



MISSION PERMANENTE
DE LA RÉPUBLIQUE DU KAZAKHSTAN
AUPRÈS DE L'OFFICE DES NATIONS UNIES
ET DES AUTRES ORGANISATIONS
INTERNATIONALES AYANT LEUR
SIÈGE A GENÈVE

Réf. № 30-59

The Permanent Mission of the Republic of Kazakhstan to the United Nations Office and other International Organizations in Geneva presents its compliments to the Office of the High Commissioner for Human Rights and has the honour to transmit the response of the Government of the Republic of Kazakhstan to the joint letter AL KAZ 2/2021 dated 26/01/2021.

Enclosed: 4 pages

The Permanent Mission avails itself of this opportunity to renew to the OHCHR the assurances of its highest consideration.

Geneva, April «6», 2021



**The Office of the High Commissioner
for Human Rights
Geneva**



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Nur-Sultan
April 2, 2021

Your Excellencies,

On behalf of the Republic of Kazakhstan, I have the honor to provide you with responses to the questions mentioned in your joint letter № AL KAZ 2/2021 of January 26, 2021, related to the situation in the Al-Hol and Roj camps located in North-East Syria.

Answer to the question №2:

Kazakhstan attaches great importance to fulfilling its international obligations under UN Security Council Resolutions 2178 and 2396 on the return of foreign terrorist fighters to their countries of origin.

In that vein, Kazakhstan is conducting large-scale humanitarian operations "Zhusan" and "Rusafa" to evacuate its citizens from areas of terrorist activity, including the Syrian Democratic Forces-controlled Al-Hol and Roj camps, where family members of foreign terrorist fighters are being dislocated.

Kazakhstan remains the only state in the world that has decided to return all its citizens to their homeland. Since 2019, Kazakhstan has successfully evacuated its 607 citizens, including 37 men, 157 women, and 413 children, with 34 orphans among them. More specifically, in January-February 2021, the county returned 12 people from Syria, including four men, a woman with five children and two orphans.

Upon arrival to Kazakhstan, individuals involved in terrorism were detained and subsequently convicted based on criminal proceedings brought against them. One of the correctional facilities is currently being redesigned as a preventive work program for such prisoners. The project is tailored to create conditions for their socialization after release.

The rest of the returnees are placed in the specialized, protected adaptation facilities where they are given special medical, psychological examination. Psychologists, teachers, medical and social workers approach them, identifying each person's most acute problems. Upon completion of the adaptation period, women with children travel to their origin regions, usually to relatives families.

Further rehabilitation is carried out by regional government bodies with the participation of local NGOs, as well as the assistance of our international partners. Currently, a total of 17 Rehabilitation Centers have been opened throughout the country to help returnees, and they are run by local NGOs supported by the government.

Thanks to the state rehabilitation and adaptation programs, many women took educational courses, including seamstress, make-up artist, hairdresser and computer design, and were then employed. Their children have been placed in schools and kindergartens.

Nonetheless, another 14 women and about 30 children, all Kazakhstan citizens, remained in the camps despite all hard efforts made by the Kazakh authorities. It is explained that all of these women have rejected the right and opportunity to be repatriated due to their radical religious views and refused to contact Kazakhstan representatives.

The Special Rapporteur on the Promotion and Protection of Human Rights and Fundamental Freedoms while Countering Terrorism, Fionnuala Ni Aolain, following her official visit to Kazakhstan in May 2019, commended Kazakhstan for enabling the return of women and children from conflict sites in Syria and Iraq with a number of repatriation operations and welcomed the humanitarian response to the plight of those women, men and children being held in camps in north-east Syria.

Moreover, the Special Rapporteur called on Kazakhstan to provide a best practice example in this regard. Therefore, the country is cooperating closely with the International Committee of the Red Cross to organize in June 2021 a regional online meeting of international experts and national state authorities to exchange experiences on returning citizens from war zones and re-socialization programs.

