

# Neighbourhood Co-operation Priorities with Kazakhstan 2024-2027



COUNCIL OF EUROPE



CONSEIL DE L'EUROPE

# **Neighbourhood Co-operation Priorities with Kazakhstan 2024-2027**

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## EXECUTIVE SUMMARY

The Neighbourhood Co-operation Priorities with Kazakhstan 2024-2027, developed jointly with the Kazakh authorities, aims to consolidate the support provided to Kazakhstan in the process of democratic reforms and tackle challenges related to human rights, the rule of law and democracy.

The relationships established with Kazakhstan have been continually enhanced in areas of Council of Europe expertise relevant for the national democratic reforms through the implementation of the Neighbourhood Policy established by the Council of Europe in 2011.

Since 2014, Kazakhstan received assistance in the framework of the Neighbourhood Co-operation Priorities for Kazakhstan 2014-2015 and the "Council of Europe Neighbourhood Co-operation Priorities for Kazakhstan (2019-2023)". The country showed willingness to enter into new commitments with the Council of Europe, especially by requesting accession to a number of its conventions. In April 2020, Kazakhstan was invited to accede to the Convention on Preventing and Combating Violence Against Women and Domestic Violence (Istanbul Convention) and requested technical assistance to advance in the accession process to the respective convention. Kazakhstan was also invited to accede to the Convention on Corruption (ETS No. 173) in July 2022 and to the Convention on Cybercrime (ETS No. 185) in April 2023.

In parallel, Kazakhstan became a member of the Group of States against Corruption (GRECO) on 1 January 2020 and underwent the joint first and second evaluation rounds in 2022. In the field of constitutional and institutional reforms, the country requested three Venice Commission's opinions in 2021 and 2022 to improve in particular the legal framework governing the Commissioner for Human rights and the Constitutional Council.

Recently, the country has embarked upon several public sector reforms, in line with the 'New Kazakhstan' policy. In particular, amendments to the Constitution were made in 2022. The government also announced further institutional changes, putting an emphasis on the social dimension, and changing social, economic, and geopolitical context.

Under the new Neighbourhood Co-operation Priorities, the Council of Europe and the Kazakh authorities have agreed to build on the achievements of the co-operation implemented since 2014, in particular by encouraging accession to Council of Europe conventions and initiating co-operation in new priority areas covered by the national reforms' agenda.

In the field of human rights, the new Neighbourhood Co-operation Priorities document aims in particular to progress on the prevention of ill-treatment, on combating violence against women and on protecting children's rights. Particular attention will be paid to building the capacities of legal professionals to apply the national legislation and follow practices that conform to European and international human rights standards.

Fighting economic crime remains at the heart of the present document. Emphasis will be put on strengthening the capacities of national authorities to address GRECO recommendations in the field of anti-corruption while at the same time consolidating the achievements of the last few years. Co-operation will be also enhanced in the field of Anti-Money Laundering (AML) and Countering Financing of Terrorism (CFT) in line with international and Council of Europe AML/CFT standards (with a focus on the Council of Europe Convention on Laundering, Search, Seizure and Confiscation of the Proceeds from Crime and on the Financing of Terrorism (CETS No. 198 - Warsaw Convention)).

The Council of Europe will seek to support national efforts to bring legislation in the field of cybercrime closer to the Council of Europe standards and build national capacities to address the challenges of cybercrime and electronic evidence. Action against trafficking in human beings will also be one of the new priorities of the co-operation, with a focus on the development of a more comprehensive legislative and institutional framework, in line with European and international standards.

With a view to improving the independence and efficiency of the judiciary, the Council of Europe's support will aim among others at enhancing compliance of the national framework relating to judicial independence with European standards and improving access to justice.

In the field of democracy, support to the decentralisation process will be initiated especially through the assistance provided by the Congress of Local and Regional Authorities and the Centre of Expertise for Good Governance (CEGG) to strengthen the legal framework and creating a national association of local and regional authorities. Strengthening the role of the Parliament in consolidating democracy and protecting human rights will also deserve specific attention with the support of the Parliamentary Assembly of the Council of Europe (PACE).

The Neighbourhood Co-operation Priorities aim to support Kazakhstan in its efforts to implement the [United Nations Sustainable Development Goals](#) (SDGs) of the [UN 2030 Agenda for Sustainable Development](#), notably Goals 4, 5, 8, 10, and 16, with a particular focus on Goals 5 and 16.

The overall budget of this Neighbourhood Co-operation Priorities is estimated at €8.12 million. While funding in the amount of €197 530 has been secured, additional funding is essential to fully implement the priority actions identified for 2024-2027.

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## LIST OF ACRONYMS AND ABBREVIATIONS

ACA	Anti-corruption Agency – Kazakhstan
AML/CFT	Anti-money laundering/Countering financing of terrorism
Budapest Convention	Council of Europe Convention on Cybercrime
CCJE	Consultative Council of European Judges
CCPE	Consultative Council of European Prosecutors
CDDG	European Committee on Democracy and Governance
CEGG	Centre of Expertise for Good Governance
CEPEJ	European Commission for the Efficiency of Justice
The charter	European Social Charter
The Convention	European Convention on Human Rights
Convention 108	Convention for the Protection of Individuals with regard to Automatic Processing of Personal Data
CM	Committee of Ministers of the Council of Europe
Congress	Council of Europe Congress of Local and Regional Authorities
DPC	Directorate of Programme Co-ordination
EAG	Eurasian Group on Combating Money Laundering and Financing of Terrorism
The European Court	European Court of Human Rights
EU	European Union
FIU	Financial Intelligence Unit
FIU	Financial Monitoring Agency of Kazakhstan
GRECO	Group of States against Corruption
GRETA	Council of Europe's Group of Experts on Action against Trafficking in Human Beings
GR-EXT	Rapporteur Group on External Relations
GREVIO	Council of Europe's Group of Experts on Combating Violence against Women and Domestic Violence
HELP	European Programme for Human Rights Education for Legal Professionals
Istanbul Convention	Council of Europe Convention on Preventing and Combating Violence Against Women and Domestic Violence
Lanzarote Convention	Council of Europe Convention on the Protection of Children against Sexual Exploitation and Sexual Abuse
Macolin Convention	Council of Europe Convention on the manipulation of sports competitions
MPs	Members of Parliament
NCPA	International Network of Corruption Prevention Authorities
NCP	Neighbourhood Co-operation Priorities for Kazakhstan 2024-2027
NGO	Non-Governmental Organisation

OSCE	Organisation for Security and Co-operation in Europe
PACE	Parliamentary Assembly of the Council of Europe
PMM	Council of Europe Project Management Methodology
Saint-Denis Convention	Council of Europe Convention on an Integrated Safety, Security and Service Approach at Football Matches and Other Sports Events
SDGs	United Nations Sustainable Development Goals
UN	United Nations
Venice Commission	European Commission for Democracy through Law
Warsaw Convention	Council of Europe Convention on Laundering, Search, Seizure and Confiscation of the Proceeds from Crime and on the Financing of Terrorism

## PART I - INTRODUCTION

### 1.1 GENERAL OVERVIEW

#### 1.1.1 COUNCIL OF EUROPE POLICY TOWARDS NEIGHBOURING REGIONS

At its 121<sup>st</sup> session on 11 May 2011 in Istanbul, the Committee of Ministers of the Council of Europe (CM) endorsed the proposals made by the Secretary General regarding a Council of Europe policy towards its immediate neighbourhood, aimed at promoting dialogue and co-operation with the countries and regions in the vicinity of Europe which express the will to co-operate with the Council of Europe, based on the common values of human rights, the rule of law and democracy. The CM further invited the Secretary General to draw up action plans for the implementation of this policy.

The Council of Europe policy towards neighbouring regions, which is demand-driven and country-specific, is designed for partners in North Africa, the Middle East and Central Asia, and pursues the following three objectives:

- to facilitate democratic political transition in the countries concerned;
- to help promote good governance through the protection of human rights and the rule of law; and
- to reinforce and enlarge Council of Europe regional action in combating transborder and global threats.

The policy has been implemented in close partnership with the European Union (EU), on the basis of the modalities endorsed by the CM, in particular its two key components:

- the *Neighbourhood Co-operation Dialogue*, carried out at political level; and
- the *Neighbourhood Co-operation Priorities*, setting out specific co-operation activities to be carried out in the fields of human rights, the rule of law and democracy.

At its 127<sup>th</sup> session held on 19 May 2017 in Nicosia, the CM invited the Ministers' Deputies and the Secretary General of the Council of Europe to assess the results obtained from the policy towards neighbouring regions in order to decide on the follow-up action to be taken. On 3 October 2017, the Ministers' Deputies expressed broad support for the Secretary General's proposals for building on the results achieved within the framework of the Istanbul principles of the 2011, and in particular, particular continuing the co-operation with Kazakhstan (see section 1.1.3 on "the Council of Europe and Kazakhstan" below).

On 4 November 2020, at its 130<sup>th</sup> session in Athens<sup>1</sup>, the CM welcomed the fact that the implementation of the policy towards neighbouring regions had enabled the Council of Europe and the beneficiaries in North Africa, the Middle East and Central Asia to make progress towards setting up a common legal area based on the Organisation's values and instruments. In addition, looking ahead to the 10<sup>th</sup> anniversary of this policy, the CM invited its Deputies to review it in order to clarify its geographical scope and conditionality and further improve its transparency and efficiency in the light of respective strategic priorities and implementation capacities.

Accordingly, on 12 November 2020, as part of the follow-up to the Athens decisions, the CM instructed its Rapporteur Group on External Relations (GR-EXT) to carry out a review of the Council of Europe's policy towards neighbouring regions since its inception in 2011, in the light of the decisions adopted by the CM, as well as to make proposals for its continuation and report back to them within a year. On 10 November 2021, the CM took note of the document of the Secretary General of the Council of Europe SG/Inf (2021)<sup>14</sup> "Review of the policy towards neighbouring regions and the Council of Europe contribution to global governance" and agreed to implement the proposals contained in the document<sup>2</sup>. In light of the Organisation's strategic priorities and implementation capacities, the review proposed in particular "to consolidate successful parameters" of the Council of Europe's policy towards neighbouring regions. The review also clarified the policy's conditionality and stressed that only some countries can benefit from a bilateral dimension. It also underlined the importance of the commitment of beneficiary countries, as well as the need for "a more co-ordinated framework", within the Organisation and externally, with other partners, including the EU (in this respect see part 3.3 below).

<sup>1</sup> 130<sup>th</sup> Session of the Committee of Ministers (Videoconference, Athens, 4 November 2020) – 5. Council of Europe policy towards neighbouring regions [https://search.coe.int/cm/pages/result\\_details.aspx?ObjectId=0900001680a03d77](https://search.coe.int/cm/pages/result_details.aspx?ObjectId=0900001680a03d77)

<sup>2</sup> Policy of the Council of Europe towards neighbouring regions and the Council of Europe contribution to global governance - a Review of the policy towards neighbouring regions and the Council of Europe contribution to global governance [https://search.coe.int/cm/pages/result\\_details.aspx?objectId=0900001680a46ef4](https://search.coe.int/cm/pages/result_details.aspx?objectId=0900001680a46ef4)

In addition, it should be noted that the “*Reykjavík Declaration*”, adopted at the 4th Summit of Heads of State and Government of the Council of Europe held on 16-17 May 2023, includes a commitment to enhance the Council of Europe external dimension and refers, inter alia, to the promotion of its conventions that are open to non-member States.

### 1.1.2 CO-OPERATION OBJECTIVES

The main objective of the co-operation between Kazakhstan and the Council of Europe, in line with the Council of Europe’s policy towards its neighbouring regions, is to assist Kazakhstan in the process of democratic reforms underway by helping the country to tackle challenges related to human rights, the rule of law and democracy and in particular:

- to consolidate the achievements of the co-operation implemented since 2014 through the two consecutive “Neighbourhood Co-operation Priorities for Kazakhstan”<sup>3</sup> documents and to initiate new areas of co-operation in line with national reform priorities, based on a demand-driven approach, in the fields of expertise of the Council of Europe;
- to continue the efforts made to facilitate the creation of a common legal area between Europe and Kazakhstan, by encouraging the authorities to bring Kazakhstan legislation into line with European and international standards, and to ratify the conventions of the Council of Europe open to non-member States, in accordance with the procedures set out in the relevant conventions;
- to provide support to the development and to the effective implementation of new legislation in accordance with European and other international standards according to needs;
- to provide support to the setting-up and to the effective functioning of human rights protection institutions and new governance structures;
- to consolidate Kazakhstan’s presence within Council of Europe’s instances of which it is already a member or observer (see section 1.1.3 below) and to encourage it to participate in other Council of Europe structures, according to needs;

The present framework of co-operation is a flexible, dynamic strategic tool setting out priorities for co-operation between Kazakhstan and the Council of Europe for the period between 2024 and 2027. The main areas of co-operation presented have been identified on the basis of high-level consultations as well as of detailed technical consultations between the relevant Kazakhstan authorities and the Council of Europe.

### 1.1.3 THE COUNCIL OF EUROPE AND KAZAKHSTAN

The relationship between the Council of Europe and Kazakhstan has been enhanced through the implementation of the Neighbourhood Policy established by the Council of Europe in 2011, making Kazakhstan a leading partner in the region.

However, Kazakhstan already had relations with the Council of Europe prior to that date. Kazakhstan has been a member of the Venice Commission since March 2012 (and an observer since 1998). Since 2013 the Constitutional Council, and now the Constitutional Court, is a member of the World Conference on Constitutional Justice, for which the European Commission for Democracy through Law (the Venice Commission) acts as the Secretariat. The country has ratified four Council of Europe conventions (see Appendix IV). It has also held observer status with the European Pharmacopoeia since 2006. Kazakhstan was granted observer status with the Consultative Council of European Prosecutors (CCPE) in 2015 and with the Consultative Council of European Judges (CCJE) and the European Commission for the Efficiency of Justice (CEPEJ), both in 2017. The Parliamentary Assembly of the Council of Europe (PACE) and the Parliament of Kazakhstan concluded a co-operation agreement in 2004. In January 2020, Kazakhstan became the 50<sup>th</sup> member state of the Group of States against Corruption (GRECO).

In November 2019, Kazakhstan requested accession to the Convention on Preventing and Combating Violence against Women and Domestic Violence. On 22 April 2020, the Committee of Ministers invited Kazakhstan to accede to the Convention. In February 2022, the country requested to be invited to accede to the Criminal Law Convention on Corruption (ETS No. 173) and was invited to accede by the CM in June 2022.

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<sup>3</sup> *Neighbourhood Co-operation Priorities for Kazakhstan 2014-2018*  
*Neighbourhood Co-operation Priorities for Kazakhstan 2019-2023*



In November 2022, the country requested to be invited to accede to the Convention on Cybercrime (ETS No. 185). The CM Secretariat proceeded to a consultation of Contracting States to the Convention, requesting them to communicate whether their authorities would object to the accession of Kazakhstan to the Convention on Cybercrime. The country was invited to accede to the Convention on 19 April 2023.

Following a visit by the Secretary General to Astana (October 2011), a fresh impetus was given to the preparation of the first comprehensive Neighbourhood Co-operation Priorities document (NCP). The document entitled “Council of Europe Neighbourhood Co-operation Priorities for Kazakhstan 2014-2015: co-operation activities regarding Council of Europe conventions in criminal matters” was adopted by the Committee of Ministers in December 2013. The NCP was developed in close co-operation with the Kazakh authorities as a strategic co-operation framework in criminal matters in order to bring the country’s legislative and regulatory frameworks and practice closer to European standards.

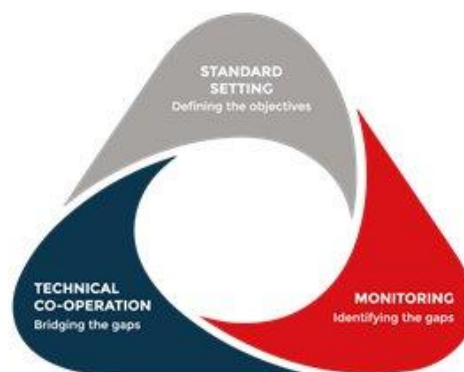
In January 2016, the CM decided to extend the validity of the NCP until the end of 2017 following an agreement reached with the Kazakh authorities. Following the progress made the CM instructed the Secretariat “to continue the discussions with the authorities of Kazakhstan with regard to the preparation of a new co-operation document.” This initiative was welcomed by Kazakhstan, which had expressed its desire to pursue the co-operation.

