

Kazakhstan 2024 Human Rights Report

Executive Summary

There were no significant changes in the human rights situation in Kazakhstan during the year.

Significant human rights issues included credible reports of: torture or cruel, inhuman, or degrading treatment or punishment; arbitrary arrest or detention; transnational repression against individuals in another country; witting cooperation with another country to carry out acts of transnational repression; serious restrictions on freedom of expression and media freedom, including violence or threats of violence against journalists, unjustified arrests or prosecutions of journalists and censorship; prohibiting independent trade unions or significant or systematic restrictions on workers' freedom of association; violence or threats against labor activists or union members; and the presence of any of the worst forms of child labor.

The government took some credible steps to identify and punish officials who committed human rights abuses.

Section 1. Life

a. Extrajudicial Killings

There were no reports the government or its agents committed arbitrary or unlawful killings during the year.

On February 27, the Supreme Court overturned a local court ruling against two police officers convicted of torturing Zhandos Zhotabaev to death in a temporary detention center in the city of Semey in 2022. The Supreme Court upheld the conviction but changed the suspended four-year prison sentences handed to the officers into real prison sentences.

b. Coercion in Population Control

There were no reports of coerced abortion or involuntary sterilization on the part of government authorities.

Section 2. Liberty

a. Freedom of the Press

While the constitution provided for freedom of speech and of the press, the government limited freedom of expression and exerted influence on media through detention, imprisonment, criminal and administrative charges, restrictive laws, harassment, licensing regulations, and internet restrictions,

among other means.

The government limited individuals' ability to criticize the country's leadership, and regional leaders attempted to limit criticism of their own actions. The law expressly prohibited insulting the sitting president or his family and imposed penalties of up to five years' imprisonment.

Independent media were limited. Many privately owned newspapers and television stations received government subsidies. The lack of transparency in media ownership and the dependence of many outlets on government contracts for paid media coverage and advertising were significant problems.

According to media observers, the government wholly or partly owned most of the nationwide television broadcasters. Regional governments owned several television frequencies, and the Ministry of Information and Social Development distributed those frequencies to independent broadcasters via a tender system. Government-owned media outlets reported significant restrictions on topics they were able to cover, including criticism of the government, relations with Russia and China, religion, and human rights.

The government exercised comprehensive control over online content including restricting and disrupting access and censoring online content. Observers reported the government blocked or slowed access to opposition websites, as well as some news sites from neighboring countries. Freedom

House reported that the government throttled access to the internet during local protests. Many observers believed the government added progovernment postings and opinions in internet chat rooms. The government regulated the country's internet providers, including Kazakh Telecom, in which the state owned a majority interest.

Media law prohibited citizens from leaving anonymous comments on media outlet websites. Websites had to register all online commenters and make the registration information available to law enforcement agencies on request. As a result, most online media outlets did not host public comment platforms.

Physical Attacks, Imprisonment, and Pressure

Several media representatives in the country reported pressure from officials due to their professional activities. On May 13, the Almaty administrative court found journalist Dzhamilya Maricheva guilty of “posting and disseminating false information” and imposed a fine of 73,840 Kazakhstani tenge (\$150). The court deemed a post published on the ProTenge Telegram channel, which expressed support for colleagues from Azattyq news service, to be false information, specifically regarding the Ministry of Foreign Affairs’ denial of accreditation to 36 journalists. The court determined that Maricheva had “deliberately distorted the reason for the refusal to extend accreditation.”

Censorship by Governments, Military, Intelligence, or Police Forces, Criminal Groups, or Armed Extremist or Rebel Groups

Journalists and media outlets exercised self-censorship to avoid pressure by the government.

The law prohibited undermining state security or advocating class, social, racial/ethnic, national, or religious discord, enabling the government to restrict media content. Owners, editors, distributors, and journalists could be held civilly and criminally responsible for content unless it came from an official source.

The law provided for additional measures and restrictions during “social emergencies,” defined as “an emergency on a certain territory caused by contradictions and conflicts in social relations that may cause or have caused loss of life, personal injury, significant property damage, or violation of conditions of the population.” In these situations, the government could censor media sources by requiring media to provide, for government approval, print, audio, and video information 24 hours before publication or broadcast.