Answer to the questions №3 and №11:

Kazakhstan continues to monitor the situation in the Al-Hol and Roj camps and is aware of the Kazakh nationals' situation remaining there. In particular, it is reported that camp administrators have begun dividing the camps into sectors to ensure better security, safety, control of the situation in the camps, and the registration of persons. However, Kazakhstan does not obtain information on the reported data-collection exercises.

Answer to the question №4:

As part of the relocation operation, Central Asian nationals, including the remaining Kazakhstan citizens, are scheduled to be relocated to the Roj camp in a phased manner.

Answer to the question №5:

The Government of Kazakhstan has not been involved in the reported data-collection exercises.

Answer to the question №6:

In order to regulate social relations in the field of personal data, as well as to define the purpose and legal basis for the collection, processing and protection of personal data, the Law of the Republic of Kazakhstan "On Personal Data and their Protection" is in force. One of the basic element in ensuring the protection of

persons in or arriving from camps, including minors, is preventing their leakage to the outside world. In this regard, all security measures to protect the personal data of these categories of people are strictly observed by all line state bodies in the implementation of rehabilitation measures in full accordance with the national legislation.

Answer to the question №7:

Few cases of collection of biometric data were carried out through the partner organizations working in the camps in support of children in accordance with the rules and procedures following the medical ethics and safety protocols. Reference to requirements of the Republic of Kazakhstan, adapted from the Rules for Fingerprinting and Genomic Registration, Decree of the Government of the Republic of Kazakhstan dated January 31, 2018 No. 36.

Answer to the questions №8, №9 and №12:

Kazakh authorities make all possible efforts to assist its nationals, voluntarily staying in the camps, to ensure their rights are fully protected and prevent them from harm. However, it remains challenging to provide any tangible assistance to them due to their refusal and denial to approach Kazakhstan representatives.

Answer to the question №10:

Kazakhstan will continue its efforts to ensure that its citizens' rights in Al-Hol and Roj camps are protected and that they receive all necessary assistance and possible repatriation to their home country and eventual rehabilitation.

On my personal behalf, I would like to reconfirm Kazakhstan's firm commitment to the protection of fundamental rights and freedoms, as well as willingness to further develop close and fruitful cooperation between the Republic of Kazakhstan and the United Nations.

Please accept the assurances of my highest consideration.

Deputy Minister



M.Baimukhan

Addressed to:

Fionnuala D. Ni Aolain,
Special Rapporteur on the promotion and protection of human rights and fundamental freedoms while countering terrorism

Elina Steinerthe,
Vice-Chair of the Working Group on Arbitrary Detention

Agnes Callamard,
UN Special Rapporteur on Extrajudicial Summary or Arbitrary Executions

Michael Fakhri,
Special Rapporteur on the right to food

Balakrishnan Rajagopal,
Special Rapporteur on adequate housing as a component of the right to an adequate standard of living, and on the right to non-discrimination in this context

Felipe González Moralesю,
Special Rapporteur on the human rights of migrants

Fernand de Marennes, **Special Rapporteur on minority issues**

Joseph Cannataci,
Special Rapporteur on the right to privacy

E. Tendayi Achiume,
Special Rapporteur on contemporary forms of racism, racial discrimination, xenophobia and related intolerance

Mama Fatima Singhateh,
Special Rapporteur on the sale and sexual exploitation of children, including child prostitution, child pornography and any other child sexual abuse material

Nils Melzer,
Special Rapporteur on torture and other cruel, inhuman or degrading treatment or punishment

Siobhan Mullally,
Special Rapporteur on trafficking in persons, especially women and children

Dubravka Šimonović,
Special Rapporteur on violence against women, its causes and consequences

Pedro Arrojo-Agudo,
Special Rapporteur on the human rights to safe drinking water and sanitation

Elizabeth Broderick,
Chairperson-Rapporteur of the Working Group on discrimination against women and girls