The second bilateral document “Council of Europe Neighbourhood Co-operation Priorities (NCP) for Kazakhstan (2019-2023)” was developed in close co-operation with the Kazakh national authorities and adopted by the CM on 4 April 2019. Initially foreseen for a 4-year period, it was extended by one year until 2023 by the CM decision on 15 June 2022. Oral reports on the NCP implementation were presented to the Rapporteur Group on External Relations (GR-EXT) on 10 March 2020, 31 May 2022 and 5 October 2023. The mid-term Progress Review Report was presented to GR-EXT on 29 June 2021.

In addition, there has been a regular dialogue with Kazakhstan representatives. Most recently, Deputy Secretary General Bjørn Berge held meetings with Mr Artur Lastayev, Commissioner for Human Rights of Kazakhstan on 7 March 2023, with Mr Roman Vassilenko, Deputy Minister of Foreign Affairs, on 25 January 2023 and, with Ms Akerke Akhmetova, Vice-Minister of Justice, on 24 May 2022<sup>4</sup>. The Chairman of the Financial Monitoring Agency of the Republic of Kazakhstan also visited the Council of Europe on 19 June 2023.

#### 1.1.4 ADDED VALUE OF THE TECHNICAL ASSISTANCE PROGRAMMES OF THE COUNCIL OF EUROPE

Council of Europe technical assistance programmes form an integral part of the unique strategic triangle of standard-setting, monitoring and co-operation: the development of legally binding standards is linked to their monitoring by independent mechanisms and supplemented by technical co-operation to facilitate their implementation. The Organisation’s actions are developed and implemented in areas where the Council of Europe has strong expertise and added value.



**Figure 1: Council of Europe strategic triangle**

<sup>4</sup> On 11 January 2022, the Deputy Secretary General also had a telephone call with the Consul General of Kazakhstan in Strasbourg about the January events in Kazakhstan.

In the case of Kazakhstan, as a non-member State of the Council of Europe, monitoring mechanisms will not apply until this country becomes a contracting party to the relevant conventions. In particular, the country is a member of the Group of States against Corruption (GRECO). On 6-10 September 2021, GRECO's made its first evaluation visit to Kazakhstan. An evaluation report was published in June 2022. GRECO has invited the authorities of Kazakhstan to present a report on the implementation of the recommendations by 30 September 2023.

However, the methodology of a number of other monitoring mechanisms will be used to assess the country's situation in key areas and to formulate recommendations in line with European legislation and practices.

**A large variety of Council of Europe tools will be employed to ensure successful co-operation according to needs, in particular:**

- conventions of the Council of Europe open to non-member States and more generally Council of Europe standards in priority areas;
- the long-standing expertise of several instances of the Council of Europe (such as intergovernmental bodies, the Parliamentary Assembly of the Council of Europe (PACE), the Council of Europe Congress of Local and Regional Authorities (Congress), the European Commission for Democracy through Law (Venice Commission);
- the methodologies developed within the Council of Europe to regularly assess and respond to "shared" challenges (such as those of the Council of Europe's Group of States against corruption (GRECO), the European Commission for the Efficiency of Justice (CEPEJ) or tools such as the European Programme for Human Rights Education for Legal Professionals (HELP).

**The working methods designed to make the Council of Europe's expertise available to Kazakhstan, include in particular:**

- support for assessing the existing legal and institutional framework in selected areas and identifying needs and follow-up action;
- assistance with the drawing-up of new legislative texts, the revision of existing legislation, the setting-up of human rights institutions and new governance structures, based on European and other international standards, networks of Council of Europe's experts in key priority areas, Council of Europe standards and reference documents;
- transferring knowledge and skills on specific subjects with a view to enhancing national capacities;
- facilitating the exchange of experience and good practices between Europe and partner countries of Central Asia benefiting from Council of Europe co-operation projects, as well as between the countries of the region, and creating relevant formal and informal networks.

The co-operation projects are designed to help the country, through concrete action taken within the framework of projects implemented jointly by the Council of Europe's specialised teams and the relevant partners in Kazakhstan, to develop tools and competencies suited to the national context and capable of addressing the problems identified.

Kazakhstan is one of the beneficiaries of the regional Joint European Union/Council of Europe Central Asia Rule of Law Programme 2020-2023<sup>5</sup> extended until June 2024.

**Examples of results of the previous Neighbourhood Co-operation Priorities framework**

The present document takes into account the outcomes of the Neighbourhood Co-operation Priorities 2019-2022, which were extended until December 2023:

- Kazakhstan is the first country of the region to be invited to accede to the Council of Europe Convention on preventing and combating violence against women and domestic violence (Istanbul Convention) in April 2020;

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<sup>5</sup> Joint European Union/Council of Europe Central Asia Rule of Law Programme 2020-2023, budget of €8 889 000 euros (EU: 90%, CoE: 10%), extended until June 2024. The Programme is open to all Central Asian countries (Kazakhstan, Kyrgyzstan, Tajikistan, Turkmenistan and Uzbekistan).

- In June 2022, the country was invited to accede to the Criminal Law Convention on Corruption (ETS No. 173) and in April 2023 Kazakhstan was invited to join the Convention on Cybercrime (ETS No. 185);
- Kazakhstan officially became a member of the Group of States against Corruption (GRECO) on 1 January 2020;
- the country underwent the first and second round of joint GRECO evaluation and started to work the implementation of the set of recommendations from the evaluation report published in June 2022, with the support of the Council of Europe through the technical assistance provided under the Joint European Union/Council of Europe Central Asia Rule of Law Programme 2020-2023;
- the Anti-Corruption Agency of Kazakhstan joined the international Network of Corruption Prevention Authorities (NCPA) on 6 October 2020;
- the country requested three Venice Commission's opinions in 2021 and 2022<sup>6</sup>; showing that the Commission is considered as a key partner in the country to assist in advancing constitutional and institutional reforms;
- a comparative analysis on requirements for appointment of judges of administrative courts in the Venice Commission member States was prepared by the Venice Commission upon the request of the Chairman of the High Judicial Council of Kazakhstan;
- 8 Kazakh trainers received their certificates as national HELP trainers. These trainers will be responsible for adapting HELP courses to the national context and for their implementation.

Throughout the implementation of the previous NCP, the Kazakh authorities engaged in constructive co-operation with the Council of Europe.

## 1.2 NEIGHBOURHOOD CO-OPERATION PRIORITIES GOALS

The main objective of the co-operation between Kazakhstan and the Council of Europe, in line with the Council of Europe's policy towards neighbouring regions, is to assist Kazakhstan with its ongoing democratic reforms by helping it to tackle challenges relating to human rights, the rule of law and democracy.

The present Neighbourhood Co-operation Priorities is a strategic, flexible and dynamic programming instrument that sets out the priorities for co-operation between Kazakhstan and the Council of Europe for the period 1 January 2024 to 31 December 2027.

The main objectives pursued by the Neighbourhood Co-operation Priorities are as follows:

- to consolidate the results of the co-operation implemented since 2014<sup>7</sup>, initiate new areas of co-operation in line with national reform priorities, in accordance with the demand-driven approach, in such areas of Council of Europe expertise;
- to continue to foster the gradual creation of a common legal area between Europe and Kazakhstan, by supporting the development and effective implementation of new laws in line with European and international standards, including laws drawn up in collaboration with the Council of Europe, and by encouraging Kazakhstan's accession to Council of Europe conventions open to non-member States, in compliance with the procedures set out in the conventions concerned;
- to continue to support Kazakhstan in the reforms undertaken in strategic areas in which a solid basis has been established in the context of co-operation with the Council of Europe and which include advancing constitutional reforms, fighting corruption and promoting business transparency, countering money laundering and enhanced human rights education for legal professionals and staff of national human rights institutions;

<sup>6</sup> One opinion on the Concept paper for improving the legal framework of the Constitutional Council of the Republic of Kazakhstan (adopted in March 2021) and two opinions related to the Kazakh Human Rights institution (opinion on the draft law "On the Commissioner for Human Rights", adopted in December 2021 and opinion on the draft constitutional law "On the Commissioner for Human Rights of the Republic of Kazakhstan" adopted in October 2022).

<sup>7</sup> "Council of Europe Neighbourhood Co-operation Priorities for Kazakhstan 2014-2015: co-operation activities regarding Council of Europe conventions in criminal matters" and "Council of Europe Neighbourhood Co-operation Priorities (NCP) for Kazakhstan (2019-2023)"

- to initiate and strengthen co-operation in priority areas covered by the national reforms' agenda, as and when the demand exists, in the Council of Europe's fields of expertise, notably: preventing torture and ill-treatment, safeguarding human rights in criminal proceedings, freedom of expression and information, combating violence against women and domestic violence, children's rights, the independence and efficiency of justice, cybercrime, trafficking in human beings and safety, security and services in sport events;
- to support the establishment and effective functioning of human rights protection bodies and governance structures; notably the Office for the Commissioner for Human rights of the Republic of Kazakhstan and the Anti-Corruption Agency of Kazakhstan.

In meeting its objectives, this Neighbourhood Co-operation Priorities will also support Kazakhstan in its efforts to implement the [United Nations 2030 Agenda for Sustainable Development](#).

The main areas of co-operation mentioned were identified through high-level consultations and detailed technical consultations between the Kazakh authorities concerned and the Council of Europe.

Relevant national strategic documents identifying priorities and/or main lines of action have also been consulted to ensure the Council of Europe support matches the country's needs and priorities and is coherent with other national initiatives. Any reference, in the current Neighbourhood Co-operation Priorities, to national legislation, strategies, policies, action plans or any other national document does not represent an endorsement of such documents by the Council of Europe.

Consultations have also been carried out with other international organisations – especially the European Union as the Council of Europe's principal partner in the region – and other stakeholders, to ensure a co-ordinated approach to co-operation. Accordingly, the priority areas of co-operation aim to foster synergies between all the relevant stakeholders in order to avoid duplication.

## **PART II - CO-OPERATION PRIORITIES FOR 2024-2027**

### **2.1 HUMAN RIGHTS**

In April 2021, the President of the Republic of Kazakhstan signed a Decree 'On further measures of the Republic of Kazakhstan in the field of human rights' which scope was expanded in April 2022 by another Decree<sup>8</sup>. It sets out the priority areas of work in the field of human rights, such as protecting human rights in criminal justice, violence against women and children and the right to freedom of expression and instructed the Government to adopt necessary implementing measures accordingly.

The Government adopted a national [Human Rights Action Plan](#) in April 2022 comprising measures to be carried out in eight fields of intervention, including preventing and prosecuting torture and ill-treatment and prevent violence against women and children. In addition, in June 2022, the country voted constitutional amendments through a national referendum, which foreseen the re-establishment a Constitutional Court (replacing the Constitutional Council) and the strengthening of the legal basis and of the role of the Commissioner for Human Rights<sup>9</sup>.

The Council of Europe is ready to accompany Kazakhstan in these important reforms based on European and international standards. In the framework of the European Commission for Democracy through Law (Venice Commission) Joint Council on Constitutional Justice, the Constitutional Court of the Republic of Kazakhstan co-operates with the constitutional courts and equivalent bodies of European countries in order to exchange best practices. Special attention will be given to increase capacities of the Commissioner for Human Rights as regards its role in safeguarding human rights. Tackling the ill-treatment in detention and increasing capacities of the judicial system to ensure respect of rights of the participants of criminal proceedings are top priorities.

<sup>8</sup> Decree of the President of the Republic of Kazakhstan No. 871 "On amendments and additions to the Decree of the President of the Republic of Kazakhstan of 9 June 2021 No. 597 "On further actions of the Republic of Kazakhstan in the field of human rights".

<sup>9</sup> The reformed institution now possesses an extended scope of competence, which includes the ability to file lawsuits aimed at safeguarding the rights and freedoms of individuals within the country.

The Council of Europe will continue to promote the use and the provision of online courses within the European Human Rights Training Programme for Legal Professionals (HELP) and teaching staff of national training institutions for judges, prosecutors and lawyers and adapt relevant courses to the country's needs.

Since freedom of expression has been identified as priority area by the authorities, the Council of Europe proposes to assist Kazakhstan in bringing its legislation and practice in the media field in line with the Council of Europe standards.

The work to raise awareness of the Council of Europe conventions will continue, with particular emphasis on the Convention on preventing and combating violence against women and domestic violence (Istanbul Convention), the European Convention on the Exercise of Children's Rights and the Convention on the Protection of Children against Sexual Exploitation and Sexual Abuse (Lanzarote Convention) and the Council of Europe Convention on Action against Trafficking in Human Beings.

This work will contribute to achieving the UN's Sustainable Development Goals (SDGs) especially 4,<sup>10</sup> 5,<sup>11</sup> 8,<sup>12</sup> 10,<sup>13</sup> and 16.<sup>14</sup>

### 2.1.1 PROTECTING HUMAN RIGHTS

#### → **Prevention of torture and ill-treatment**

Tackling ill-treatment has been identified as a key priority by the government of Kazakhstan and is outlined in the new national Human Rights Action Plan in 2022. As of 2023, the General Prosecutor's Office is tasked with addressing ill-treatment, both through prevention and investigation of relevant cases.

Conducting thorough investigations of serious human rights violations and holding those who violate accountable is crucial in fostering confidence in the law enforcement institutions and the justice system as a whole.

In that context, the Council of Europe stands ready to provide targeted support to the Kazakh authorities to strengthen the capacities of national institutions in preventing ill-treatment and torture, in particular through developing national capacities to improve institutional/operational systems for the prevention of ill-treatment and torture and enhancing capacities of legal professionals, including prosecutors and staff from the Office of the Commissioner for Human Rights and its regional representatives, to address allegations of ill-treatment and torture in line with European human rights standards.

**Overall objective: To increase the capacities of national institutions in preventing ill-treatment and torture**

**Expected outcomes:**

- The national capacities to improve institutional/operational systems for the prevention of ill-treatment and torture are developed;
- An increased number of legal professionals, in particular prosecutors and staff from the Commissioner for Human Rights' Office and its regional representatives have the capacities and skills to address allegations of ill-treatment and torture in line with their mandate and applying relevant European and international human rights standards in court proceedings.

***Main national partners: General Prosecutor's Office, the Commissioner for Human Rights, in co-ordination with the Human Rights Commission under the President of the Republic of Kazakhstan, relevant training institutions for legal professionals and civil society***

<sup>10</sup> Goal 4: Ensure inclusive and equitable quality education and promote lifelong learning opportunities for all.

<sup>11</sup> Goal 5: Achieve gender equality and empower all women and girls.

<sup>12</sup> Goal 8, target 8.7: Take immediate and effective measures to eradicate forced labour, end modern slavery and human trafficking and secure the prohibition and elimination of the worst forms of child labour, including recruitment and use of child soldiers, and by 2025 end child labour in all its forms.

<sup>13</sup> Goal 10: Reduce inequality within and among countries.

<sup>14</sup> Goal 16: Promote peaceful and inclusive societies for sustainable development, provide access to justice for all and build effective, accountable, and inclusive institutions at all levels.

### → Support to the national human rights institution

The signing in 2022 of the new Constitutional Law "On the Commissioner for Human Rights in the Republic of Kazakhstan" demonstrates the government's commitment to reinforcing the Commissioner's constitutional status and expanding its role in safeguarding human rights. This legal framework provides a solid foundation for the Office of the Commissioner for Human Rights to further extend its presence and increase its functions at the national and regional level.

Given the recent legislative changes, it is crucial to provide support to the institution in fulfilling its mission of advancing human rights and investigating and addressing human rights violations in Kazakhstan. The Commissioner for Human Rights plays a key role in implementing the *National Human Rights Action Plan*, particularly in the areas of prevention of torture and ill-treatment, supporting human rights defenders and fighting trafficking in human beings. The Council of Europe stands ready to support the institution in reinforcing its capacities in compliance with the *Paris principles*, the *Venice principles* and relevant *CM Recommendations*, which has been outlined as a priority by the Commissioner.

The Council of Europe proposes to provide targeted support to the staff of the institution to deal with individual complaints in line with European and international standards and to prepare analytical reports on issues such as the fight against discrimination, the protection of social rights, the prevention of ill-treatment, the protection of vulnerable groups, the rights of people with disabilities, of victims of domestic violence and of victims of human trafficking. The Council of Europe will also assist the institution in fostering its co-operation with other public institutions and NGOs in addressing human rights violations.

