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# Prohlášení

## Statement

## Déclaration

Vienna 4 June 2009

### **Permanent Council No. 763**

### **EU statement in response to the Head of the OSCE Centre in Astana, Ambassador Alexandre Keltchewsky**

The EU warmly welcomes Ambassador Keltchewsky back to the Permanent Council and thanks him for his comprehensive report. We also thank him for the useful and analytical reporting of the Centre.

The EU is pleased to learn about the Centre's excellent relations with authorities and civil society in the host country. We are convinced that this relationship will stand the Centre in good stead during Kazakhstan's OSCE Chairmanship and beyond.

The EU supports the Centre's activities across the three dimensions, designed to assist the host country in its reform and democratization efforts. We particularly welcome the Centre's endeavours to take a regional perspective in a wide range of areas, including enhancing CSBMs, promoting democratic policing, education for sustainable development and managing water resources. We also attach importance to the Centre's work on media freedom, combating corruption, border management, promoting the Aarhus Convention, advocating equal rights and opportunities for women and men and fighting trafficking in human beings.

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Madam Chairperson,

The EU welcomed in February that Kazakhstan was taking concrete steps to develop its legislation regarding media, political parties, elections and local government, which are all key areas of OSCE commitments. We would like to recall the need of an effective application of these new laws in a manner that will favour the prospects for pluralism and broad participation in the country's political processes.

The EU notes with strong interest the Centre's project to provide recommendations on the draft State Concept of Legal Policy for 2010-2020, expected to be finalized later this year. As Ambassador Keltchewsky notes, along with the 2009-2015 State Programme for Legal Policy and the 2009-2012 National Action Plan prepared by the Presidential Human Rights Commission, this document marks an important strategic step. Against the background of the decision by the Constitutional Council on 11 February, endorsed by President Nazarbaiev on 12 March and pertaining to the unconstitutional character of the draft law on religious freedom and religious organisations, the EU considers it particularly important that OSCE advice and recommendations, as well as civil society input, be sought and taken into account in the process of elaborating all three documents. Indeed, the latter document covers inter alia areas of legislation mentioned by Foreign Minister Tazhin at the November 2007 OSCE Ministerial Council, and the EU agrees with the document's recommendation of further liberalization in these and other areas. Like the Centre, the EU welcomes the fact that the Kazakh authorities are submitting an increasing number of requests for legal expertise and capacity building in fields related to human rights and the rule of law. In

this regard, we particularly welcome the intensified dialogue between the Kazakh authorities and the ODIHR, manifesting itself in working visits of various ODIHR experts and, most recently, of the ODIHR's director, Ambassador Lenarčič, to Kazakhstan.

The EU welcomes Kazakhstan's ratification of additional international human rights instruments and also its efforts in the area of combating torture. We hope that Kazakhstan will ensure adequate follow-up to its report to the relevant UN Committee and to the visit by the UN Special Rapporteur on Torture. The OSCE should be a partner in that regard, and the EU welcomes the Centre's monitoring of trials where evidence might have been obtained under torture.

The EU has previously expressed its concerns with regard to the draft law on information and communication networks. We continue to call on Kazakhstan to amend this draft law in the light of the expert opinion that has been offered by the Representative on Freedom of the Media. We have also noted the several court cases mentioned in the report involving newspapers and hope they will be resolved in a manner that would contribute to increasing media freedom in the country.

In conclusion, the EU expresses its agreement with the priority given by the Centre to strengthening civil society and providing assistance to authorities and law enforcement agencies in the necessary process of further strengthening democracy and adopting and implementing reforms. The EU continues to stand ready to support Kazakhstan in this process and in its preparations for the 2010 Chairmanship. We also would like to thank Ambassador Keltchewsky and his team for their dedicated work and wish them the best of success in their future activities.

The candidate countries TURKEY, CROATIA\* and FORMER YUGOSLAV REPUBLIC OF MACEDONIA\*, the countries of the Stabilisation and Association Process and potential candidate countries ALBANIA, BOSNIA AND HERZEGOVINA and MONTENEGRO, the European Free Trade Association country and member of the European Economic Area ICELAND, as well as the REPUBLIC OF MOLDOVA, ARMENIA and GEORGIA align themselves with this statement.

\*Croatia and Former Yugoslav Republic of Macedonia continue to be part of the Stabilisation and Association Process.