
Advance Unedited Version

Committee against Torture

List of issues prior to submission of the fifth periodic report of Kazakhstan*

Specific information on the implementation of articles 1–16 of the Convention, including with regard to the Committee’s previous recommendations

1. In its previous concluding observations,¹ the Committee requested the State Party to provide information on follow-up to the Committee’s recommendations on the events of January 2022, violence and deaths in custody, health care in places of deprivation of liberty, and hazing and ill-treatment in the army (paras. 14 (a), 24 (a), 28 and 44). Noting that a reply concerning the information sought by the Committee was provided on 13 May 2024,² and with reference to the letter dated 10 October 2024 from the Committee’s Rapporteur for follow-up to concluding observations,³ the Committee considers that these recommendations have been only partially implemented.

Articles 1 and 4

2. With reference to the Committee’s previous concluding observations,⁴ please indicate the measures taken by the State Party to ensure that article 146 of the Criminal Code includes all elements that distinguish the crime of torture from other forms of ill-treatment. Please also describe any steps taken to revise the wording of the exclusion clause relating to “lawful sanctions,” as reflected in article 1 of the Convention, in order to minimize the risk of misinterpretation. Furthermore, indicate any recent measures adopted to ensure that acts of torture are punishable by penalties commensurate with the gravity of the crime, in accordance with article 4 (2) of the Convention. Please also explain any steps taken to ensure that persons convicted of acts of torture are excluded, in law and in practice, from plea bargaining, parole, or other mechanisms that may result in the reduction or suspension of their sentence.. Finally, provide examples of torture cases adjudicated by domestic courts under article 146 of the Criminal Code, specifying the function of the perpetrator and the sentence imposed.

* Adopted by the Committee at its eighty-fourth session (13 April – 1 May 2026).

¹ CAT/C/KAZ/CO/4, para. 45.

² CAT/C/KAZ/FCO/4.

³ See

https://tbinternet.ohchr.org/_layouts/15/treatybodyexternal/Download.aspx?symbolno=INT%2FCAT%2FFUL%2FKAZ%2F60210&Lang=en.

⁴ CAT/C/KAZ/CO/4, paras. 9 and 10.

Article 2⁵

3. With reference to the Committee's previous concluding observations,⁶ please provide information on any new measures taken by the State Party during the reporting period to ensure that all detainees are afforded, in law and in practice, all fundamental legal safeguards against torture and ill-treatment from the outset of their deprivation of liberty, including during the state of emergency. In particular, please provide updated information on any new measures and the impact of their implementation:

(a) To ensure that detainees i) have unimpeded access to, and are able to consult with, a lawyer of their choosing, and, if necessary and applicable, have access free legal aid services, including during the initial interrogation; ii) are able to notify a relative or another person of their choice of their detention immediately after apprehension; iii) are able to request and receive a timely examination by an independent medical doctor free of charge, or by a medical doctor of their choice, that is conducted out of the hearing and out of the sight of police and prison officers; iv) are detained in official detention facilities immediately after the arrest and have their arrest and detention systematically recorded in a central register; and v) are brought promptly before a judge within the time frame prescribed by law. Please indicate the measures taken to prevent the use of custody as a means of procedural coercion under article 129 of the Code of Criminal Procedure⁷;

(b) To ensure that all custody facilities are equipped with closed-circuit television cameras; that questioning in custody and the process of transportation are systematically audio- and video-recorded; that such recordings are systematically used in criminal investigations as a basic safeguard and as part of efforts to prevent torture and ill-treatment; that these recordings are stored in centralized, secure facilities with mandatory instructions developed to this end; and, that video surveillance in all custody facilities does not interfere with detainees' right to privacy or violate their right to confidential communication with their lawyers or medical professionals;⁸

(c) To monitor compliance by public officials with the provision of fundamental safeguards. Please provide information on any cases in which authorities were alleged to have failed to comply with these safeguards, including any cases in which disciplinary or other measures were taken against officials found responsible for violations since the consideration of the State Party's previous periodic report in May 2023.⁹

4. With reference to the Committee's previous concluding observations,¹⁰ please provide information on the steps taken by the State Party to ensure a complete operational autonomy of the national preventive mechanism from the Human Rights Commissioner and the Commissioner's regional representatives, including by eliminating the requirement for the Commissioner's approval of special visits conducted by the mechanism. Please explain steps taken to strengthen the mandate of the national preventive mechanism by ensuring its unimpeded access to all places of deprivation of liberty, in accordance with article 4 of the Optional Protocol to the Convention, including to military barracks and military schools. In addition, please provide information on the human and financial resources allocated to the mechanism, as well as on the frequency and content of training provided to its staff and