**Overall objective: To strengthen the role of the Commissioner for Human rights in Kazakhstan to address human rights violations in line with human rights standards and best European practices.**

**Expected outcomes:**

- The capacities of the staff of the Commissioner's office to deal with individual cases in line with European and international standards are enhanced;
- The staff of the Commissioner's office acquire the necessary skills to produce analytical reports on the national situation with regard to human rights;
- The commissioner for human rights is engaged in co-operative work with other public institutions and NGOs to address human rights violations;
- The Commissioner's Office has the methodology to follow up in its recommendations addressed to public institutions.

**Main national partners: Office of the Commissioner for Human rights of the Republic of Kazakhstan, other public institutions, Civil society**

### → Safeguarding human rights in criminal proceedings

Kazakhstan is undergoing a reform of the current Criminal Code and of the Procedure Criminal code. One of the key elements of this reform is to strengthen the adversarial nature of criminal proceedings, which requires parties to a trial to have equal opportunities to present and challenge evidence and arguments. In that context, ensuring the respect of procedural rights of all parties to criminal proceedings, specifically at the pre-trial stage is a major requirement.

The Council of Europe is ready to support Kazakhstan in its efforts to improve its criminal procedural system while aligning national practice with the principles of the adversarial proceedings and enhancing judicial control over the pre-trial stage.

The Council of Europe will also support its Kazakh partners in identifying further improvement to policies and practices through facilitating a dialogue on this topic in the legal community and supporting initiatives aimed at assessing and recommending better practices.

**Overall objective: To ensure the respect of rights of criminal proceedings**

**Expected outcomes:**

1. The criminal procedural legislation and institutional framework are improved to align with European and international human rights standards;
2. The capacities of legal professionals (judges, prosecutors and lawyers) to apply relevant legislation in the area of criminal proceedings in line with European human rights standards are improved.

***Main national partners: the Supreme Court of the Republic of Kazakhstan; the Judicial Administration of the Republic of Kazakhstan, the Justice Academy of the Supreme Court of the Republic of Kazakhstan.***

→ **Human rights education for legal professionals**

The extension of the European Human Rights Training Programme for Legal Professionals (HELP) to Central Asia in general, and Kazakhstan in particular, has promoted better understanding and ownership of European and international human rights standards, including the European Convention for Human Rights, by legal professionals and university students. The interest shown in the human rights standards developed by the Council of Europe and in this training tool by the authorities, universities, and civil society, is worth highlighting.

Some earlier results could be outlined in the framework of the Joint Programme European Union/Council of Europe Central Asia Rule of Law 2020-2023<sup>15</sup>. Some 235 legal professionals including prosecutors and lawyers, as well as police officers got familiar with the Council of Europe standards as regards prohibition of ill-treatment and of freedom of peaceful assembly in March 2022 for instance upon a request from the authorities. As of February 2023, 42 representatives of national training institutions of all five countries of Central Asia, including 10 legal professionals from Kazakhstan are now equipped to adapt HELP courses to their respective national legislation and to implement HELP tutored courses for their peers in national training institutions.

The HELP course “Ethics for judges, prosecutors and lawyers” was translated into Kazakh language and will be available on the HELP platform in 2023, launched and further disseminated among the legal professionals.

The selection of the HELP courses to be adapted to the national legal system and context and translated into the Kazakh language will depend on the priorities agreed with the national partners<sup>16</sup>. Training will directly benefit legal professionals (mainly judges, prosecutors and lawyers) and also, where relevant, law enforcement officers such as police officers or data protection officers, and law students.

The HELP Programme will give legal professionals the benefit of high-quality training tools that have been proven to be effective in Council of Europe member States, via both face-to-face training methodology and an “e-learning” platform, where the HELP courses are tailored to the country specific needs.

<sup>15</sup> Joint European Union/Council of Europe Central Asia Rule of Law Programme 2020-2023, overall budget of € 8 889 000 euros (EU: 90%, Council of Europe: 10%), extended until June 2024

<sup>16</sup>Of the 42 courses in the existing HELP catalogue (see <http://help.elearning.ext.coe.int/>), the following courses might be the most relevant for Kazakhstan: Violence Against Women and Domestic Violence; Child-Friendly Justice; Labour Rights; Data Protection and Privacy Rights Business and Human Rights Property Rights; Human trafficking, Pre-trial investigation under the European Convention on Human Rights (the Convention), Prevention of torture and inhuman or degrading treatment or punishment, Family Law and Human Rights; Procedural safeguards in criminal cases/victims' rights;

**Overall objective: to increase the understanding of human rights standards among legal professionals to protect and promote human rights**

**Expected outcomes:**

- An increased number of legal professionals throughout Kazakhstan enhance their knowledge of European human rights standards and acquire the necessary skills to implement national human rights legislation in line with European and international standards.

**Main national partners: National training institutions for legal professionals, Bar Association, universities**

→ **Freedom of Expression and Information**

Press freedom is enshrined in Kazakhstan's Constitution. In March 2022, the President of the Republic of Kazakhstan set out a series of reforms, including in the media field. In particular, it was announced that amendments to the existing media related legislation would be developed and submitted to the Parliament of Kazakhstan in 2023 taking into account the demands of citizens and the development trends of the media sphere.

The Council of Europe is ready to assist the Kazakh authorities in implementing such important reforms. The Organisation will work closely with the authorities, civil society, and journalist associations to share the relevant standards and European practices on freedom of expression and media freedom. In particular, the Council of Europe will aim at supporting Kazakhstan authorities and civil society in the following areas:

- Awareness and knowledge on Article 10 of the European Convention for Human Rights (tailored for legal professionals, judges, prosecutors, law enforcement and civil society/journalists' associations).
- Legislative and policy framework advancing the concept and scope of freedom of expression, media and access to information.
- Maintaining a safe and enabling environment for qualitative and ethical journalism in Kazakhstan.

**Overall objective: To assist Kazakhstan in bringing its legislation and practice in the media field in line with the Council of Europe standards**

**Expected outcomes:**

- Awareness and knowledge on Council of Europe instruments in the field of media freedom is raised;
- The legislative and policy framework in the fields of freedom of expression, media and access to information are improved;
- Awareness on the principles of qualitative and ethical journalism is raised.

**Main national partners: Legal professionals, Judges, Prosecutors, Ministry of Information and Public Development, Ministry of Culture and Sport, Ministry of Interior, Ministry of Justice, Civil society, Journalists' associations, and Public Service Media**



## 2.1.2 EQUALITY AND HUMAN DIGNITY

### → Combating Violence against Women and Domestic Violence

On 22 April 2020, Kazakhstan was the first Central Asian country to be invited by the Committee of Ministers of the Council of Europe to accede to the Council of Europe Convention on preventing and combating violence against women and domestic violence (CETS No. 210) (Istanbul Convention)<sup>17</sup>. In addition to its great symbolic value, accession would enable Kazakhstan to participate in the Committee of the Parties to this Convention and in the country monitoring by the Council of Europe's Group of Experts on Combating Violence against Women and Domestic Violence (GREVIO) on an equal footing with the Organisation's member States.

In the framework of the previous co-operation document, the Council of Europe presented and discussed with the Kazakh authorities a set of recommendations drawing from the Istanbul Convention on the amendments to the existing legislation relating to violence against women in 2023. The new draft legislation is still pending before the Parliament. The Council of Europe is ready to continue to provide support to the Kazakh authorities in this area, including by increasing the awareness among members of the parliament and other relevant institutional actors.

In addition, the Council of Europe proposes to conduct an in-depth needs analysis to help the authorities understand the key barriers to preventing and combating violence against women and domestic violence in Kazakhstan on the basis of the standards of the Istanbul Convention. The Organisation also stands ready to support the development of specialised institutional mechanisms and foster multi-agency co-ordination, as required by the convention and increase national capacities to improve the support to victims of violence against women and domestic violence.

**Overall objective: To increase the awareness of the authorities in Kazakhstan on the requirements of the Istanbul Convention and to support them in developing a roadmap to accession to the Istanbul Convention**

**Expected outcomes:**

- Kazakhstan accedes to the Istanbul Convention;
- The national policy and legal framework are strengthened in line with the standards of the Istanbul Convention hence improving the rights of women in the country;
- Development of specialised institutional mechanisms and multi-agency co-ordination is fostered;
- Capacities of those supporting victims of violence against women and domestic are increased.

***Main national partners: National Commission for Women, Family and Demographic policy under the President of Kazakhstan; Ministry of Interior; General Prosecutor's Office; Academy of the General Prosecutor's Office; Office of the Commissioner for human rights; Supreme Court of the Republic of Kazakhstan; Judicial Administration of the Republic of Kazakhstan, Justice Academy of the Supreme Court of the Republic of Kazakhstan; Ministry of Labour and Social Protection of Population of the Republic of Kazakhstan; non-governmental organisations (NGOs) when relevant***

### ➤ Children's Rights

Protecting the rights of the child is at the core of the Council of Europe's mission to safeguard human rights and preserve the rule of law. Children are entitled to enjoy the full range of human rights safeguarded by the European Convention on Human Rights (the Convention). The Council of Europe Strategy for the Rights of the Child (2022-2027) identifies six priorities areas: freedom from violence; equal opportunities and social inclusion; access to and safe use of technologies; child-friendly justice; giving a voice to every child; children's rights in crisis and emergency situations.

<sup>17</sup> The invitation is valid until 23 April 2025.

Under the new Neighbourhood Co-operation Priorities, the Council of Europe stands ready to increase awareness of key stakeholders, professionals and civil society at large about the provisions of the Convention on the Protection of Children against Sexual Exploitation and Sexual Abuse (Lanzarote Convention). In this regard, an analysis of the legal and policy framework to assess the existing gaps and the benefits resulting from potential ratification of the Lanzarote Convention could be carried out. The organisation also stands ready to support the national authorities in their action to further strengthen the child welfare and protection system with a view to protecting children from violence in all settings, as well as from sexual exploitation and abuse, while carrying out efficient criminal investigations in a child-friendly manner and enhancing the protection of vulnerable children.

**Overall objective: To support the national authorities to further strengthen the child welfare and protection system in line with the Lanzarote Convention**

**Expected outcomes:**

- Kazakhstan's authorities have raised their awareness of the Lanzarote Convention and show interest in its ratification;
- The legislative, policy and institutional frameworks for the protection of children in Kazakhstan are coming closer to European standards, in particular the Lanzarote Convention;
- The relevant authorities adopt and implement comprehensive strategies to improve the prevention and protection of children from all forms of violence, including sexual violence;
- Key stakeholders and professional are better informed about child sexual abuse and prevention mechanisms;
- The authorities and the relevant professionals are aware of the methodologies to prevent and protect children from all forms of violence and to provide support for child victims and witnesses.

***Main national partners: Ministry of Justice, Ministry of Labour and Social Protection of the Population, Ministry of Education and Science, Committee for children rights protection of the Ministry of Education and Science, Office of the Commissioner for human rights, Children Rights Commissioners, and non-governmental organisations (NGOs)***

## 2.2 RULE OF LAW

The gradual creation of a common legal area will continue to be one of the fundamental features of the co-operation, in line with the objectives of the Council of Europe's Policy towards neighbouring regions.

On 5 June 2022, a range of proposed constitutional changes were approved by referendum, including the transformation of the Constitutional Council into the Constitutional Court as of 1 January 2023. The Council of Europe stands ready to provide support to the newly established Constitutional Court in the framework of this Neighbourhood Co-operation Priorities document.

Kazakhstan is a member of the European Commission for Democracy through Law (Venice Commission) and they requested a number of opinions and advice in the context of their reforms under way in the country.

Kazakhstan has also an observer status with the European Commission for the Efficiency of Justice (CEPEJ) since February 2017 and participated in two evaluation cycles of judicial systems conducted by the CEPEJ. The Council of Europe will strive to help Kazakhstan to improve the quality and efficiency of justice in the country and increase capacities of members of the judiciary and judicial self-governing bodies.

The reform process of the anti-corruption framework continued throughout 2022. On 2 February 2022, the Concept of the Anti-Corruption Policy of the Republic of Kazakhstan for 2022-2026 and the Action Plan for its implementation were adopted. This policy document defines the country's vision for shaping the anti-corruption framework and covers a wide range of topics, including public integrity, engaging society in the fight against corruption and monitoring and improving the efficiency of the Anti-corruption Agency (ACA). The Evaluation report for Kazakhstan was adopted at the Group of States against Corruption (GRECO) 90<sup>th</sup> plenary meeting in March 2022,

which includes 27 recommendations aimed at improving the effectiveness of anti-corruption measures.

In the field of Anti-Money Laundering/Combating the Financing of Terrorism (AML/CFT), the country underwent its second mutual evaluation on-site visit from the side of the Eurasian Group on Combating Money Laundering and financing of terrorism (EAG) in September 2022. The Mutual Evaluation Report on Kazakhstan was adopted at the 38<sup>th</sup> EAG Plenary meeting, which took place in Kazakhstan on 4-9 June 2023.

On 1 July 2022, the AML/CFT Law of Kazakhstan was amended. The changes that were brought aim at strengthening the responsibility of legal entities to disclose and keep records of their beneficial owners.

One of the key priority areas in the AML/CFT and asset recovery areas is the search and return of criminal proceeds. Accordingly, the Asset Recovery Commission was created in June 2022 and is headed by the Prosecutor General of Kazakhstan.

The Council of Europe will continue to support the authorities in further enhancing the anti-corruption and AML/CFT legislative and institutional framework and also assist in developing institutions and policies to protect entrepreneurs' rights, including support to the business ombudsperson, introducing anti-corruption compliance standards for private sector, and strengthening the whistle-blower regimes. This would be achieved through institutional and legislative advice, peer-to-peer exchanges on implementation of good practices and capacity building etc.

On 19 April 2023 Kazakhstan was invited to join the Budapest Convention on Cybercrime (ETS No. 185). The Council of Europe is ready to assist Kazakhstan to bring its legislation in the field of cybercrime closer to the Budapest Convention and related standards and increase capacities of relevant authorities to fight cybercrime and address the challenge of electronic evidence.

Under the current Neighbourhood Co-operation Priorities, the Council of Europe and the Kazakh authorities will also work together to address issues of trafficking in human beings and to bring Kazakhstan's legislation closer to European standards and to improve the integrity and good governance in sport.

These efforts are contributing to achieving the UN's Sustainable Development Goals (SDGs), especially Goals 3,<sup>18</sup> 5,<sup>19</sup> 8,<sup>20</sup> 10,<sup>21</sup> and 16.<sup>22</sup>

## 2.2.1 RULE OF LAW BASED INSTITUTIONS

### → **Democracy through Law (Venice Commission)**

Following the President statement of 16 March 2022 and with a view to cope with the expectations of large segments of the society, a constitutional referendum was organised on 5 June 2022. As a result, a number of constitutional changes were approved, including the establishment of the Constitutional Court and the introduction of the status of the human rights commissioner at a constitutional level.

Constitutional reforms also amended the presidential term-limits system from two consecutive five-year terms to a single seven-year term. It has to be noted that unlike previous reforms,<sup>23</sup> the authorities did not request the opinion of the Venice Commission on the 2022 constitutional reform. In August 2022, the Commissioner for Human Rights of Kazakhstan requested an opinion from the Venice Commission on the draft constitutional law "On the Commissioner for Human Rights". In its opinion<sup>24</sup> adopted in October 2022, the Venice Commission analysed the draft constitutional Law and made a number of recommendations for improvement in line with international standards and best practices.

<sup>18</sup> Goal 3: Ensure healthy lives and promote well-being for all at all ages.

<sup>19</sup> Goal 5: Achieve gender equality and empower all women and girls.

<sup>20</sup> Goal 8: Promote sustained, inclusive and sustainable economic growth, full and productive employment and decent work for all.

<sup>21</sup> Goal 10, target 10.2: by 2030, empower and promote the social, economic, and political inclusion of all, irrespective of age, sex, disability, race, ethnicity, origin, religion or economic or other status

<sup>22</sup> Goal 16: Promote peaceful and inclusive societies for sustainable development, provide access to justice for all and build effective, accountable and inclusive institutions at all levels.

<sup>23</sup> [https://www.venice.coe.int/webforms/documents/?pdf=CDL-AD\(2017\)010-e](https://www.venice.coe.int/webforms/documents/?pdf=CDL-AD(2017)010-e)

<sup>24</sup> CDL-AD(2022)028, *Kazakhstan - Opinion on the draft constitutional law "On the Commissioner for Human Rights", adopted by the Venice Commission at its 132nd Plenary session (Venice, 21-22 October 2022).*

The adoption of the revised Constitution was also followed by changes in the current institutions and the establishment of new institutions. The Constitutional Court started its operation on 1 January 2023. The institution of the Ombudsman received constitutional status.

