

## Resolution 2193 (2017)<sup>1</sup>

# The relations of the Council of Europe with Kazakhstan

### 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 enhancing the role of the Council of Europe in promoting democracy, the rule of law and respect for human rights and fundamental freedoms beyond its borders, in particular in neighbouring regions, as an essential contribution to security, stability and development. The partner for democracy status, introduced by the Assembly in 2009, and the Council of Europe policy towards its immediate neighbourhood, launched in 2011, both aim to contribute to this goal.
2. In [Resolution 1526 \(2006\)](#) on the situation in Kazakhstan and its relations with the Council of Europe, the Assembly recognised the importance of Kazakhstan as one of the pillars of stability in the Euro-Asian region and called for co-operation with this country to be stepped up.
3. The political establishment and society at large in Kazakhstan see Europe as a reference point in terms of political, legal, institutional and cultural development. The political leadership of Kazakhstan has repeatedly stated its commitment to democratic transformation of the country, and has recently initiated a series of reforms aimed at strengthening democratic governance. However, the pace of reform has been slow, the political system remains highly centralised, democratic culture has yet to take root among citizens and dialogue between civil society and the authorities is at a very early stage.
4. The United Nations Human Rights Committee, in its second periodic report under the International Covenant on Civil and Political Rights (August 2016), identified a number of matters of concern, including with regard to equality and non-discrimination, violence against women, torture and ill-treatment, treatment of prisoners, independence of the judiciary and the right to a fair trial, freedom of conscience and religious belief, freedom of expression, the right to peaceful assembly, freedom of association and participation in public life.
5. On the international scene, Kazakhstan must be praised for its positive contribution to dealing with major international problems such as the nuclear programme of Iran and the crisis in Syria. The country is also a leading actor in addressing challenges faced by Central Asia, including terrorism, drug trafficking and security issues related to the situation in Afghanistan.
6. The Assembly recalls that, since 1997, Kazakhstan has shown interest in co-operating with the Council of Europe, which it sees as an entry gate to the European political, legal and cultural space. It welcomes the fact that, in line with its [Resolution 1526 \(2006\)](#), co-operation between the Council of Europe and Kazakhstan has intensified in recent years, even though the dynamics have suffered from bureaucratic obstacles.
7. In particular, the Assembly appreciates the fact that Kazakhstan is party to several Council of Europe conventions, and has requested to accede to a number of other instruments, including in the fields of criminal justice and the fight against corruption. Kazakhstan has co-operated with the Council of Europe's European Commission for Democracy through Law (Venice Commission) since 1998 and became a full member in 2011. It is also in the process of joining the Group of States against Corruption (GRECO).
8. The Assembly welcomes enhanced and structured co-operation under the Neighbourhood Co-operation Priorities for Kazakhstan – Co-operation Activities on Council of Europe Conventions in Criminal Matters 2014-2015 programme, which aims to bring Kazakhstan's legal framework, the functioning of the

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1. *Text adopted by the Standing Committee, acting on behalf of the Assembly, on 24 November 2017 (see [Doc. 14436](#), report of the Committee on Political Affairs and Democracy, rapporteur: Mr Axel Fischer).*



justice system and institutional practice regarding international co-operation in criminal matters into line with European standards and best practice. Even if limited in scope at the request of Kazakhstan authorities, this programme seeks to address Kazakhstan's real needs, and to create appropriate conditions for Kazakhstan's accession to Council of Europe legal instruments for which the country has repeatedly expressed interest.

9. In the context of the implementation of the "Neighbourhood co-operation priorities for Kazakhstan", the Assembly particularly welcomes the activities carried out under the joint Council of Europe–European Union Support to the Kazakh Authorities in Improving the Quality and Efficiency of the Kazakh Justice System programme, which has been extended until July 2018.

10. The Assembly believes that the Council of Europe should further enhance and broaden co-operation with Kazakhstan with a view to encouraging and assisting it on the path of transformation towards democratic governance based on the rule of law and respect for human rights.

11. The Assembly encourages Kazakhstan to explore and use Council of Europe experience and expertise in the process of reforms. It calls on the authorities of Kazakhstan to:

11.1. consider the possibility of broadening Kazakhstan's participation in the European legal space, and acceding to relevant Council of Europe conventions which are open to non-member States;

11.2. use more actively the possibilities offered by Kazakhstan's membership in the Venice Commission, and in particular take advantage of its experience in electoral matters;

11.3. complete internal procedures for becoming a member of GRECO;

11.4. consider becoming a member of other Council of Europe partial agreements such as the Co-operation Group to Combat Drug Abuse and Illicit Trafficking in Drugs (Pompidou Group) and the Enlarged Partial Agreement on Sport (EPAS).

12. The Assembly encourages the authorities of Kazakhstan and the Council of Europe, in co-ordination with the European Union where appropriate, to:

12.1. build on the experience of implementing the "Neighbourhood co-operation priorities for Kazakhstan", and to design comprehensive follow-up to these activities in such a way that it covers key areas of reforms in Kazakhstan where the Council of Europe can make a meaningful contribution;

12.2. consider expanding the current co-operation framework and completing it with regular political dialogue.

13. The Assembly encourages the Ombudsman of the Republic of Kazakhstan to further develop contacts and co-operation with the relevant Council of Europe bodies, including the Commissioner for Human Rights.

14. The Assembly invites the Committee of Ministers and the member States of the Council of Europe to reconsider, in the light of the results of the implementation of the "Neighbourhood co-operation priorities for Kazakhstan" and other co-operation activities, their position on Kazakhstan's accession to Council of Europe legal instruments in the fields of criminal justice and the fight against corruption.

15. The Assembly urges Kazakhstan to fully comply with its commitments under the International Covenant on Civil and Political Rights, to continue co-operation with United Nations human rights mechanisms, and to address without delay all matters of concern referred to in the United Nations Human Rights Committee's second periodic report of Kazakhstan.

16. The Assembly encourages the Senate and the Majilis of the Parliament of Kazakhstan to fully use the possibilities offered by the 2004 agreement on co-operation between the Assembly and the Parliament of Kazakhstan – whose primary aim is to establish a political dialogue between the two institutions – and to participate more actively in the various activities organised by the Assembly and its committees.