

OSCE Human Dimension Implementation Meeting 2015
Statement under Working Session 15 – Fundamental Freedom II
by COC Netherlands, Alma-TQ (Kazakhstan) and Article 19 (Kazakhstan)
as delivered 30-09-2015

Title: “Violations of Fundamental Rights to Freedom of Thought and Belief in Kazakhstan”

Thank you Madam,

My name is Zhanar Sekerbayeva and this statement is made on behalf of COC Netherlands and LGBT organization in Kazakhstan Alma-TQ, which works on countering discrimination, advocacy and hate crimes based on sexual orientation and gender identity (SOGI) bias, as well as Kazakhstan Feminist Initiative.

In Kazakhstan state and religion are separated. By constitution all citizens are protected equally and assigned human rights at birth, in line with international human rights treaties. In society religion plays an important role and many Kazakhstani people are active believers, including LGBT people. Muslim leaders propagate a type of interpretation of Islam, that promotes one type of family and affirms patriarchal gender norms. This leads to oppression of women and girls, and LGBT people, where they are not able to exercise their own freedom of belief. Religious leaders contribute to an atmosphere of fear by making statements that LGBT people should be excluded from the religious community and their families.

While Kazakhstan decriminalized homosexuality in 1998, a climate of homophobia and censorship remains. LGBT people live double lives trying to hide themselves. They cannot live fulfilling life, without stigma and fear. LGBT people said that fear influences all aspects of their life – fear that their sexual orientation or gender identity will impede their access to education, employment, and health care; fear of violence while walking down the street.

Government insufficiently lives up to its commitments by not protecting LGBT people adequately against discrimination and violence, and by not ensuring their freedom of expression, freedom of thought, and belief.

Freedom of thought in Kazakhstan, as in all Central Asia republics, is characterized by a deadly overwhelming silence. Widespread homophobia, media narrative, the failure of police and government to protect people signal continuing human rights violations and decreasing space for freedom of thought. LGBT people are entitled to equal protection under the law and equal access to their human rights.

We *recommend* the Kazakhstani government and the OSCE to:

- 1) Raise the issue of homophobic rhetoric, discrimination, censorship and acts of violence against LGBT people in routine and high-level meetings with government;
- 2) Ensure that hate speech by religious and other community leaders against LGBT people are investigated and judged;
- 3) Create a dialogue in society on freedom of belief that is inclusive of diversity;
- 4) Strengthen the capacity of LGBT civil society organizations to systematically monitor freedom of thought.

Thank you for your attention.