The European Commission for Democracy through Law (Venice Commission) was one of the first organisations to initiate targeted co-operation on rule of law, and especially constitutional issues with the countries of Central Asia. Since 2007, the Venice Commission has established good co-operation with the national institutions of Kazakhstan. Kazakhstan has been a full member of the Venice Commission since 2012. Kazakhstan has requested several Venice Commission opinions<sup>25</sup>. In 2021 and 2022 in particular, the country requested three Venice Commission's opinions<sup>26</sup>.

Another important and mutually reinforcing aspect of the co-operation between the Venice Commission and Kazakhstan consists in the regular bilateral co-operation activities and high-level international events co-organised by the Venice Commission and the Constitutional and Supreme Courts of Kazakhstan.

Regular participation of Kazakhstan's delegation in the Venice Commission Plenary Sessions, held four times a year, further contributes to continuing dialogue and co-operation.

The Venice Commission stands ready to co-operate with national institutions in order to enable them to adopt and implement new legislation in line with European and international standards, in particular in the field of administrative law and justice.

**Overall objective: To support constitutional, legislative and institutional reform processes in line with international and European standards and best practices.**

**Expected Results:**

- The authorities request the Venice Commission of the Council of Europe to provide expertise to support further the constitutional and institutional reform process in line with international and European standards and best practices and follow up on respective recommendations;
- New legislation in the field of administrative law and justice is prepared and ready for implementation;
- Increased number of senior officials and representatives of the judiciary have improved their knowledge of European and international standards relating to the Rule of Law;
- Inclusive and equal protection of rights is promoted and access to justice for individuals and groups through constitutional complaints;
- The quality of procedural aspects related to constitutional complaints is improved.

**Main national partners: Constitutional Court, Supreme Court, Judicial Administration of the Republic of Kazakhstan, High Judicial Council, the Parliament, other relevant authorities.**

→ **Independence and efficiency of justice**

The independence, accountability, efficiency and accessibility of the justice system ensures everyone has the right to a fair trial, as enshrined in the European Convention on Human Rights (the Convention). It constitutes a fundamental guarantee of respect for constitutional rights and freedoms, allowing citizens to have confidence in the judiciary.

Moreover, Kazakhstan was granted observer status with the European Commission for the Efficiency of Justice (CEPEJ) in February 2017 and has since taken an active role in that body's activities. Kazakhstan participated in 2018-2020 and 2020-2022 evaluation cycles of judicial systems conducted by the CEPEJ. The report for the period 2020-2022, based on 2020 data, provided comparative, quantitative, and qualitative [information](#) on the situation of the Kazakh judicial system, thus creating a baseline for improving the quality and efficiency of justice in the country.

<sup>25</sup> See annexe IV for the list of opinions adopted by the Venice Commission.

<sup>26</sup> One opinion on the Concept paper for improving the legal framework of the Constitutional Council of the Republic of Kazakhstan (adopted in March 2021) and two opinions related to the KZ Human Rights institution (opinion on the draft law "On the Commissioner for Human Rights", adopted in December 2021 and opinion on the draft constitutional law "On the Commissioner for Human Rights of the Republic of Kazakhstan" adopted in October 2022).

A good progress was achieved in the context of the first Neighbourhood Co-operation Priorities document 2014-2018. However, no projects have been implemented in Kazakhstan since 2018 in the justice field. It is essential to continue the co-operation being pursued in Kazakhstan in the field of justice to consolidate the results already achieved earlier and to ensure that reforms are carried out in line with international standards and are sustainable.

It is thus proposed to support the efforts of Kazakhstan to improve relevant legislative and institutional frameworks in accordance with European standards, to facilitate the implementation of existing legislative and normative acts, also in line with European standards, with a view to the functional independence and accountability of the justice system and increase trust in the justice system (judiciary, prosecution and law enforcement). Support can be provided in particular to improve enforcement of decisions taken by the national courts and by international human rights treaty bodies and to develop free legal aid systems.

The proposed actions will aim to further support the justice reform process in line with the domestic reform agenda.

Co-operation will focus on the following aspects:

- enhancing compliance of the national legislative and institutional frameworks relating to judicial independence, accountability, and court proceedings in Kazakhstan by providing targeted legal expertise and through capacity-building activities for members of the judiciary and judicial self-governing bodies;
- improving quality and efficiency of the judicial system via introducing modern court management tools;
- improving the professionalism of judges in Kazakhstan, including its regions, by assessing the legal framework and practices relating to judicial ethics and disciplinary proceedings, providing recommendations on further enhancement of the procedures in line with European standards and revising the existing curricula;
- improving access to justice by disseminating good practices concerning alternative dispute resolution; strengthening the capacities of the judiciary to deliver services to the population by improving the administration of justice; and making justice more transparent and user-friendly for court users;
- strengthening the provision of legal services, including free legal aid, through an enhanced legislative framework, institutional reform of the national legal aid system and targeted training for lawyers involved in delivering free legal aid and offering pro bono services.

**Overall objective: To promote the independence, accountability, efficiency and quality of justice and improving the functioning of the courts in keeping with European standards**

**Expected outcomes:**

- The laws and policies pertaining to justice are closer to European standards based on the legislative expertise provided by the Council of Europe;
- The independence and accountability of the judiciary in the regions of Kazakhstan is improved by providing assessments and recommendations on strengthening the legal framework and practices relating to judicial ethics and disciplinary proceedings;
- Access to justice is improved;
- Alternative dispute resolution mechanisms are strengthened;
- The quality of services delivered to the population, including free legal aid, is improved through targeted activities for lawyers involved in delivering free legal aid and offering pro bono services; the legal aid system is strengthened;
- The capacities of judges regarding modern court management methods are strengthened through training and other activities (provision of tools for measuring and evaluating the functioning of the justice system, the courts and the work done by judges) and sharing of European best practices in these areas;
- The everyday functioning of the judicial system in Kazakhstan is improved through the implementation of co-operation programmes focused on specific CEPEJ tools, Consultative Council of European Judges (CCJE) and Consultative Council of European Prosecutors (CCPE) Opinions to more courts throughout the country.

**Main national partners: Ministry of Justice, Ministry of the Interior, National Bar Association, the judiciary, members of judicial self-governing bodies and training institutions, other legal professionals, civil society.**

→ **Legal co-operation**

Council of Europe Conventions are considered as a key reference for promoting human rights, the rule of law and democracy and achieving a common legal space at pan-European level and beyond.

Although not open to non-member States of the Council of Europe, the European Convention on Human Rights (the Convention) constitutes the key reference in terms of human rights. The Council of Europe will seek to spread the spirit of its articles through various activities, so that it becomes and is used as a reference by stakeholders when dealing with issues related to human rights and democratic governance in general.

A significant proportion of Council of Europe conventions are open to non-member States of the Council of Europe.<sup>27</sup>

Currently, Kazakhstan is a party to the European Cultural Convention (ETS No. 018, ratified in March 2010), the Convention on Mutual Administrative Assistance in Tax Matters (ETS No. 127, ratified in April 2015), the Convention on Laundering, Search, Seizure and Confiscation of the Proceeds from Crime (ETS No. 141, ratified in September 2014) and the Convention on the Recognition of Qualifications concerning Higher Education in the European Region (ETS No. 165, ratified in October 1998).

Kazakhstan has also officially requested to be invited to accede to a number of these instruments: On 22 April 2020, the Committee of Ministers of the Council of Europe invited Kazakhstan to accede to Council of Europe Convention on preventing and combating violence against women and domestic violence (Istanbul Convention). In June 2022, the country was invited to accede to the Council of Europe Criminal Law Convention on Corruption<sup>28</sup>. On 19 April 2023, Kazakhstan was invited to accede to the Budapest Convention on Cybercrime (ETS No. 185).

<sup>27</sup> 168 out of 226

<sup>28</sup> Council of Europe Criminal Law Convention on Corruption (ETS No. 173)

As a result of the work conducted by the Joint Programme European Union/Council of Europe Central Asia Rule of Law (2020-2023) to expand knowledge of Kazakh stakeholders on the benefits of acceding Council of Europe Conventions, the Council of Europe Convention on Protection of Children against Sexual Exploitation and Sexual Abuse and Convention on Action against Trafficking in Human Beings have been identified by the beneficiary institutions as relevant tools to feed into the ongoing legislative reforms in these fields.

There is no doubt that accession to Council of Europe conventions is strategically important in the process of progressively creating a common legal space between Europe and Central Asia, thereby raising the level of intergovernmental co-operation between convention signatories and of compliance with European and international standards and, ultimately, enhancing the protection of human rights. Council of Europe action to facilitate a successful accession process and to promote good understanding and effective implementation of its conventions will therefore be pursued, with a view to raising awareness of these legal instruments and the related rights among national authorities, members of parliament and civil society. The Council of Europe conventions that will be targeted in particular are those in the field of criminal matters, anti-corruption and money laundering, fighting cybercrime, data protection, combating violence against women, promoting children's rights, combatting trafficking in human beings and all other Council of Europe instruments of interest to Kazakhstan.

**Overall objective: To promote the establishment of a common legal space between Europe and Kazakhstan**

**Expected outcomes:**

- Awareness is progressively raised with regard to the benefits of a common legal area between Europe and Kazakhstan based on key Council of Europe conventions open to non-member States and other international standards;
- National authorities have a good knowledge of relevant conventions available for signature and ratification by non-member States of the Council of Europe;
- Relevant legislation is revised based on the standards set in the selected conventions;
- Requests for accession to these conventions are made.

**Main national partners: Ministry of Foreign Affairs, relevant ministries and independent authorities.**

## 2.2.2 ACTION AGAINST CRIME, SECURITY AND PROTECTION OF CITIZENS

→ **Action against crime and protection of citizens – Corruption, Money Laundering, Cybercrime, Trafficking in Human Beings**

### **Combating corruption**

During 2020-2022, the Republic of Kazakhstan implemented important reforms aimed at countering corruption, money laundering and terrorist financing. A National Anti-Corruption Concept and Action Plan was adopted for 2022-2026. The Republic of Kazakhstan joined the Group of States against Corruption (GRECO) in January 2020 and underwent the joint first and second round evaluation. The country is already working on the implementation of the set of recommendations from this report published in June 2022. In June 2022 the Committee of Ministers invited Kazakhstan to accede to the Criminal Law Convention on Corruption (ETS No. 173) by July 2027.

Through the joint European Union/Council of Europe Central Asia Rule of Law Programme (2020-2023), the Council of Europe has been supporting Kazakhstan to strengthen capacities of competent authorities to fight and prevent economic crime and corruption. The Programme is providing advice on the implementation of recommendations stemming from the GRECO joint first and second evaluation rounds.

To ensure sustainability of the results achieved under the ongoing Programme and to enhance the capacities of national authorities to apply international standards in designing policy documents and legislative acts to fight and prevent economic crime and corruption, further technical assistance is needed and can be provided in the following priority areas:

- Strengthening the capacities of national authorities to address GRECO recommendations (pending recommendations from first and second as well as those resulting from the forthcoming evaluation rounds) by providing support for strengthening of legislative/policy frameworks as well as capacity building for the national bodies engaged in the prevention and fight against corruption.
- Support to enhance the effectiveness of the legal and institutional frameworks relating to the transparency of funding of political parties and election campaigns and incriminations related to corruption which are provided for in the Criminal Law Convention on Corruption (GRECO third-round evaluation) through guidance and capacity building on international standards and best practices.
- Enhancing the institutional capacity of the Anti-Corruption Agency of Kazakhstan (ACA) to implement effective instruments to prevent corruption in priority areas including among others strengthening the asset declaration system, prevention of conflict of interest, management of corruption risks and protection of whistle-blowers.

**Overall objective: To assist Kazakhstan in coming closer towards European standards to fight corruption**

**Expected outcomes:**

- The capacities of national authorities to address GRECO recommendations are strengthened;
- The effectiveness of the legal and institutional framework relating to the funding of political parties and election campaigns and incriminations related to corruption are enhanced;
- The institutional capacity of the Anti-Corruption Agency of Kazakhstan (ACA) to implement effective instruments to prevent corruption is enhanced.

**Main national partners: Anti-corruption Agency (ACA), Financial Monitoring Agency (FIU of Kazakhstan), General Prosecutor's Office, Academy of Law Enforcement Agencies under the General Prosecutor's Office, Ministry of Interior**

## Countering Money Laundering

Kazakhstan has expressed an interest in enhancing co-operation with the Council of Europe in the field of Anti-Money Laundering (AML) and Countering Financing of Terrorism (CFT). In particular, the country has shown interest in the Council of Europe Convention on Laundering, Search, Seizure and Confiscation of the Proceeds from Crime and on the Financing of Terrorism (CETS No. 198, Warsaw Convention).

In the field of AML/CFT, the second mutual evaluation of the Eurasian Group on Combating Money Laundering and Financing of Terrorism (EAG) was initiated in 2022 with the on-site visit, and the evaluation report was adopted on 4-9 June 2023 (38<sup>th</sup> EAG Plenary meeting).

Through the joint European Union/Council of Europe Central Asia Rule of Law Programme (2020-2023), the Kazakh authorities benefitted from advice on improving the AML/CFT institutional frameworks, with a focus on transparency of beneficial ownership, AML/CFT compliance for the supervisory and reporting entities, investigation of economic crimes and developing capacities to undertake AML/CFT national and sectoral risks assessments.

To enhance the capacities of national authorities to apply international standards in designing policy and legislative acts and develop appropriate measures to counter ML/TF, the Council of Europe is ready to provide further technical assistance in the following priority areas:



- Improving ML/TF prevention and effectiveness of law enforcement and criminal justice sector in the fight against economic crime in line with international and Council of Europe AML/CFT standards (with a focus on the Warsaw Convention) through raising awareness, providing guidance and reviews and assisting through legislative and operational support;
- Enhancing capacities of national authorities to undertake national and sectoral AML/CFT risk assessments in particular of dedicated units to institutionalise the assessment methodologies, perform data collection and analysis, disseminate its results, and undertake mitigating actions to address identified risks.
- Strengthening the capacities and institutional building for AML risk-based compliance and supervision; and
- Strengthening the asset recovery framework and confiscation mechanisms through guidance and capacity building activities.
- Raising awareness of the national authorities on the process and the procedure of approximating to MONEYVAL (Committee of Experts on the Evaluation of Anti-Money Laundering Measures and the Financing of Terrorism).

**Overall objective: To assist Kazakhstan to come closer to European standards in the field of AML/CTF and encourage the ratification of the Warsaw Convention**

**Expected outcomes:**

- Request for acceding to the Warsaw Convention is made;
- Law enforcement and criminal justice sector authorities have improved their capacities to prevent ML/TF and work more effectively to fight against economic crime;
- National authorities enhanced their capacities to undertake national and sectoral AML/CFT risk assessments;
- Capacities and institutional building for AML risk-based compliance and supervision are strengthened;
- The asset recovery framework and confiscation mechanisms are strengthened.

**Main national partners: Financial Monitoring Agency, General Prosecutor's Office, Academy of Law Enforcement Agencies under the General Prosecutor's Office, Ministry of Interior**

## Cybercrime

The rise of cybercrime in Kazakhstan has demonstrated the need for effective measures to tackle this issue, prompting the authorities of Kazakhstan to explore possible solutions such as the Budapest Convention on Cybercrime (ETS No. 185). The authorities of Kazakhstan have engaged with the Council of Europe in detailed discussions on the domestic legal and institutional framework against the requirements of the Convention. Following capacity building activities in 2017, 2018 and 2022, an assessment of the domestic legislation against the provisions of the Budapest Convention was carried out suggesting reforms to further align the legislation of Kazakhstan with the Budapest Convention.

Following the request of the country submitted in November 2022, Kazakhstan was invited to join the Budapest Convention on Cybercrime on 19 April 2023 by the Committee of Ministers of the Council of Europe.

In addition to the adequate legislation in place, capacities of criminal justice authorities to address the challenge of cybercrime and electronic evidence need to be strengthened. The Council of Europe is ready to support Kazakhstan in:

- strengthening legislative and policy frameworks compliant to the Budapest Convention and related instruments in line with rule of law and human rights principles and cyber-related legislation such as data protection legislation in line with the Convention for the Protection of Individuals with regard to Automatic Processing of Personal Data (Convention 108) and its amending protocol (Convention 108+<sup>29</sup>);

<sup>29</sup> Amending protocol to the Convention for the Protection of Individuals with Regard to the Processing of Personal Data, adopted by the Committee of Ministers at its 128th Session in Elsinore on 18 May 2018

- reinforcing the capacities of judicial and law enforcement authorities to address the challenge of cybercrime and electronic evidence;
- establishing specialised cybercrime and forensic units and improving interagency co-operation;
- promoting public/private co-operation;
- enhancing the effectiveness of international co-operation in fighting cybercrime.

