



## EU ROADMAP FOR ENGAGEMENT WITH CIVIL SOCIETY IN KAZAKHSTAN FOR THE PERIOD 2022-2025

### GENERAL INFORMATION

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### PART I – BRIEF ANALYSIS OF THE CONTEXT AND PAST EU ENGAGEMENT

#### A. THE STATE OF CIVIL SOCIETY: BRIEF UPDATE ON RECENT DEVELOPMENTS

##### 1. Recent developments in the political and social context of Kazakhstan

###### 1.1. General political facts of the country

With a geographical size of 2,727,300 square kilometres, Kazakhstan is the world's ninth biggest country and the largest landlocked country. Kazakhstan shares borders with the Russian Federation, the People's Republic of China, the Kyrgyz Republic, Uzbekistan, and Turkmenistan, and also has a long coastline on the Caspian Sea. The Republic of Kazakhstan is a unitary state governed by a presidential system. Although it is, according to the Constitution, a democratic, secular, legal, and social state,<sup>1</sup> the Freedom House Nations in Transit 2022 report categorizes the country's Democracy Score is categorized as a "consolidated authoritarian regime".<sup>2</sup>

The President of the Republic of Kazakhstan is the head of state, the highest political official, determining the main lines of domestic and foreign policy and representing Kazakhstan on the international stage. Kazakhstan's government exercises executive powers and is highly centralized. The Parliament of the Republic of Kazakhstan conducts legislative tasks and is made up of two permanent chambers: the Senate (the Upper House) and the Majilis (the Lower House). The Senate is composed of deputies, two of whom represent each region of the country, as well as the cities of the national significance and the capital of Kazakhstan.<sup>3</sup> Fifteen deputies of the Senate are appointed by the President with due regard to equal representation of national, cultural and other key criteria of society. The Majilis has 107 members, nine of whom are chosen by the Assembly of the People of Kazakhstan. The judicial branch in Kazakhstan is also highly dependent on the executive: judges are nominated by the President upon the advice of the Supreme Judicial Council, which is likewise formed by the President.<sup>4</sup>

Civil society is defined by the related Presidential Decree as "a set of individuals, groups, socio-economic, moral and spiritual, family relations and various social institutions that take into account the interests of individuals and groups, freely and voluntarily form entities, associations and other unions to meet their own and public needs and interests".<sup>5</sup> The needs and interests of various social groups and individuals in Kazakhstan are manifested through the establishment of such civil society institutions as political parties and movements, local communities, trade unions, religious associations, creative, public and scientific unions and associations, business organizations, the media, as

<sup>1</sup> Article 1, Section I, The Constitution of the Republic of Kazakhstan: [https://www.akorda.kz/en/official\\_documents/constitution](https://www.akorda.kz/en/official_documents/constitution);

<sup>2</sup> Kazakhstan: Nations in Transit 2022 Country report: <https://freedomhouse.org/country/kazakhstan/nations-transit/2022>;

<sup>3</sup> Kazakhstan has 14 administrative zones (regions) and three cities of national significance as of May 2022. The presidential decree establishing three new regions – Abai Region, Ulytau Region, and Zhetisu Region – will take effect on June 8, 2022;

<sup>4</sup> Article 31, Constitutional Law of the Republic of Kazakhstan No. 132 On the judicial system and the status of judges of the Republic of Kazakhstan, dated Dec 25, 2000: [https://adilet.zan.kz/rus/docs/Z000000132\\_#z0](https://adilet.zan.kz/rus/docs/Z000000132_#z0);

<sup>5</sup> The Presidential Decree № 390 on Approval of the Concept for the Development of Civil Society in the Republic of Kazakhstan until 2025, Aug 27, 2020: <https://adilet.zan.kz/rus/docs/U2000000390>;



well as public associations and non-governmental organizations (NGOs) that provide a wide range of services to society.

## *1.2 Most recent developments on the political landscape in the country*

Kazakhstan saw its first peaceful transfer of power through an election in 2019 when the first President of the country, Nazarbayev, stepped down and incumbent President Tokayev was chosen to succeed him. The international world condemned Kazakhstan's election process for falling short of international standards.<sup>6</sup> The first full year of Tokayev's presidency was marked by a succession of difficulties, beginning with widespread public demonstrations,<sup>7</sup> interethnic violence in Korday,<sup>8</sup> a dam failure and major floods near the Uzbek border,<sup>9</sup> and eventually the COVID-19 pandemic. The latter put light on what many define as long-standing governance inefficiencies and issues, notably widespread corruption,<sup>10</sup> chronic neglect of healthcare and education systems, and the authorities' lack of capacity to make transparent decisions and communicate openly with the public.

Although political reform measures began prior to President Nazarbayev's sudden resignation in 2019, more systematic change has begun with Tokayev's government taking office. In his address to the people of Kazakhstan on September 2, 2019, President Tokayev first mentioned the innovative notion of the "Listening State",<sup>11</sup> which would be constructed in such a manner as to enable rapid and efficient replies to citizens from state bodies. Among others, constitutional amendments were introduced to strengthen the role of the Parliament; in this, new organizations such as the National Council of Public Trust,<sup>12</sup> that brings together government officials and civil society representatives, were established. This institution, together with its working groups, serves as a forum for the development and discussion of reform proposals.

For a long time, Kazakhstan's leadership focused primarily on reforming the country's economy. While acknowledging the need for political reforms, authorities explicitly pursued an economic-focused strategy. Protests in the western part of the country, sparked by rising fuel prices, turned into nationwide riots with economic and political demands in early January 2022.<sup>13</sup> The extent, timing, and character of the events have no precedence in the country's 30-year history as an independent republic. Officials in Kazakhstan reported 230 deaths, including 19 law enforcement officers, during the turmoil.<sup>14</sup>

Following January 2022 events President Tokayev announced the establishment of the Public Social Fund "For the People of Kazakhstan" to address issues in the field of health, education and social support,<sup>15</sup> while in his State-of-the-Nation-Address on March 16 2022 he proposed constitutional reforms, intended to complete the transition from a super-presidential system of government to a presidential republic with a robust parliament and responsible

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<sup>6</sup> Kazakhstan, Early Presidential Election, 9 June 2019: Final Report by OSCE: [https://www.osce.org/files/f/documents/2/7/434459\\_0.pdf](https://www.osce.org/files/f/documents/2/7/434459_0.pdf);

<sup>7</sup> Kazakhstan election: Hundreds arrested in poll protests by BBC News: <https://www.bbc.com/news/world-asia-48574540>;

<sup>8</sup> Violence in Kazakhstan Turns Deadly for Dungans, by Paolo Sorbello, The Diplomat: <https://thediplomat.com/2020/02/violence-in-kazakhstan-turns-deadly-for-dungans/>;

<sup>9</sup> Kazakhstan and Uzbekistan Unitedly Deal With Flood Consequences After Major Dam Collapse In Region, by Zhanna Shaykhetova, The Astana Times: <https://astanatimes.com/2020/05/kazakhstan-and-uzbekistan-unitedly-deal-with-flood-consequences-after-major-dam-collapse-in-region/>;

<sup>10</sup> Kazakhstan ranks 102 out of 180 countries in the Transparency International Corruption Index. According to Transparency International, endemic corruption and unfair distribution of wealth were among the main causes of the January 2022 events: <https://www.transparency.org/en/cpi/2021/index/kaz>;

<sup>11</sup> President of Kazakhstan Kassym-Jomart Tokayev's State of the Nation Address, September 2, 2019: [https://www.akorda.kz/en/addresses/addresses\\_of\\_president/president-of-kazakhstan-kassym-jomart-tokayevs-state-of-the-nation-address-september-2-2019](https://www.akorda.kz/en/addresses/addresses_of_president/president-of-kazakhstan-kassym-jomart-tokayevs-state-of-the-nation-address-september-2-2019);

<sup>12</sup> Official website of the National Council of Public Trust: <https://ulttyq-kenes.kz/ru/about-union>;

<sup>13</sup> Kazakhstan: What's behind the unrest and is a revolution brewing?, by Naira Davlashyan, Euronews: <https://www.euronews.com/2022/01/06/kazakhstan-what-s-behind-the-unrest-and-is-a-revolution-brewing>;

<sup>14</sup> According to the General Prosecutor's Office of the Republic of Kazakhstan: <https://astanatimes.com/2022/03/kazakhstan-prosecutor-general-reveals-details-%D0%BEf-investigation-into-january-events/>;

<sup>15</sup> Kazakh President Takes Aim at Wealthy Elite, by Catherine Putz, The Diplomat: <https://thediplomat.com/2022/01/kazakh-president-takes-aim-at-wealthy-elite/>;



administration.<sup>16</sup> Suggested amendments to the Constitution limit the president's power. According to these suggested amendments, the president, who should not be a member of a political party, may no longer overturn the actions of akims (mayors) of regions, cities of national significance, or the capital city, as close family members of the president cannot hold political posts. Kazakhstan's parliament will continue to be bicameral, although the balance of power between the Upper and Lower chambers will change: the Senate will no longer have the authority to create new laws, but will instead have the authority to accept or reject legislation enacted by the Majilis. In addition, the mechanism for appointing deputies to both chambers will be reformed; for instance, the Majilis will be reduced to 98 deputies and elected using a hybrid system, in which 70 percent of Majilis deputies will be chosen through proportional elections and 30 percent will be elected directly. Nine reduced seats in the Majilis will be transferred to the Senate, and the Assembly of the People of Kazakhstan will now only get to appoint five deputies. The number of deputies appointed by the president will be reduced from 15 to 10. Proposed amendments also include reestablishment of the Constitutional Court, simplified procedures for registering a political party, decentralization of local government, changes in the administrative-territorial structure of the country, strengthening human rights institutions, increasing the competitiveness of the media and enhancing the role of civil society institutions.<sup>17</sup>

The National Referendum on Constitutional Amendments was held on June 5<sup>th</sup>. 77.18 percent of citizens voted in total, approving the package of proposed reforms.<sup>18</sup> The lowest turnout rate was in Almaty city, where January 2022 protests escalated into violence at the beginning of the year. Civil society actors, including those who have long advocated for constitutional changes, have criticized the referendum given the lack of public consultations and discussions in relation to the proposed amendments, the absence of independent experts on the amendment commission, and the short timeframe between the announcement of the referendum and the referendum day.<sup>19</sup>

## 2. Analysis of the enabling environment for Civil Society in Kazakhstan

### 2.1. General considerations in relation to the enabling environment for civil society in Kazakhstan

While State authorities emphasise the growing importance of the civil society sector, there are legal and practical barriers for CSOs. The new Action Plan for the implementation of the Concept for the Development of Civil Society in the Republic of Kazakhstan until 2025<sup>20</sup>, adopted by the government in 2020, made no substantive changes to the state engagement with civil society in practice. The tool ignores many recommendations made by civil society during the drafting period of the Action Plan, including tax reforms to reinforce CSOs sustainability and incentives for charity, the removal of burdensome foreign funding reporting requirements, and the abolishment of territorial regulations for public associations, among others.