⁵ The issues raised under article 2 could also touch on issues raised under other articles of the Convention, including article 16. As stated in paragraph 3 of the Committee's general comment No. 2 (2007) on the implementation of article 2, the obligation to prevent torture in article 2 is wide-ranging. The obligations to prevent torture and other cruel, inhuman or degrading treatment or punishment under article 16 (1) are indivisible, interdependent and interrelated. The obligation to prevent ill-treatment in practice overlaps with and is largely congruent with the obligation to prevent torture. In practice, the definitional threshold between ill-treatment and torture is often not clear. See also section V of the same general comment.

⁶ CAT/C/KAZ/CO/4, paras. 11 and 12. *See also* CAT/C/KAZ/FCO/4, paras. 3 to 19 and CAT/OP/KAZ/ROSP/1, paras. 57 to 58.

⁷ CAT/C/KAZ/FCO/4, para. 7.

⁸ CAT/OP/KAZ/ROSP/1, paras. 83 to 84.

⁹ CAT/C/KAZ/CO/4, para. 12 (c).

¹⁰ CAT/C/KAZ/CO/4, paras. 15 and 16; CAT/OP/KAZ/ROSP/1, paras. 11 to 30; CCPR/C/KAZ/CO/3, paras. 7 and 8; CEDAW/C/KAZ/Q/6, para. 3.

members during the reporting period. Furthermore, please report on the number and frequency of visits carried out by the national preventive mechanism to the closed institutions, as well as on measures taken by the State Party in response to the recommendations made by the mechanism during the period under review. Please provide information on measures adopted to coordinate monitoring closed institutions for children in all regions between the national preventive mechanism and the Commissioner for Children's Rights, on specific actions taken to implement recommendations from such monitoring visits, as well as any results achieved and challenges detected in the course of these monitoring activities.

5. Further to the Committee's previous concluding observations,¹¹ please provide information on the steps taken to transfer authority over pretrial detention and correctional facilities from the Ministry of Internal Affairs to the Ministry of Justice.

6. With reference to the Committee's previous concluding observations,¹² please provide information on any steps taken to ensure that all cases of violence against women and girls,—particularly those involving actions or omissions by State authorities or other entities that engage the international responsibility of the State Party under the Convention—are thoroughly investigated, and that effective mechanisms are in place to encourage victims to report such cases. Please include statistical data, disaggregated by age, sex, and ethnicity or nationality of the victims, on the number of complaints of gender-based violence, including domestic violence, and on investigations, prosecutions, convictions and sentences resulting from those complaints, as well as on redress afforded to victims during the reporting period. Please also provide updated information on any specific legislative measures adopted to criminalize domestic violence as a separate offence. In addition, please provide updated information on protection and support services available to victims of gender-based violence, including domestic violence, in the State Party, including access to medical and legal services, State-funded social rehabilitation services and shelters. Please indicate what safeguards have been put in place to ensure that the 2025 Law on Crime Prevention, that has introduced auxiliary police powers and extended surveillance tools, comply with the international human rights standards, in particular the prohibition of ill-treatment. Furthermore, please explain any measures taken to prevent and eradicate the practice of bride kidnapping. Lastly, please provide updated information on training programmes aimed at preventing and investigating gender-based violence and violence against children, in particularly domestic violence, for judges, lawyers, prosecutors, law enforcement officers, social workers, healthcare professionals and others who interact with victims.

7. Please provide information, disaggregated by the age, sex, ethnicity or nationality of the victims, on the number of complaints, investigations, prosecutions and sentences recorded in cases of trafficking in persons, since the consideration of the State Party's previous periodic report. Please also provide information on:

(a) The measures taken to ensure the prompt, effective and impartial investigation, prosecution and punishment of trafficking in persons and forced labour, in particular in cases involving migrants. In this regard, please indicate the steps taken to ensure that victims are not penalized solely for violations of immigration laws or other unlawful acts committed as a direct consequence of being trafficked, and that they are provided with adequate protection, assistance and access to justice, with particular attention to foreign victims;

(b) The implementation of the 2024 Law on Combating Trafficking in Persons, as well as information on any other new laws or measures that have been adopted to prevent and combat trafficking in persons, including trafficking for labour exploitation and child trafficking;¹³

(b) Measures taken to ensure that victims of trafficking have access to effective remedies and reparations;

¹¹ CAT/C/KAZ/CO/4, paras. 17 and 18.