Political parties and public associations could be suspended or closed if they obstructed the efforts of security forces. Regulations also allowed the government to restrict or ban copying equipment, broadcasting equipment, and audio and video recording devices, and to seize loudspeakers.

By law, internet resources, including social media, were classified as forms of mass media and were governed by the same rules and regulations as mass media. Authorities sometimes charged bloggers and social media users with criminal law violations based on their online posts.

On June 19, the country adopted a new mass media law. Human rights professionals reported the law largely preserved the existing legal framework but expressed concern some provisions could reduce media freedom, including new language requiring the government to monitor mass media for content that presented “harm to the moral development of society and violations of universal human, national, cultural, and family values.”

Media observers also expressed concern that new registration rules introduced by the Ministry of Culture and Information and the Ministry of Foreign Affairs would allow journalists to be stripped of their accreditation without court involvement. The proposed changes include more than a dozen provisions outlining grounds for suspending or revoking the accreditation of both local and foreign journalists.

On August 2, a court in Konayev, Almaty Region, sentenced journalist and civil activist Duman Mukhammedkarim, publisher of the YouTube channel Ne Deydi, to seven years in prison with a three-year ban on engaging in social and political activities. His trial was held behind closed doors, without press or supporters present in the courtroom. Mukhammedkarim was

accused of “financing extremism” and “participating” in a banned organization. Human rights defenders asserted this charge was politically motivated due to the journalist’s outspoken criticism of the government, as well as his choice to interview exiled opposition leader Mukhtar Ablyazov and inform viewers how to contribute to Ablyazov’s legal defense. At least two activists were placed under administrative arrest the day before the verdict. Abzal Dostiyarov from Almaty was jailed for 20 days, while Bekzat Maksutkhan, leader of the unregistered Atajurt party, was arrested for 15 days. Both were charged with “violating the law on the procedure for organizing and holding peaceful assemblies” due to their plans to attend the trial, where Mukhammedkarim’s supporters had gathered outside the court to protest his prosecution.

Multiple independent journalists and bloggers alleged the government employed bot farms to file false complaints with social media companies against their pages due to their criticism of the government, leading to temporary and in some cases permanent shutdowns of their public platforms.

b. Worker Rights

Freedom of Association and Collective Bargaining

The law provided for workers’ rights to form and join unions but imposed restrictions such as a requirement that a registered sectoral or national

union be represented in at least half of the country's regions. The geographical representation requirement often prevented the registration and operation of independent sectoral unions, especially in geographically concentrated sectors.

The government exercised considerable influence on organized labor and favored state-affiliated unions over independent ones. The Federation of Trade Unions of the Republic of Kazakhstan (FTUK) was the largest national trade union association, with approximately 90 percent of union members on its rolls. The law provided for the right of workers to bargain collectively. The law prohibited antiunion discrimination, and a court could order reinstatement of a worker fired for union activity. Penalties for breaking these provisions included fines and imprisonment of up to 75 days, commensurate with penalties of other laws involving denials of civil rights. Penalties were rarely applied against violators.

The government passed new amendments in 2023 that eased some limitations to workers' ability to strike. Workers could hold a one-time hour-long strike during arbitration procedures; however, the number of participating workers was limited to 50, and workers were required to notify the employer at least three days prior to the strike. The decision to strike had to be made in a meeting attended by at least half of an enterprise's workers, with at least half of them supporting the strike (previously at least two thirds was required), or by a trade union or elected representatives who

represented the workers. A written notice announcing a strike had to be submitted to the employer at least five days in advance. It took 15 days to initiate a strike in accordance with the law, and although the law prohibited disciplinary actions against striking workers, employers could pressure or even fire activists during this time.

Employers could take disciplinary actions against striking workers after a court declared a strike illegal. The government could file criminal charges against labor organizers for calls to participate in strikes declared illegal by the court. The representatives of independent trade unions called these amendments “cosmetic” because arbitration procedures remained difficult, and, therefore, workers, would continue to hold spontaneous strikes to address workplace grievances.