*The civic space rating for Kazakhstan was described as "repressed" in the June 2022 CIVICUS Monitor report.<sup>21</sup> Following the events of January 2022, violations of civic freedoms - mainly freedoms of assembly, association and expression – persisted, putting Kazakhstan on the CIVICUS Monitor Watchlist. Arbitrary mass detention of thousands of protestors, excessive use of force, a several-day nationwide internet blackout, widespread allegations of torture and ill-treatment, as well as due process violations have all been widely condemned by Kazakhstani civil society and the international community. According to the Freedom in the World 2022 report,<sup>22</sup> Kazakhstan's status remained as "Not Free", without any changes since last year. In line with this, the state seeks to maximally control activities of the*

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<sup>16</sup> What's in Kazakhstan's Constitutional Referendum?, By Colleen Wood, The Diplomat: <https://thediplomat.com/2022/05/whats-in-kazakhstans-constitutional-referendum/>;

<sup>17</sup> State-of-the-Nation Address by President of the Republic of Kazakhstan Kassym-Jomart Tokayev: <https://www.akorda.kz/en/state-of-the-nation-address-by-president-of-the-republic-of-kazakhstan-kassym-jomart-tokayev-17293>;

<sup>18</sup> Information on the results of the National Referendum on Constitutional Amendments on the official website of the Central election commission of the Republic of Kazakhstan: <https://www.election.gov.kz/eng/news/releases/index.php?ID=7157>;

<sup>19</sup> Plebiscit's illusion, by Dmitry Mazorenko, Vlast.kz: <https://vlast.kz/avtory/49940-illuzia-plebiscita.html>;

<sup>20</sup> Decree of the Government of the Republic of Kazakhstan No. 917 on Approval of the Action Plan for the implementation of the Concept for the Development of Civil Society in the Republic of Kazakhstan (first stage: 2020 - 2025), dated Dec 29, 2020: <https://adilet.zan.kz/rus/docs/P2000000917>;

<sup>21</sup> Official website of the CIVICUS Monitor <https://monitor.civicus.org/country/kazakhstan/>;

<sup>22</sup> Freedom in the World 2022: The Global Expansion of Authoritarian Rule, by Repucci, Sarah & Slipowitz, A., Washington: Freedom House, 2022;



civil society sector through practices that include the establishment of an “alternative” civil society, i.e. by creating new NGOs that operate exclusively under State orders and are subject to government control.<sup>23</sup> Civil society actors continue to exist but experience government persecution when attempting to address politically sensitive problems<sup>24</sup>. For example, according to representatives of those CSOs accused of violating the legislation regarding the reporting of foreign financial donations, the investigations were conducted in order to curtail their operations in the run-up to the January 2021 parliamentary elections. In connection with the January 2022 events, civil society, human rights, trade unions and political activists were among those detained, subjected to torture and ill-treatment and penalised for their participation in unsanctioned protests.<sup>25</sup> Numerous activists arrested during these events are facing criminal charges believed to be retaliation for their civic and pro-democratic engagement.

## 2.2. Key developments in the legal environment and institutional framework for Civil Society in the country

The following laws of the Republic of Kazakhstan are fundamental for the civil society sector: on Public Associations;<sup>26</sup> on Political Parties;<sup>27</sup> on Non-Commercial Organizations;<sup>28</sup> on State Registration of Legal Entities and Record-Registration of Branches and Representative Offices;<sup>29</sup> on the State Social Order, Grants and Awards for Non-Governmental Organizations;<sup>30</sup> on Peaceful Assemblies;<sup>31</sup> and others. There are also other laws that have indirect impact on CSOs operations in the country, for example, the Law of the Republic of Kazakhstan on Countering Terrorism; the Laws on Charity<sup>32</sup> and on Access to Information,<sup>33</sup> as well as key provisions in other texts relevant to civil society operations, including, although not being limited to, Administrative Offences and Penal Codes. Despite the fact that most of the legal texts listed above have recently been revised, *CSOs representatives continue to view state regulations as relatively restrictive and discriminatory against civil society*, stating that they endorse strong governmental control of civil society, preventing civil society from fulfilling its potential role in the promotion of democratic values in the country. Some examples of burdens on CSOs operations include:

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<sup>23</sup> Article 34 of the Civil Code says that the state can establish and fund a nonprofit organization, which would have the legal status of a state institution: <https://adilet.zan.kz/eng/docs/k940001000> ;

<sup>24</sup> This is of application not only to politically engaged actors, since during January 2022 events, not only politically engaged actors demanded for political reforms. Some of the interviewees shared the opinion that it is no longer possible to only push forward social development and economic reforms or just be involved in service provision unless there are real changes in the legislation, in the system of government institutions and in the level of allowed civic participation in decision-making processes, to name a few.

<sup>25</sup> Kazakhstan: widespread violations reported during “Bloody January”, International Partnership for Human Rights (IPHR) and Kazakhstan International Bureau for Human Rights and Rule of Law (KIBHR): [https://www.iphronline.org/kazakhstan-widespread-violations-reported-during-bloody-january.html#:~:text=Dauren%20Dostiyarov%2C%20an%20activist%20from,released%20on%2013th%20January%202022.](https://www.iphronline.org/kazakhstan-widespread-violations-reported-during-bloody-january.html#:~:text=Dauren%20Dostiyarov%2C%20an%20activist%20from,released%20on%2013th%20January%202022.;);

<sup>26</sup> The Law of the Republic of Kazakhstan № 3-I on Public Associations, dated May 31, 1996: [https://online.zakon.kz/Document/?doc\\_id=1005615](https://online.zakon.kz/Document/?doc_id=1005615) (last amended Jul 1, 2021);

<sup>27</sup> The Law of the Republic of Kazakhstan № 344-II on Political Parties, dated Jul 15, 2002: [https://online.zakon.kz/Document/?doc\\_id=1032141](https://online.zakon.kz/Document/?doc_id=1032141) (last amended 7 February, 2022);

<sup>28</sup> The Law of the Republic of Kazakhstan № 142-II on Non-Commercial Organizations, dated Jan 16, 2001: [https://online.zakon.kz/Document/?doc\\_id=1021519](https://online.zakon.kz/Document/?doc_id=1021519) (last amended Jul 7, 2021);

<sup>29</sup> The Law of the Republic of Kazakhstan № 2198 on State Registration of Legal Entities and Record-Registration of Branches and Representative Offices, dated Apr 17, 1995: [https://online.zakon.kz/Document/?doc\\_id=1003592&pos=5;-106#pos=5;-106](https://online.zakon.kz/Document/?doc_id=1003592&pos=5;-106#pos=5;-106) (last amended March 3, 2022);

<sup>30</sup> The Law of the Republic of Kazakhstan № 36 on the State Social Order, Grants and Awards for Non-Governmental Organizations, dated Apr 12, 2005: [https://online.zakon.kz/Document/?doc\\_id=30008578](https://online.zakon.kz/Document/?doc_id=30008578) (last amended Apr 19, 2019);

<sup>31</sup> The Law of the Republic of Kazakhstan № 333-VI on the Procedure for Organizing and Holding Peaceful Assemblies, dated May 25, 2020: [https://online.zakon.kz/Document/?doc\\_id=36271780](https://online.zakon.kz/Document/?doc_id=36271780);

<sup>32</sup> The Law of the Republic of Kazakhstan № 416 on Countering Terrorism, dated Jul 13, 1999: <https://adilet.zan.kz/eng/docs/Z990000416 #:~:text=The%20obligation%20of%20contribution%20to,carrying%20the%20countering%20the%20terrorism> (last amended Apr 8, 2010);

<sup>33</sup> The Law of the Republic of Kazakhstan № 402-V on Charity, dated Nov 16, 2015: [https://online.zakon.kz/Document/?doc\\_id=32932361](https://online.zakon.kz/Document/?doc_id=32932361) (last amended Jan 1, 2021);



- *Registration is mandatory.* According to the Law on State Registration of Legal Entities and Record-Registration of Branches and Representative Offices, all CSOs must register with the Ministry of Justice.<sup>34</sup> It is illegal for informal organisations to operate without first acquiring a license. Registration of new CSOs<sup>35</sup> might be difficult or impossible due to complicated registration requirements: the Ministry of Justice has discretionary powers due to the system's bureaucratic structure and opaqueness and, as a result, organizations that criticize the authorities or work on topics deemed contentious by the authorities are frequently refused registration.<sup>36</sup>
- *Strict territorial limitations.* The Law on Public Associations<sup>37</sup> classifies public associations into three types based on their territorial status: local, regional, and national public associations. Regional public associations in Kazakhstan must have branches in at least two regions, and national public associations in at least eight regions, including the cities of Nur-Sultan and Almaty. Though the Law does not specifically limit an organization's work to align with its geographical status, CSOs risk breaching Article 489 of the Administrative Offences Code, which penalizes any slight divergence from the charter objectives or any infringement of Kazakhstani legislation, including engagement in activities that are outside of the aims and responsibilities stated by the organization's charter.<sup>38</sup>
- *Burdensome reporting requirements.* The law<sup>39</sup> affecting Kazakhstani CSOs was passed in 2016, introducing reporting requirements for the receipt and use of funds from foreign sources, as well as requirements for posting information about recipients of such funds in an open database, requirements to specially mark products developed with funds from foreign sources, and liability for violating these requirements. As a result, in late 2020 and early 2021, tax officials fined a number of Kazakhstani organizations<sup>40</sup> for violating the Code of Administrative Offenses.<sup>41</sup> The provision in this Code relate to failure to submit information on the receipt or expenditure of funds from foreign donors reflected in the 2016 Law on Payments. Subjected to state inspections and penalties, Kazakhstani CSOs expressed concern about the restrictive and ambiguous nature of provisions in the Law on Payments, that are in conflict with international standards related to freedom of association<sup>42</sup> and impose unclear and burdensome reporting requirements on recipients of foreign funds, as well as disproportionate penalties for even technical violations of such requirements. In this, CSOs representatives believe that the 2016 Payments Law imposes requirements on CSOs merely based on their receipt of foreign funds, with no proof that such limitations are essential for legitimate reasons. They say that the government failed to explain particular conditions that justified these limits, imposing broad prohibitions that violate international law. According to some, sanctions designed to enforce such requirements (for example, for submitting "inaccurate" (without definitions of what constitutes "inaccuracy") information in reports) and including, for example, the suspension of an organization's activities) cannot be considered necessary and proportionate to the risks for national or public security interests or other legal purposes, assuming such risks ever existed, which restricts freedom of association.

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<sup>34</sup> The Law of the Republic of Kazakhstan № 2198 on State Registration of Legal Entities and Record-Registration of Branches and Representative Offices, dated Apr 17, 1995: [https://online.zakon.kz/Document/?doc\\_id=1003592&pos=5;-106#pos=5;-106](https://online.zakon.kz/Document/?doc_id=1003592&pos=5;-106#pos=5;-106) (last amended Mar 3, 2022);

<sup>35</sup> Key concerns and recommendations on the protection of fundamental rights in Kazakhstan, by International Partnership for Human Rights (IPHR) and Kazakhstan International Bureau for Human Rights and Rule of Law (KIBHR): <https://www.iphronline.org/wp-content/uploads/2020/11/Briefing-paper-FR-Kazakhstan.pdf>;

<sup>36</sup> The case of non-registration of Feminita initiative, by Aigerim Kamidola: <https://feminita.kz/2019/06/feminita-registration-issues/>;

<sup>37</sup> Article 7, The Law of the Republic of Kazakhstan № 3-I on Public Associations, dated May 31, 1996: [https://online.zakon.kz/Document/?doc\\_id=1005615](https://online.zakon.kz/Document/?doc_id=1005615) (last amended Jul 1, 2021);

<sup>38</sup> Civic Freedom Monitor, Country report by International Center for Non-for-profit Law: <https://www.icnl.org/resources/civic-freedom-monitor/kazakhstan#resources>;

<sup>39</sup> The Law of the Republic of Kazakhstan № 11-VI on Payments and Payment Systems, dated Jun 29, 2016:

[https://online.zakon.kz/Document/?doc\\_id=38213728](https://online.zakon.kz/Document/?doc_id=38213728) (last amended Mar 1, 2022);

