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Kazakhstan: Amnesty International urges zero tolerance of torture and the abolition of the death penalty

United Nations Human Rights Council adopts Universal Periodic Review outcome on Kazakhstan

Amnesty International welcomes Kazakhstan's support of recommendations by several states pertaining to strengthen safeguards against torture. These include, in particular, recommendations to adopt strict safeguards to ensure that no statement obtained through torture can be used in courts; to establish an independent monitoring mechanism for all places of detention in accordance with the *Optional Protocol to the Convention against Torture*; and to continue to apply a zero-tolerance approach to torture and cruel, inhuman or degrading treatment or punishment.¹ Amnesty International notes that the government has previously said that it is committed to a policy of zero tolerance of torture, and calls on the government to put words into deeds by giving immediate effect to these recommendations.

Amnesty International remains concerned at persistent allegations of torture or other ill-treatment of individuals deprived of their liberty by security forces, including by officers from the National Security Service. The organization is particularly concerned about allegations of torture and other ill-treatment before formal detention takes place, in the street or during transfer to detention centres, in interrogation rooms in police stations and in unofficial places of detention. Security officers often fail to respect current legislation, which requires that they register a detainee within three hours after the individual has been deprived of liberty. Amnesty International is concerned that in such cases people are held in *de facto* unacknowledged and incommunicado detention.

Amnesty International warmly welcomes the support by Kazakhstan of recommendations by several states to fully abolish the death penalty and to ratify the Second Optional Protocol to the International Covenant on Civil and Political Rights.² This is an important development in view of the fact that, under the current Criminal Code, the offence of 'Terrorism leading to loss of life' is the only crime that can be punished by death in peacetime. Given that self-incriminatory statements, alleged to have been extracted under torture, are regularly introduced as evidence against the accused, individuals accused of terrorism could be sentenced to death based on such so-called "evidence".

Background

The UN Human Rights Council adopted the outcome of the Universal Periodic Review of Kazakhstan on 10 June 2010 during its 14th session. Prior to the adoption of the report of the review Amnesty International delivered the oral statement above. Amnesty International also contributed to the information basis for the review through its submission on Kazakhstan: <http://www.amnesty.org/en/library/info/EUR57/001/2009/en>

¹ A/HRC/14/10, paragraph 95, recommendations 42-45, 61, and 65-68.

² Ibid, paragraph 97, recommendations 3, 16-18.

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