Disagreements between unions and their employers had to be presented to a tripartite commission for arbitration if the disagreement could not be settled between the employer and the union. The commission was composed of representatives of the government, labor unions, and employer associations. State-affiliated and independent labor unions participated in tripartite commissions. The tripartite commission was responsible for developing and signing annual collective agreements governing most aspects of labor relations.

In March, the tripartite commission signed the general agreement for labor relations for 2024-26. Foreign workers had the right to join unions, but the

law prohibited the operation of foreign unions and the financing of unions by foreign entities such as foreign citizens, governments, and international organizations. Irregular migrants and self-employed individuals residing in the country were covered by the laws regulating union participation. FTUK registered 84 labor conflicts in 2023. In May, the Ministry of Labor and Social Protection reported labor strikes in 13 companies, mostly in the oil and gas, metals mining, and utilities sectors, during the year, which all ended. Employees called for employment with contracting companies, higher wages, more social benefits, and improved labor and safety conditions. The court ruled five strikes illegal.

Forced or Compulsory Labor

See the Department of State's annual *Trafficking in Persons Report* at <https://www.state.gov/reports/2024-trafficking-in-persons-report/>.

Acceptable Work Conditions

Wage and Hour Laws

Every region estimated its own poverty line, but the national monthly minimum wage was the same for all regions. The law stipulated the normal workweek should not exceed 40 hours. It limited heavy manual labor or hazardous work to 36 hours per week. The law limited overtime to two hours per day, or one hour per day for heavy manual labor, and required overtime to be paid at least at a 50 percent premium. The law prohibited

compulsory overtime and any overtime for work in hazardous conditions. The law provided that labor agreements could stipulate the length of working time, holidays, and paid annual leave for each worker. By law employees were entitled to 24 days of paid annual leave per year. In general, the government enforced these laws, and violations could be brought to court. According to labor inspectors, most violations centered on wage arrears and delays incurred by individual entrepreneurs and small and medium businesses.

Occupational Safety and Health

The government set occupational safety and health (OSH) standards that were appropriate to the main industries. The law required employers to suspend work that could endanger the life or health of workers and to warn workers of any harmful or dangerous work conditions or the possibility of any occupational disease. Government experts inspected OSH conditions. The law specifically granted workers the right to remove themselves from situations that endangered their health or safety without suffering adverse employment action.

The Ministry of Labor and Social Protection reported on the results of inspections in 2023, stating that more than 20 percent of violations were related to OSH, including insufficient labor safety trainings, a deficit of skilled employees, and lack of liability of OSH training centers for the quality of training. According to FTUK, OSH violations centered on unsafe work

environments, a deficit or lack of proper training, and use of outdated, unsafe equipment.

In June, the government, employers' and workers organizations, and the International Labor Organization (ILO) signed the 2024-2025 roadmap, outlining work on occupational safety and health, social dialogue and tripartism, and eliminating violence and harassment in the workplace. In 2023, the national statistics bureau identified 1.69 million workers who labored in hazardous conditions.

Wage, Hour, and OSH Enforcement

The Ministry of Labor and Social Protection enforced standards for minimum wages, work hour restrictions, overtime, and OSH. By law, labor inspectors had the right to conduct routine and spontaneous inspections of workplaces to detect violations. Both types of inspections took place only after written notification, except in cases where the inspection was conducted based on a request from law enforcement authorities or a complaint related to certain extreme health and safety hazards.

In May, the Ministry of Labor and Social Protection reported that 2,366 inspections were conducted during the year. The law provided for so-called employer's declarations. Under this system, labor inspectors could extend a certificate of trust to enterprises that complied with labor legislation requirements. Certified enterprises were exempt from labor inspections for

three years.