<sup>40</sup> Press Release: Kazakhstani human rights and media public organizations face unjustified and disproportionate fines and suspension of activities, PA ECHO: <https://echo.kz/en/2-uncategorised/216-press-release-kazakhstani-human-rights-and-media-public-organizations-face-unjustified-and-disproportionate-fines-and-suspension-of-activities.html>;

<sup>41</sup> Article 460-1, the Code of Administrative Offense: [https://online.zakon.kz/document/?doc\\_id=31577399&doc\\_id2=31577399#pos=562;-156&pos2=7415;-62](https://online.zakon.kz/document/?doc_id=31577399&doc_id2=31577399#pos=562;-156&pos2=7415;-62);

<sup>42</sup> Para 2, Article 22, the International Covenant on Civil and Political Rights: <https://www.ohchr.org/en/instruments-mechanisms/instruments/international-covenant-civil-and-political-rights#:~:text=Everyone%20has%20the%20right%20to,2;>



- *The media landscape and freedom of expression in Kazakhstan remain restricted.* According to CSOs representing the media sector, there is still considerable pressure on independent journalists and media organizations, particularly those who covered the January 2022 events.<sup>43</sup> In terms of free speech, at the start of the year, a package of legislation revisions on child safety was approved, which included contentious clauses pertaining to the operation of foreign social media and chat platforms in Kazakhstan. Human rights activists opposed the new measures, expressing concerns that the goal of safeguarding children was being used to limit freedom of expression on social media and messaging platforms. In response to considerable criticism of the original law, the Senate of the Parliament began various revisions, such as the fact that complaints about online material allegedly featuring cyberbullying of children will now be considered by a group of experts rather than the Ministry of Information and Public Development as it was proposed initially. The Ministry will not be able to initiate the suspension of the operations of entire online resources based on individual complaints received, but will instead focus on ensuring the removal of specific content in collaboration with law enforcement. However, it is unclear how the new provisions will be implemented, since it is the Ministry that will determine the procedures for the establishment of the new expert group and the examination of complaints by this group.<sup>44</sup>
- *The right to freedom of peaceful assembly remains seriously restricted.* Despite public assurances from authorities, including President Tokayev, that regulations of peaceful assemblies would be improved,<sup>45</sup> a new Law on the Procedure for Organizing and Holding Peaceful Assemblies, which was rushed through during the Covid-19 lockdown and quarantine, has caused widespread concern among civil society actors and the international community. Although the amended legislation formally allows for a notice (not an authorization) mechanism, it de-facto preserves the obligation to get advance authorization for holding assemblies. The authorities selectively enforce this rule, obstructing peaceful protests that are conducted without pre-approval and detaining participants.<sup>46</sup>

*The activities of independent trade unions also remain limited in Kazakhstan.*<sup>47</sup> Despite certain revisions implemented in 2020,<sup>48</sup> the restrictive 2014 Law on Trade Unions still places considerable barriers in the way of independent union registration, and such unions have been rejected registration on arbitrary grounds on several occasions.<sup>49</sup> Another source of concern is the restriction of the right to strike in Kazakhstan. Employees working in the oil and gas-rich Mangystau region have been protesting more frequently in recent months, with workers recording collective video appeals to the president and other authorities and organizing strikes to demand higher salaries in response to rising prices and other improvements in working conditions.<sup>50</sup>

Regarding the institutional side of the enabling environment for civil society, the *Committee on Civil Society Affairs of the Ministry of Information and Public Development of the Republic of Kazakhstan*<sup>51,52</sup> is an agency under the Ministry

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<sup>43</sup> Journalists at protests. Chronicle of events, by International Foundation for the Defense of Freedom of Speech “Adil Soz”: <http://www.adilsoz.kz/news/show/id/3452>;

<sup>44</sup> The Parliament passed a law allowing the removal of content that is illegal for children, by Tamara Vaal, Vlast.kz: <https://vlast.kz/novosti/49619-parlament-prinal-zakon-pozvolasij-udalat-protivopravnyj-v-otnosenii-detej-kontent.html>;

<sup>45</sup> Kazakh President announces major political reforms package, by Assel Satubaldina, The Astana Times: <https://astanatimes.com/2019/12/kazakh-president-announces-major-political-reforms-package/>;

<sup>46</sup> Police disrupted a rally at the Russian consulate in Almaty, by Nazerke Kurmangazina, Vlast.kz: <https://vlast.kz/novosti/49479-policia-sorvala-akciu-u-rossijskogo-konsulstva-v-almaty.html>;

<sup>47</sup> ILO Slams Kazakhstan for Long-Standing Labor Rights Abuses, by Mihra Rittman, Human Rights Watch: <https://www.hrw.org/news/2021/06/22/ilo-slams-kazakhstan-long-standing-labor-rights-abuses>;

<sup>48</sup> Kazakhstan Adopts Long-Promised Amendments to Trade Union Law, by Mihra Rittman, Human Rights Watch: <https://www.hrw.org/news/2020/12/17/kazakhstan-adopts-long-promised-amendments-trade-union-law>;

<sup>49</sup> Why is Trade Union so dangerous?, by Dmitry Tikhonov, Bureau.kz: <https://bureau.kz/novosti/chem-tak-opasen-profsoyuz/>;

<sup>50</sup> The Minister on workers’ demands in Zhanaozen: We cannot oblige anyone to raise wages, by Nurgul Tapayeva, Radio Azattyq: <https://rus.azattyq.org/a/31731706.html>;

<sup>51</sup> Official website of the Committee on Civil Society Affairs of the Ministry of Information and Public Development of the Republic of Kazakhstan: <https://www.gov.kz/memleket/entities/akk?lang=ru>;

<sup>52</sup> The Committee exists to promote and support the enabling environment for CSOs through allocation of state grants, participation/initiating dialogue platforms to strengthen state-civil society cooperation. CSOs representatives perceive existence of





of Information and Public Development that coordinates state-civil society relations, manages the state social order, grants for CSOs, volunteer initiatives, public council activity, charity, mediation, and internal political stability. The Committee is also an authorized body in charge of the development and update of the NGO Database,<sup>53</sup> an information database created to ensure the openness of CSOs' operations and to inform the public about them, as well as to publish data concerning state social orders and other relevant information. In 2021, the Ministry of Information and Public Development of the Republic of Kazakhstan, implemented the NGO Academy project through the *Civil Initiatives Support Center PA*,<sup>54</sup> a specially created legal entity to operate grant financing for civil society sector. The project was aimed at strengthening capacities of CSOs all over the country.

### *2.3. The impact of January 2022 events on the enabling environment for Civil Society in the country*

According to updates on civil society freedoms in Kazakhstan from International Partnership for Human Rights and Kazakhstan International Bureau for Human Rights and Rule of Law,<sup>55</sup> January 2022 events affected the enabling environment for civil society in the country, which became more restricted. The fact that there are many civic activists among those who have been charged with rioting and other criminal offenses, in response to their peaceful and legal civic involvement, is cause for serious concern. The government is also strongly criticized for lack of transparency on the investigation process of the events. There are reports of torture and ill-treatment against those detained for participation in unsanctioned protests in connection with the January 2022 event.<sup>56</sup> Charges of "knowingly spreading false information" have been filed in many cases for legitimate free speech related to the January 2022 events, proving that vague wording in Kazakhstani legislation is widely used to restrict civic freedoms in the country.

However, according to many other sources consulted, it seems too early to assess whether January 2022 events will have a long-lasting negative effect on the enabling environment for civil society in the country. According to some, while increased restrictive practices have been put into place, the GoK has expressed formal interest in listening to the social movements emerging from the social protests. Whether this interest will be translated into practice is something that will only be able to be assessed in the future.

### *2.4 The impact of COVID-19 on the enabling environment of Civil Society in the country*

According to the survey launched in preparation of this Roadmap, COVID-19 restrictions had not affected the work of civil society in Kazakhstan; on the contrary, it showed strengths and possibilities of mobilizing civil society when state authorities failed to address pressing issues emerging due to the pandemic. Despite a number of limitations, including restrictions of the rights of citizens to move and hold peaceful meeting during the State of Emergency due to COVID-19 pandemic, announced in the country on March 15, 2020, parliamentary elections in January 2021 and local elections in August 2021 were held in Kazakhstan.

Consulted CSOs representatives said that there were no big issues to switch to an online format of work since the beginning of the State of Emergency. They saw this as an opportunity to expand their networks internationally when most of the initiatives, for instance, capacity building events, workshops and conferences were taking place online, many international organizations opened free access to numerous online sources that were helpful for staff of local CSOs. These CSOs actively used social media platforms to generate discussions and raise awareness among population over various socially significant problems. Some CSOs representatives noted that they had to revise their project plans, which they did without major issues due to openness and support from donor organizations.

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the NGO Database that requires submission, among other things, of sensitive information about employees, as an instrument to control civil society, and since the Database is managed by this Committee, it is probably fair to say that it is responsible for the restrictions in the enabling environment for civil society. Also, the way state grants are allocated raises many questions, during consultations CSOs representatives mentioned that state grant awards sometimes are given to, what they think, are GONGO-organizations.

<sup>53</sup> Official website of NGO Database in Kazakhstan: <https://infonpo.gov.kz/>;

<sup>54</sup> About the NGO Academy project: <https://cisc.kz/projects/akademiya-npo-2>;

<sup>55</sup> Kazakhstan: civic space limited by continued fallout from January 2022 events, CIVICUS Monitor: <https://monitor.civicus.org/country/kazakhstan/>;

<sup>56</sup> At the end of February, the Prosecutor General's Office reported on 203 criminal cases of torture and abuse of power;



In practice, some issues arose when organizations wanted to hold bigger events with many participants, because some extra expenditures were required to use existing online conference tools. Considering that CSOs in Kazakhstan struggle with finding resources for institutional development, such spendings were an extra burden for them. Some interviewees also mentioned that their coworkers who were not used to working remotely, were hesitant to use new digital technologies, preferring to work on traditional social media platforms, like WhatsApp, for example. Civil society actors who are engaged in service provision activities experienced more issues. For example, those who provided legal assistance had problems during online court hearings because of low speed of the Internet and other connection issues, this is a primary concern for regions and rural areas of the country. CSOs representatives also spoke about communication issues with state authorities, since at times it takes then long to receive feedback and reply to their requests. Moreover, human rights defenders had criticized rushed actions to pass draft laws that were discussed in the Parliament during the State of Emergency due to the pandemic, without consideration of public opinion, and excluding civil society actors in decision-making processes.<sup>57</sup>

### 3. Civil Society involvement in public policy

#### 3.1. Key trends of Civil Society participation in public policy in Kazakhstan

Participation in terms of advocacy: according to sources consulted, *civil society in Kazakhstan lacks a common, coherent and integrated advocacy strategy to engage with public actors.*

- This is directly linked, firstly, to the lack of genuine interest from the government's side to involve civil society in domestic policies and to the generalised misconception of the government vis-à-vis the role that civil society can play<sup>58</sup>.
- Secondly, the lack of strategic advocacy is linked to poor technical, sectorial capacity of many CSOs in the country, which hinders their legitimacy as a credible vis-à-vis in order to discuss public policy.
- Thirdly, the lack of networking/collaborative work among Kazakhstani CSOs is also a burden preventing them from making a difference in their advocacy strategies.

In spite of the above, *several recent examples of successful advocacy actions* can be highlighted, such as the efforts to push for final steps towards full abolition of death penalty in law<sup>59</sup> or the improvements and clarifications of regulations on the NGO Database, personal data and data protection<sup>60</sup>. Also, the first transfer of power in Kazakhstan in 2019, when the country's first president, Nazarbayev, stepped down and was replaced by Tokayev, provoked a wave of demonstrations and acted as a catalyst for the growth of political activism/political movements, especially among youth.

