

# Resolution on the human rights situation in Kazakhstan

2019/2610(RSP) - 14/03/2019 - Text adopted by Parliament, single reading

The European Parliament adopted a resolution on the human rights situation in Kazakhstan.

The resolution was tabled by the EPP, S&D, ECR, ALDE, Greens/EFA, GUE/NGL, and EFDD groups.

Parliament called on the Kazakhstan authorities to put an end to human rights abuses and all forms of political repression, in accordance with the principles of the Enhanced Partnership and Cooperation Agreement (EPCA) signed in 2015 by the EU and Kazakhstan. It noted that the number of political prisoners in Kazakhstan has increased, and the right to freedom of association remains largely restricted in the country. In addition, on 13 March 2018 the authorities banned the peaceful opposition movement Democratic Choice of Kazakhstan (DCK) and more than 500 persons showing different forms of support for DCK. New NGO legislation has tightened accounting rules for civil society organisations who are subjected to tax pressure in connection with grants received from international donors, and civil society and human rights activists continue to face reprisals and restrictions in their activities.

Whilst welcoming the release of a number of political prisoners, Members called for the full rehabilitation and immediate release of all activists and political prisoners currently in jail, and the government of Kazakhstan to amend Article 174 of the Criminal Code on 'inciting social, national, clan, racial, class, or religious discord' by narrowing it to prevent arbitrary prosecutions that violate human rights norms, as well as Article 274 of the Criminal Code, which broadly prohibits 'spreading information that is known to be false', and to release the activists, journalists and other critical individuals currently detained under those articles.

Parliament called for the EU, and in particular on the European External Action Service (EAAS), to monitor closely developments in Kazakhstan, to raise concerns with the Kazakh authorities where necessary, to offer assistance, and to report regularly to Parliament. EEAS was particularly urged to proactively engage in trial observation missions, in order to monitor politically sensitive trials and politically motivated prosecutions and verify that the right to a fair trial applies to all. The EU Delegation in Astana must continue to play an active role in monitoring the situation and raise the issue of freedom of expression in all relevant bilateral meetings.

The resolution urged the government of Kazakhstan to:

-end the crackdown on independent trade unions and lift restrictions on their activities, cease politically motivated criminal prosecutions of trade union leaders, and allow them to resume their union activities without interference or harassment;

-implement the recommendations of the UN Special Rapporteur on the rights of freedom of peaceful assembly and freedom of association, and to review the Law on Public Association and the conditions for access to funding;

-end all forms of arbitrary detention, reprisals and harassment against human rights activists, civil society organisations and political opposition movements, including against actual or perceived supporters of DVK;

-review the amendments to the media and information law which entered into force this year, place a moratorium on criminal libel, take all necessary steps to repeal the relevant articles in the new Criminal Code relating to criminal libel, establish a cap on civil defamation awards, end the harassment and reprisals against journalists critical of the government, and cease blocking access to information both online and offline;

-fulfil its pledges of zero tolerance for torture and ensure that allegations of torture, including those made in the context of the Zhanaozhen events, are fully investigated;

-combat all forms of violence against women, and take action to ensure effective and accessible reporting channels and protection measures that are sensitive to victims' needs and confidentiality, and put an end to impunity and action to ensure appropriate criminal sanctions against perpetrators;

-guarantee that the LGBTI community will not face any discrimination;

-respect citizens' electoral rights and avoid restricting the activity of independent candidates.

Lastly, Parliament called on Kazakhstan to fully implement the recommendations of the OSCE/ODIHR international observation mission to the 20 March 2016 elections, according to which the country still has a considerable way to go in meeting its OSCE commitments for democratic elections; urges the Kazakh authorities to avoid restricting the activity of independent candidates; urges, furthermore, that citizens' electoral rights be respected.