**Overall objective: To assist Kazakhstan to bring its legislation in the field of cybercrime closer to the Budapest Convention standards and increase capacities of relevant authorities to fight cybercrime.**

**Expected outcomes:**

- Legislative and policy frameworks are brought closer to the Budapest Convention in line with rule of law and human rights principles;
- The capacities of judicial and law enforcement authorities to address the challenge of cybercrime and electronic evidence are reinforced;
- Specialised cybercrime and forensic units are established;
- Public/private co-operation and inter-agency and international co-operation in fighting cybercrime are enhanced.

**Main national partners: General Prosecutor's Office, State Security Committee, Ministry of Internal Affairs**

### Trafficking in Human Beings

Kazakhstan is a country of origin, destination, and transit of victims of trafficking in human beings. Recognising the need for a more consistent and sustainable approach to trafficking, the Government of Kazakhstan is aiming to align the national legislation, policy, and practice to international standards. At the institutional level, an Interdepartmental Commission on Combating Trafficking in Human Beings was established, chaired by the Ministry on Internal Affairs and the Ministry of Labour and Social Protection on a rotational basis.

The key instrument in this field is the Council of Europe Convention on Action against Trafficking in Human Beings (CETS No. 197), open to non-member States. The Convention provides a comprehensive framework for combating trafficking in human beings from a human-rights based and victim-centred perspective. In addition, the Council of Europe has developed dedicated instruments and tools allowing to address trafficking in human beings in a more comprehensive way, as this phenomenon is often linked to other forms of crime (cybercrime, money laundering and corruption, child sexual exploitation and violence against women).

The proposed action aims at supporting the Kazakh authorities in their efforts to develop a more comprehensive legislative, policy, and institutional framework, in line with European and international standards.

Preliminary activities will seek to introduce the standards of the Council of Europe Convention on Action against Trafficking in Human Beings, the guidance developed by the Group of Experts on Action against Trafficking in Human Beings (GRETA) (in relation to parties to the Convention) and the relevant case-law of the European Court of Human Rights, which can be useful for the authorities and civil society and guide the Government's considerations for the ongoing legislative and policy work. They will serve to raise awareness of the relevance and importance of adopting a human-rights, victim-centred, gender-sensitive, interdisciplinary and cross-sectoral approach and engage into dialogue about more specific needs in relation to prevention, protection and assistance of victims, their access to justice and remedies, an effective criminal justice approach to trafficking, and international co-operation. The proposed action aims at supporting the Kazakh authorities in their efforts to develop a more comprehensive legislative, policy, and institutional framework, in line with European and international standards.

Subsequent activities may include targeted interventions to strengthen operational capacities of relevant stakeholders and to mobilise support for the implementation of the new anti-trafficking legislation (foreseen to be adopted in 2023). These may include:

- Building capacities of criminal justice professionals to improve the investigation and prosecution of human trafficking cases, leading to effective, proportionate, and dissuasive sanctions, and enabling victims to obtain compensation and other remedies.
- Developing the capacities of labour inspectors and other relevant professionals to identify victims of labour trafficking, including among undocumented migrants, and to refer them to assistance and protection.
- Strengthening multi-agency co-ordination and partnerships through multidisciplinary activities.

**Overall objective: To support the Kazakh authorities in their efforts to develop a more comprehensive legislative, policy, and institutional framework in the field of anti-trafficking in human beings, in line with European and international standards.**

- Awareness is raised on the standards of the Council of Europe Anti-Trafficking Convention, the guidance developed by GRETA and the relevant case-law of the European Court of Human Rights among the national authorities and civil society with the view of supporting the ongoing legislative and policy work;
- Awareness of the standards of the Convention and exchange of good practices between Kazakhstan and Council of Europe member States in the field of anti-trafficking are strengthened and provide background for a possible accession of Kazakhstan to the Council of Europe Anti-Trafficking Convention.
- Capacities of criminal justice professionals are strengthened to investigate and prosecute human trafficking cases, leading to effective, proportionate, and dissuasive sanctions and enabling victims to obtain compensation and other remedies;
- Capacities of labor inspectors and other relevant professionals are strengthened to identify and assist victims of labour trafficking, including among undocumented migrants;
- Multi-agency co-ordination and partnerships are enhanced through multidisciplinary activities.

**Main national partners: Ministry on Internal Affairs, Ministry of Labour and Social Protection, Ministry of Health and Social Development, Ministry of Justice, the Commissioner for Human rights, the National Centre for Human Rights, law enforcement agencies, the judiciary, lawyers, labour inspectors, NGOs, and media.**

#### → Sport conventions

The revised European Sports Charter firmly recalls “that access to sport for all is considered to be a fundamental right” and that all human beings have “an inalienable right of access to sport in a safe environment”, as essential for their personal development and instrumental in the exercise of the rights to health, education, culture, and participation in community life. As a Contracting Party to the Cultural Convention, Kazakhstan has a right to sign the Council of Europe Convention on the Manipulation of Sports Competitions (Macolin Convention) and the Council of Europe Convention on an Integrated Safety, Security and Service Approach at Football Matches and Other Sports Events (Saint-Denis Convention).

The Council of Europe will seek to support and strengthen capacities of the national authorities in promoting human rights in and through sport and enhancing the integrity of sport, better fighting against the doping in sport and manipulation of sports competitions, as well as improving safety, security, and services in sport events. The Council of Europe is ready to:

- Provide technical assistance aimed at ensuring the implementation of the Revised European Sports Charter;
- Provide legal and technical assistance to the national authorities and the National Anti-Doping Organisation in order to strengthen the anti-doping system in line with the Anti-Doping Convention;

- Provide legal and technical assistance to the national authorities in adopting and implementing a national strategy on safety, security and service at football matches and other sports events and improve the legal and regulatory framework in this field, aiming at facilitating the future ratification of the Saint-Denis Convention;
- Provide legal and technical assistance to the national authorities in improving the legal and regulatory framework in the fight against the manipulation of sport competitions, aiming at facilitating the future ratification of the Macolin Convention;
- Provide legal and technical assistance to the competent judicial authorities through participation in the network of prosecutors responsible for the integrity of sport.

**Overall objective: To assist Kazakhstan to bring its legislation closer to European standards and to improve the integrity and good governance in sport.**

**Expected outcomes:**

- Kazakhstan is better prepared for the ratification of the Macolin and Saint-Denis Conventions;
- The legislative, policy and institutional frameworks are in line with European standards, in particular the European Sports Charter, the Council of Europe Anti-doping Convention and Macolin and Saint-Denis Conventions;
- The relevant authorities adopt and implement comprehensive strategies to improve the integrity and good governance in sport, to make sport safer, more ethical and more inclusive.

**Main national partners: Ministry of Culture and Sport, National Anti-doping Agency, Sport organisations and non-governmental organisations (NGOs)**

## 2.3 DEMOCRACY

The Council of Europe will aim to support the work of the Parliament of the Kazakhstan in the context of an Agreement on Co-operation, signed in 2004 between the Parliamentary Assembly of the Council of Europe (PACE) and Kazakhstan.

In the field of local governance, the Council of Europe will facilitate co-operation activities with experts of the Congress of Regional and Local Authorities and the Centre of Expertise for Good Governance in the form of consultative meetings, exchange visits and peer reviews, as well as the development of recommendations in support to the decentralisation process launched in Kazakhstan. Granting “Partner for Local Democracy” status to Kazakhstan might also be considered.

These efforts are contributing to achieving the UN’s Sustainable Development Goals (SDGs), especially Goal 16.<sup>30</sup>

### 2.3.1 PARLIAMENTARY ASSEMBLY

Co-operation between the Parliamentary Assembly of the Council of Europe (PACE) and Kazakhstan has developed in the context of an Agreement on Co-operation, signed in 2004. On the basis of this Agreement, Members of Parliament (MPs) can attend the sessions of the Assembly and the meetings of the Committee on Political Affairs and Democracy.

A new motion “The Parliamentary Assembly should support Kazakhstan to continue its democratic reforms” was tabled and referred to the Committee on Political Affairs and Democracy of the PACE resulting in the appointment of the Rapporteur on 13 December 2022. The outcome of the report should provide with recommendations on how to further develop the co-operation between PACE and the Parliament of Kazakhstan.

Technical support to the Parliament of Kazakhstan could be provided, in particular as regards strengthening its role in advocating for the ratification of the relevant Council of Europe conventions open

<sup>30</sup> Goal 16: Promote peaceful and inclusive societies for sustainable development, provide access to justice for all and build effective, accountable and inclusive institutions at all levels.

to non-member States, building capacities of MPs in a multi-party system and building institutional capacities of staff of the Parliament secretariat.

**Overall objective: To support the work of the Parliament of Kazakhstan in promoting Council of Europe standards to strengthen democracy, rule of law and the respect of human rights and fundamental freedoms in the country.**

**Expected outcomes:**

- Members of the Kazakh Parliament are familiarised with Council of Europe Conventions open to non-member States to contribute to the creation of a common legal area;
- The functioning of the Kazakh Parliament is improved in line with democratic principles;
- The capacities of the Members of Parliament to work in a multi-party system are strengthened.

**Main national partners: the Parliament of the Republic of Kazakhstan**

### 2.3.2 DEMOCRATIC GOVERNANCE

The Kazakh authorities have shown interest in developing meaningful co-operation in the field of local governance. In the light of the reforms announced by the President of Kazakhstan in March 2022, the Council of Europe was approached with a request for assistance to the decentralisation process. The announced reforms included changes in the administrative-territorial structure of the country and decentralisation of local self-government. A new law “On Local Self-Government” is also to be drafted.

The Council of Europe stands ready to assist the Kazakh authorities in the process of the administrative reforms. In particular, the Council of Europe can provide support in aligning the legislation on local self-government with the principles of the European Charter of Local Self-government. Assistance can be provided in creating a national association of local and regional authorities and establishing dialogue between central and territorial authorities.

Additionally, Kazakhstan has also shown interest in the tools developed by the Centre of Expertise for Good Governance (CEGG) and in particular in the peer review process of the European Committee on Democracy and Governance (CDDG) of the Council of Europe. A Peer Review exercise mobilising high-level officials of the CDDG and a follow-up capacity-building activity, based on the relevant toolkits of the CEGG, could be organised to support improving the legal framework for decentralisation, notably drafting a new law on Local Self-Government, and developing the capacities of officials.

**Overall objective: to provide assistance to the reform of the local government system, including its efficiency.**

**Expected outcomes:**

- An improved legal framework in the area of local government and public administration is in place;
- A national association of local and regional authorities is created;
- Dialogue between central and territorial authorities is facilitated;
- Best practices in local governance are promoted.

**Main national partners: Relevant Ministry responsible for local governance issues; Relevant parliamentary committee responsible for local authorities; Representatives of local authorities**

## PART III - IMPLEMENTATION

### 3.1 METHODOLOGY

The overall co-ordination of technical co-operation carried out by the Council of Europe falls within the remit of the Directorate of Programme Co-ordination (DPC) which steers programming of and fund-raising for co-operation actions.

Substantial responsibility for co-operation projects lies with the Council of Europe “major administrative entities” who have the relevant expertise.

The implementation of Neighbourhood Co-operation Priorities projects can include, as necessary, needs assessments, legislative expertise, capacity building, awareness raising, peer-to-peer reviews, and gender analyses. Implementation methodology, in line with the [Council of Europe Project Management Methodology](#) (PMM), is aimed at reinforcing ownership by national stakeholders and ensuring the sustainability of the outcomes. The PMM enhances the quality of project implementation in terms of planning and monitoring, cost efficiency and effectiveness. It also allows improved risk assessment, incorporation of a human rights approach and greater attention to the gender dimension.

In addition, the co-operation designed by the Council of Europe follows a “multi-institutional approach”, which allows different Council of Europe’s institutions and bodies to target governmental stakeholders, parliaments, civil society, independent governance institutions, such as the Ombudsperson’s Office, and local and regional authorities. This creates unique leverage for comprehensive, inclusive, successful, and sustainable reforms.

The Council of Europe applies a human rights approach at all levels and stages of its activities. Its *acquis*, including Council of Europe legal instruments and institutions, combined with the principles of participation and inclusion (including gender-balanced participation and engagement with civil society); equality and non-discrimination; accountability; and transparency and access to information, brings further added value to the Council of Europe activities. The [Council of Europe Human Rights Approach Practical Guide for Co-operation Projects](#) contributes to the improved application of a human rights approach in project management and co-operation activities.

As a component of this human rights approach, the Council of Europe emphasises gender mainstreaming throughout its project activities in line with its [Gender Equality Strategy 2018-2023](#)<sup>31</sup>. The [Council of Europe Gender Mainstreaming Toolkit for Co-operation Projects](#) offers practical guidance on the implementation of a gender dimension in co-operation activities within the Organisation as well as by national partners and other stakeholders. The gender mainstreaming approach will be defined as the actions associated with the Neighbourhood Co-operation Priorities are developed. It will be applied to actions regardless of the field of co-operation. For example, the standards for gender equality and women’s rights will be taken into account when the various pieces of legislation and national frameworks are revised in the light of European standards. The issue of gender equality will also be incorporated into training activities and programmes. The impact of gender will be analysed when projects are designed, implemented, reported and evaluated. In addition to gender mainstreaming, specific actions will be considered to promote gender equality.

Similarly, the Organisation promotes the active participation of civil society in co-operation activities, in accordance with its [Guidelines on civil society organisations’ participation in Council of Europe’s co-operation activities](#), with the aim of strengthening its role in the country by promoting dialogue between it and the authorities and developing its capacities. Accordingly, it is planned, for example, to involve civil society stakeholders in the relevant activities of certain projects and to implement projects that specifically target them.

In May 2022, the Council of Europe published an online [resource for civil society](#) that gives easy access to its [Civil Society Handbook](#). This handbook, entitled “Working with the Council of Europe: a practical guide for civil society”, provides in-depth information on the different forms of access, co-operation, input, participation, and/or partnership that are possible and relevant for non-governmental organisations (NGOs).

This Neighbourhood Co-operation Priorities for Kazakhstan will take into consideration the specific needs of vulnerable groups by including projects aimed at improving the rights and/or the quality of life of vulnerable groups.

The Organisation is committed to protecting children from harm and ensuring that children’s right to protection is fully secured in line with its [Strategy for the Rights of the Child 2022-2027](#).

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<sup>31</sup> The Council of Europe Gender Equality Commission instructed the Secretariat to prepare a draft Gender Equality Strategy 2024-2029 to be submitted to the CM for adoption before the end of 2023.

The *Council of Europe Speak Up Policy* on reporting wrongdoing and protection from retaliation that entered into force on 1 June 2023 forms part of the Organisation's ethical framework.

The "*Reykjavík Declaration – United around our values*" adopted at the 4th Summit of Heads of State and Government of the Council of Europe (Reykjavík, 16-17 May 2023) is committed to strengthening the work on the human rights aspects of the environment and initiating the Reykjavík process of focusing and strengthening the work of the Council of Europe in this field, as laid out in its Appendix V "The Council of Europe and the environment". This Appendix underlines the "urgency of taking co-ordinated action to protect the environment by countering the triple planetary crisis of pollution, climate change, and loss of biodiversity" and affirms "that human rights and the environment are intertwined and that a clean, healthy and sustainable environment is integral to the full enjoyment of human rights by present and futures generations". The Reykjavík process is expected to "identify the challenges raised by the triple planetary crisis of pollution, climate change and loss of biodiversity for human rights and contribute to the development of common responses thereto, while facilitating the participation of youth in these discussions.". This will be done "by enhancing and co-ordinating the existing Council of Europe activities related to the environment" and "the establishment of a new intergovernmental committee on environment and human rights ("Reykjavík Committee")" will be encouraged".