*Changes in civic engagement due to social media in Kazakhstan* - the age of information and communication technology, as well as social networks, has substantially altered the nature and character of civic involvement, since CSOs actively use social media as a platform to promote legislative changes, political and other reforms, generating discussions online among the population, involving more people to advocate for changes. Prior to the 2019 presidential elections, a group of activists, youtubers, and actors made a short film with the hashtag #Menoyandym (I

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<sup>57</sup> Under cover of coronavirus: Kazakhstani activists face new persecution, by Bruce Pannier, Radio Azattyq: <https://rus.azattyq.org/a/kazakhstan-coronavirus-human-rights/30632656.html>;

<sup>58</sup> According to CSOs representatives contacted throughout the Roadmap update process, the government only gives the appearance of being open to constructive engagement with civil society whereas, in fact, proposals on numerous strategies and policies made by CSOs on thematic forums initiated by state bodies remain on paper, including those related to civil society sector.

<sup>59</sup> Kazakhstan Abolishes the Death Penalty, Death Penalty Information Center: <https://deathpenaltyinfo.org/stories/news-brief-kazakhstan-abolishes-the-death-penalty>;

<sup>60</sup> The guidelines on the procedures for submitting information to the NGO Database with detailed explanation of each reporting table was developed. Organizations at the stage of reorganization or closure, that are suspended from taxes payment due to these reasons, and hadn't implemented any activities during the reporting period, were exempt from submitting reports and other information to this Database.





have woken up), which addressed Kazakhstan's pressing problems. The video went viral and received hundreds of thousands of views across several platforms.<sup>61</sup> This "hashtag activism" resulted not only in major protests following elections, but also in the establishment of organized youth structures, such as the Oyan, Qazaqstan movement for political reforms, for example. Today, more CSOs actors use social media to mobilize public opinion on the importance of changing the laws and promoting alternative policies.

*Unsuccessful examples include*, on the other hand, Kazakhstani CSOs' and government's joint advocacy efforts to pass a bill to stop domestic violence. In 2021, the Parliament considered the draft law On Combating Domestic Violence, sparked widespread public outrage by women with many children, especially from the regions, probably due to failure of the legislator and involved CSOs representatives to convey the public the goal for such law and properly interpret it, and as a result, the bill was withdrawn.<sup>62</sup> This happened, according to many observers, because of a weak communication strategy between CSOs involved in the drafting process with each other, with key state bodies, and with the population.

Participation in terms of service provision: Civic participation in terms of service provision is *largely successful at the local level, particularly in larger cities, although rural areas have far less involvement* in this respect. During the pandemic, civil society representatives stepped up and provided much needed services to the population in the fields of health care, education, and psychosocial and legal support. Representatives of the National Preventive Mechanism, Public Monitoring Commissions and human rights CSOs continued independent monitoring visits to ensure compliance with the rights and detention conditions for persons serving sentences.<sup>63</sup>

According to civil society actors consulted, *only some of the CSOs in Kazakhstan have sufficient expert capacity to address the needs and provide services to their target beneficiaries*, such as people with disabilities. There is a trend that rather than working with population groups, CSOs implement activities that support other civil society groups: there are more and more capacity building trainings, developed instrument on safety and security of civil activists, NGOs representatives, human rights defenders and less work with key audience - the people; not many organizations do actual work in the field, know exactly what problems people face in the regions. The X Civic Forum held in 2021, showed state bodies' appreciation for service support provided by CSOs in Kazakhstan, especially in the health, education, inclusion and child protection, and law enforcement areas. Last but not least, some organizations are providing legal support to activists and demonstrators who were arrested during January 2022 events.

Special mention is to be made to the participation of CSOs in the delivery of social programs for the benefit of local communities, particularly those involving vulnerable populations and disadvantaged communities. CSOs can receive State support to implement socially-oriented projects within the framework of the state social order; the business sector and international donors also support social projects aimed at developing local communities, utilizing residents' public potential to solve local problems and improve living standards in regions, particularly in rural areas.

In addition, the majority of actors consulted in the framework of this Roadmap reported that *civil society plays a very insignificant role in facilitating political reform, particularly when performance in this area is measured in terms of policy change and new legislation or shifts in political norms*. This is due, according to actors consulted, to:

- Lack of governmental skills in ensuring participation of civil society actors, which results in poor coordination between CSOs and the government
- Lack of existing mechanisms for institutionalised participation: when participation takes place, it is always around specific topics, ad hoc and depending on the good will of specific individuals within public

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<sup>61</sup> What is happening with non-state youth activism in Kazakhstan?, by Central Asian Bureau for Analytical Reporting: [file:///C:/Users/Admin/Downloads/What%20is%20happening%20with%20non-state%20youth%20activism%20in%20Kazakhstan\\_.pdf](file:///C:/Users/Admin/Downloads/What%20is%20happening%20with%20non-state%20youth%20activism%20in%20Kazakhstan_.pdf);

<sup>62</sup> Draft law on domestic violence that caused a storm in Kaznet was withdrawn, by Daniyar Kunafin, Zakon.kz: <https://www.zakon.kz/5055721-vyzvavshiy-buryu-v-kaznete-zakonoproekt.html>;

<sup>63</sup> The Penitentiary System in the New Reality Online Forum proceedings, July 8 2021: [https://cdn.penalreform.org/wp-content/uploads/2021/08/Kazakhstan-Forum-Report\\_Eng.pdf](https://cdn.penalreform.org/wp-content/uploads/2021/08/Kazakhstan-Forum-Report_Eng.pdf);



institutions. Moreover, state authorities are hesitant to cooperate with those CSOs that are supported by foreign donors.

- Authorities' lack of understanding and knowledge on what civil society is and what roles it plays in the country's development.
- Lack of CSO skills on public policy-making, with a poor understanding of the public policy cycle. Often the level of engagement is limited to one-time participation; according to some, sometimes CSOs do not show interest when asked to provide recommendations; however, CSOs state that there is a fatigue from segments of civil society of the "closed doors" vis-à-vis the dialogue with the public sectors. According to CSOs consulted, "none of the recommendations we make are ever taken on board; we waste time analyzing and preparing list of recommendations when participating in working groups for amendments in the legislation".
- Reluctance from a part of civil society to engage with public actors, since they position themselves in an opposition rather than on a constructive role: in this, CSOs are often perceived by the governmental institutions as conveying messages in a conflictual manner, not taking into account the constraints faced by public authorities.
- Last but not least, the lack of collaborative culture between public actors and CSOs plays a major role in this regard.

Participation in social development and environment: environmental groups are the largest thematic group among CSOs actors in Kazakhstan. One of the first organized ecological initiatives was the international anti-nuclear movement Nevada-Semipalatinsk, created in 1989. The movement's main achievement was the closure of the Semipalatinsk nuclear test site in 1990. Today, representatives of the movement are involved in activities aimed at social rehabilitation of the region: the restoration of flora, water, land, air and the provision of social support for the population affected by nuclear testing; research on the peaceful use of atomic energy and advocating for nuclear non-proliferation around the world. An increasing number of youth-led civil society groups, advocating for environmental rights, including through social media, are emerging in the country. As an example, in Kazakhstan, more and more environmental movements led by young people are actively promoting the concept of green economy, accountability initiatives in the extractive sector, and monitoring sustainable resource consumption and the state of the environment as part of the state's Green Economy policies.<sup>64</sup>

### *3.2. State – Civil Society dialogue platforms for reforms in domestic policies*

*The National Council of Public Trust* (the National Council) is a consultative and advisory body under the President of the Republic of Kazakhstan established by President Tokayev in 2019. It is a new institution to oversee reforms, which brings together government officials and respected members of civil society. The National Council conducts public examination of draft concepts, state programs and regulatory legal acts; considers significant strategic issues, taking into account the views of the public and civil society; ensures a constructive dialogue between representatives of the public, political parties, the non-governmental sector and state bodies. The composition of the National Council is being criticized by civil society for failing to reflect the national profile of society; moreover, the majority of its members represent only two big cities, and the interests of other regions are not considered.

*The Dialogue Platform on Human Dimension under Kazakhstan's Ministry of Foreign Affairs and Public Councils under central executive bodies* are platforms initiated by governmental bodies and provide space for open dialogue and engagement with civil society to develop specific proposals for reforms. Both initiatives are assessed by civil society as nominal with no practical outcomes. Some CSOs find it strange that discussion around matters related to human rights, social and economic issues of Kazakhstani population are generated on the platform of the Ministry of Foreign Affairs, others say that there is more impact from interaction with members of the Parliament rather than with ministries or local authorities ("for more effective results from participation at the law-drafting working groups it is important to have personal acquaintances among representatives of relevant state bodies to promote certain

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<sup>64</sup> PAGE (2020), Kazakhstan's transition to a Green Economy: A stocktaking report: [https://www.un-page.org/files/public/ge\\_stocktaking\\_report\\_eng\\_final.pdf](https://www.un-page.org/files/public/ge_stocktaking_report_eng_final.pdf);



legislative and other initiatives”). CSOs have also noted an important role of the *Human Rights Ombudsperson Institute*<sup>65</sup> in promoting state - civil society close engagement in addressing human rights issues in Kazakhstan.

*The Civil Forum* is the largest dialogue platform in Kazakhstan, which brings together civil society, authorities and entrepreneurs with the non-governmental sector since 2003. Last year, the tenth Civil Forum under the slogan “30 years of partnership for sustainable development of society and the state” took place.<sup>66</sup> The Civil Forums are held once every two years and gather stakeholders from all over country to generate ideas for state – civil society effective dialogue, discuss achievements and challenges in the civil society sector.

#### 4. Civil Society capacities and networking

##### 4.1. Different categories of Civil Society actors in Kazakhstan

Currently, there are six political parties, 22,763 NGOs working in various directions, 3,738 religious associations representing 18 confessions, 3,494 media outlets with various forms of ownership, 234 public councils, and three large republican unions of trade unions, which include 36 sectoral and 19 territorial organizations, registered in Kazakhstan.<sup>67</sup>

- NGOs functioning at a national level, both local and international (representative offices of INGOs), have paid staff, therefore their capacities are far more developed, and their influence is far more substantial and lasting. These are bigger NGOs, with head offices located either in Nur-Sultan or Almaty cities, or abroad, and having branches in the regions and smaller cities. They receive support for institutional development (office maintenance, good salaries, capacity building of staff), so, when it comes to advocacy, fundraising, administrative and financial competencies, their staff is more professionalized (even knowledge of English language - which is important if the organization seeks for funding from foreign/international donor, e.g. EU call for proposals must be submitted in English, this automatically eliminates many CSOs from the competition process). This is different for NGOs operating at regional and local levels, since they do not always have funds for institutional development. This is shown in some of their advocacy capability, e.g. to engage with government officials, as well as their financial, administrative, and management abilities, which enable them to seek for donor support. Larger, national-scale NGOs are generally based in larger cities, with fewer having branches throughout the country. NGOs typically have objectives that go beyond service delivery: they seek to advocate or mobilize constituencies around certain causes and/or engage authorities in policy dialogue. There are number of NGOs in Kazakhstan, especially operating in the Rule of Law sector, that can be described as personalized, meaning they are linked and well-known thanks to one person, usually respected human rights defender or civic activist. While having a single point of contact is beneficial to NGO advocacy efforts and, in some cases, building a dialogue with the government, it creates challenges for new actors in the civil sector, as they must first establish cooperative relationships with such NGOs in order to gain access to government discussion platforms and, in some cases, new grant opportunities.
- *Public councils* at national, regional and local levels provide a unique platform for civil society actors to express views on critical social problems, involving them in the policy-making cycle as well as in the evaluation of public services. These are consultative, advisory, and supervisory authorities formed by ministries or other bodies (with some exceptions defined in the law) directly subordinate to the President of the Republic of Kazakhstan; by local government bodies, national managing holdings, national holdings,

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<sup>65</sup> Official website of the Human Rights Commissioner in the Republic of Kazakhstan: <https://www.gov.kz/memleket/entities/ombudsman?lang=en>;

<sup>66</sup> Tenth Civil Forum Sums Up Kazakh Civil Society's Development, Strengthens Ties With Global Community, by Saniya Bulatkulova, The Astana Times: <https://astanatimes.com/2021/11/tenth-civil-forum-sums-up-kazakh-civil-societys-development-strengthens-ties-with-global-community/>;

<sup>67</sup> The Presidential Decree № 390 on Approval of the Concept for the Development of Civil Society in the Republic of Kazakhstan until 2025, August 27, 2020: <https://adilet.zan.kz/rus/docs/U2000000390> ;



national companies, together with CSOs and citizens.<sup>68</sup> Public councils act on both the republican and local levels, and are formed by working groups, the leaders of which are elected from among the members of the working groups representing civil society. The number of civil society representatives makes up at least two-thirds of the total number of members of the working group and is formed on the basis of applications. Public councils play a significant role whenever public officials are entrusted with developing policy ideas, assessing the performance of public institutions, and making recommendations to enhance services, because it is mandatory for all relevant public institutions to respond to considerations by public councils.