By law, any enterprise or company could form a production council to address labor safety problems between representatives of an employer and employees. These councils were eligible to assign technical labor inspectors to conduct their own inspections of the employees' work conditions, and their resolutions were mandatory for both employers and employees. In May, there were more than 18,000 production councils and more than 24,000 volunteer labor inspectors, according to the government. The number of labor inspectors was not sufficient to enforce compliance, according to representatives of independent trade unions. The Ministry of Labor and Social Protection established the Labor Inspection Committee, which started operating in full capacity from September 1.

The government did not consistently enforce the law. Violations of law were considered administrative offenses, and penalties for violations of minimum wage and overtime law were not commensurate with crimes such as fraud. For example, a minimal punishment for fraud was a substantial fine or imprisonment for up to two years, while violations of wage or overtime payment provisions resulted in fines. Penalties for violations of OSH law were also not commensurate with crimes such as negligence. There were reports some employers ignored OSH regulations. Penalties for violations of minimum wage, overtime law, and OSH law were regularly applied against violators.

The government did not act to prevent violations, particularly against vulnerable groups. The country had one inspector per 23,000 workers, although the ILO recommended having one inspector per 15,000 workers.

The government reported that in 2023, more than 1.16 million of the country's workforce of 8.97 million persons worked in the informal economy. Of those, more than 30 percent labored on privately owned farms. Others worked on construction sites, in households, as taxi drivers, or in bazaars. Informal sector workers were not covered by wage, hour, OSH, and other labor laws and inspections.

c. Disappearance and Abduction

Disappearance

There were no reports of enforced disappearances by or on behalf of government authorities.

Prolonged Detention without Charges

The law prohibited arbitrary arrest and detention and provided for the right of any person to challenge the lawfulness of their arrest or detention in court. The government generally did not observe these requirements.

Human rights observers reported arbitrary detentions of political opponents and activists continued throughout the year.

The duration of preliminary detention could be extended to 72 hours in a variety of cases, including grave or terrorist crimes, crimes committed by criminal groups, drug trafficking, sexual crimes against a child, and others. The court could choose other forms of restraint, including house arrest or restricted movement. According to human rights activists, these procedures were frequently ignored.

Although the judiciary had authority to deny or grant arrest warrants, judges authorized arrest warrant requests in most cases.

The law allowed conditional release on bail, although use of bail procedures was limited. Prolonged pretrial detention remained commonplace. Bail was not available to suspects of grave crimes, crimes that led to death, organized crime, terrorist or extremist crimes, or in situations where there was reason to believe the suspect, if released, would hinder the investigation of the case or would escape.

Persons detained, arrested, or accused of committing a crime had the right to the assistance of a defense lawyer from the moment of detention, arrest, or accusation. The law obliged police to inform detainees of their rights, including the right to an attorney. Human rights observers stated that prisoners were constrained in their ability to communicate with their attorneys, that penitentiary staff secretly recorded conversations, and that staff often remained present during meetings between defendants and attorneys.

Human rights defenders reported that authorities dissuaded detainees from seeing an attorney, gathered evidence through preliminary questioning before a detainee's attorney arrived, and in some cases used defense attorneys to gather evidence.

The law required a government-provided attorney when the suspect was indigent, was a child, had physical or mental disabilities, or faced serious criminal charges. Public defenders often lacked the necessary experience and training to assist defendants. Defendants were barred from freely choosing their defense counsel if the case against them involved state secrets.

The government frequently arrested and detained political opponents and critics, sometimes for minor infractions such as unsanctioned assembly that led to fines or up to 15 days' administrative arrest. During the year, authorities detained many persons who participated in unsanctioned protests and some individuals walking near protest sites.

On September 29, at least 12 persons were detained in Almaty and the Almaty Region. Criminal cases were opened against them under articles on preparation for committing a crime and on organizing mass riots. Many other detentions were reported in cities across the country. Activists believed the detentions and criminal cases were intended to deter public opposition in advance of an October 6 referendum on the construction of a nuclear power plant in the country.

The law granted prisoners prompt access to family members, although authorities occasionally sent prisoners to facilities located far from their homes and relatives, thus preventing access for relatives unable to travel.

d. Violations in Religious Freedom

See the Department of State's annual *International Religious Freedom Report* at <https://www.state.gov/religiousfreedomreport/>.

e. Trafficking in Persons

See the Department of State's annual *Trafficking in Persons Report* at <https://www.state.gov/reports/2024-trafficking-in-persons-report/>.