¹² *Ibid.*, paras. 37 to 40. See also CCPR/C/KAZ/CO/3, paras. 21 and 22.

¹³ CCPR/C/KAZ/CO/3, paras. 37 and 38; CEDAW/C/KAZ/Q/6, para. 9; CRC/C/KAZ/Q/5-6, para. 12(g).

(c) The measures taken to ensure that non-custodial accommodation is provided, with full access to appropriate medical and psychological support, for potential victims of trafficking while identification processes are being carried out;

(d) The signature of agreements with the countries concerned to prevent and combat trafficking in persons.

Article 3

8. Bearing in mind the Committee's previous concluding observations,¹⁴ please provide information on measures taken during the reporting period to ensure that no person is returned to a country where he or she would be at risk of torture. In this regard, please provide information on steps taken to guarantee accessible and effective asylum and referral procedures to local authorities at all border points, including international airports and transit zones. Furthermore, please indicate whether any legislative steps have been taken to amend the relevant legal provisions regulating expulsion and deportation for illegal crossing or violation of migration laws, in line with the principle of non-refoulement, and to ensure that asylum-seekers or refugees are not expelled from its territory until there is a final decision on their claim, including on appeal. Please specify other measures taken to ensure that procedural safeguards against refoulement are in place, including access to free legal aid. Please clarify whether individuals facing expulsion, return or extradition are informed that they have the right to seek asylum and to appeal a deportation decision, and whether such an appeal has a suspensive effect. Please provide statistical information, disaggregated by sex, age and country of origin, on the number of persons who have been returned, extradited, or expelled from the State Party during the period under review. Please include details on the grounds on which they were sent back, including a list of countries to which individuals were returned. Please also provide detailed information on the measures taken to identify persons in vulnerable situations seeking asylum in Kazakhstan, including victims of torture or trauma, gender-based violence, and human trafficking and to ensure that their specific needs are taken into consideration and addressed in a timely manner. Please provide the number of asylum applications received during the period under review, the number of successful applications and the number of asylum seekers whose applications were accepted because they had been tortured or might be tortured if returned to their country of origin. Please provide updated information on the type of appeal mechanisms that may exist, and on any appeals that have been made and their outcome. Please also indicate whether the State Party has considered acceding to the 1954 Convention relating to the Status of Stateless Persons and the 1961 Convention on the Reduction of Statelessness.

9. Please indicate the number of returns, extraditions and expulsions carried out by the State Party during the reporting period on the basis of the acceptance of diplomatic assurances or the equivalent thereof, as well as any instances in which the State party has offered such diplomatic assurances or guarantees. What are the minimum contents of any such assurances of guarantees, whether given or received, and what measures have been taken in such cases with regard to subsequent monitoring?

Articles 5–9

10. Please provide information on any new legislation or measures that have been adopted to implement article 5 of the Convention. Please inform the Committee of any extradition treaties concluded with other States parties and indicate whether the offences referred to in article 4 of the Convention are included as extraditable offences in such treaties. Please indicate what measures have been adopted by the State party during the period under review to comply with its obligation to extradite or prosecute (*aut dedere aut judicare*). In particular, please provide information on cases in which the State party has agreed to extradite a person for torture or related offences since the adoption of the previous concluding observations. Please also indicate whether the State party has rejected, for any reason, the request of a State party for the extradition of an individual suspected of having committed torture and whether it has started prosecution proceedings against such an individual as a result. If so, please provide information on the status and outcome of such proceedings. Please clarify what

¹⁴ CAT/C/KAZ/CO/4, paras. 35 and 36. See also CCPR/C/KAZ/CO/3, paras. 39 and 40.

treaties or agreements on mutual legal and judicial assistance the State party has entered into, and whether such treaties or agreements have led in practice to the transfer of any evidence in connection with prosecutions concerning torture or ill-treatment. Please provide examples.