- *Informal Groups and movements:* With an important social mobilisation capacity, some of these movements are focused on socio-economic issues related to poverty, unemployment, living standards, and environmental issues, for example, the SOS Taldykol initiative group<sup>69</sup> that emerged in the capital city back in 2020 in response to the drainage of Lake Malyi Taldykol by local authorities for the subsequent building development of the territory, which according to environmental activists may lead to big ecological, social and economic problems in the future. The movement had quickly gained support from the population pushing the authorities to review construction plans. There are also movements that are agitated for political change, like the Oyan, Qazaqstan!<sup>70</sup> mentioned above, especially a reform of the constitution, others are concerned with more circumscribed themes such as corruption – the Protenge.kz media project,<sup>71</sup> the electoral system, the rights of LGBT people, e.g. the Femenita initiative,<sup>72</sup> and others.

In 2019, which was announced the ‘Year of Youth’ in Kazakhstan, a number of events, such as the incarceration of young activists for holding a poster during the Almaty marathon saying “You can’t run from the truth”,<sup>73</sup> gave an impetus to a more organized development of civic activism in the country. New youth-led associations appeared on the civil stage, young people started actively demanding changes in the established socio-political and administrative structure of the country through social media. Young activists and representatives of youth organizations, who grew up in the Internet age, realized that they are able to influence the government and society through educational and civic initiatives. Unfortunately, it became clear now that the new civic activism lacks a clear agenda and as a result is not able to build an effective dialogue and cooperation not only with the government, but also with more sustainable CSOs. Surprisingly, unlike in other countries, representatives of new CSOs initiatives and movements in Kazakhstan say that, even lacking formal structuring and, in some cases, registration, they feel supported by the international community, donors and INGOs that actively engage them on their dialogue platforms, discussion meetings, through programmes implemented by their grantees, etc. Some CSOs in Kazakhstan launched projects aimed at strengthening capacities of representatives of informal groups and movements in this regard.

- *Volunteer movement in Kazakhstan.* In Kazakhstan’s context, volunteering is a relatively new phenomena that is developing rapidly in recent years, culminating in the designation by the GoK of 2020 as the Year of Volunteer in the country.<sup>74</sup> Volunteering, according to Kazakhstani law, is defined as a voluntary action carried out on a gratis basis.<sup>75</sup> Volunteer movements are primarily concerned with assisting in the resolution of social issues. According to representatives of the National Volunteers Network, the state’s engagement in the growth of the volunteering sector is indicated by the adoption of the law, the establishment of a single

<sup>68</sup> The Law of the Republic of Kazakhstan № 383-V on Public Councils, dated Nov 2, 2015: [https://online.zakon.kz/Document/?doc\\_id=36800092&pos=1;-8#pos=1;-8](https://online.zakon.kz/Document/?doc_id=36800092&pos=1;-8#pos=1;-8) (last amended Dec 30, 2021);

<sup>69</sup> Official website of the SOS Taldykol public initiative: <https://sostaldykol.info/#aboutus>;

<sup>70</sup> Official Instagram account of the Oyan, Qazaqstan! Movement for political reforms: <https://www.instagram.com/oyanqazaqstankz/?hl=en>;

<sup>71</sup> Official Instagram account of the Protenge.kz media project: <https://www.instagram.com/protenge.kz/>;

<sup>72</sup> Official website of the Kazakhstan feminist initiative “Feminita”: <https://feminita.kz/about-us/>;

<sup>73</sup> Kazakhstan: From a Marathon Banner to Protest Consolidation, by Assem Zhapisheva, CABAR.asia: <https://cabar.asia/en/kazakhstan-from-a-marathon-banner-to-protest-consolidation>;

<sup>74</sup> Tokayev declares 2020 to be year of volunteer, by Nazira Kozhanova, The Astana Times: <https://astanatimes.com/2019/08/tokayev-declares-2020-to-be-year-of-volunteer/>;

<sup>75</sup> The Law of the Republic of Kazakhstan № 42-VI on Volunteering, dated Dec 30, 2016: [https://online.zakon.kz/Document/?doc\\_id=38423551](https://online.zakon.kz/Document/?doc_id=38423551) (last amended Jul 11, 2017);



volunteers' platform,<sup>76</sup> and its efforts for the regional expansion of the volunteers' network. Among the main issues related to the volunteer movement in Kazakhstan is poor capacity and lack of training opportunities for volunteers. Volunteers in Kazakhstan are involved in various activities in all spheres of public life, but how well they are prepared, whether they are trained in the basics and principles of volunteering is an open question.

#### 4.2. Key capacity issues confronted by CSOs

According to CSOs representatives consulted in the framework of the drafting of this Roadmap, the main weaknesses to which Kazakh civil society is confronted to include:

- *Civil society actors lack capacity to communicate effectively amongst themselves, with state bodies and with beneficiaries;* they do not have a clear sense of their constituents, which leads to disconnection between civil society requests and the real needs and demands of society.
- Most organizations adjust their activities according to the shifting priorities of donors and the types of projects they offer, *lacking strategic plan and specific and clear democratic governance structures.* There is still confusion between the roles of administrative and governing bodies, and many organizations lack financial and human resources policies as well as internal rules and regulations.
- *Few CSOs in Kazakhstan have both strong expert and managerial capacities.* Whilst administrative, strategic planning, management competencies of some CSOs might be high, expert capacities are low or, on the contrary, organizations that have strong expert base, and work mostly on the ground, lack management competencies, they are more connected with their beneficiaries.
- *National and local CSOs still have weak financial management capacities.* They are having difficulty recruiting accountants and financial professionals who are familiar with and understand tax legislation and reporting requirements in the civil society sector. They have a high turnover rate of accountants. Some CSOs stated that they do not participate in governmental calls for proposals because they do not want to cope with cumbersome financial reporting systems. Also, due to the complexity of reporting requirements, they prefer to work with larger INGOs as co-applicants rather than main applicants in programs supported by international donors.
- *Many CSOs rely solely on funding from international donors to support institutional development.* In fact, the majority of the challenges described above on CSO capacity stem from a lack of resources to pay salaries, office maintenance, staff trainings, HR-component, and so on. Some CSOs attempt to handle these difficulties on their own by holding thematic discussions with specialists for their team, discussing concerns internally at staff meetings, using social media platforms to facilitate discussions with population and enticing employees through volunteering and internship.
- *Gender-based CSOs have long been an active segment of civil society in Kazakhstan,*<sup>77</sup> capable of performing serious socially significant tasks and contributing to the solution of various social problems. The organizational structure of the women's movement in Kazakhstan currently represents a large group of CSOs working in various fields. In addition, they have become stimulators of new approaches to development, and their importance is increasing every year. Over the years of independence, women's CSOs have proven their ability to defend and lobby for the interests of women at all levels of government.
- In addition, *civil society in Kazakhstan is rather disintegrated.* The division is obvious in two directions: firstly, between CSOs that receive government support/funding and those naming themselves independent, i.e.

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<sup>76</sup> Official website of the Single Platform of Volunteers: <https://qazvolunteer.kz/en/about>;

<sup>77</sup> For example, the #NeMolchikz (Don't Be Silent) Public Fund for the Support of Victims of Violence is among the leading organizations in the country addressing the issues of violence against women and children. Apart from awareness-raising and law-making activities, the team of the organization is providing psychological, medical, legal, informational support to women victims of violence: <https://nemolchi.kz/>;



supported by the international donor community. CSOs that receive support, including financial, from foreign agencies are very cautious to participate in the initiatives launched by CSOs who receive government grants; secondly, between old and new generation of civil society actors, which is, according to consulted CSOs representatives, relate to resource competition.

#### 4.3. Civil Society networking

Inability to collaborate effectively with each other results in civil society networks in the country being weak. Participants of the focus group discussion with CSOs, however, mentioned several examples of sustainable CSOs networks with certain degree of success, such as the NGO Coalition against Torture,<sup>78</sup> HAQ civic movement,<sup>79</sup> the Coalition of New Generation of Human Rights Defenders<sup>80</sup> and Expert Group for Digital Rights in Kazakhstan<sup>81</sup>. The problem of effective coordination of CSOs networks relates to the limited understanding on the nature of networking relations by some civil society actors, who at times duplicate the role of CSOs.

- One of the main CSOs network in Kazakhstan is *the Civil Alliance of Kazakhstan*<sup>82</sup> (the Alliance) with more than 3,000 organizations-members throughout the country. The aim of the Alliance is to promote the development of the civil society sector, improving the efficiency and quality of the work of CSOs, ensuring favorable legal, economic and social conditions for the implementation of public initiatives, developing mutually beneficial partnerships between society, business structures, international organizations and public authorities and combining the efforts of members and partners for sustainable development and for the promotion of democratic processes in Kazakhstan. The Alliance is represented in all regions and cities of republican significance, and is engaged in development of programs and projects for civil society representatives training, especially for those in the regions of the country. The interaction of this network with the public sector begins with the Ministry of Information and Social Development at the central level and ends locally with cooperation with local authorities. The Civil Alliance of Kazakhstan is also the initiator of the Civil Forum mentioned above.
- Among other successful networks in Kazakhstan noted by consulted CSOs is the *National Preventive Mechanism against Torture and Ill-Treatment* (NPM) established in 2013. The work of NPM is aimed at identifying cases of human rights violations in closed institutions. NPM is coordinated by the Human Rights Ombudsperson and carried out with the support of the government; it comprises of human rights defenders, lawyers, social workers and doctors from all over the country. NPM members perform roughly 500 monitoring visits to over 3 000 designated institutions across the country each year. Pre-trial detention centres, police stations, drug treatment clinics, health-care organizations for orphans, and centres for the provision of specific social services for the elderly and those with disabilities, among others, are examples of such institutions. NPM is also perceived as a key force to promote criminal justice reforms in the country.