In this context, the Council of Europe's co-operation sector has the potential to introduce a climate and environmental dimension into discussions in sectors and among stakeholders not traditionally used to considering these themes. In doing so, it can rely on the Council of Europe's binding commitments and treaties directly or indirectly addressing environmental concerns, its well-established working methods that include intergovernmental dialogue and co-operation, and its extensive and diverse networks of expertise across Europe. Within this context, the Council of Europe's co-operation sector aims to make the fight against climate change and environmental degradation an integral and more explicit part of its action and is working towards three main areas: (1) mainstreaming environmental protection and climate change considerations in Council of Europe co-operation projects; (2) conceiving and designing co-operation projects with environment-specific objectives; and (3) improving the working methods and practices of the Council of Europe to ensure greater environmental sustainability of its co-operation activities

The present Neighbourhood Co-operation Priorities also takes into account the **lessons learned** during the implementation of previous co-operation, including:

- Experience gained during Covid-19 pandemic when adapting working methods to the health situation can, to a certain extent, be transferred to future implementation practice, in particular the increased use of IT tools. On the other hand, in respect of some activities no adequate alternative solutions were found. This concerns especially regional exchanges of best practices, study trips or some training activities. The Council of Europe has sought to take advantage of all the windows of opportunity opened up by improvements in the health situation to implement these face-to-face activities. Overall, during future implementation of co-operation activities, the preference should still be given to off-line events. This wish was also expressed by the beneficiaries on several occasions.
- Co-operation between the Council of Europe and Kazakhstan have addressed several human rights issues through for instance its work on violence against women related legislation or advocating for human rights protection aspects in the field of anti-money laundering. These entry points emerged as meaningful ways to expand further the work on human rights issues, since it substantially complemented the work done to ensure the respect of the rule of law, as highlighted in the 2022 Results-Oriented Monitoring report on the implementation of the Central Asia Rule of Law Programme<sup>32</sup>.
- Co-operation projects in Kazakhstan have been implemented from the headquarters of the Council of Europe in Strasbourg, due to the absence of Council of Europe's office in Kazakhstan. Regular long-distance travel and the significant time difference with Strasbourg can be detrimental to the efficiency and effectiveness of implementation;

<sup>32</sup> Results-Oriented Monitoring report of the Joint EU/CoE Central Asia Rule of Law Programme (2020-2023), commissioned by the European Commission, 10/08/2022

- Sustainable and results-based assistance for comprehensive reforms would require long-term and diversified funding and effective co-ordination mechanisms among national and international partners to ensure complementarity of action.
- Funding at the NCP level, when available, would allow for flexibility in allocating funds in order to provide assistance in all priority areas outlined in this document.

#### **As in the case of other co-operation frameworks:**

- The Council of Europe human rights approach to technical assistance is an important element of co-operation;
- Long-term technical assistance aiming for comprehensive reforms requires prospects of sustainable funding and effective co-ordination mechanisms between the national and international partners;

Owing to the nature of its mandate, the Council of Europe operates in complex and unstable environments which expose it to risks. The risk analysis of the Neighbourhood Co-operation Priorities and possible mitigation strategies are identified in Appendix II of the present Neighbourhood Co-operation Priorities on the basis of the Council of Europe's *Risk Management Guidelines* and *Risk Management Policy*, both approved in June 2016. All projects implemented within the Neighbourhood Co-operation Priorities have their own risk assessment and mitigation strategies. The risks identified within the co-operation sector feed into the Organisational Risk Register, which is periodically brought to the attention of the Secretary General and the Senior Management Group of the Council of Europe. Internal audit, external audit and the Oversight Advisory Committee will be analysing the results.

In the context of the Covid-19 pandemic, the Council of Europe has sought to ensure business continuity in the framework of the implementation of the previous Neighbourhood Co-operation Priorities, while respecting national public health measures. Mitigation measures were continuously adapted and implemented by the Council of Europe throughout its co-operation activities, in close co-ordination with the donors and the beneficiaries. The same approach will be applied to implementing this Neighbourhood Co-operation Priorities if circumstances so require.

Multiple spill-over effects of the Russian Federation's aggression against Ukraine and the subsequent war spread to the Central Asian region. The situation was characterised by a risk of instability in particular due to the region's geographical proximity to and economic relations with the Russian Federation, in a context already weakened by the Covid-19 pandemic. Although it did not affect the overall co-operation with Kazakhstan, the Council of Europe will continue to monitor the potential impact of the war on the implementation of the Neighbourhood Co-operation Priorities and apply mitigations measures where necessary.

The risk of lack of sufficient and diversified funding remains high with regard to co-operation with Kazakhstan. The funding to the Neighbourhood Co-operation Priorities has been exclusively provided under the regional Joint European Union/Council of Europe Central Asia Rule of Law Programme 2020-2023<sup>33</sup>. There is a risk of lack of funding provided through voluntary contributions. The Council of Europe will mitigate this risk through constant fund-raising activities with other donors, and through diligent strategic planning and constant communication with all the parties involved in the implementation of the NCP.

### **3.2 CONTRIBUTION TO THE UNITED NATIONS SUSTAINABLE DEVELOPMENT GOALS**

It should be noted that the Council of Europe has long been committed to promoting the domestic implementation of the *United Nations Sustainable Development Goals* (SDGs). In addition, the "*Reykjavík Declaration*", adopted at the 4th Summit of Heads of State and Government of the Council of Europe, calls for increased co-operation with the UN and further synergies, notably when it comes to the implementation of the SDGs.

<sup>33</sup> Joint European Union/Council of Europe Central Asia Rule of Law Programme 2020-2023, budget of €8 889 000 euros (EU: 90%, CoE: 10%); extended until June 2024. The Programme is open to all Central Asian countries (Kazakhstan, Kyrgyzstan, Tajikistan, Turkmenistan and Uzbekistan).



Against this background, the Neighbourhood Co-operation Priorities implementation will sustain the efforts of the Kazakh authorities in achieving the SDGs. The action will contribute to goals 4, 5, 8, 10, and 16, with a particular focus on goals 5 and 16.

- **Goal 4. Ensure inclusive and equitable quality education and promote lifelong learning opportunities for all**

One of the Neighbourhood Co-operation Priorities is to strengthen the capacities of legal professionals to implement human rights in their daily work, contributing thus to achieving target 4.7<sup>34</sup>. The delivery of the thematic courses of the European Programme for Human Rights Education for Legal Professionals (HELP) to legal professionals, including prosecutors, judges, and lawyers, both via in-person and online modalities and adapted to the needs of Kazakhstan, will contribute to this effort. The respective courses will deepen professionals' knowledge of European human rights standards and will equip them with the necessary skills to apply these standards in their daily practice.

- **Goal 3. Ensure healthy lives and promote well-being for all at all ages**

Enhancing multi-agency co-ordination between institutions in charge of the prevention and the treatment of trafficking cases including health institutions can contribute to Goal 3, through the improvement of medical assistance to child and adult victims and persons at risk of trafficking.

- **Goal 5. Achieve gender equality and empower all women and girls**

The Neighbourhood Co-operation Priorities will have a particular focus on targets 5.1<sup>35</sup> and 5.2<sup>36</sup>. This will be achieved in a cross-cutting way through the implementation of a human rights approach with an emphasis on gender mainstreaming throughout the life cycle of the projects, as well as through specific projects in the fields of preventing and combating violence against women, human trafficking, and the protection of children's rights. A number of Council of Europe instruments are open to non-member States, including the Council of Europe Convention on Preventing and Combating Violence against Women and Domestic Violence (Istanbul Convention) and the Council of Europe Convention on the Protection of Children against Sexual Exploitation and Sexual Abuse (Lanzarote Convention), aim to promote gender equality and combat violence against women and children. Taking into consideration the invitation of 22 April 2020 to Kazakhstan to accede to the Istanbul Convention, the Council of Europe will continue its support to the authorities to finalise the accession process. The co-operation will also encourage the development of specialised institutional mechanisms and will reinforce the capacities of relevant actors to support victims of domestic and gender-based violence.

- **Goal 8. Promote sustained, inclusive, and sustainable economic growth, full and productive employment, and decent work for all**

The Neighbourhood Co-operation Priorities will particularly contribute to target 8.7<sup>37</sup>. The Council of Europe will continue reinforcing efforts against human trafficking by supporting respective public sector reforms in Kazakhstan and encouraging the authorities to accede to the Council of Europe Convention on Action against Trafficking in Human Beings. Support will be given to reinforce the existing operational capacities of justice professionals and labour inspectors to investigate and prosecute human trafficking cases as well as identify and protect victims.

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<sup>34</sup> Goal 4, target 4.7: by 2030, ensure that all learners acquire the knowledge and skills needed to promote sustainable development, including, among others, through education for sustainable development and sustainable lifestyles, human rights, gender equality, promotion of a culture of peace and non-violence, global citizenship, and appreciation of cultural diversity and of culture's contribution to sustainable development

<sup>35</sup> Goal 5, target 5.1: end all forms of discrimination against all women and girls everywhere

<sup>36</sup> Goal 5, target 5.2: eliminate all forms of violence against all women and girls in the public and private spheres, including trafficking and sexual and other types of exploitation

<sup>37</sup> Goal 8, target 8.7: Take immediate and effective measures to eradicate forced labour, end modern slavery and human trafficking and secure the prohibition and elimination of the worst forms of child labour, including recruitment and use of child soldiers, and by 2025 end child labour in all its forms

- **Goal 10. Reduce inequality within and among countries**

In terms of reducing inequality, the Neighbourhood Co-operation Priorities will contribute to target 10.2<sup>38</sup>. The Council of Europe will support the Office of the Human Rights Commissioner (Ombudsman institution) to advance the protection of human rights and address respective violations, including any form of discrimination. It will ensure that this institution has sufficient institutional capacity to protect freedoms and human rights for the benefit of all.

- **Goal 16. Promote peaceful and inclusive societies for sustainable development, provide access to justice for all and build effective, accountable, and inclusive institutions at all levels**

Taking into account the mandate of the Council of Europe and the nature of its co-operation activities provided to partner countries, the Neighbourhood Co-operation Priorities will make a major contribution to achieving SDG 16.

The Council of Europe will provide its technical assistance to support the Office of the Human Rights Commissioner whereby ensuring it has sufficient institutional capacities. It will also encourage more co-operation between the Office, other public institutions, and civil society, and will contribute to Goal 16.a<sup>39</sup>. In addition, there will be close co-operation with the Kazakh authorities to improve its criminal procedural system in line with the existing European standards whereby contributing to Goal 16.3<sup>40</sup>.

The Priorities will also contribute to target 16.2<sup>41</sup> as well as Goal 5 by ensuring the protection of the rights of the child. The Council of Europe will increase awareness of relevant stakeholders of the Lanzarote Convention as well as support national authorities in strengthening the existing national protection and welfare system.

Regarding public access to information and freedom of speech, enshrined in target 16.10<sup>42</sup>, the Council of Europe propose to assist Kazakhstan in bringing its legislation and practice in the media field in line with the Council of Europe standards. The Priorities will promote greater awareness and knowledge of these standards as well as qualitative and ethical journalism.

The European Commission for Democracy through Law (Venice Commission) will be an important actor to promote the targets of Goal 16. To support constitutional, institutional, and administrative reforms, it will provide legal opinions to the national authorities upon request.

As concerns money laundering and terrorist financing (ML/TF), as described in target 16.4<sup>43</sup>, the Council of Europe will further co-operate with national authorities to develop appropriate measures to counter ML/TF. To this end, the Council of Europe will further encourage Kazakhstan to accede to the Warsaw Convention and will provide relevant technical assistance to enhance the institutional capacities of the national authorities to prevent the occurrence of ML/TF, improve risk assessment, establish relevant supervision, and recovery/confiscation mechanisms.

Reducing corruption and bribery, which is part of target 16.5<sup>44</sup>, is at the heart of the of the Neighbourhood Co-operation Priorities. As Kazakhstan has been a member of the Group of States against Corruption (GRECO) since 2020, the Council of Europe will provide advice on the implementation of GRECO's first and second evaluation round recommendations. It will be accompanied by the provision of technical assistance to reinforce the national authorities' capacities to absorb the recommendations, improve the effectiveness of the institutional framework, as well as increase the capacities of the national anti-corruption institutions.

<sup>38</sup> Goal 10, target 10.2: by 2030, empower and promote the social, economic, and political inclusion of all, irrespective of age, sex, disability, race, ethnicity, origin, religion or economic or other status

<sup>39</sup> Goal 16, target 16.a: strengthen relevant national institutions, including through international co-operation, for building capacity at all levels, in particular developing countries, to prevent violence and combat terrorism and crime

<sup>40</sup> Goal 16, target 16.3: promote the rule of law at the national and international levels and ensure equal access to justice for all

<sup>41</sup> End abuse, exploitation, trafficking, and all forms of violence against and torture of children

<sup>42</sup> Goal 16, target 16.10: ensure public access to information and protect fundamental freedoms, in accordance with national legislation and international agreements

<sup>43</sup> Goal 16, target 16.4: by 2030, significantly reduce illicit financial and arms flows, strengthen the recovery and return of stolen assets and combat all forms of organised crime

<sup>44</sup> Goal 16, target 16.5: substantially reduce corruption and bribery in all their forms

Regarding building effective institutions and improving decision-making at all levels, as stated in targets 16.6<sup>45</sup> and 16.7<sup>46</sup>, the Council of Europe will provide technical support to the Kazakh Parliament, to improve its capacity to advocate for the ratification of the respective conventions, as well as Members of Parliament to reinforce their capacity to participate in the multi-party system. The Council of Europe will also support local governance reforms as well as dialogue between different levels of governance.

### 3.3 CO-ORDINATION

Co-ordination to ensure efficient use of resources and the relevance of the Council of Europe's actions is performed at different levels and in different forums, including the Committee of Ministers of the Council of Europe (CM).

The Council of Europe's actions are determined and implemented so as to focus on areas where the Organisation has strong expertise and added value. Joint co-operation with the Kazakh authorities is developed on the basis of thorough analysis of the objectives followed by other international organisations and players in the field and their work, implemented and/or planned to achieve these objectives.

To ensure the relevance of its actions, the Council of Europe works in close co-ordination with relevant international partners, notably the European Union and in particular the EU Delegation in Kazakhstan.

The Council of Europe co-ordinates very closely with the Organization for Security and Co-operation in Europe (OSCE) and the United Nations (UN). In particular, the Organisation has developed synergies with UN Women in the area of combating violence against women. To ensure efficiency and avoid overlapping of activities, the Council of Europe also co-ordinates with all other relevant players active in the field of justice and human rights protection, including the American Bar Association and the USAID-funded Rule of Law Program (2020-2025). The Council of Europe co-operates with international civil society organisations by involving them in programme activities as participants and national experts, in particular prevention of torture and violence against women.

Whenever appropriate, co-ordination platforms with other international organisations are set-up and joint activities undertaken.

To ensure efficiency and avoid the overlapping of activities, the Council of Europe also co-ordinates its work with member/observer States' development agencies and the embassies of Council of Europe member/observer States.

### 3.4 FUNDING

The overall budget of the Neighbourhood Co-operation Priorities is estimated at €8 120 000. Funding amounting to €197 530 (2% of the total budget) has been secured.

Projects within the Neighbourhood Co-operation Priorities are to be funded from multiple sources. Funding is to be provided mainly from voluntary contributions from donor countries and international organisations, including the regional Joint European Union/Council of Europe Central Asia Rule of Law Programme 2020-2023<sup>47</sup>, extended until June 2024.