Article 10

11. Please provide information on training programmes developed by the State Party to ensure during the reporting period, indicating whether they were mandatory or optional, how often they were given and how many officials have already completed them in relation to the total number of such officials, in particular information on:

(a) Training for law enforcement personnel, prison personnel, prosecutors, judges, medical personnel, forensic experts and other persons involved in the custody, interrogation or treatment of detainees on the provisions of the Convention and the absolute prohibition of torture, as well as on rules, instructions and methods of interrogation, non-coercive investigation techniques, and gender-sensitive and child-friendly procedures during investigation, medical and judicial procedures, and ensure that they are fully aware that violations will not be tolerated and will be investigated and that those responsible will be prosecuted and, on conviction, appropriately punished;

(b) Training for immigration and border control officers and other public officials on the principle of non-refoulement and the practices that make it possible to identify asylum-seekers who may be victims of torture, gender-based violence or trafficking in persons or forced labour;

(c) Training for all relevant personnel, in particular medical professionals, law enforcement personnel, judges, prosecutors, forensic experts, members of the national preventive mechanism and other public officials working with persons deprived of their liberty, on accurately recording and describing injuries upon admission to and during the stay in the places of deprivation of liberty and on detecting and documenting the physical and psychological sequelae of torture to enable personnel to enhance the quality of investigations or monitoring activities; please indicate whether all programmes contain specific training with regard to the Manual on the Effective Investigation and Documentation of Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (Istanbul Protocol), as revised;

(d) The development of the methodology to assess the effectiveness of training and educational programmes in reducing cases of torture and ill-treatment, and if so, please provide information on that methodology;

(e) Please also indicate the measures taken to give effect to the provisions of article 10 (2) of the Convention.

Article 11

12. Please describe the procedures in place for ensuring compliance with article 11 of the Convention and provide information on any interrogation rules, instructions, methods and practices, or arrangements for custody, in particular those that may have been introduced or updated since the consideration of the State Party's previous periodic report. Please indicate the frequency with which they are reviewed.

13. Recalling the Committee's previous concluding observations,¹⁵ please describe the measures taken by the State Party to reduce overcrowding, including any measures to increase the use of alternatives to imprisonment both before and after trial, and improve material conditions in all places of detention, especially hygiene conditions, in particular women's detention facilities, including adequate sanitary installations, as well as sufficient ventilation in cells. In addition, please indicate the measures taken to improve opportunities for outdoor exercise and regular family visits and to create child friendly spaces for the visits of children. Please provide statistical data, disaggregated by sex, age and ethnic origin or nationality, on the number of pretrial detainees and convicted prisoners and the occupancy rate of all places of detention. Please indicate the average length of pretrial detention in the State Party. Please also provide information on the State Party's efforts to meet the specific

¹⁵ CAT/C/KAZ/CO/4, paras. 21 and 22. See also CAT/OP/KAZ/ROSP/1, paras. 68 to 74.

needs of women and children in detention, including those in pretrial detention and temporary detention facilities. Furthermore, please indicate any measures adopted to ensure individualized reasonable accommodation and accessibility for persons with disabilities in places of detention, including through the allocation of resources to adapt detention facilities,¹⁶ and to address specific needs of detainees in vulnerable circumstances, including older persons, lesbian, gay, bisexual, transgender and intersex persons and detainees with psychosocial disabilities. Please describe what measures have been taken to review the detention regime of prisoners serving life sentences with a view to bringing it into line with international human rights standards, such as the United Nations Standard Minimum Rules for the Treatment of Prisoners (the Nelson Mandela Rules). Please elaborate on specific steps taken to strengthen rehabilitation and reintegration programmes in all places of deprivation of liberty, including meaningful activities, vocational training, and education.¹⁷

14. In the light of the Committee's previous concluding observations concerning healthcare in places of deprivation of liberty,¹⁸ and the letter from the Committee's Rapporteur for follow-up to concluding observations, please provide updated information on any measures taken to strengthen prison health services. In this regard, please provide updated information on the implementation and impact of the transfer of responsibility for medical services in places of deprivation of liberty to the Ministry of Health, including measures taken to integrate medical information systems, guarantee clinical independence and continuity of care, and to provide access to adequate healthcare services, including mental healthcare. Please also clarify whether any steps have been taken to address the shortage of medicines, psychologists, and psychiatrists in places of detention, and the high turnover of medical staff. In addition, please provide information on measures adopted to remedy shortcomings in the provision of specialized treatment for persons living with HIV/AIDS and other chronic and infectious diseases, people who use drugs, and inmates with disabilities.

