



**International Covenant on
Civil and Political Rights**

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Human Rights Committee

**Concluding observations on the second periodic report of
Kazakhstan**

Addendum

**Information received from Kazakhstan on follow-up to the
concluding observations***

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* The present document is being issued without formal editing.

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Information on the implementation of paragraph 18 of the Human Rights Committee's concluding observations on the second periodic report of Kazakhstan

1. The Human Rights Committee made the following recommendation (concluding observations, para. 18): "The State party should carry out an independent, impartial and effective investigation into the individual deaths and injuries in connection with the events in Zhanaozen, as well as into all allegations of torture and ill-treatment, with a view to ensuring proper accountability for perpetrators, restoration of the rights of convicted persons to a fair trial, and effective remedies, including adequate compensation, for all victims of human rights violations or their families."
2. In the course of the criminal investigation into the rioting that occurred in Zhanaozen on 16 and 17 December, all the facts of the case were closely, fully and objectively examined, with some 1,500 persons questioned and more than 200 expert reports drawn up.
3. Kazakhstan approached the investigation into the circumstances surrounding those events with openness and transparency.
4. A public commission made up of members of non-governmental organizations, the news media and health workers was permitted to participate in the investigation.
5. On 22 December 2011, at a meeting with the regional representative of the United Nations High Commissioner for Human Rights, Mr. A. Harutyunyan, the Procurator General of Kazakhstan, A. Daulabaev, proposed that United Nations experts take part in the independent investigation.
6. In addition, members of Penal Reform International travelled to Mangystau province to talk with the local population and visit detention centres.
7. Kazakhstan was greatly concerned not only in ensuring an open and objective investigation into the events in Zhanaozen but also an impartial and open hearing of the results of that investigation in court.
8. The criminal case was heard by the court within the bounds of the law and in keeping with the principles of the rule of law, the presumption of innocence and the protection of the constitutional rights of citizens in criminal proceedings.
9. The court proceedings were conducted in the most open manner possible, with international and national observers and relatives of the defendants and victims given easy access to them.
10. A separate room equipped with monitors showing the court proceedings was provided for members of the media.
11. Among the observers attending the proceedings were diplomatic officials from the embassies of the United Kingdom and the United States of America, representatives of the European Union in Kazakhstan and members of the European Parliament.
12. The majority of observers who attended the pretrial and court proceedings confirmed that Kazakhstan had seen to it that they were transparent.
13. The representatives of these organizations found no evidence of torture or ill-treatment of detainees on their visit; they also noted that the prisoners' conditions of detention were in line with the specified requirements and international standards.

14. During the trial, the court received complaints from the defendants about the use of torture by law enforcement officers against them. The court ordered an initial inquiry to be conducted and a procedural finding made.
 15. The Internal Affairs Department of Mangistau province looked into the complainants' allegations and took a decision against instituting criminal proceedings for lack of elements of a crime.
 16. The decision was reviewed by the court and upheld.
 17. On 4 June 2012, the Aktau City Court found 34 of the persons standing trial guilty of organizing and participating in riots, including 13 who were sentenced to deprivation of liberty, 16 who received suspended sentences and 5 who were exempted from punishment under an amnesty. Three persons standing trial were acquitted for failure of proof.
 18. On 28 May 2012, the Aktau City Court found five police officers guilty of improper exercise of authority and imposed a punishment of 5 to 7 years.
 19. On 27 March 2012, in accordance with a decision of the Zhanaozen local authorities (*maslikhat*) (No. 3/16 of 12 March 2012), all victims and members of their families received financial assistance in the amount of 79.4 million tenge.
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