



**DELEGATION
OF THE REPUBLIC OF KAZAKHSTAN TO THE OSCE**

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**Statement by Ambassador Kairat Abdrakhmanov
at the 878th Permanent Council meeting**

Vienna, 1 September 2011

Thank you Mr. Chairperson.

I would like to give brief response to the issues raised by the delegations of the EU and USA.

On transfer of prison system from the Ministry of Justice to the Ministry of the Interior

I am thankful to the delegations of the USA and EU for raising an important issue of prison reform in Kazakhstan and mentioning the improvement of detention conditions. It is true and is a result of joint efforts of the relevant Kazakh authorities, foreign experts and civil society.

I would like to assure the parties concerned that the Kazakh authorities will continue its policy aimed at humanization of detention system, and provide full transparency in prison reform and ensure dialogue with NGO community.

On 1 January 2002, Kazakhstan was the first in the region to relocate the management of penitentiary institutions from the Ministry of Interior to the Ministry of Justice. Unfortunately, the criminogenic situation in the penitentiary system did not improve. On the contrary, it became even more complicated. Within the last two years we have observed a leap up in the number of escapes of prisoners from the detention facilities, including massive ones. For example, 21 convicted escaped from the prison in Mangystau region in June 2010 during which they used arms and improvised explosive devices. 16 prisoners made an attempt of armed escape from the Balkhash correctional facility in July.

In this regard, let me share information we received from Astana following the above-mentioned transfer:

The transfer of the penitentiary system does not mean that Kazakhstan is setting back from the principles of humanization and democratization of the prisons. Human rights and fundamental freedoms of persons in the correctional facilities are defined among the main priorities of the Ministry of Interior. To this end, the said Ministry is undertaking a series of organizational and practical measures. Moreover, the Interior

Ministry will strive to establish and follow international standards in the penal system. And last but not least, within the structure of the Interior Ministry, the Committee of the correctional system will retain its independence with the vertical subordination.

On E.Zhovtis

By the decision of the Commission of the colony-settlement in Ust-Kamenogorsk (OV-156/13) on August 2, 2011, E.Zhovtis has been denied a parole.

In accordance with Article 70 of the Criminal Code of Kazakhstan, a convicted may be eligible for parole: in case she or he demonstrates a law-abiding behavior, conscientious attitude to labor (training), actively participates in the amateur organizations and educational events, takes measures in order to fully compensate damages caused by his or her crime, and a person who is not requiring to serve full sentence.

The administration of the colony informed that E.Zhovtis has been brought to disciplinary liability three times: on 18 November 2009, on 17 July 2010 and on 9 February 2011. At the moment the Commission examined an application for parole, Mr. E.Zhovtis has not indemnified the last reprimand.

Taking into account that the behavior of E.Zhovtis fail to comply with Article 70 of the Criminal Code, the administration of the facility took a decision to refuse submission of his parole.

On N.Sokolova

My delegation is not in a position to provide today comprehensive information on the case of Natalya Sokolova. We urge all parties concerned to learn more about the situation with illegal strikes in Western Kazakhstan, namely, in the cities of Aktau and Zhanaozen.

By the way among the concerned parties are distinguished members of the European Parliament namely Mr.Murphy and his predecessor Mr.Higgins. Probably you know these names.

As for Sokolova's sentence, please, note two articles of the Criminal Code of Kazakhstan, article 164 – on inciting social, national, tribal, and racial irreligious enmity and article 334 – violating the regulations of organizing and holding meetings, rallies, pickets, marches and demonstrations.

Violations by Mrs.Sokolova of the above-mentioned articles brought her before justice. We are also aware about Mrs.Sokolova's intention to appeal the verdict. If she does so, we will update participating States on further developments with regard to this matter.

The goals and objectives of those who are behind the strikes in Western Kazakhstan are simple enough: discreditation of the Government of Kazakhstan, destabilization of the socio-economic life, which would serve the interests of only limited number of people overseas but not the entire nation.

Most probably some sources both inside the country and outsiders are not happy by the prosperous development of Kazakhstan, its stability and strive for progress, including within the OSCE human dimension.

On blocked websites

A number of web sites, including the LiveJournal.com, have been blocked in Kazakhstan by a court decision, which ruled that their blogs contained extremism propaganda. The said move was initiated by a prosecutor who had appealed to a court in Astana, asking to prosecute some websites because they had been used to distribute illegal data and promote the ideas of terrorism and religious extremism, and this causes a threat to my country's national security. The court's decision has already taken effect as of 20 August 2011, but may be appealed. However, as far as the mentioned above resource cause a threat to national security, we deem the undertaken measures very much justified.

Attached are several screenshots of the blocked web sites which proves their extremist nature.

I thank you, Mr. Chairperson.