## B. LESSONS LEARNT FROM THE PAST EU ENGAGEMENT WITH CSOs

- Another challenge refers to **expanding the range of civil society actors with whom the EU traditionally relates**, giving space, for example, to a greater link with CSOs from the private sector and to new emerging civil society actors, to mitigate the wide gap between well-managed, advocacy-based, city-based CSOs and sub-regional CSOs that do not belong to social capital, as well as the perceived widening gap between the older

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<sup>78</sup> Official website of the NGO Coalition against Torture: <https://www.notorture.kz/>;

<sup>79</sup> Official website of the HAQ civic movement: [https://haq.kz/ru\\_RU](https://haq.kz/ru_RU);

<sup>80</sup> Official website of the Coalition of New Generation of Human Rights Defenders: <https://nghrdc.kz/?fbclid=IwAR1qFuBvg30Pi9DdlneogPtbcjqXa7QMn4V7HO-Tn-JPwVZyTzD7YmfBtl>;

<sup>81</sup> Official website Expert Group for Digital Rights in Kazakhstan: <https://drfl.kz/dreg/>;

<sup>82</sup> Official website of the Civil Alliance of Kazakhstan: <https://civilalliance.kz/>.





generation and the new generation of CSOs, which is reflected in the mindset of organizations, approaches to moving towards policy change, digital knowledge and skills, different interests/priorities and different levels of incorporation of youth organisations. In this, it is a challenge **for international donors to reach small, unregistered CSOs**, as well as those based outside the capital. Measures to overcome this challenge might include the introduction of sub-granting mechanisms, enforcement of specific provisions for Kazakh CSOs to be included in internationally-led or experienced Kazakh CSOs consortia or specific allocations to be directly managed by Kazakh CSOs.

- Based on experiences of the EU's work with grant beneficiaries, **forming/granting the sub-grantees as a network (instead of as individual organisation) is effective**. The network members help coaching one another and there is cross sharing of best practices and lessons learned. It is likely that the network's partnership will be sustained after a completion of the project. **In this, CS efforts to promote networking/alliance building/coordination should be supported** in all areas of EU cooperation and support, in an effort to promote CS collective action and counterbalance fragmentation;
- Another lesson learnt refers to the **wide gap existing between well-run, advocacy-based, urban-based CSOs and sub-regional CSOs usually operating outside the capital**. Moreover, there is a growing gap between **an old generation and a new generation of CSOs**, which is reflected in the organisations' mind sets, approaches in moving forward for policy change, digital/IT knowledge and skills, different interests/agenda and different levels of bringing youth organisations on board.
- Following the EU's involvement with Civil Society, it seems clear that **engagement of youth including from non-formal and informal education sector should be strengthened**. University clubs and student associations could be an interesting opportunity to involve younger generations.
- **Participation of the private sector (chambers of commerce, professional associations) should be enhanced**, particularly in relation to the new Commission priorities and to the priority sectors included in the MIP.
- **Weak access and engagement with local CSOs and with new, emerging forms of civic engagement:** further work should be provided on the ways DPs select the Kazakh CS actors they engage with (taking into account aspects such as history, society perceptions and political affiliations), in order to increase credibility and legitimacy; moreover, there is a need for the EU to move from the service delivery/funding logic towards a wider, deeper, engagement logic with local CSOs.
- **Trust between CSOs and their constituencies is yet to be built:** there seems to be some lack of credibility and legitimacy of civil society vis-à-vis their constituencies and society as a whole.
- **Trust and knowledge of the GoK about CS needs some improvement:** there seems to be a common understanding of the fact that public actors are not even aware of the role that CS can play, mistrust being the common trend; therefore, capacities of the GoK need to be increased in understanding and accepting the concept and role of CS at large.
- **CSOs capacities to contribute to the design of sectorial legal frameworks should be supported**, in order to enhance the ad hoc collaborative actions being carried out by CS actors with several Kazakh line ministries, in areas such as education.
- **There needs to be a deeper engagement towards making Kazakh CSOs development actors of Kazakhstan:** as stated above, local CS actors are very often used as contractors/implementers instead of real partners; INGOs justify this lack of legacy stating that most local CS actors do not comply with their financial and management standards and that building their capacities would be costly, let alone their political affiliation.



PART II – EU STRATEGY AND ACTION PLAN TO ENGAGE WITH CSOs

A. THE STRATEGY FOR ENGAGEMENT WITH CSOS AND HOW IT RELATES TO THE EU COUNTRY ENGAGEMENT AND AGENDA 2030/SDG

OBJECTIVES FOR THE EU ENGAGEMENT WITH CSOs	RELATED SECTOR & COMMISSION PRIORITY	RELATED SDG
1. To promote an enabling environment for Civil Society allowing CSOs working in Kazakhstan to better contribute to the development of Kazakhstan.	Priorities of EUD in line with the Commission Priorities <ul style="list-style-type: none"> <li>- Human rights/human rights defenders</li> <li>- Democratic governance, Peace and Security</li> <li>- Migration, refugees, displaced people</li> <li>- Women and youth</li> </ul>	SDG 5 SDG 16 SDG 17
2. To promote a structured, gender-mainstreamed participation of CSOs in domestic policies as key development players and watchdogs in policy monitoring (holding the government accountable in terms of integrity and transparency), with a particular focus on two priority areas: Sustainable Economic Growth and Rule of Law.	Priorities of EUD in line with the Commission Priorities <ul style="list-style-type: none"> <li>- Democratic governance</li> <li>- Green Deal, sustainable growth and jobs</li> <li>- Migration, refugees, displaced people</li> <li>- Digitalisation</li> <li>- Women and youth</li> </ul>	SDG 5 SDG 8 SDG 10 SDG 13 SDG 16 SDG 17
3. To increase local CSOs' capacity including new technical areas to perform their roles as independent development actors more effectively, with a particular accent on professional technical sectorial knowledge/interaction with beneficiaries/advocacy skills/financial sustainability, collaboration/networking/alliance-building, in order to amplify the collective voice of Kazakhstani civil society. <i>A particular focus will be put on Sustainable Economic Growth and Rule of Law areas.</i>	Priorities of EUD in line with the Commission Priorities <ul style="list-style-type: none"> <li>- Democratic governance</li> <li>- Green Deal, sustainable growth and jobs</li> <li>- Migration, refugees, displaced people</li> <li>- Digitalisation</li> <li>- Women and youth</li> </ul>	SDG 5 SDG 8 SDG 10 SDG 11 SDG 13 SDG 16 SDG 17

B. THE ACTION PLAN

OBJECTIVES FOR THE EU ENGAGEMENT WITH CSOs	ACTIONS (including analysis, policy and political dialogue, operational support)	MEANS (EU programmes / instruments to implementation)
1. <b>To promote an enabling environment for Civil Society allowing CSOs working in Kazakhstan to better contribute to the</b>	<b>Studies/analyses</b> <ul style="list-style-type: none"> <li>- Carry out systematic monitoring of the environment for civic space in cooperation with EU MS and IOs representatives (priority 2 HRDCS), also tracking developments in the legal environment and institutional framework for Civil Society.</li> <li>- Monitor frequency and the quality of Civil Society-State dialogue platforms launched by</li> </ul>	<ul style="list-style-type: none"> <li>- <b>Policy dialogue with GoK</b></li> <li>- <b>CS-related instruments:</b> <ul style="list-style-type: none"> <li>- CSO/LA and EIDHR grants</li> <li>- MIP 2021-2027</li> <li>- Cooperation Facility</li> </ul> </li> </ul>



<p><b>development of Kazakhstan.</b></p>	<p>state authorities and assess these platforms' effectiveness, as well as the communication and collaboration gap between their participants.</p> <ul style="list-style-type: none"> <li>- Monitor issues related to democracy, human rights,<sup>83</sup> rule of law, assessing Kazakhstan's international commitments, with a special focus on the practical protection of Human rights defenders (HRD), media sector and Civil Society representatives.</li> <li>- Support initiatives, including research and public debates, aimed at improving regulatory framework protecting human rights online, including personal data protection, the use of surveillance technologies, especially against HRDs and CSOs representatives; as well as rules for social media platforms (HRDCS, Priority 5).</li> </ul> <p><b>Political/policy dialogue</b></p> <ul style="list-style-type: none"> <li>- Promote an open dialogue with the Kazakhstani authorities, also with participation of INGOs and donors, about Civil Society space and about Human Rights-related issues, especially related to violations against CSOs representatives and HRDs during and after January 2022 events.</li> <li>- Continue a regular dialogue between the EU (EUD + EU MS), Kazakhstani Civil Society actors (both formal and informal/emerging new actors) and INGOs in order to collect feedback and follow-up on the regulatory and institutional framework affecting CSOs as well as HRDs.</li> <li>- Public diplomacy and political and sectoral policy dialogues to support CSOs efforts to ensure that national laws concerning vulnerable individuals and groups are in line with international standards.</li> <li>- Promote the creation of spaces for CSOs to have dialogues with Kazakhstani authorities.</li> </ul> <p><b>Operational support</b></p> <ul style="list-style-type: none"> <li>- Support to projects aimed at improving the legal framework and capacities of Kazakhstani CSOs to monitor, document, and raise public awareness of the threats and challenges, including online, faced by HRDs/activists.</li> <li>- Ensure protection and support for HRDs and CSOs at risk i.a. through regular participation in</li> </ul>	<ul style="list-style-type: none"> <li>- <b>EU MS bilateral projects:</b> <ul style="list-style-type: none"> <li>- Germany (human rights)</li> <li>- The Netherlands (Human Rights Programme)</li> <li>- Finland ("Fund for Local Cooperation": climate/green growth and democratization/human rights)</li> </ul> </li> <li>- <b>Permanent and ad-hoc discussion meetings</b> between EU/HoMs and HRDs, Civil Society activists, CSOs networks representatives</li> <li>- EU-UN Spotlight Initiative <b>regional programme for Central Asia and Afghanistan</b></li> </ul>
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<sup>83</sup> Main Human Rights-related priorities of relevance in Kazakhstan include: Promoting the protection of civil and political rights of persons with disabilities, economic and social rights of girls and women; Promoting gender equality, combating discrimination in law and in practice and all forms of sexual, gender-based violence and supporting victims of sexual and gender based violence; Promoting the protection of rights of children and youth; Combating discrimination, stigmatization and violence of LGBTI in law and practice, supporting and protecting CSO/HRDs working to promote and protect LGBTI rights; Supporting human rights defenders (HRDs); Protecting the rights to freedom of association, freedom of assembly, freedom of religion and belief, as well as media freedom and freedom of expression, both online and offline; Promoting independent and impartial judiciary operating in line with international human rights standards; Enhancing investigatory and prosecutorial capabilities in such areas as anti-corruption, organized crime, cybercrime, money laundering; Promoting the rights to privacy and data protection, preventing arbitrary mass surveillance, actively combating internet shutdowns, online censorship, hate speech online, online violence, information manipulation, disinformation, and cybercrime; Enhancing legal protection of migrants rights, promoting the elimination of torture.