15. In light of the Committee's previous concluding observations,¹⁹ please indicate whether the State Party has taken measures to bring its legislation (articles 130 and 131 of the Penal Enforcement Code) and practice relating to solitary confinement into line with international standards. Please provide data on the use of solitary confinement during the period under review, including its duration. Please also indicate whether this prison regime is subject to any oversight mechanism or external supervision. In addition, please clarify whether steps have been taken to prohibit the imposition of solitary confinement and similar measures on children foreseen in article 154 of the Criminal Executive Code, in accordance with rule 67 of the United Nations Rules for the Protection of Juveniles Deprived of their Liberty.

16. Bearing in mind the Committee's previous concluding observations concerning violence and deaths in custody,²⁰ and the letter from the Committee's Rapporteur for follow-up to concluding observations, please provide updated information on the extent to which the authorities monitor violence against detainees, notably alleged violence against detainees based on their sexual orientation and gender identity as well as women detainees. Please specify the number of criminal cases of torture and ill-treatment against prison staff registered, investigated and prosecuted, as well as their outcome and illustrate examples of cases, in which the reporting form for documenting signs of bodily injury and psychological trauma based on the Istanbul Protocol's methodology has been used in the criminal investigation, as referenced by the State Party in its follow-up replies.²¹ Please provide updated information on the extent to which the authorities monitor inter-prisoner violence, as well as on the measures adopted to implement suicide prevention programmes and to reduce self-harm in places of deprivation of liberty. In this regard, please indicate whether

¹⁶ CRPD/C/KAZ/CO/1, para. 32 (d).

¹⁷ CAT/OP/KAZ/ROSP/1, paras. 59 to 60.

¹⁸ CAT/C/KAZ/CO/4, paras. 27 and 28. *See also* CCPR/C/KAZ/CO/3, paras. 35 and 36; CAT/OP/KAZ/ROSP/1, paras. 75 to 80.

¹⁹ CAT/C/KAZ/CO/4, paras. 25 and 26. *See also* CAT/OP/KAZ/ROSP/1, paras. 61 to 63.

²⁰ CAT/C/KAZ/CO/4, paras. 23 and 24.

²¹ CAT/C/KAZ/FCO/4, para. 59.

independent investigations are carried out in cases of suicide or attempted suicide.²² Provide detailed information on any specific training provided to prison staff on dynamic security and the prevention of violence and suicides. Furthermore, provide updated information on the deaths in custody that have occurred during the period under consideration, including data disaggregated by place of detention, sex, age, ethnic origin or nationality, and cause of death. Please provide information on the manner in which such deaths were investigated, including whether forensic examinations were conducted by an independent body, and on any steps taken to incorporate the Minnesota Protocol on the Investigation of Potentially Unlawful Death into the State Party's investigative procedures.

17. Further to the Committee's previous concluding observations,²³ please provide information on the number of persons deprived of their liberty, including children, in psychiatric hospitals and other residential institutions. Please indicate any steps taken by the State Party to ensure that effective legal safeguards and access to effective remedy for all patients, including children, whether they are hospitalized voluntarily or involuntarily on medical grounds, are in place to guarantee that their placement is monitored and subjected to periodic review and they are fully and systematically informed about the treatment to be prescribed to them and are given an opportunity to refuse the treatment or any other medical intervention. In addition, provide information on existing independent complaint mechanism in psychiatric, social and other closed institutions accessible to all persons, including those with limited legal capacity and children. Furthermore, please explain any efforts made to prevent the institutionalization of persons with intellectual and psychosocial disabilities, to develop a public policy aimed at averting the institutionalization of children and adolescents, supporting families, and strengthening suitable community-based services, as per the Committee's previous recommendations.²⁴ Please provide updated information on any measures adopted during the reporting period relating to the use of isolation, physical and chemical restraints in the State residential institutions for children, and include data on complaints of torture and ill-treatment, including allegations of human rights abuses reported in such facilities, as well as the results of the investigations into those allegations. Finally, please explain any steps taken to guarantee that juvenile offenders with intellectual disabilities or psychosocial disabilities, including those placed in forensic psychiatric units, are directed to appropriate health facilities, where they can receive psychiatric supervision and treatment, as necessary, and are provided with adequate accommodation and psychosocial support.

