

KAZAKHSTAN: UPR OUTCOMES

19 March 2015

Mr President,

ARTICLE 19 welcomes the attention of the Human Rights Council on Kazakhstan during this session.

Since the second UPR of Kazakhstan, a new Criminal Code has come into force. This new Criminal Code was in draft form during the review but concerns ARTICLE 19 highlighted regarding the draft Code remain problematic now that it has been implemented.

The new Criminal Code has excessive penalties for defamation and insult which place undue restrictions on freedom of expression. Therefore, we thank States who made recommendations to Kazakhstan concerning the criminalisation of insult and defamation but lament the subsequent rejection of the majority of these recommendations by Kazakhstan. We highlight that Kazakhstan accepted a recommendation from Australia to “ensure changes to its criminal and civil codes, decriminalize slander and libel” and call on the government of Kazakhstan to take immediate steps to amend its legislation accordingly.

We welcome Kazakhstan’s acceptance of the recommendation by Sweden to “cease the practice of closing, suspending or blocking opposition print publication and online sources” However, we find that the assertion made that this recommendation has been implemented does not reflect reality. Practices to stifle criticism by blocking access to opposition resources and closing media outlets continue and represent a serious attack on freedom expression and democracy. On 24 December 2014, the magazine *Adam bol* was closed by a court order, for allegedly publishing war propaganda in an article, entitled ‘Our [people] in an alien war.’

Mr President,

We urge all Member States to hold Kazakhstan accountable to the international standards it has ratified under the ICCPR. And we ask the government of Kazakhstan to now fulfil the implementation of agreed recommendations.

Thank you.