Section 3. Security of the Person

a. Torture and Cruel, Inhuman, or Degrading Treatment or Punishment

The law prohibited such practices, but there were credible reports government officials employed them. Abuse occurred in police cells, pretrial detention facilities, and prisons. Human rights organizations reported torture was particularly prominent in pretrial facilities, including interrogation rooms, where security personnel sometimes beat and otherwise abused detainees to extract confessions. Torture cases were

most commonly connected with representatives of police and national security services, according to human rights organizations.

The domestic nongovernmental organization (NGO) Coalition Against Torture (CAT) noted a reduction in reported torture and mistreatment cases between 2023 (283 complaints – 165 allegations of torture and 118 of ill treatment for the calendar year) and during the year (55 complaints – 27 allegations of torture and 28 of ill treatment between January 1 and September 15). CAT representatives attributed this change at least in part to increased training through the Ministry of Internal Affairs and broad publicity surrounding recent convictions of security officials on torture charges. CAT representatives noted the actual number of cases for the full calendar year was likely higher than the number of complaints received, due to lack of consistent access to secure complaint channels. The human rights ombudsperson reported a 21 percent drop in registered torture complaints, with 219 registered in the first eight months of the year compared with 315 for the same period of 2023.

Investigations of torture cases were not transparent and did not involve international bodies, despite repeated calls for transparency from NGOs and the international community. On September 16, the Almaty Region District Court announced the indictment of six police officers accused of torturing 44 individuals, including citizens of the country, Kyrgyzstan, and Uzbekistan, at a special detention center in the village of Koshmambet in January 2022.

The police officers (Baurzhan Sopakov, Nursultan Khamitov, Arman Shoibekov, Berik Abilbekov, Olzhas Aidarkhanov, and Serik Turpanbayev) faced charges under the articles for “cruel, inhuman, or degrading treatment, torture” and “abuse of power or official authority.”

Several incidents of violence, misconduct, ill treatment and hazing in the military were reported during the year. Over three years, 90 suicides and 20 attempted suicides were reported in the military, reflecting severe mental health and hazing issues within the ranks, according to information announced in parliament.

b. Protection of Children

Child Labor

See the Department of Labor’s *Findings on the Worst Forms of Child Labor* at <https://www.dol.gov/agencies/ilab/resources/reports/child-labor/findings/>.

Child Marriage

The legal minimum age for marriage was 18, but could be reduced to 16 in the case of pregnancy or mutual agreement, including by parents or legal guardians. Authorities enforced the law somewhat effectively. According to local media, approximately 1,200 girls per year were married underage in religious ceremonies and then registered officially as married when the bride reached the legal age. The government did not take action to address

the problem.

c. Protection to Refugees

The government generally cooperated with the Office of the UN High Commissioner for Refugees (UNHCR) and other humanitarian organizations in providing protection and assistance to refugees, returning refugees, or asylum seekers, as well as other persons of concern.

UNHCR “Mandate” refugees (five families recognized by UNHCR under its global mandate before the government exercised its asylum functions) did not have any legal status in the country and were therefore subject to arbitrary detention.

Provision of First Asylum

The law provided for the granting of asylum or refugee status, and the government had a system for providing protection to refugees. UNHCR’s contracted local partners could, if needed, appeal to the government and intervene on behalf of individuals facing deportation.

According to UNHCR, the refugee system fell short of international standards regarding both access to asylum procedures and access to the country’s territory. Experts noted refugees were granted the status of “temporarily residing aliens” and had to renew this status on an annual basis. Human rights observers reported authorities were reluctant to

recognize asylum seekers, including those from Russia, China, Afghanistan, and Uzbekistan.