Articles 12 and 13

18. In light of the Committee's previous concluding observations on the events of January 2022,²⁵ and the State Party's follow-up replies,²⁶ please provide comprehensive, updated and disaggregated information on the number of complaints, investigations and prosecutions relating to acts of torture and ill-treatment, including excessive use of force, as well as information on the outcome of investigations into the deaths of 238 individuals that have occurred in the context of these events. In addition, please provide specific information on investigations, prosecution, and convictions with respect to the allegations of death, torture and ill-treatment of children in this context, as well as any redress afforded to children victims.²⁷ Please include information on the sentences imposed on the convicted individuals, the redress provided to victims, as well as the information on the number of criminal cases that have been discontinued. In this connection, please explain the grounds for such discontinuation and indicate the actions taken to establish *corpus delicti*, where applicable. Please also indicate whether forensic medical and psychological-psychiatric expert reports in torture and ill-treatment cases were prepared by an independent body, in accordance with the

²² CCPR/C/KAZ/CO/3, paras. 35 and 36.

²³ CAT/C/KAZ/CO/4, paras. 31 and 32.

²⁴ CAT/C/KAZ/CO/4, paras. 31 and 32. See also CRPD/C/KAZ/CO/1, paras. 31 to 34.

²⁵ CAT/C/KAZ/CO/4, paras. 13 and 14.

²⁶ CAT/C/KAZ/FCO/4, paras. 20 to 34. See also the letter of the Committee's Rapporteur for follow-up to concluding observations, available here:

https://tbinternet.ohchr.org/_layouts/15/treatybodyexternal/Download.aspx?symbolno=INT%2FCAT%2FFUL%2FKAZ%2F60210&Lang=en.

²⁷ CRC/C/KAZ/Q/5-6, para. 6 (a).

Istanbul Protocol methodology. Please provide examples of relevant cases and judicial decisions. Please update the Committee on the specific steps taken to develop and strengthen the protocols regulating the conduct of law enforcement officials during social protests, in conformity with international standards for the protection of human rights.²⁸

19. Further to the Committee's previous concluding observations,²⁹ please provide statistical data, disaggregated by sex, age, ethnic origin or nationality, and place of detention, on complaints of acts of torture and ill-treatment, including excessive use of force, by law enforcement officers, prison staff and military personnel, recorded during the reporting period. Please include updated information on investigations, disciplinary and criminal proceedings, convictions and the criminal or disciplinary sanctions applied, as well as the number of closed cases and reasons of their closure. Furthermore, please provide information on steps taken to ensure that, in cases of alleged torture or ill-treatment, suspected perpetrators are suspended from duty immediately and for the duration of the investigation. Furthermore, please provide updated information on measures taken to strengthen existing complaints mechanisms in places of deprivation of liberty, including by ensuring confidential, unhindered, and private access to such mechanisms, and by guaranteeing that complainants are protected from intimidation or reprisals as a result of submitting a complaint.³⁰ Please also indicate any steps taken to ensure that all complaints of torture and ill-treatment are systematically registered in the Unified Register of Pretrial Investigations, and that such complaints are examined by an independent body for preliminary verification purposes with no institutional or hierarchical relationship between the investigators responsible for such cases and the suspected perpetrators. Please explain what further steps have been taken to strengthen the capacity of the special prosecution authorities to investigate torture and ill-treatment cases.

Article 14

20. With reference to the Committee's previous concluding observations,³¹ please provide information on redress and compensation measures, including means of rehabilitation, ordered by the courts or other State bodies and actually provided to victims of torture or their families since the consideration of the State Party's previous report. This information should include the number of requests for compensation that have been made, the number granted and the amounts ordered and actually provided in each case. Please also provide information on any ongoing reparation programmes, including treatment of trauma and other forms of rehabilitation, provided to victims of torture and ill-treatment, and the material, human and budgetary resources allocated for their effective functioning. Please describe any steps taken to establish a comprehensive programme under which victims of torture may obtain redress, including the compensation for non-pecuniary and pecuniary damages, including medical and psychological treatment, beyond compensation available through the Victims' Compensation Fund. In addition, please provide updated information on any ongoing efforts to implement the recommendations contained in Views adopted by the United Nations treaty bodies concerning individual communications, with a view to ensuring effective redress for torture victims.

Article 15

21. Please provide updated information on specific measures taken to ensure that the principle of inadmissibility of evidence obtained through torture or ill-treatment is observed in law and in practice. Please provide examples of any recent cases that have been dismissed by the courts owing to the introduction of evidence or testimony obtained through torture or ill-treatment.

²⁸ CCPR/C/KAZ/CO/3, paras. 25 and 26.