	<p>court hearings and trials of journalists, HRDs and other critics (HRDCS, Priorities 1, 2).</p> <ul style="list-style-type: none"> <li>- Facilitate information and available funding from the EUD and EU MS (HRDCS, Priority 1).</li> <li>- Financial and technical support to CSOs, journalists working i.a. on the rights of people with disabilities, family law reforms, fighting violence against women, LGBTI issues (HRDCS, Priority 1).</li> <li>- Promote civic education and community engagement on equality, diversity and inclusiveness, as well as positive recognition of the work of CSOs and HRDs by the population (HRDCS, Priorities 1, 2).</li> <li>- Provide funding and capacity development to CSOs to promote rule of law, democracy, human rights, transparent institutions and fight corruption, and especially strengthen their skills in networking and cooperating with INGOs and other relevant actors for a more sustainable impact; in particular, support Kazakhstani CSOs in their role on strengthening the protection of civil and political rights in Kazakhstan. Gender will be mainstreamed all across the board.</li> <li>- Support to legislative initiatives concerning independence of media sector, protection of freedom of opinion and expression, and strengthening access to quality information (HRDCS, Priority 4).</li> </ul>	
<p>2. To promote a structured, gender-mainstreamed participation of CSOs in domestic policies as key development players and watchdogs in policy monitoring (holding the government accountable in terms of integrity and transparency), with a particular focus on two priority areas: <i>Sustainable Economic Growth and Rule of Law.</i></p>	<p><b>Studies/analyses</b></p> <ul style="list-style-type: none"> <li>- Track changes in the involvement of CSOs in policy dialogues to promote better development, better education, particularly for marginalised groups, and inclusive growth at local, regional and national levels (in coherence with the priorities of the EU Human rights and democracy country strategy - HRDCS).<sup>84</sup></li> <li>- Engage with INGOs, Kazakhstani CSOs, business and experts to share analysis and best practices on regulatory framework protecting human rights online, including personal data protection, the use of surveillance technologies, online censorship, disinformation, cybercrime, etc (HRDCS, Priority 5).</li> </ul> <p><b>Political/policy dialogue</b></p> <ul style="list-style-type: none"> <li>- Support dialogue forums to discuss public policies, sharing good practices and knowledge on inclusive policy development and on civil society inclusion in gender-mainstreamed public policy formulation.</li> <li>- Promotion of policy dialogue between the GoK and Kazakhstani CSOs around issues related</li> </ul>	<ul style="list-style-type: none"> <li>- <b>CS-related instruments:</b> <ul style="list-style-type: none"> <li>- CSO/LA and EIDHR grants</li> <li>- MIP 2021-2027 Cooperation Facility</li> </ul> </li> <li>- <b>EU MS bilateral projects:</b> <ul style="list-style-type: none"> <li>- Germany (human rights)</li> <li>- The Netherlands (Human Rights Programme)</li> <li>- Finland (“Fund for Local Cooperation”: climate/green growth and democratization/human rights)</li> </ul> </li> <li>- <b>Permanent and ad-hoc discussion meetings</b> between</li> </ul>

<sup>84</sup> Main EU HRDCS priorities are 1) Protecting individuals, eliminating inequalities, discrimination and exclusion; 2) Promoting fundamental freedoms and strengthening civic and political space; 3) Supporting the rule of law, fair administration of justice, enhancing democratic, accountable and transparent institutions; 4) Supporting independent, pluralistic media, access to information and fight against disinformation; 5) Promoting human rights and democracy in the use of digital technologies, including AI;



	<p>to (in line with the MIP 2021-2027) a) the green deal, b) digitalisation, c) good governance, accountability and independent judiciary, d) human rights and rule of law (gender mainstreaming all dimensions).</p> <ul style="list-style-type: none"> <li>- Facilitate joint participation of CSOs and GoK in awareness raising events, thus contributing to increase dialogue around issues of common interests.</li> </ul> <p><b>Operational support</b></p> <ul style="list-style-type: none"> <li>- Promote the establishment of joint working groups involving CSOs, government, INGOs and donors providing advice on the improving the national legislation and monitoring of its effective implementation (HRDCS, Priority 2).</li> <li>- Provide funding to promote the roles and participation of CSOs in various ways such as data collection, development of public policy agenda, the translation of good practices and good policies from EU countries for NGO operations.</li> <li>- Maximise participation of women, through the empowerment of women, the advancement of equal political participation, also leadership roles in social and economic sectors, in line with GAP III/CLIP for Kazakhstan.<sup>85</sup></li> <li>- Mainstream Civil Society into EU (EUD and EU MS) sectors of cooperation, through in-depth a) CSOs consultation in development and design of projects/programmes; b) CSOs engagement in project/programme Technical Committees and where appropriate, in project/programme Steering Committees; c) development of partnerships with CSOs in project/programme implementation (with a particular focus on outreach/communication, social mobilisation and social change); d) Sub-granting mechanisms for initiatives stemming from CSOs as actors with the right of initiative (i.e. aligning the focus of the sub-grants to priorities identified by CSOs).</li> <li>- Support localisation of EU aid, through several measures, such as a) promotion of sub-granting mechanisms, b) promotion of consortia building including smaller CS actors or c) promotion direct management of parts of the grants' budgets by smaller CSOs.</li> </ul>	<p>EU/HoMs and HRDs, Civil Society activists, CSOs networks representatives</p> <ul style="list-style-type: none"> <li>- EU-UN Spotlight Initiative regional programme for Central Asia and Afghanistan</li> </ul>
<p><b>3. To increase local CSOs' capacity including new technical areas to perform their roles as independent development actors</b></p>	<p><b>Political/policy dialogue</b></p> <ul style="list-style-type: none"> <li>- Engage in discussions with GOK with a view to promoting independence, financial sustainability and capacity development of Kazakhstani CSOs, with a particular focus on those CSOs targeting the most vulnerable populations.</li> </ul> <p><b>Operational support</b></p>	<ul style="list-style-type: none"> <li>- <b>Discussions with GoK</b></li> <li>- <b>CS-related instruments:</b> <ul style="list-style-type: none"> <li>- CSO/LA and EIDHR grants</li> <li>- MIP 2021-2027 Cooperation Facility</li> </ul> </li> <li>- <b>EU MS project and initiatives</b></li> </ul>

<sup>85</sup> Selected areas for engagement to promote gender equality in Kazakhstan: a) Ensuring freedom from all forms of gender-based violence; b) Promoting sexual and reproductive health and rights; c) Promoting economic and social rights and empowerment of girls and women; d) Integrating the women, peace and security agenda.



<p>more effectively, with a particular accent on professional technical sectorial knowledge/interaction with beneficiaries/advocacy skills/financial sustainability, collaboration/networking /alliance-building, in order to amplify the collective voice of Kazakhstani civil society. <i>A particular focus will be put on Sustainable Economic Growth and Rule of Law areas.</i></p>	<ul style="list-style-type: none"> <li>- Provide funding and capacity development to CSOs on areas which are key for their sustainability in the mid to long term (developing capacities mainly on proposal writing and fundraising, mostly through non-traditional sources, especially private sector/philanthropy, also including through digital and online platforms).</li> <li>- Support to women’s rights organisations, social movements and CSOs working on gender equality and socio-economic rights (e.g. women’s empowerment and gender-based violence (GBV), in line with GAP III/CLIP for Kazakhstan).</li> <li>- Increase the EU outreach to and develop capacities for new emerging Civil Society actors particularly youth groups, small, non-registered and those based outside the country’s main cities and capital, also putting a particular focus on developing capacities of women-led, gender-focused organisations.</li> <li>- Provide direct support aimed at strengthening the technical specialisation and specialized advocacy skills of CSOs, e.g. interaction with beneficiaries, investigative journalism, identification and reaction to disinformation, capacities to advocate for larger access of population to quality social services, especially for vulnerable groups, to contribute to the decision making and accountability processes at all levels (in coherence with the priorities of the HRDCS).</li> <li>- Provide funding and capacity development to CSOs on networking/alliance-building (at a national, regional and international levels, (supporting Kazakhstani CSO’s to engage in a regional level or to learn/exchange with other CSOs in the region), and policy advocacy skills (including the promotion of the dialogue with research institutes and universities in using the data and evidence base for documentation and advocacy).</li> </ul>	<ul style="list-style-type: none"> <li>- <b>Permanent and ad-hoc discussion meetings</b> between EU/HoMs and HRDs, Civil Society activists, CSOs networks representatives</li> <li>- EU-UN Spotlight Initiative regional programme for Central Asia and Afghanistan</li> </ul>
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### PART III– FOLLOW-UP OF THE RM

OBJECTIVES FOR EU ENGAGEMENT WITH CSOs	OUTCOME INDICATORS	TARGET <sup>86</sup>	BASELINE INFORMATION <sup>87</sup>	SOURCES OF INFORMATION & MEANS OF VERIFICATION
1. To promote an <b>enabling environment for Civil Society</b> allowing CSOs working in Kazakhstan to better contribute to	<ul style="list-style-type: none"> <li>- Number of dialogues between the EU and GoK addressing the question of the <b>enabling environment</b> for CSOs.</li> <li>- Number of CS activities supported by the EU to <b>undertake research and/or</b></li> </ul>	TBD	TBD	Reports drafted by EUD / reports from EU funded

<sup>86</sup> Targets will be developed in the preliminary stages of Roadmap implementation.

<sup>87</sup> Baselines will be developed in the preliminary stages of Roadmap implementation.





<p>the development of Kazakhstan.</p>	<p><b>monitor the trends of the enabling environment.</b></p> <ul style="list-style-type: none"> <li>- Number of <b>small Kazakhstani CSOs (disaggregated by gender, by location) accessing EU funding</b> (through deeper partnerships with experienced NGOs, use of small sub-granting schemes, etc.).</li> <li>- Number of <b>HRDs, activists and journalists supported.</b></li> <li>- Level of improvement of Kazakhstan’s ranking in <b>the worldwide commonly accepted indicators on enabling environment.</b></li> </ul>			<p>projects/etc.</p> <ul style="list-style-type: none"> <li>- Live Enabling Environment Index (EEI)</li> <li>- CIVICUS Monitor</li> <li>- Freedom in the World 2023 report</li> </ul>
<p>II. To promote a structured, gender-mainstreamed <b>participation of CSOs in domestic policies</b> as key development players and watchdogs in policy monitoring (holding the government accountable in terms of integrity and transparency), <i>with a particular focus on two priority areas: Sustainable Economic Growth and Rule of Law.</i></p>	<ul style="list-style-type: none"> <li>- <b>Number of initiatives organised by the EU with a view to discussing public policies</b>, sharing good practices and knowledge on inclusive policy development and on civil society inclusion in public policy formulation.</li> <li>- Number of <b>policy dialogue initiatives between the Government of Kazakhstan and Kazakhstani CSOs</b> around issues related to a) the green deal, b) digitalisation, c) good governance, accountability and independent judiciary, d) human rights and rule of law.</li> <li>- Number of EU-supported initiatives with a view to <b>promoting the roles and participation of CSOs</b> in public policy.</li> </ul>	<p>TBD</p>	<p>TBD</p>	<p>Reports drafted by EUD / reports from EU funded projects/etc.</p>
<p>III. To increase local <b>CSOs’ capacity</b> including new technical areas to perform their roles as independent development actors more effectively, with a particular accent <b>on professional technical sectorial knowledge/interaction with beneficiaries/advocacy skills/financial sustainability, collaboration/networking/alliance-building</b>, in order to amplify the collective voice of Kazakhstani civil society. <i>A particular focus will be put on Sustainable Economic Growth and Rule of Law areas.</i></p>	<ul style="list-style-type: none"> <li>- Number of policy dialogue initiatives organised with a view to engaging in discussions with the Kazakhstani Government on <b>financial sustainability and capacity development</b> of Kazakhstani CSOs, especially those CSOs targeting the most vulnerable populations (including women-led organisations).</li> <li>- Number of EU-supported initiatives with a view to supporting <b>sustainability in the mid to long term.</b></li> <li>- <b>Number of women’s organisations whose capacities are supported.</b></li> <li>- Number of EU-supported initiatives increasing the EU reach out to new <b>emerging civil society actors</b>, including those working on gender issues.</li> <li>- Number of capacity development activities launched by the EU aiming at reinforcing <b>Kazakhstani CSOs’ capacity on</b> interaction with beneficiaries; investigative journalism; identification and reaction to disinformation; capacities to advocate for larger access of population to quality social services, especially for vulnerable groups; to contribute to the decision making and accountability processes at all levels; as well as <b>CSOs’ professional technical sectorial knowledge</b> in the following fields: a) the green deal, b) digitalisation, c) good governance, accountability and independent judiciary, d) human rights and rule of law.</li> <li>- Number of initiatives supported by the EU focused on <b>networking/alliance-building skills.</b></li> </ul>	<p>TBD</p>	<p>TBD</p>	<p>Reports drafted by EUD / reports from EU funded projects/etc.</p>



