**34th Session of the Universal Periodic Review**

**Review of Kazakhstan**

7 November 2019

**Statement by Austria**

Austria welcomes the delegation of Kazakhstan and thanks for the submission and presentation of their national report.

We commend the Government for its efforts since the last review, including the ratification of the CRPD, the establishment of the Ombudsman for Children Rights, or efforts to improve general conditions in detention facilities.

However, the SPT found that there was a general atmosphere of intimidation and repression in places of deprivation of liberty and we share its concern about reported cases of criminal prosecution against members of the national preventive mechanism for work carried out under its mandate.

Austria is also worried about the reports of surveillance, intimidation and prosecution of lawyers defending human rights.

We also share the concern of various human rights procedures, including the OSCE Representative on Freedom of Media, about the deteriorating conditions for freedom of expression in the country.

 We recommend:

* Extend the mandate of the National Preventative Mechanism to cover all places of detention in line with Article 4 of OPCAT and ensure its financial and operational independence;
* Ensure effective investigation into acts of intimidation and harassment against lawyers and human right defenders.
* Amend Article 174 of the Criminal Code to ensure its compliance with Article 19 ICCPR;
* Ratify the Rome Statute of the ICC;
* Fully abolish the death penalty for all crimes.

I thank you.