's Assembly of Kazakhstan acts as coordinator and monitor in the matter.
404. The executive body of the Assembly at the national level is the Qoғamdyq kelisim under the Office of the President. This executive body was established pursuant to a presidential decree of 17 June 2014 to carry out the work of the Assembly.
405. Under the auspices of the friendship centres, local Qoғamdyq kelisim have also been established within the local administrations of the provinces and the cities of Almaty and Astana.
406. The status of the national and local executive bodies of the Assembly is enshrined in law and their activities in that regard are legally regulated. The secretariats of the assemblies of the provinces and the cities of Astana and Almaty now have broader functions.
407. Furthermore, new provisions have been introduced regarding the ethnocultural associations of the Assembly, governing their activities, status and government support for activities aimed at preserving and developing traditions, languages and culture.
408. In addition, standards have been introduced for the public accreditation of ethnocultural associations, with the aim of further improving ethnocultural associations as institutions in their own right and involving them more broadly in the active work of the Assembly.
409. Given the significance of issues of government support, the law has been amended to include a new article on government support for the work of ethnocultural associations of the Assembly in the area of preservation and development of traditions, languages and culture, providing for a mechanism for government support, and assistance to the Assembly within the competences of government agencies.
410. The Constitution and national legislation contain provisions aimed at the protection of human and civil rights and freedoms for all citizens, regardless of their racial, ethnic, religious, social or other origin.
411. In accordance with article 39 (2) of the Constitution, any action likely to disturb inter-ethnic and interfaith harmony is regarded as unconstitutional. Article 4 of the Constitution provides that the provisions of the Constitution, corresponding laws, regulations and other enactments, international treaty and other obligations, and decisions of the Constitutional Council and the Supreme Court constitute applicable law in Kazakhstan. International treaties ratified by Kazakhstan prevail over domestic law. The procedures and conditions for the implementation of international treaties to which Kazakhstan is a party in the territory of Kazakhstan are defined by domestic legislation.
412. In line with the rules of procedural law, international treaties ratified by Kazakhstan take precedence over the corresponding legal codes and are directly applicable, except when it is specified in such a treaty that its application requires the promulgation of a law

(Code of Criminal Procedure, art. 2; Code of Civil Procedure, art. 2; Code of Administrative Offences, art. 1).

413. In accordance with article 4 of the Refugees Act of 4 December 2009, the main principles of the government policy on refugees are: to uphold the right to asylum for asylum seekers and refugees under the procedure set out in the Act; the inadmissibility of discrimination on the grounds of social origin, race, ethnicity, nationality, religion or political opinions in application of the procedures for obtaining refugee status; respect for the confidentiality of the personal data of asylum seekers and refugees; help with reunification of separated asylum seekers and refugee families; protecting the rights of refugee children in Kazakhstan, in accordance with national legislation on children's rights; and non-refoulement of asylum seekers.

414. On 3 July 2014, a new Criminal Code was adopted, including the following articles: article 145 (Violation of the human and civil right to equality) under chapter 3, Criminal offences against constitutional and other human and civil rights and freedoms, which criminalizes the direct or indirect restriction of human or civil rights based on origin, social, professional or property status, sex, race, ethnicity, language, attitude to religion, beliefs, place of residence, membership of voluntary associations or on any other grounds; and article 174 (Incitement of social, ethnic, tribal, racial, class or religious hatred) under chapter 4, Crimes against the peace and security of humanity.

415. The aforementioned elements of a crime were incorporated into the new Criminal Code of 3 July 2014 from the superseded Criminal Code of 16 July 1997.

416. Furthermore, just as in the previous Criminal Code, under article 54 (1) (6) of the new Criminal Code, committing a criminal offence motivated by ethnic, racial or religious hatred or enmity, revenge for the lawful actions of others or with the aim of concealing or aiding and abetting another criminal offence constitute aggravating circumstances to be taken into account in sentencing.

417. Moreover, a motivation of social, ethnic, racial or religious hatred or enmity is specified as an aggravating circumstance to be taken into account in sentencing in articles 99 (2) (11), 106 (2) (8), 107 (2) (6), 110 (2) (6), 202 (2) (4), 203 (2) (3) and 314 (2) (3).

418. In accordance with article 13 of the Media Act of 23 July 1999, the promotion of social, racial, ethnic, religious, class or tribal supremacy are among the grounds for suspending media publications or their distribution.

419. In accordance with the Anti-Extremism Act of 18 February 2005, inciting racial, ethnic or tribal hatred, including in connection with violence or calls to violence, is considered "ethnic extremism" and is prosecuted in accordance with the criminal law of Kazakhstan.