²⁹ CAT/C/KAZ/CO/4, paras. 19 and 20. *See also* CAT/OP/KAZ/ROSP/1, paras. 52 to 56.

³⁰ CAT/OP/KAZ/ROSP/1, paras. 36 to 43.

³¹ CAT/C/KAZ/CO/4, paras. 33 and 34.

Article 16

22. With reference to the Committee's previous concluding observations,³² and the State Party's follow-up replies,³³ please provide statistical data for the reporting period on the number of recorded cases of abuse and violent deaths of military personnel, as well as the outcome of any investigations opened following those complaints and the sentences and penalties handed down. In this connection, please indicate whether any assessment of the effectiveness of preventive measures put in place by the State Party has been carried out, and, if so, provide details of the findings and any follow-up actions taken.

23. In light of the Committee's previous concluding observations,³⁴ please indicate what steps have been taken by the State Party to repeal the requirement of mandatory gender reassignment surgery contained in article 257 (13) of the Family and Marriage Code, as well as the requirement of a psychiatric diagnosis. Please also explain the measures adopted to develop procedures for the legal recognition of gender based on the principle of non-discrimination, on a voluntary basis, and accompanied by access to counselling services and psychosocial support.

24. Please provide information on any steps taken to criminalize, prevent and address violence based on sexual orientation and gender identity, to ensure that all such cases are thoroughly investigated, and that effective mechanisms are in place to encourage victims to report such cases. Please provide disaggregated data on the number of complaints received, investigations initiated, prosecutions undertaken, convictions obtained, and sanctions imposed in cases of violence and hate crimes based on sexual orientation and gender identity for the reporting period.

25. Please provide information on the measures in place to protect journalists, political activists, and human rights defenders, notably those working to combat violence against women and hate crimes based on sexual orientation and gender identity, as well as those who engage, or seek to engage, with the United Nations and its human rights mechanisms, from harassment, intimidation and arbitrary detention in connection with their legitimate professional activities. Please also provide information on the steps taken to promptly and impartially investigate such cases and prosecute and punish the perpetrators of such acts.

26. Please indicate the measures taken by the State Party to prohibit corporal punishment of children in all settings. Please also explain the mechanisms and procedures available to children to safely and effectively lodge complaints with the competent authorities regarding acts of violence, including information on child-friendly reporting channels and access to remedies.

Other issues

27. Please provide updated information on the measures taken by the State Party to respond to threats of terrorism. Please describe whether those measures have affected human rights safeguards in law and in practice and, if so, how they have affected them. Please also describe how the State Party has ensured that counter-terrorism measures are compatible with all its obligations under international law, especially the Convention. Please indicate whether steps have been taken to address the expressed concerns regarding the overly broad formulation of the concepts of "extremism," "incitement to social or class hatred," and "religious hatred or enmity" in the State Party's criminal legislation.³⁵ Furthermore, please indicate what training is given to law enforcement officers in this area; the number of persons who have been convicted under legislation adopted to combat terrorism; the legal remedies and safeguards available in law and in practice to persons subjected to counter-terrorism

³² CAT/C/KAZ/CO/4, paras. 43 and 44.

³³ CAT/C/KAZ/FCO/4, paras. 67–77. See also the letter dated 10 October 2024 from the Rapporteur for follow-up to concluding observations, available from https://tbinternet.ohchr.org/_layouts/15/treatybodyexternal/Download.aspx?symbolno=INT%2FCAT%2FFUL%2FKAZ%2F60210&Lang=en.

³⁴ CAT/C/KAZ/CO/4, paras. 43 and 44. See also CCPR/C/KAZ/CO/3, paras. 13 and 14.

³⁵ CCPR/C/KAZ/CO/3, paras. 17 to 18.

measures; and whether there have been complaints of non-observance of international standards in applying measures to combat terrorism and, if so, what the outcome was.

28. Please indicate the concrete measures that have been taken to widely disseminate the Convention as well as the Committee's previous concluding observations in all appropriate languages in the State Party, including through the media and non-governmental organizations.

General information on other measures and developments relating to the implementation of the Convention in the State party

29. Please provide detailed information on any other relevant legislative, administrative, judicial or other measures taken since the consideration of the State Party's previous periodic report to implement the provisions of the Convention or the Committee's recommendations. Such measures may include institutional developments, plans or programmes. Please indicate the resources allocated and provide statistical data. Please also provide any other information that the State Party considers relevant.
