

Finnish Presidency of the Council of the European Union

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EU Statement in response to the Secretary of State of Kazakhstan and Deputy Chairman of the State Commission on Development and Concretization of the Programme of Democratic Reforms, Mr. Oralbai Abdykarimov

The EU welcomes Secretary of State of Kazakhstan, H.E. Mr. Oralbai Abdykarimov and the other members of his delegation, to the Permanent Council and thanks him for the interesting information provided on the process of democratisation in Kazakhstan and the work of the State Commission on Development and Concretization of the Programme of Democratic Reforms.

As is well known, the EU takes a close interest in developments in Kazakhstan with regard to human rights, democratization and other OSCE human dimension commitments. The EU considers that a truly democratic Kazakhstan would be a factor of stability in all of Central Asia. We welcome the fact that Kazakhstan declared its will to introduce significant reforms in these areas and note positively the efforts made, including through the work of the State Commission. We continue to believe that, provided that there is political will, the Commission can be an important vehicle for further strengthening democratic practices and institutions. We will be very interested in seeing concrete implementation in the areas it focuses on, i.e. widening of the powers of the legislative bodies, introduction of local self-governance, improving the judiciary and law-enforcement bodies, development of civil society, and constitutional development. We believe it is important for the composition of the State Commission to reflect the broadest possible spectrum of political views.

We reiterate our welcome for Kazakhstan's ratification without any reservations of the International Covenant on Civil and Political Rights and the International Covenant on Economic, Social and Cultural Rights and stress the need to put them in practice. The EU would be interested in learning about the precise calendar for their implementation. Generally, the value of these and other human rights obligations and commitments is only borne out when they are completely and fully implemented. We hope Kazakhstan will also adopt the two Optional Protocols to the International Covenant on Civil and Political Rights.

We continue to have a number of concerns with regard to some aspects of political and human rights developments in the country and call for further reform in areas such as human rights, democracy and rule of law.

In particular, we reiterate our concern about media freedom, registration of political parties and freedom of movement for opposition politicians, freedom of assembly and association, and the involvement of civil society in the decision shaping and making process. As regards media freedom, in addition to several instances of opposition newspapers being suspended, grave concerns have been voiced at the media law adopted in July, particularly that it might undermine the development of a free and pluralistic media landscape in Kazakhstan. The EU hopes that a

new media law will improve the situation and be consequently adopted soonest. We are also concerned by the lack of independence of the judiciary.

Concerns over Kazakhstan's political and human rights development were underlined by the conclusions drawn by ODIHR regarding the presidential elections in December 2005 and the shortcomings reported, including with regard to relevant legislation. We urge Kazakhstan to follow up on all ODIHR's recommendations and to work with the OSCE, including its Centre in Almaty, to address these and other concerns, in order to promote a really pluralistic political life.

In addition, as has become evident from the recent court ruling on the murder of Mr. Sarsenbaiuli, the death penalty has still not been abolished in Kazakhstan. The EU recalls that, while it is pleased that a moratorium is in place, it strives for universal abolition of the death penalty.

We note that the State Commission drafted at its August 28 meeting a statement on the issue of the Kazakh bid for the OSCE Chairmanship in 2009 in which it said that a positive decision would contribute to "further democratization of the society and strengthen the process of moving forward political reforms in Kazakhstan". Let me reiterate that the EU welcomes Kazakhstan's aspirations to take on a leading role in the OSCE. The EU recalls that any Chairman-in-Office of the OSCE must exemplify the principles of the organisation. It is for Kazakhstan to demonstrate that it is ready and able to commit to full compliance with all OSCE undertakings and standards.

The Acceding Countries Bulgaria and Romania, the Candidate Countries Turkey, Croatia ¹ and the former Yugoslav Republic of Macedonia, the Countries of the Stabilisation and Association Process and potential candidates Albania, Bosnia and Herzegovina, Montenegro, and Serbia, EFTA country Iceland, member of the European Economic Area, as well as the Republic of Moldova align themselves with this statement.

¹ Croatia and the Former Yugoslav Republic of Macedonia continue to be part of the Stabilisation and Association Process