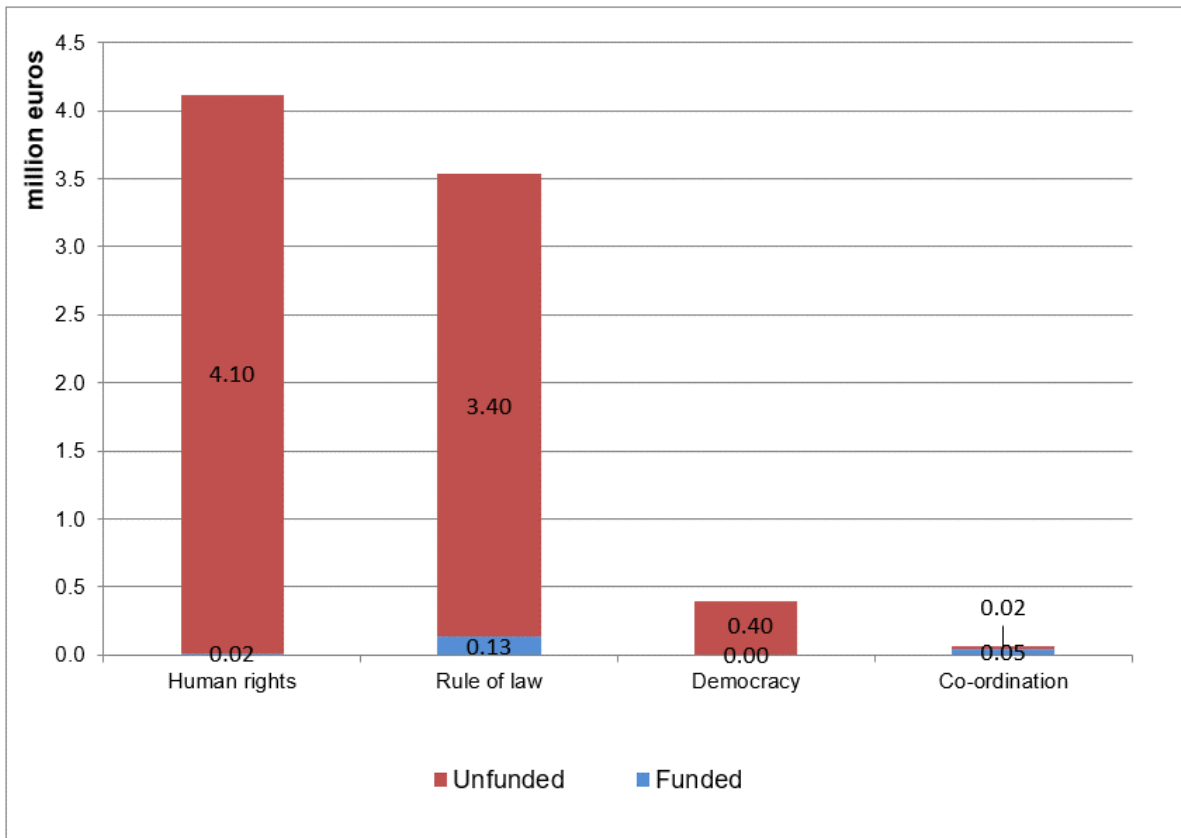
The co-ordination of Neighbourhood Co-operation Priorities implementation incurs general management costs amounting to not more than 7% of the Neighbourhood Co-operation Priorities' direct costs.

In line with the Council of Europe resource mobilisation strategy, fundraising efforts under the co-ordination of the Directorate of Programme Co-ordination (DPC) are concentrated on the Neighbourhood Co-operation Priorities as a whole. Funding at the level of the Neighbourhood Co-operation Priorities, in particular, allows flexibility for allocating funds where they are most needed and where they are most likely to contribute to the sustainability of key policy and institutional reforms.

<sup>45</sup> Goal 16, target 16.6: develop effective, accountable, and transparent institutions at all levels

<sup>46</sup> Goal 16, target 16.7: Ensure responsive, inclusive, participatory, and representative decision-making at all levels

<sup>47</sup> Joint European Union/Council of Europe Central Asia Rule of Law Programme 2020-2023, budget of €8 889 000 euros (EU: 90%, CoE: 10%). The programme has been extended until June 2024. The Programme is open to all Central Asian countries (Kazakhstan, Kyrgyzstan, Tajikistan, Turkmenistan and Uzbekistan).



**Figure 2:** Estimated budget per theme of the Neighbourhood Co-operation Priorities with Kazakhstan 2024-2027 (in millions of euros)

### 3.5 GOVERNANCE

The Committee of Ministers of the Council of Europe (CM) assesses the overall results of the Neighbourhood Co-operation Priorities implementation through its Rapporteur Group on External Relations (GR-EXT).

The Council of Europe will provide regular updates on the progress and outcomes of the Neighbourhood Co-operation Priorities. To this end, the Directorate of Programme Co-ordination (DPC) will submit interim and final reports to the CM as follows:

- oral reports 12 months and 36 months after the implementation start date of the Neighbourhood Co-operation Priorities;
- a comprehensive mid-term Progress Review Report 24 months after the implementation start date of the Neighbourhood Co-operation Priorities;
- a final Progress Review Report upon completion of the implementation of the Neighbourhood Co-operation Priorities.

Progress made under the Neighbourhood Co-operation Priorities will also be jointly assessed by the Council of Europe and the Kazakh authorities. For this purpose, a Neighbourhood Co-operation Priorities Steering Committee will be established, composed of representatives of the Ministry of Foreign Affairs and other national stakeholders, including civil society, involved in the implementation of the Neighbourhood Co-operation Priorities as well as representatives of the Council of Europe.

This Steering Committee will assess the implementation of the projects, discuss future co-operation and challenges encountered and recommend any measures to improve the effectiveness of the Neighbourhood Co-operation Priorities. Gender-balanced participation shall be ensured subject to limitations in terms of sectorial knowledge and experience.

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## APPENDIX I: LOGFRAME

Transversal dimensions such as **gender equality, gender mainstreaming** and **civil society's participation** are key components of the Council of Europe's **human rights approach**.

**Overall goal:** assist the national authorities in promoting the public sector reform to bring the national legislation in line with the standards of the Council of Europe in the areas of human rights, the rule of law, and democracy.

Human Rights	
<p><b>Thematic outcome:</b> Human rights protection, equality and human dignity are enhanced. The Council of Europe standards are promoted at the national level in Kazakhstan, including those in the fields of prevention of torture and ill-treatment, freedom of expression and information, fight against violence against women and domestic violence and protection of children's rights</p> <p>The actions in this area will contribute to the implementation of the following United Nations Sustainable Development Goals (SDGs): 4,5, 8, 10 and 16.</p>	
Outcomes	Indicators
<p><b>1.1. PROTECTING HUMAN RIGHTS</b></p> <p><i>Prevention of torture and ill-treatment</i></p> <ul style="list-style-type: none"> <li>The national capacities to improve institutional and operational systems for the prevention of ill-treatment and torture are strengthened;</li> <li>An increased number of legal professionals, in particular prosecutors and staff from the Commissioner for Human Rights' Office (Ombudsperson) and its regional representatives have the capacities and skills to address allegations of ill-treatment and torture in line with their mandate and applying relevant European and international human rights standards in court proceedings.</li> </ul> <p><i>Support to the national human rights institutions</i></p> <ul style="list-style-type: none"> <li>The capacities of the staff of the Commissioner's office to deal with individual cases are enhanced;</li> <li>The staff of the Commissioner's office acquire the necessary skills to produce analytical reports on the national situation with regard to human rights;</li> </ul>	<p><i>Prevention of torture and ill-treatment</i></p> <ul style="list-style-type: none"> <li>Number of concrete steps taken by national authorities to improve the institutional and operational systems for prevention of ill-treatment and torture;</li> <li>Number of legal professionals, in particular prosecutors and staff from the Commissioner for Human Rights' Office (Ombudsperson) and its regional representatives, receiving targeted support from the Council of Europe to strengthen their capacities.</li> </ul> <p><i>Support to the national human rights institutions</i></p> <ul style="list-style-type: none"> <li>Number of trained personnel of the Commissioner's office as regards individual cases;</li> <li>Number of trained personnel of the Commissioner's office on producing analytical reports on the national situation with regard to human rights;</li> </ul>

- The Commissioner for human rights is engaged in co-operative work with other public institutions and NGOs to address human rights violations;
- The Commissioner's Office has the methodology to follow up in its recommendations to public institutions.

*Safeguarding human rights in criminal proceedings*

- The criminal procedural legislation and institutional framework are improved to comply with European and international human rights standards;
- The capacities of legal professionals (judges, prosecutors, and lawyers) to apply relevant practices in the area of criminal proceedings in line with European human rights standards are improved.

*Human rights education for legal professionals*

- An increased number of legal professionals throughout Kazakhstan enhance their knowledge of European human rights standards and acquire the necessary skills to implement national human rights legislation in line with European and international standards.

*Freedom of expression and information*

- Awareness and knowledge on Council of Europe instruments in the field of media freedom is raised;
- The legislative and policy framework in the fields of freedom of expression, media and access to information are improved;
- Awareness on the principles of qualitative and ethical journalism is raised.

- Level of co-operation among the Commissioner for human rights' office, other public institutions and NGOs to address human rights violations;
- Extent to which the Commissioner's Office has the capacity and relevant methodology to follow-up on its recommendations to public institutions.

*Safeguarding human rights in criminal proceedings*

- Extent to which the criminal procedural legislation and institutional framework are improved in line with European and international standards;
- Number of legal professionals trained and exposed to good practices;
- Level of knowledge and use by legal professionals of European human rights standards in the area of criminal proceedings.

*Human rights education for legal professionals*

- Number of legal professionals trained and exposed to good practices;
- Level of knowledge and use by legal professionals of European human rights standards when implementing national legislation.

*Freedom of expression and information*

- Level of knowledge and use by legal professionals, media professionals and Media/journalists' associations of Council of Europe instruments in the field of media freedom;
- Extent to which the legislative framework in the field of freedom of expression, media and access to information in line with European and international standards;
- Number of measures introduced to reinforce ethical standards;
- Number of media actors trained on ethical standards.

## 1.2. EQUALITY AND HUMAN DIGNITY

### *Combating violence against women and domestic violence*

- Kazakhstan accedes to the Convention on Preventing and Combating Violence against Women and Domestic Violence (Istanbul Convention);
- The national policy and legal framework are strengthened in line with the standards of the Istanbul Convention;
- Development of specialised institutional mechanisms and multi-agency co-ordination is fostered;
- Capacities of those supporting victims of gender-based and domestic violence are increased.

### *Children's rights*

- Kazakhstan's authorities have raised their awareness of the Convention on the Protection of Children against Sexual Exploitation and Sexual Abuse (Lanzarote Convention) and show interest in its ratification;
- The legislative, policy and institutional frameworks for the protection of children are increasingly in line with the Lanzarote Convention;
- The relevant authorities adopt and implement comprehensive strategies to improve the prevention and protection of children from all forms of violence, including sexual violence;
- Key stakeholders and professionals are better informed about child sexual abuse and prevention mechanisms;
- The authorities and the relevant professionals mobilise their capacities to prevent and protect children from all forms of violence and to provide support for child victims and witnesses.

### *Combating violence against women and domestic violence*

- Degree of compliance of national legislation with the Istanbul Convention;
- Concrete steps taken by the Authorities to accede to the Istanbul Convention
- Level of responsiveness of Authorities in introducing changes to policy and legal framework in line with the Convention;
- Number of measures introduced to develop/reinforced specialised institutional mechanisms are established;
- Level of co-ordination between national relevant agencies and institutions;
- Extent to which capacities of those supporting victims of gender-based and domestic violence are increased.

### *Children's rights*

- Level of interest expressed and concrete steps taken to accede to the Lanzarote Convention;
- Degree of compliance of the legislative, policy and institutional framework with the Lanzarote Convention;
- Number of strategies adopted to improve the prevention and protection of children from all forms of violence, including sexual violence ;
- Level of knowledge of key stakeholders and professionals on child sexual abuse and use of prevention mechanisms;
- Number of child victims and witnesses provided support from national authorities and relevant professionals.



**RULE OF LAW**

**Thematic outcome:** National democratic institutional structures based on the rule of law are developed and strengthened. The citizens benefits from the revised national legal and institutional framework in the field of action against crime in line with European and international standards

The actions in this area will contribute to the implementation of the following United Nations Sustainable Development Goals (SDGs): Goals 3, 5, 8, 10 and 16

Outcomes	Indicators
<p><b>2.1. RULE OF LAW BASED INSTITUTIONS</b></p> <p><i>Democracy through Law (Venice Commission)</i></p> <ul style="list-style-type: none"> <li>• The authorities request the Venice Commission of the Council of Europe to provide expertise to support further the constitutional and institutional reform process in line with international and European standards and best practices and follow up on respective recommendations;</li> <li>• New legislation in the field of administrative law and justice is prepared and ready for implementation;</li> <li>• An increased number of senior officials and representatives of the judiciary have improved their knowledge of European and international standards relating to the Rule of Law ;</li> <li>• Inclusive and equal protection of rights is promoted and access to justice for individuals and groups through constitutional complaints is ensured;</li> <li>• The quality of procedural aspects related to constitutional complaints is improved.</li> </ul> <p><i>Independence and efficiency of justice</i></p> <ul style="list-style-type: none"> <li>• The laws and policies pertaining to justice are closer to European standards based on the legislative expertise provided by the Council of Europe;</li> <li>• The independence and accountability of the judiciary in the regions of Kazakhstan is improved by providing assessments and recommendations on strengthening the legal framework and practices relating to judicial ethics and disciplinary proceedings;</li> <li>• Access to justice is improved;</li> </ul>	<p><i>Democracy through Law (Venice Commission)</i></p> <ul style="list-style-type: none"> <li>• Number of legal opinions on draft laws provided by the Venice Commission at the request of Kazakh authorities;</li> <li>• Level of responsiveness of Kazakh authorities to introduce changes to the legal framework in the field of administrative law and justice in line with European and international standards;</li> <li>• Number of senior officials and representatives of the judiciary trained on European and international standards and good practices relating to the Rule of Law ;</li> <li>• Number of constitutional complaints filled by individuals and groups;</li> <li>• Number of measures introduced to improve the quality of procedural aspects related to constitutional complaints,</li> </ul> <p><i>Independence and efficiency of justice</i></p> <ul style="list-style-type: none"> <li>• Extent to which the laws and policies pertaining to justice are in line with European standards;</li> <li>• Number of assessments, recommendations, legal and expert opinions provided pertaining to judicial independence and accountability;</li> <li>• Number of measures adopted to improve access to justice and alternative dispute resolution mechanisms;</li> <li>• Number of lawyers trained to improve the legal aid system and quality of services to citizens;</li> </ul>

- Alternative dispute resolution mechanisms are strengthened;
- The quality of services delivered to the population, including free legal aid, is improved through targeted activities for lawyers involved in delivering free legal aid and offering pro bono services; the legal aid system is strengthened;
- The capacities of judges regarding modern court management methods are strengthened through training and other activities (provision of tools for measuring and evaluating the functioning of the justice system, the courts and the work done by judges) and sharing of European best practices in these areas;
- The everyday functioning of the judicial system in Kazakhstan is improved through the implementation of co-operation programmes focused on specific European Commission for the Efficiency of Justice (CEPEJ) tools, Consultative Council of European Judges (CCJE) and Consultative Council of European Prosecutors (CCPE) Opinions to more courts throughout the country.

*Legal co-operation*

- Awareness is progressively raised with regard to the benefits of a common legal area between Europe and Kazakhstan based on key Council of Europe conventions open to non-member States and other international standards;
- National authorities have a good knowledge of relevant conventions available for signature and ratification by non-member States of the Council of Europe;
- Relevant legislation is revised based on the standards set in the selected conventions;
- Requests for accession to these conventions are made.

- Number of judges trained on modern court management methods and exposed to best practice;
- Level of knowledge and use by judges of Council of Europe standards and tools aiming at improving court management methods;
- Level of responsiveness of the judiciary to co-operation programmes focusing on the everyday functioning of the judicial system of Kazakhstan and using specific CEPEJ tools and CCPE opinions.

*Legal co-operation*

- Level of knowledge of representatives of national and independent authorities of provisions of relevant conventions and the respective accession processes;
- Degree of compliance of the national legislation in line with the standards set in the selected conventions;
- Number of requests submitted for accession to Council of Europe Conventions.

## 2.2. ACTION AGAINST CRIME, SECURITY AND PROTECTION OF CITIZENS

### → Action against crime and protection of citizens – Corruption, Money Laundering, Cybercrime, Trafficking in Human Beings

#### *Combating corruption*

- The capacities of national authorities to address Group of States against Corruption (GRECO) recommendations are strengthened;
- The effectiveness of the legal and institutional framework relating to the funding of political parties and election campaigns and incriminations related to corruption are enhanced;
- The institutional capacity of the Anti-Corruption Agency of Kazakhstan (ACA) to implement effective instruments to prevent corruption is enhanced.

#### *Countering money laundering*

- Request for acceding to the Warsaw Convention is made;
- Law enforcement and criminal justice sector authorities have improved their capacities to prevent ML/TF and work more effectively to fight against economic crime;
- National authorities enhanced their capacities to undertake national and sectoral AML/CFT risk assessments;
- Capacities and institutional building for AML risk-based compliance and supervision are strengthened;
- The asset recovery framework and confiscation mechanisms are strengthened.

#### *Cybercrime*

- Legislative and policy frameworks are brought closer to the Budapest Convention in line with rule of law and human rights principles;

#### *Combating corruption*

- Number of measures introduced by national authorities to address GRECO recommendations;
- Number of Greco recommendations implemented by national authorities;
- Extent to which the effectiveness of the legal and institutional framework relating to the funding of political parties and election campaigns and incriminations related to corruption are compliant with Council of Europe and other international standards, ;
- Extent to which the Anti-Corruption Agency effectively prevent corruption.

