



**ҚАЗАҚСТАН РЕСПУБЛИКАСЫНЫҢ  
СЫРТҚЫ ІСТЕР МИНИСТРІ**

**MINISTER OF FOREIGN AFFAIRS  
REPUBLIC OF KAZAKHSTAN**

**Nur-Sultan  
6 May 2020**

**Dear Mr. Voule,**

I write in response to your letter of 21 April 2020 regarding the draft law On the Procedure for Organizing and Holding Peaceful Assemblies in the Republic of Kazakhstan.

Let me first thank you for your input regarding Kazakhstan's efforts to draft new legislation regulating the procedure of organizing and holding peaceful assemblies in Kazakhstan. We have studied your observations carefully and would respectfully draw your attention to the following considerations.

*First*, the proposed law is an integral part of a larger package of reforms to further social and political modernization led by President Kassym-Jomart Tokaev of Kazakhstan. Alongside the law on peaceful assemblies, it also includes draft laws on political parties, elections, media, labour unions, local public administration and self-governance, the Parliament and the status of deputies. In his State of the Nation Address entitled «Constructive Public Dialogue: The Basis of Stability and Prosperity» in September 2019 President Tokaev announced Kazakhstan's new "State that Hears" initiative which is an ongoing and evolving process designed to strengthen the protection of individual rights and freedoms and to enhance trust, and promote dialogue, between authorities and civil society. The new legislation is a critical part of advancing this goal. As you correctly noted, the new legislation does not merely amend portions of the existing 1995 law, but represents an entirely new approach to regulating the organization and conduct of peaceful assemblies.

**Mr. Clement Nyaletsossi Voule  
UN Special Rapporteur  
on the rights to freedom of  
peaceful assembly and of association  
Geneva**

*Second*, Kazakhstan engaged with numerous stakeholder groups throughout the development of the legislation to receive their comments and inputs. Members of a National Council of Public Trust formed by President Tokaev of independent experts and human rights defenders also provided their comments on the legislation. The draft law was widely discussed at various meetings throughout Kazakhstan with representatives of civil society, human rights NGOs, local administrative authorities, the media, as well as international organizations and foreign diplomatic corps, including the Regional Office of OHCHR. All stakeholders were encouraged to provide input and make suggestions for changes to the draft legislation. Over 130 different recommendations were received. Kazakhstan welcomed this input and incorporated much of it into the current version of the legislation.

*Third*, the Kazakh legislature continues to refine the draft legislation. The first reading in the Senate of the Parliament of the Republic of Kazakhstan (the Upper Chamber of the Parliament) occurred on 30 April 2020. Following discussions, additional amendments will be included in the text of draft law. The second reading is scheduled for mid-May 2020. Having received your valuable input together with comments from the Director of the OSCE ODIHR, we decided to keep channels of communication open and remain engaged with our international partners. Thus, on May 5, 2020 in Nur-Sultan the Ministry of Information and Public Development together with the Ministry of Foreign Affairs organized a second Briefing for foreign diplomatic missions and international organizations on the current version of the draft law.

The observations you set forth in your letter relate to an earlier version of the draft law, which has since been significantly amended in line with proposals of the Lower Chamber of the Parliament - the *Majilis*. Nevertheless, representatives of the various ministries in Kazakhstan have prepared the attached appendices in an effort to provide you with additional context regarding several of the issues raised in your letter. As you will note, many of the provisions you question are in line with regulations governing demonstrations and public assemblies in many countries, including Western countries. We had experts compare the legislation with similar legislation from advanced democracies around the world to try to develop a framework that respects human rights while balancing Kazakhstan's own security and safety considerations.

Finally, I reiterate that the political reforms underway in Kazakhstan are of irreversible and evolutionary nature. The rule of law remains one of our top priorities. In this context, the Government of Kazakhstan invites all international stakeholders to cooperate in order to further strengthen the political and legal culture, institutional capacity and professional skills of central and local government officials,

representatives of the media and civil society on, inter alia, law enforcement practice related to the new legislation on the rights to freedom of peaceful assemblies in Kazakhstan.

Please accept the assurances of my highest consideration.

Enclosure: on 38 pages.



**Mukhtar Tileuberdi**