420. In accordance with article 174 of the Criminal Code of 3 July 2014, deliberate actions aimed at inciting social, ethnic, tribal, racial, class or religious hatred, insulting the national honour and dignity or religious sensitivities of citizens or promoting the exclusivity, superiority or inferiority of citizens based on their attitude to religion, class, ethnic, tribal or racial affiliation are punishable by a sentence of restriction or deprivation of liberty of 2 to 20 years, depending on the severity of the offence.

421. In July 2014, the new Criminal Code of 3 July 2014 entered into force, significantly increasing the penalty under article 174 (previously article 164).

422. The Code of Administrative Offences of 5 July 2014 also stipulates the penalties for less serious violations of the law in the area of inter-ethnic harmony.

423. In addition, in accordance with article 39 (2) of the Constitution, any actions likely to disturb inter-ethnic and interfaith harmony are regarded as unconstitutional.

424. Regarding article 2 (1) (e) of the Convention, Kazakhstan encourages and supports the establishment of integrationist multiracial organizations and movements. Pursuant to the Presidential Decree of 1 March 1995 on the Establishment of the Peoples' Assembly of Kazakhstan, this consultative and advisory body was established under the Office of the President to foster inter-ethnic harmony in the country, based on the principle of

partnership between government and civil society institutions in the form of ethnocultural associations. In October 2008, the People's Assembly of Kazakhstan Act was adopted, providing the legal framework for the Assembly's activities. In 2015, the Act was amended to include provisions broadening the aims and role of the People's Assembly of Kazakhstan. The amended Act contained more precise wording that expanded on the concepts of social harmony and national unity, promoted social and political stability and more effective cooperation between government and civil society institutions in the terms of inter-ethnic relations and included provisions to ensure inter-ethnic harmony in the country. To further enhance the performance of the People's Assembly of Kazakhstan, a provision was introduced for annual reports by the Assembly to be presented to the President.

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Annexes

Annex 1

Total population by age (as at January 2018)

Age	Persons			
	2015	2016	2017	2018
Total population	17 415 715	17 669 896	17 918 214	18 157 337
0–1	396 012	395 272	397 737	387 357
1–4	1 485 023	1 517 500	1 543 740	1 564 397
5–9	1 559 581	1 648 816	1 723 123	1 789 160
10–14	1 189 784	1 233 749	1 298 563	1 368 612
15–19	1 168 135	1 132 504	1 109 500	1 115 081
20–24	1 495 884	1 425 995	1 357 907	1 283 918
25–29	1 623 265	1 641 772	1 625 048	1 590 949
30–34	1 365 671	1 402 714	1 462 423	1 519 070
35–39	1 209 497	1 231 088	1 242 211	1 268 564
40–44	1 127 824	1 132 747	1 145 102	1 150 288
45–49	1 032 609	1 042 224	1 053 179	1 070 014
50–54	1 063 564	1 047 487	1 033 499	1 015 469
55–59	859 873	914 207	952 156	981 581
60–64	650 857	667 353	694 156	724 939
65–69	419 867	479 914	513 392	536 021
70+	768 269	756 554	766 478	791 917

Annex 2

As a percentage of the total population (as at January 2018)

	<i>2014</i>	<i>2015</i>	<i>2016</i>	<i>2017</i>	<i>2018</i>
Total population	100.0	100.0	100.0	100.0	100.0
0–1	2.3	2.2	2.2	2.1	2.1
1–4	8.5	8.6	8.6	8.6	8.6
5–9	9.0	9.3	9.6	9.9	9.8
10–14	6.8	7.0	7.2	7.5	7.5
15–19	6.7	6.4	6.2	6.1	6.1
20–24	8.6	8.1	7.6	7.1	7.0
25–29	9.3	9.3	9.1	8.8	8.7
30–34	7.8	7.9	8.2	8.4	8.3
35–39	6.9	7.0	6.9	7.0	6.9
40–44	6.5	6.4	6.4	6.3	6.3
45–49	5.9	5.9	5.9	5.9	5.8
50–54	6.1	5.9	5.8	5.6	5.5
55–59	4.9	5.2	5.3	5.4	5.4
60–64	3.7	3.8	3.9	4.0	3.9
65–69	2.4	2.7	2.9	3.0	2.9
70+	4.4	4.3	4.3	4.4	4.3

Annex 3

Breakdown of the population by sex and age (as at 1 January 2018)