## PART IV - ANNEXES & REFERENCES

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### ANNEX 1: THE PROCESS

How were MS/EU+ present in the country involved in the drafting of the RM?	EU MS were involved in the data collection phase (several EU MS were interviewed). The Roadmap document was presented to the EU MS and their inputs have been taken into account in the drafting of the last version of the CS Roadmap.
What mechanisms are set up to ensure the involvement of MS/EU+ in the implementation and follow up of the RM?	EU MS will be involved in the follow up of the RM (through the participation in annual meetings of Team Europe) and in its implementation (seeking synergies among EU MS for the RM implementation through all bilateral instruments and tools).
What consultations with CSOs were organised? What type of actors were involved? What mechanisms, if any, were used to ensure the inclusiveness of the process?	A wide range of available secondary data sources were consulted; a total of 20 remote interviews were conducted; a survey was launched and answered by 27 civil society organisations; lastly, 2 focus groups with key civil society actors were also organised.
What mechanisms, are set up to continue the dialogue with CSOs? What mechanisms, if any, will be used to ensure the inclusiveness of the dialogue?	Dialogue with CSOs is ad hoc and is not structured. However, regular dialogue takes place with a wide range of INGOs and Human Rights Defenders.
How is the RM integrated /coordinated with the JP process?	No joint Programming so far.
How does the RM relate to other country processes including human rights and democracy country strategies, the gender action plan, etc.?	The Roadmap is aligned with the MIP 2021-2027, with the Gender Action plan and with the HRDCS.

### ANNEX 2: RELEVANT REFERENCES AND SOURCES TO DEEPEN THE UNDERSTANDING ON THE STATE OF CS AND EU ENGAGEMENT WITH CIVIL SOCIETY

1. Kazakhstan political context

[https://freedomhouse.org/country/kazakhstan/nations-transit/2022;](https://freedomhouse.org/country/kazakhstan/nations-transit/2022)



[https://www.osce.org/files/f/documents/2/7/434459\\_0.pdf](https://www.osce.org/files/f/documents/2/7/434459_0.pdf);  
<https://www.bbc.com/news/world-asia-48574540>;  
<https://thedi diplomat.com/2020/02/violence-in-kazakhstan-turns-deadly-for-dungans/>;  
<https://astanatimes.com/2020/05/kazakhstan-and-uzbekistan-unitedly-deal-with-flood-consequences-after-major-dam-collapse-in-region/>;  
<https://www.transparency.org/en/cpi/2021/index/kaz>;  
[https://www.akorda.kz/en/addresses/addresses\\_of\\_president/president-of-kazakhstan-kassym-jomart-tokayevs-state-of-the-nation-address-september-2-2019](https://www.akorda.kz/en/addresses/addresses_of_president/president-of-kazakhstan-kassym-jomart-tokayevs-state-of-the-nation-address-september-2-2019);  
<https://ulttyq-kenes.kz/ru/about-union>;  
<https://www.euronews.com/2022/01/06/kazakhstan-what-s-behind-the-unrest-and-is-a-revolution-brewing>;  
<https://astanatimes.com/2022/03/kazakhstans-prosecutor-general-reveals-details-%D0%BEf-investigation-into-january-events/>;  
<https://thedi diplomat.com/2022/01/kazakh-president-takes-aim-at-wealthy-elite/>;  
<https://thedi diplomat.com/2022/05/whats-in-kazakhstans-constitutional-referendum/>;  
<https://www.election.gov.kz/eng/news/releases/index.php?ID=7157>;  
<https://vlast.kz/avtory/49940-illuzia-plebiscita.html>;  
<https://rus.azattyq.org/a/kazakhstan-coronavirus-human-rights/30632656.html>;

## 2. Enabling Environment for Civil Society (legal and institutional, in theory and in practice)

<https://monitor.civicus.org/country/kazakhstan/>;  
[https://www.iphronline.org/kazakhstan-widespread-violations-reported-during-bloody-january.html#:~:text=Dauren%20Dostiyarov%2C%20an%20activist%20from,released%20on%2013th%20January%202022.](https://www.iphronline.org/kazakhstan-widespread-violations-reported-during-bloody-january.html#:~:text=Dauren%20Dostiyarov%2C%20an%20activist%20from,released%20on%2013th%20January%202022.;);  
[https://www.un-page.org/files/public/ge\\_stocktaking\\_report\\_eng\\_final.pdf](https://www.un-page.org/files/public/ge_stocktaking_report_eng_final.pdf);  
<https://www.iphronline.org/wp-content/uploads/2020/11/Briefing-paper-FR-Kazakhstan.pdf>;  
<https://feminita.kz/2019/06/feminita-registration-issues/>;  
<https://www.icnl.org/resources/civic-freedom-monitor/kazakhstan#resources>;  
<https://echo.kz/en/2-uncategorised/216-press-release-kazakhstani-human-rights-and-media-public-organizations-face-unjustified-and-disproportionate-fines-and-suspension-of-activities.html>;  
<https://www.hrw.org/news/2021/06/22/ilo-slams-kazakhstan-long-standing-labor-rights-abuses>;  
<https://www.hrw.org/news/2020/12/17/kazakhstan-adopts-long-promised-amendments-trade-union-law>;  
<https://bureau.kz/novosti/chem-tak-opasen-profsoyuz/>;  
<https://rus.azattyq.org/a/31731706.html>;  
<http://www.adilsoz.kz/news/show/id/3452>;  
<https://vlast.kz/novosti/49619-parlament-prinal-zakon-pozvolausij-udalat-protivopravnyj-v-otnosenii-detej-kontent.html>;  
<https://astanatimes.com/2019/12/kazakh-president-announces-major-political-reforms-package/>;  
<https://vlast.kz/novosti/49479-policia-sorvala-akciu-u-rossijskogo-konsulstva-v-almaty.html>;  
<https://www.gov.kz/memleket/entities/akk?lang=ru>;  
<https://infonpo.gov.kz/>;



### 3. Civil Society participation

[https://deathpenaltyinfo.org/stories/news-brief-kazakhstan-abolishes-the-death-penalty;](https://deathpenaltyinfo.org/stories/news-brief-kazakhstan-abolishes-the-death-penalty)  
[file:///C:/Users/Admin/Downloads/What%20is%20happening%20with%20non-state%20youth%20activism%20in%20Kazakhstan\\_.pdf;](file:///C:/Users/Admin/Downloads/What%20is%20happening%20with%20non-state%20youth%20activism%20in%20Kazakhstan_.pdf)  
[https://www.zakon.kz/5055721-vyzvavshiy-buryu-v-kaznete-zakonoproekt.html;](https://www.zakon.kz/5055721-vyzvavshiy-buryu-v-kaznete-zakonoproekt.html)  
[https://cdn.penalreform.org/wp-content/uploads/2021/08/Kazakhstan-Forum-Report\\_Eng.pdf;](https://cdn.penalreform.org/wp-content/uploads/2021/08/Kazakhstan-Forum-Report_Eng.pdf)  
[https://www.gov.kz/memleket/entities/ombudsman?lang=en;](https://www.gov.kz/memleket/entities/ombudsman?lang=en)  
[https://astanatimes.com/2021/11/tenth-civil-forum-sums-up-kazakh-civil-societys-development-strengthens-ties-with-global-community/;](https://astanatimes.com/2021/11/tenth-civil-forum-sums-up-kazakh-civil-societys-development-strengthens-ties-with-global-community/)

### 4. Civil Society actors, capacity and networking

[https://sostaldykol.info/#aboutus;](https://sostaldykol.info/#aboutus)  
[https://www.instagram.com/oyanqazaqstankz/?hl=en;](https://www.instagram.com/oyanqazaqstankz/?hl=en)  
<https://www.instagram.com/protenge.kz/>  
[https://feminita.kz/about-us/;](https://feminita.kz/about-us/)  
[https://cabar.asia/en/kazakhstan-from-a-marathon-banner-to-protest-consolidation;](https://cabar.asia/en/kazakhstan-from-a-marathon-banner-to-protest-consolidation)  
[https://astanatimes.com/2019/08/tokayev-declares-2020-to-be-year-of-volunteer/;](https://astanatimes.com/2019/08/tokayev-declares-2020-to-be-year-of-volunteer/)  
[https://qazvolunteer.kz/en/about;](https://qazvolunteer.kz/en/about)  
<https://nemolchi.kz/>  
[https://www.notorture.kz/;](https://www.notorture.kz/)  
[https://haq.kz/ru\\_RU;](https://haq.kz/ru_RU)  
[https://nghrdc.kz/?fbclid=IwAR1qFuBvg30Pi9DdlnheogPtbcigXa7QMn4V7HO-Tn-JPwVZyTzD7YmfBtI;](https://nghrdc.kz/?fbclid=IwAR1qFuBvg30Pi9DdlnheogPtbcigXa7QMn4V7HO-Tn-JPwVZyTzD7YmfBtI)  
[https://drfl.kz/dreg/;](https://drfl.kz/dreg/)  
[https://civilalliance.kz/.](https://civilalliance.kz/)

### 5. Annex IV – List of the most relevant legal acts related to Civil Society in Kazakhstan

- The Constitution of the Republic of Kazakhstan, dated Aug 30, 1995;
- Constitutional Law of the Republic of Kazakhstan No. 132 On the judicial system and the status of judges of the Republic of Kazakhstan, dated Dec 25, 2000;
- The Civil Code of the Republic of Kazakhstan, dated Dec 27, 1994;
- The Code of the Republic of Kazakhstan on Taxes and Other Obligatory Payments to the Budget (the Tax Code) No. 99- IV, dated Dec 10, 2008;
- The Code of the Republic of Kazakhstan on Administrative Offences No. 235-V, dated Jul 5, 2014;
- The Law of the Republic of Kazakhstan № 2198 on State Registration of Legal Entities and Record-Registration of dated Apr 17, 1995;
- The Law of the Republic of Kazakhstan № 3-I on Public Associations, dated May 31, 1996;
- The Law of the Republic of Kazakhstan № 416 on Countering Terrorism, dated Jul 13, 1999;
- The Law of the Republic of Kazakhstan № 142-II on Non-Commercial Organizations, dated Jan 16, 2001;
- The Law of the Republic of Kazakhstan № 344-II on Political Parties, dated Jul 15, 2002;



- The Law of the Republic of Kazakhstan № 36 on the State Social Order, Grants and Awards for Non-Governmental Organizations, dated Apr 12, 2005;
- The Law of the Republic of Kazakhstan № 383-V on Public Councils, dated Nov 2, 2015;
- The Law of the Republic of Kazakhstan № 402-V on Charity, dated Nov 16, 2015;
- The Law of the Republic of Kazakhstan № 11-VI on Payments and Payment Systems, dated Jun 29, 2016;
- The Law of the Republic of Kazakhstan № 42-VI on Volunteering, dated Dec 30, 2016;
- The Law of the Republic of Kazakhstan № 333-VI on the Procedure for Organizing and Holding Peaceful Assemblies, dated May 25, 2020;
- The Presidential Decree № 390 on Approval of the Concept for the Development of Civil Society in the Republic of Kazakhstan until 2025, Aug 27, 2020;
- Decree of the Government of the Republic of Kazakhstan No. 917 on Approval of the Action Plan for the implementation of the Concept for the Development of Civil Society in the Republic of Kazakhstan (first stage: 2020 - 2025), dated Dec 29, 2020.