



## Resolution 1526 (2006)<sup>1</sup>

# Situation in Kazakhstan and relations with the Council of Europe

### Parliamentary Assembly

1. The Parliamentary Assembly refers to its [Resolution 1506 \(2006\)](#) on external relations of the Council of Europe and reiterates its commitment to promoting democracy, the rule of law and respect for human rights beyond its current borders, in particular in neighbouring countries.
2. In this context, it attaches great importance to furthering democracy in Kazakhstan, which it considers to be one of the pillars of stability in the Euro-Asian region.
3. The Assembly notes that, since its independence in 1991, Kazakhstan has achieved progress in building institutions of modern and functional genuine democracy. It welcomes the commitment to developing and strengthening democracy repeatedly stated by the political leadership of Kazakhstan.
4. The Assembly particularly welcomes the moratorium on the execution of the death penalty enacted by presidential decree in December 2003, and the ratification by Kazakhstan of the International Covenant on Civil and Political Rights and the International Covenant on Economic, Social and Cultural Rights of the United Nations.
5. On the other hand, the Assembly is aware of a number of considerable shortcomings still hindering the democratic process in Kazakhstan, including difficulties in registering political parties, cases of criminal prosecution of opposition activists in relation to their political activity, and political and administrative pressure on the media supportive of the opposition. It is particularly worried by the murder, in February 2006, of Altynbek Sarsenbayev, and by the death under suspicious circumstances in November 2005, of Zamanbek Nurkadilov, two prominent leaders of the opposition.
6. Furthermore, the Assembly is concerned that the government and the opposition have so far failed to engage in genuine political dialogue, which is an essential condition for building a sound and sustainable political system and for safeguarding and strengthening the unique inter-ethnic and inter-confessional accord that Kazakhstan enjoys. The Assembly calls on the political leaders from the government to show good will in making such dialogue a reality, and is ready to contribute to it.
7. However, the Assembly is pleased to note that there is a broad consensus among political forces and the civil society of Kazakhstan in support of further transformations towards European standards, and that both the government and the opposition are in favour of strengthening relations between Kazakhstan and the Council of Europe.
8. Kazakhstan already enjoys observer status with the European Commission for Democracy through Law (Venice Commission), and has expressed interest in participating in several Council of Europe conventions. Moreover, the Parliament of Kazakhstan has been co-operating with the Assembly since the conclusion of an agreement in April 2004, on the basis of which its members regularly attend the Assembly sessions. The First Euro-Asian Forum on Migration co-organised by the Assembly and the Parliament of Kazakhstan in September 2005 in Almaty was a concrete example of co-operation in facing common challenges.

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1. *Text adopted by the Standing Committee, acting on behalf of the Assembly, on 17 November 2006 (see [Doc. 11007](#), report of the Political Affairs Committee, rapporteur: Mr Iwiński).*



9. The Assembly believes that this co-operation should be stepped up in order to provide Kazakhstan with better opportunities to rely on Council of Europe experience and expertise in the process of democratic transition, in particular, in the process of future constitutional reform. Such co-operation must be based on the firm commitment to, and be focused on achieving progress towards democracy, the rule of law and respect for human rights, which are the Council of Europe's fundamental values.
10. Therefore, the Assembly calls on the authorities of Kazakhstan to:
  - 10.1. consider the possibility of becoming party to relevant Council of Europe legal instruments which are open to non-member states;
  - 10.2. use more actively the experience of, and seek full membership of, the Venice Commission;
  - 10.3. engage in contacts, and consider opportunities for co-operation with other Council of Europe bodies and institutions.
11. The Assembly encourages the Senate and the Majilis (lower chamber) of the Parliament of Kazakhstan to:
  - 11.1. fully explore the possibilities offered by the agreement on co-operation between the Assembly and the Parliament of Kazakhstan, and participate more actively in the various activities organised by the Assembly and its committees;
  - 11.2. play a leading role in promoting co-operation of various authorities and institutions of Kazakhstan with Council of Europe organs, bodies and institutions;
  - 11.3. take the lead in promoting political reforms in Kazakhstan aimed at strengthening democracy, enhancing the rule of law and guaranteeing respect for human rights and political and civil freedoms, and review, in co-operation with the Venice Commission and in line with Council of Europe standards, the legislation concerning:
    - 11.3.1. the administration of elections;
    - 11.3.2. the establishment and the activities of political parties;
    - 11.3.3. the freedom and independence of the media;
    - 11.3.4. freedom of demonstration and association;
    - 11.3.5. the independence of the judiciary;
    - 11.3.6. local self-government;
  - 11.4. take legislative action to achieve the complete abolition of the death penalty in Kazakhstan;
  - 11.5. initiate political dialogue with opposition political forces.
12. The Assembly encourages the Ombudsman of the Republic of Kazakhstan to develop contacts and co-operation with the Council of Europe Commissioner for Human Rights.
13. For its part, the Assembly is determined to develop co-operation with the Parliament of Kazakhstan in accordance with the 2004 agreement, and to contribute to political reforms and dialogue between various political forces in Kazakhstan.
14. Finally, it stands ready to consider proposals to develop co-operation between the Council of Europe and Kazakhstan, possibly on the basis of observer status.