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Steering Committee members:

Amnesty International, Arab Coalition Against the Death Penalty, Collectif Unitaire National de Soutien à Mumia Abu-Jamal, Coalition nationale pour l'abolition de la peine de mort au Maroc, Community of Sant'Egidio, Death Penalty Focus, Culture pour la Paix et la Justice, Ensemble contre la peine de mort, International Federation of Human Rights Leagues, Fédération Syndicale Unitaire, International Federation of Action by Christians for the Abolition of Torture, Lawyers For Human Rights International, Murder Victims' Families for Human Rights, National Association of Criminal Defence Lawyers, Paris Bar, Penal Reform International, Puerto Rico Bar Association, Taiwan Alliance to End the Death Penalty, Texas Coalition to Abolish the Death Penalty, Tuscany Region.

Other members:

ACAT France, Advocates for Human Rights, American Friends Service Committee, Association for the Rights to Live, City of Andoain, Association Marocaine des Droits Humains, Bahrain Human Rights Society, Belarusian Helsinki Committee, City of Braine l'Alleud, Centre for Prisoner's Rights, Centre marocain des droits humains, Coalition nationale tunisienne contre la peine de mort, Collectif des Organisations des Jeunes Solidaires du Congo-Kinshasa, Comité des Observateurs des Droits de l'Homme, Comitato Paul Rougeau, Comité Syndical Francophone de l'Education et de la Formation, Conférence Internationale des Barreaux, Congolese Youth Movement, Conseil National pour les Libertés en Tunisie, CURE, Death Watch International, City of Dijon, Federation of Liberal Students, Forum Africain contre la Peine de Mort, Forum 90 Japan, Forum marocain pour la Vérité et la Justice, Foundation for Human Rights Initiative, Hands Off Cain, Hope & Justice, Human Rights Watch, Human Rights Commission of Pakistan, HURILAWS, International Organization for Diplomatic Relations, Iranian Human Rights Activists Groups in EU and North America, Iraqi Alliance for the Prevention of the death penalty, Iraqi Center for Human Rights and Democracy Studies, Italian Coalition to Abolish the Death Penalty, Journey of Hope, KontraS, Law Student's Forum, Legal and Human Rights Centre, Lifespark, Ligue des Droits de l'Homme, Ligue ivoirienne des Droits de l'Homme, Lutte Pour la Justice, City of Matera, MEDEL, Mothers Against Death Penalty, Mouvement contre le Racisme et pour l'Amitié entre les Peuples, National Coalition to Abolish the Death Penalty, National Lawyers Guild, Nigerian Humanist Movement, Observatoire marocain des prisons, Observatoire National des Prisons, Ordine Provinciale dei Medici-Chirurghi e degli odontoiatri di Firenze, Ordre des avocats du Barreau de Liège, Ordre des avocats des Hauts de Seine, Ordre des Barreaux francophones et germanophones de Belgique, Organisation marocaine des droits humains, Pacific Concerns Resource Centre, Palestinian Centre for Human Rights, Pax Christi Uvira asbl, People of Faith Against the Death Penalty, Puerto Rican Coalition against the Death Penalty, RADHOMA, City of Reggio Emilia, Rights and Democracy, ROTAB, Stop Child Executions, Union Chrétienne pour le Progrès et la Défense des Droits de l'Homme, Unis pour l'abolition de la peine de mort, US Human Rights Network, City of Venice, Victorian Criminal Justice Coalition, Women's Information Consultative Center, World Organisation against Torture.

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## KAZAKHSTAN

In view of the 7<sup>th</sup> Universal Periodic Review of the United Nations Human Rights Council, the World Coalition Against the Death Penalty (WCADP), would like to communicate several points concerning the situation of the death penalty in Kazakhstan.

The World Coalition Against the Death Penalty (WCADP) gathers 96 members: human rights organizations, professional associations and local authorities on the five continents who have united to campaign for the universal abolition of the death penalty. It was founded in 2002 in Rome. Its actions for 2009 and 2010 include the World Day Against the Death Penalty, a ratification campaign of the United Nations Protocol aiming at the abolition of the death penalty, a campaign for the implementation of the UN moratorium resolution, and the preparation of the 4th World Congress against the Death Penalty.

### Death penalty

1. There has been no execution in Kazakhstan since the decree of December 2003 when a moratorium on capital executions was established. In May 2007, Article 15 of the Kazakh Constitution was amended: the death penalty may now only be imposed in two cases: terrorist acts with the loss of life and the gravest crimes committed during wartime. In December 2007, 31 death row prisoners had their sentence commuted to life imprisonment by a Presidential Decree. The death penalty was then partially abolished in the Criminal Code in September 2008. There are currently no prisoners under death row in Kazakhstan.

2. Kazakhstan recently ratified two important United Nations Treaties: the International Covenant on Civil and Political Rights in 2006 and the Optional Protocol to the Convention Against Torture in 2008. Furthermore, Kazakhstan has showed its involvement against the capital punishment by voting in favor of the two resolutions of the United Nations General Assembly about a moratorium on the use of the death penalty (resolutions 62/149 and 63/168 of the 18 December 2007 and 2008).

3. However, in 2007 a working group on the death penalty had been set up by the government to discuss about the revision of the Criminal Code. This group insisted that the death penalty had to be completely removed from the Criminal Code to open the way to ratification of the Second Optional Protocol to the International Covenant on Civil and Political Rights, aiming at the abolition of the death penalty.

After two years of debate the Kazakh Justice Ministry prepared a draft law which only brought the Criminal Code into line with the Constitution as amended in 2007. The death penalty therefore still exists in the Kazakh Criminal Code.

4. The WCADP regrets that Kazakhstan did not seize this opportunity to fully abolish the death penalty.

It thus urges Kazakhstan to abolish the death penalty in the Criminal Code for all crimes, including for terrorism and in times of war, as it not a mandatory sentence according to the Constitution.

The WCADP then encourages Kazakhstan to ratify the Second Optional Protocol to the International Covenant on Civil and Political Rights, aiming at the abolition of the death penalty, once it has abolished capital punishment for all crimes.