<i>Age in years</i>	<i>Start of 2015</i>			<i>Start of 2018</i>		
	<i>Total</i>	<i>Males</i>	<i>Females</i>	<i>Total</i>	<i>Males</i>	<i>Females</i>
Total	17 415 715	8 413 101	9 002 614	18 157 337	8 791 298	9 366 039
0–4	1 881 035	966 937	914 098	1 951 754	1 006 273	945 481
5–9	1 559 581	801 504	758 077	1 789 160	918 659	870 501
10–14	1 189 784	609 697	580 087	1 368 612	703 396	665 216
15–19	1 168 135	596 777	571 358	1 115 081	570 445	544 636
20–24	1 495 884	753 705	742 179	1 283 918	653 809	630 109
25–29	1 623 265	802 155	821 110	1 590 949	789 977	800 972
30–34	1 365 671	677 080	688 591	1 519 070	751 592	767 478
35–39	1 209 497	591 720	617 777	1 268 564	624 584	643 980
40–44	1 127 824	544 422	583 402	1 150 288	555 772	594 516
45–49	1 032 609	491 496	541 113	1 070 014	511 162	558 852
50–54	1 063 564	496 557	567 007	1 015 469	475 907	539 562
55–59	859 873	385 710	474 163	981 581	445 471	536 110
60–64	650 857	274 403	376 454	724 939	310 573	414 366
65+	1 188 136	420 938	767 198	1 327 938	473 678	854 260

Annex 4

Sex ratio (as at January 2018)

	<i>Number of females per 1,000 males in the same age group</i>			
	<i>2015</i>	<i>2016</i>	<i>2017</i>	<i>2018</i>
Total population, females	1 070	1 069	1 067	1 065

Annex 5

Rate of natural increase in population (as at January 2018)

<i>Year</i>	<i>Births</i>	<i>Deaths</i>	<i>Natural increase</i>	<i>Birth rate</i>	<i>Death rate per 1,000 population</i>	<i>Rate of natural increase</i>
Total population						
2013	387 256	136 368	250 888	22.73	8.00	14.73
2014	399 309	132 287	267 022	23.1	7.65	15.45
2015	398 458	130 811	267 647	22.71	7.46	15.25
2016	400 694	131 231	269 463	22.52	7.37	15.15
2017	390 262	129 009	261 253	21.64	7.15	14.49
Urban population						
2013	209 383	78 764	130 619	22.38	8.42	13.96
2014	222 821	77 803	145 018	23.13	8.07	15.06
2015	225 808	77 319	148 489	22.73	7.78	14.95
2016	229 731	78 001	151 730	22.65	7.69	14.96
2017	226 847	76 522	150 325	21.95	7.4	14.55
Rural population						
2013	177 873	57 604	120 269	23.16	7.5	15.66
2014	176 488	54 484	122 004	23.06	7.12	15.94
2015	172 650	53 492	119 158	22.7	7.03	15.67
2016	170 963	53 230	117 733	22.34	6.96	15.38
2017	163 415	52 487	110 928	21.22	6.82	14.4

Annex 6

Maternal mortality from 2010 to 2017

	2010	2011	2012	2013	2014	2015	2016	2017
Total maternal deaths due to all causes	84	66	52	51	47	50	51	58
Maternal mortality rate per 100,000 live births	22.7	17.4	13.5	13.1	11.7	12.5	12.7	14.8

Annex 7

Infant mortality from 2010 to 2017

	<i>2011</i>	<i>2012</i>	<i>2013</i>	<i>2014</i>	<i>2015</i>	<i>2016</i>	<i>2017</i>
Number of deaths of infants under 1 year of age	5 546	5 152	4 400	3 907	3 751	3 438	3 109
Infant mortality rate per 1,000 live births	14.91	13.56	11.39	9.83	9.41	8.59	7.93