Contrary to commitments under the 1951 Convention Relating to the Status of Refugees and its 1967 Protocol, a person who crossed into the country illegally to escape persecution could be prosecuted for this in criminal court, and subsequently could be viewed as a person with criminal potential. This information was often regarded as a negative factor in asylum decisions. There was no standardized procedure for handling individuals without valid identity documentation and border officials lacked detailed instructions on referral to other government agencies of asylum seekers. As a consequence, persons seeking asylum at border points, including international airports and transit zones, were at risk of being returned to a country where they might face torture and other cruel, inhuman, or degrading treatment or punishment.

According to UNHCR data, as of June, there were 669 refugees and asylum seekers in the country. The number dropped significantly from 2023.

The government had an agreement with China not to tolerate the presence of ethnic separatists from one country on the territory of the other.

Although the agreement on the exchange of information with China included a provision allowing the refusal of a request if it “contradicts the legislation or international obligations of the state,” it did not specifically address the confidentiality of information related to asylum seekers and

refugees, nor did it explicitly prohibit the sharing of their information.

Since the improvement of relations with the Taliban during the year, the government rejected an increased number of asylum claims and residence permits of Afghan citizens, including many women and girls.

Early in the year, local authorities revoked the refugee status of three long-standing refugee families, including two from Afghanistan, who had lived peacefully in the country for more than a decade. For those from Afghanistan, the decision was based on the perceived fundamental change in circumstances in the country of origin, which had been the basis for the initial recognition as refugees. Following a UN-supported appeal, a local court overturned the negative decisions, and asylum authorities restored their refugee status.

d. Acts of Antisemitism and Antisemitic Incitement

Leaders of the Jewish community estimated that the country's Jewish population was 20,000 persons. There were no known reports of antisemitic incidents.

e. Instances of Transnational Repression

The government engaged in acts of transnational repression to intimidate or exact reprisal against individuals outside the country.

Threats, Harassment, Surveillance, or Coercion

Bekizhan Mendygazyev remained imprisoned on charges of nonpayment of taxes, money laundering, and participation in an organized criminal group. Human rights defenders alleged that authorities selectively prosecuted Bekizhan and other family members and former colleagues of outspoken opposition supporter and activist Barlyk Mendygazyev, a brother of Bekizhan, who lived in the United States, to force Barlyk Mendygazyev to stop his political activities.

Knowing Cooperation with Other Governments to Facilitate Their Acts of Transnational Repression

According to local media, two Russian and two Kazakh law enforcement personnel came to the workplace of Kamil Kasimov, a native of Tyumen, Russia, in Astana and took him to a local police center. From there, the two Russian police personnel took Kasimov to Priyaorsk Russian military base near Lake Balkash in South Kazakhstan. Kasimov was held in Priyaorsk from April to August, and from there was transported to Omsk, Russia. Kazakh authorities stated that the Priozersk City Court of the Karaganda Region found Kasimov guilty of violating migration laws, punishable by deportation or a fine, and ordered him to be deported when Kasimov requested deportation. Once in Omsk, Russia, he was sentenced to six years in a maximum-security penal colony for desertion during wartime. Human rights

experts believe Kazakh police assisted in his abduction and his request for deportation was likely made under pressure from Russian security officials who were holding him in custody at the time of his court proceeding.

Between February and April, the government detained Akylbek Muratbay (Muratov), Rasul Zhumaniyazov, and Rinat Utambekov, all ethnic Karakalpak citizens of Uzbekistan. Human rights experts stated the detentions were carried out at the request of the government of Uzbekistan due to the individuals' activism on behalf of Karakalpaks' human rights. Two of the three (Rinat Utambekov was released on December 9 after he agreed to return to Uzbekistan) were in detention at the end of the year. On January 9, Niyetbay Urazbayev, head of the Karakalpak diaspora in the country's Mangistau Region, died in a hospital in Almaty. Urazbayev was sentenced in absentia by Uzbekistan to 12 years in prison for "conspiracy to seize power," "organizing mass riots," and producing materials that allegedly posed a threat to public safety and order. Human rights advocates stated Urazbayev lived under intense legal and political pressure and believed he might have been stripped of his Kazakh citizenship illegally in 2023.