Annex 8

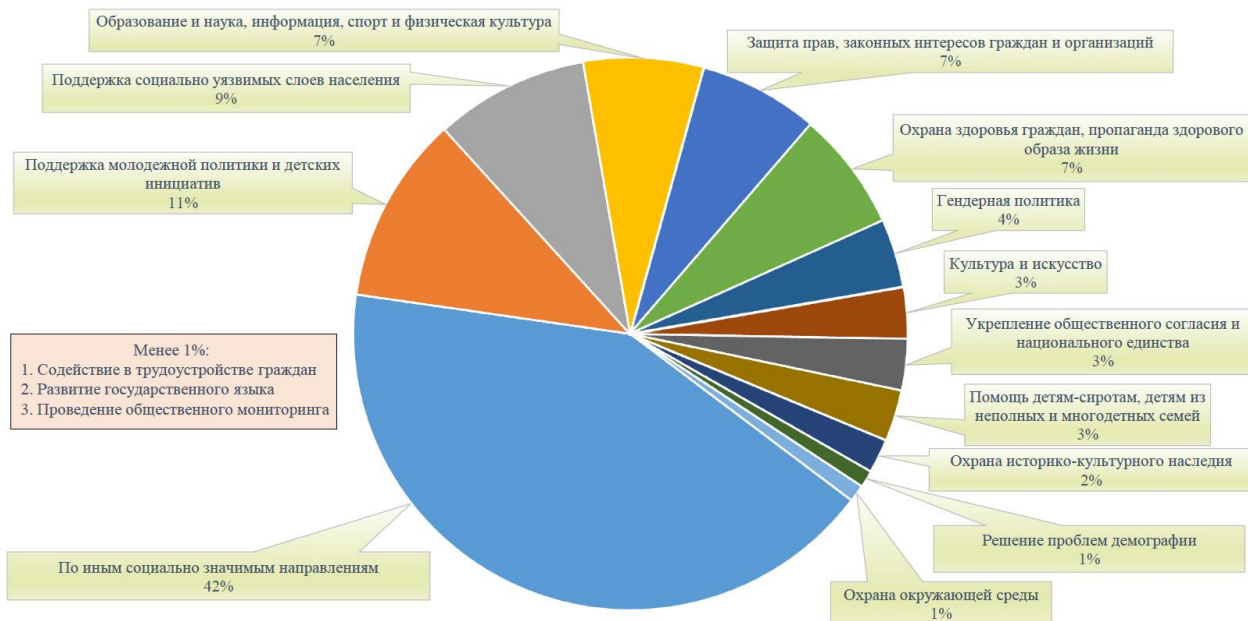
Religion by percentage

	<i>Total population</i>	<i>Respondents</i>						<i>Prefer not to answer</i>
		<i>Islam</i>	<i>Christianity</i>	<i>Judaism</i>	<i>Buddhism</i>	<i>Other</i>	<i>No religion</i>	
Both sexes								
Total population	100	70.2	26.3	0.0	0.1	0.0	2.8	0.5
Of which:								
Kazakhs	100	98.3	0.4	0.0	0.0	0.0	1.0	0.3
Russians	100	1.4	91.6	0.0	0.0	0.0	6.1	0.8
Uzbeks	100	99.1	0.4	0.0	0.0	0.0	0.4	0.2
Ukrainians	100	0.9	90.7	0.0	0.0	0.0	7.3	0.9
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
Polish	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

* Data converted to percentages.

Annex 9

Main areas of NGO activity



Annex 10

National reports submitted by Kazakhstan to United Nations treaty bodies, 2010–2018

<i>No.</i>	<i>National reports</i>	<i>Treaty bodies</i>	<i>Date of submission</i>
1.	Initial report on the implementation of the International Covenant on Civil and Political Rights	Human Rights Committee	2009
	Second periodic report on the implementation of the International Covenant on Civil and Political Rights		2014
2.	Initial report on the implementation of the Convention against Torture and other Cruel, Inhuman or Degrading Treatment or Punishment	Committee against Torture	2000
	Second periodic report on the implementation of the Convention against Torture and other Cruel, Inhuman or Degrading Treatment or Punishment		2006
	Third periodic report on the implementation of the Convention against Torture and other Cruel, Inhuman or Degrading Treatment or Punishment		2013
	Fourth periodic report on the implementation of the Convention against Torture and other Cruel, Inhuman or Degrading Treatment or Punishment		2018
3.	Combined initial, second and third periodic reports on the implementation of the International Convention on the Elimination of All Forms of Racial Discrimination	Committee on the Elimination of Racial Discrimination	2003
	Combined fifth to seventh periodic reports on the implementation of the International Convention on the Elimination of All Forms of Racial Discrimination		2008
	Combined sixth and seventh periodic reports on the implementation of the International Convention on the Elimination of All Forms of Racial Discrimination		2012
4.	Initial report on the implementation of the Convention on the Elimination of All Forms of Discrimination against Women	Committee on the Elimination of Discrimination against Women	2000
	Second periodic report on the implementation of the Convention on the Elimination of All Forms of Discrimination against Women		2005
	Combined third and fourth periodic reports on the implementation of the Convention on the Elimination of All Forms of Discrimination against Women		2011

<i>No.</i>	<i>National reports</i>	<i>Treaty bodies</i>	<i>Date of submission</i>
	Fifth periodic report on the implementation of the Convention on the Elimination of All Forms of Discrimination against Women		2018
5.	Initial report on the implementation of the Convention on the Rights of the Child	Committee on the Rights of the Child	2001
	Combined second and third periodic reports on the implementation of the Convention on the Rights of the Child		2006
	Fourth periodic report on the implementation of the Convention on the Rights of the Child		2011
6.	Initial report on the implementation of the International Covenant on Economic, Social and Cultural Rights	Committee on Economic, Social and Cultural Rights	2007
	Second periodic report on the implementation of the International Covenant on Economic, Social and Cultural Rights		2017
7.	Initial report on the implementation of the International Convention for the Protection of All Persons from Enforced Disappearance	Committee on Enforced Disappearances	2014
8.	Initial report on the implementation of the Convention on the Rights of Persons with Disabilities	Committee on the Rights of Persons with Disabilities	2017