#### *Countering money laundering*

- Concrete steps taken by the national authorities to accede to the Warsaw Convention;
- Number of professionals of the enforcement and criminal justice sector trained to prevent ML/TF and fight economic crime;
- Level of knowledge and use of national authorities on Council of Europe tools and best practices to conduct national and sectoral AML/CFT risk assessments ;
- Number of risk assessments conducted by national authorities;
- Number of measures introduced to reinforce the AML risk-based compliance and supervision;
- Number of measures introduced to improve the asset recovery framework and confiscation mechanisms.

#### *Cybercrime*

- Degree of compliance of the legislative and policy frameworks with the Budapest Convention;

- The capacities of judicial and law enforcement authorities to address the challenge of cybercrime and electronic evidence are reinforced;
- Specialised cybercrime and forensic units are established;
- Public/private co-operation and inter-agency and international co-operation in fighting cybercrime are enhanced.

#### *Trafficking in human beings*

- Awareness is raised on the standards of the Council of Europe Anti-Trafficking Convention, the guidance developed by GRETA and the relevant case-law of the European Court of Human Rights (the European Court) among the national authorities and civil society with the view of supporting the ongoing legislative and policy work;
- Awareness of the standards of the Convention and exchange of good practices between Kazakhstan and Council of Europe member States in the field of anti-trafficking are strengthened and provide background for possible accession Kazakhstan of the Council of Europe Anti-Trafficking Convention;
- Capacities of criminal justice professionals are strengthened to investigate and prosecute human trafficking cases, leading to effective, proportionate, and dissuasive sanctions and enabling victims to obtain compensation and other remedies;
- Capacities of labour inspectors and other relevant professionals are strengthened to identify and assist victims of labour trafficking, including among undocumented migrants;
- Multi-agency co-ordination and partnerships are enhanced through multidisciplinary activities.

#### → **Sport conventions**

- Kazakhstan is better prepared for the ratification of the Convention on the Manipulation of Sports Competitions and the Convention on an Integrated Safety, Security and Service Approach at Football Matches and Other Sports Events (Macolin and Saint-Denis Conventions);
- The legislative, policy and institutional frameworks are in line with European standards, in particular the European Sports Charter, the Council of Europe Anti-doping Convention and Macolin and Saint-Denis Conventions;

- Number of legal and law enforcement professionals trained to address cybercrime challenges and improve electronic evidence;
- Number of measures introduced to establish specialised cybercrime and forensic units;
- Number of measures introduced to enhance public/private, inter-agency and international co-operation in fighting cybercrime.

#### *Trafficking in human beings*

- Level of knowledge of public officials and civil society professionals of the standards of Council of Europe Anti-Trafficking Convention, the GRETA guidance and the relevant Court case law;
- Level of responsiveness of authorities in introducing changes to policy and legal framework in line with the Convention;
- Number of criminal justice professionals trained to investigate and prosecute human trafficking cases in an effective manner;
- Number of labour inspectors and other professionals trained to identify and assist victims of labour trafficking;
- Number of multi-agency co-ordination initiatives and partnerships.

#### → **Sport conventions**

- Concrete steps and measures taken by national authorities to accede to the Macolin and Saint-Denis Conventions;
- Extent to which the legislative, policy, and institutional frameworks are in line with the European Sports Charter, the Council of Europe Anti-doping Convention and Macolin and Saint-Denis Conventions;

- The relevant authorities adopt and implement comprehensive strategies to improve the integrity and good governance in sport, to make sport safer, more ethical, and more inclusive.

- Number of strategies adopted by the relevant authorities to improve the integrity and good governance in sport.

## Democracy

**Thematic outcome:** The democratisation of society is fostered for the benefits of citizens and the local democracy and democratic decision-making mechanisms are strengthened in line with the European standards

The actions in this area will contribute to the implementation of the United Nations Sustainable Development Goals (SDGs) 16

### Outcomes

#### 3.1 PARLIAMENTARY ASSEMBLY

- Members of the Kazakh Parliament are familiarised with Council of Europe Conventions open to non-member States to contribute to the creation of a common legal area;
- The functioning of the Kazakh Parliament is improved in line with democratic principles;
- The capacities of the Members of Parliament to work in a multi-party system are strengthened.

#### 3.2 DEMOCRATIC GOVERNANCE

- An improved legal framework in the area of local government and public administration is in place;
- A national association of local and regional authorities is created;
- Dialogue between central and territorial authorities is facilitated;
- Best practices in local governance are promoted.

### Indicators

#### 3.1 PARLIAMENTARY ASSEMBLY

- Number of members of the Parliament familiarised with the Council of Europe Conventions open to non-member States and respective accession procedure;
- Number of concrete measures introduced by Kazakh Parliament to improve its functioning in line with democratic principles;
- Extent to which the capacities of the members of the Kazakh Parliament to work in a multi-party system is strengthened.

#### 3.2 DEMOCRATIC GOVERNANCE

- Degree of compliance of the legal framework in the area of local government and public administration with Council of Europe standards and best p;
- Concrete steps taken to establish a national association of local and regional authorities;
- Level of co-operation between central and territorial authorities

APPENDIX II: RISK REGISTER

Description of risks	Mitigation strategies
<b>Risks related to the political and institutional context</b>	
<ul style="list-style-type: none"> <li>• Lack of sufficient commitment and co-ordination among national actors and relevant stakeholders to advance legislative and/or institutional reforms;</li> <li>• Lack of sufficient commitment leads to negative perceptions about change;</li> <li>• Partial implementation of reforms and opposition to their implementation in certain groups of society;</li> <li>• Increased influence of political forces in ongoing reforms.</li> </ul>	<ul style="list-style-type: none"> <li>• Support national authorities to ensure compliance of legislative and regulatory frameworks with the standards of the Council of Europe;</li> <li>• Build capacity of institutions to implement these standards, enhance awareness of the population of these standards;</li> <li>• Raise awareness of institutional partners who promote standards of the organisation among the population;</li> <li>• Facilitate contacts and co-operation between supporters of the reforms within different branches of the executive power and civil society.</li> </ul>
<ul style="list-style-type: none"> <li>• Increased polarisation of the society;</li> <li>• Insufficient political will to carry out reforms;</li> <li>• Change of political context or direction, change of leadership or rotation of staff that influence the sustainability of previously provided support and affect the execution of the current project's deliverables and initiatives.</li> </ul>	<ul style="list-style-type: none"> <li>• Raise awareness among target groups to sensitise them as to the importance of applying the standards;</li> <li>• Build ownership of programme results;</li> <li>• Implement activities in close co-operation with administrative staff to ensure institutional memory, programme ownership, and continuity;</li> <li>• Discuss mitigation strategies with international partners (EU in particular).</li> </ul>
<b>Risks related project/programme delivery</b>	
<ul style="list-style-type: none"> <li>• Lack of consensus between international partners with regard to the priorities and scope of projects/programmes;</li> <li>• Insufficient co-ordination between partner institutions and prolonged duration for the adoption of the suggested changes;</li> </ul>	<ul style="list-style-type: none"> <li>• Ensure broader co-ordination with international partners to ensure convergence of priorities and objectives;</li> <li>• Focus on reviewing the legislative and regulatory frameworks and building capacity in this area;</li> </ul>

<ul style="list-style-type: none"> <li>• Limited operational capacity of the Council of Europe;</li> <li>• Gender stereotypes have a negative impact on the implementation of projects/programmes;</li> <li>• Lack of experience of working with a non-member state, which requires more time and effort to promote change;</li> <li>• Due to a lack of experience, it takes more time to identify relevant stakeholders.</li> </ul>	<ul style="list-style-type: none"> <li>• Complement the limited operational capacity of the Council of Europe with the co-operation with international partners;</li> <li>• Conduct gender-sensitive communications and assessment (especially through hiring external experts) of project materials to propose appropriate wording;</li> <li>• Build on experience already gained and find new ways of making the co-operation more effective.</li> </ul>
<ul style="list-style-type: none"> <li>• Delays or postponement of implementation of some projects/programmes activities due to beneficiaries' workload;</li> <li>• Slow responsiveness by relevant stakeholders and beneficiaries to the technical assistance offered/provided.</li> </ul>	<ul style="list-style-type: none"> <li>• Timely inform the European Union Delegation in the country;</li> <li>• Revise and adapt projects/programmes plans to the circumstances;</li> <li>• Ensure broader co-ordination with relevant stakeholders and beneficiaries to promote timely implementation.</li> </ul>
<ul style="list-style-type: none"> <li>• The authorities are not willing to request legal opinions from the Venice Commission;</li> <li>• Reluctance of national authorities to pursue reforms (criminalisation of violence against women and domestic violence, media freedoms);</li> </ul>	<ul style="list-style-type: none"> <li>• Work with the authorities by explaining the procedures and impact;</li> <li>• Increase professional and public awareness of the benefits of reforms and how they would improve citizens' lives;</li> <li>• Organise seminars on the Council of Europe conventions to promote the benefits of the respective conventions and public sector reform.</li> </ul>
<ul style="list-style-type: none"> <li>• The recommendations of the Venice Commission are not followed and/or the quality of amendments is poor.</li> </ul>	<ul style="list-style-type: none"> <li>• Organise follow-up activities with a wide range of actors to explain the Venice Commission recommendations.</li> </ul>
<ul style="list-style-type: none"> <li>• The mechanisms for co-ordination with national and international partners are not effective enough to prevent overlaps and create synergies between programmes;</li> </ul>	<ul style="list-style-type: none"> <li>• Co-ordinate with other international organisations in the field and inform them of forthcoming activities;</li> </ul>

<ul style="list-style-type: none"> <li>• Duplication of work with other international organisations. Some international organisations perform similar activities to the Ombudsman's Office and the Constitutional Court whereby impacting the added value of the projects/programmes activities;</li> </ul>	<ul style="list-style-type: none"> <li>• Increase the number of activities with international partners, with whom projects or programmes are already being co-ordinated. Convey a stronger joint message, promote greater economic efficiency and increase acceptance of reforms.</li> </ul>
<ul style="list-style-type: none"> <li>• Sensitivity of some topics covered by the HELP catalogue of courses; availability of adequate national tutors; sufficient capacities to provide prompt and high-quality translations in national languages.</li> </ul>	<ul style="list-style-type: none"> <li>• Work closely with partners on the selection of HELP courses in line with the needs and context of targeted countries;</li> <li>• Support partners during the selection of tutors and seek advice on the selection of the best translation services providers.</li> </ul>
<b>Risks related to communication</b>	
<ul style="list-style-type: none"> <li>• Lack of knowledge, among the main national and international partners, the target groups and the population as a whole, of the Council of Europe's contribution to the reforms under way in the country;</li> <li>• Confusion between the Council of Europe and the European Union.</li> </ul>	<ul style="list-style-type: none"> <li>• Widen the scope of communication activities in order to provide professional groups, international partners and the general public with information about the Council of Europe's contribution to the reforms (including through regular updating of the website and the distribution of newsletters);</li> <li>• Give each programme its own communication strategy in order to encourage the main stakeholders to take an interest in the organisation's activities;</li> <li>• Apply the visibility rules agreed between the European Union and the Council of Europe in the implementation of joint programmes.</li> </ul>
<ul style="list-style-type: none"> <li>• Lack of transparency and consensus on priorities and scope of the projects/programmes among international partners.</li> </ul>	<ul style="list-style-type: none"> <li>• Increase the scope and consistency of communication to inform professional groups, international partners, and the general public about the contribution of the Organisation and donors to the reforms.</li> </ul>
<ul style="list-style-type: none"> <li>• Misinformation regarding the Council of Europe conventions such as the Istanbul Convention, which is often perceived as conflicting with traditional and family values.</li> </ul>	<ul style="list-style-type: none"> <li>• Arrange communication activities to address misinformation and promote awareness of the Council of Europe conventions.</li> </ul>



**Risks associated with human resources**

- Competition with other international organisations to recruit locally (primarily consultants);
- Absence of a field office on the ground causes a lack of human resources.

- Continue discussions on possible ways of making the organisation more competitive in local recruitment;
- Anticipate recruitment procedures as far as possible;
- Establish a field office in the region and recruit local staff.

**Risks associated with financial aspects**

- Lack of sufficient funding for the implementation of the Neighbourhood Co-operation Priorities;
- Lack of sufficient funding for long-term engagement with national authorities on the Istanbul Convention to change the public perception.

- Increase resource mobilisation efforts in a co-ordinated manner within the country and from the headquarters;
- Fund projects/programmes which have strong potential for synergy with each other, whereby allocating available resources most effectively;
- Mobilise resources to reinforce long-term engagement with the national authorities to promote the Council of Europe conventions.

- Lack of absorption capacity by the institutions in the view of the complexity of the subject;
- Low retention of qualified staff especially in terms of competition with other technical assistance providers.

- Step up efforts to increase co-ordination between actors and with donors;
- Allocate funds to projects/programmes with added value;
- Continue to respond to and take account of comments from partners and donors in order to improve design, implementation, results-based monitoring and reporting practices to attract and retain donors.

APPENDIX III: FINANCIAL TABLE  
(All amounts in euros)

<b>Sectors</b>	<b>Total budget</b>
<b>Human rights</b>	<b>4 118 199</b>
Protecting Human Rights	3 218 199
Equality and Human Dignity	900 000
<b>Rule of law</b>	<b>3 537 230</b>
Rule of Law based institutions	444 121
Action against crime, security and protection of citizens	3 093 109
<b>Democracy</b>	<b>400 000</b>
Democratic Governance	400 000
<b>Co-ordination</b>	<b>64 571</b>
Co-ordination - common legal space	46 479
General management costs	18 092
<b>TOTAL</b>	<b>8 120 000</b>

## APPENDIX IV: FULL LIST OF OPINIONS AND STUDIES PREPARED BY THE VENICE COMMISSION

- 425/2007 – Opinion on the Possible Reform of the Ombudsman Institution in Kazakhstan
- 557/2009 – Amicus Curiae Brief on the Interpretation of the Kazakh Constitution concerning the participation in the Customs Union within the Euro-Asian Economic Community for the Constitutional Council of Kazakhstan
- 629/2011 – Joint Opinion on the Constitutional Law on the Judicial System and Status of Judges of Kazakhstan
- 841/2016 – Opinion on the Draft Code of Judicial Ethic
- 871/2017 – Opinion on the Draft Law of the Republic of Kazakhstan on Administrative Procedures
- 882/2017 – Opinion on the Amendments to the Constitution
- 931/2018 – Opinion on the Administrative Procedure and Justice Code
- 938/2018 – Concept Paper on the High Judicial Council
- 1023/2021 – Opinion on the Concept Paper for Improving the Legal Framework on the Constitutional Council
- 1056/2021 – Opinion on the Draft Law ‘On the Commissioner for Human Rights’
- 1099/2022 – Opinion on the Draft Constitutional Law ‘On the Commissioner for Human Rights’

APPENDIX V: SITUATION OF THE ACCESSIONS OF KAZAKHSTAN TO THE RELEVANT CONVENTIONS AND PARTIAL AGREEMENTS OF THE COUNCIL OF EUROPE

**1. Participation in conventions**

<b>Accession</b>		
ETS 018	European Cultural Convention	05/03/2010
ETS 127	Convention on Mutual Administrative Assistance in Tax Matters	01/08/2015
ETS 141	Convention on Laundering, Search, Seizure and Confiscation of the Proceeds from Crime	01/01/2015
ETS 165	Convention on the Recognition of Qualifications concerning Higher Education in the European Region	01/02/1999
<b>Invitations to accede</b>		
CETS 210	Council of Europe Convention on preventing and combating violence against women and domestic violence	Invited to accede 1374 <sup>th</sup> CM Meeting 22/04/2020
ETS 185	Convention on Cybercrime	Invited to accede 1464 <sup>th</sup> CM Meeting 19/04/2023
ETS 173	Criminal Law Convention on Corruption	Invited to accede 1438 <sup>th</sup> CM Meeting 30/06/2022

**2. Enlarged Agreements, Enlarged Partial Agreements, Partial Agreements**

<b>Title</b>	<b>Status</b>
European Commission for Democracy through Law (Venice Commission)	Member Since 13/03/2012
Group of States against Corruption (GRECO)	Member Since 01/01/2020

Convention on the Elaboration of a European Pharmacopoeia	Observer Since 03/08/2006
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### 3. Participation in Steering and *ad hoc* Committees

Type	Committee name	Status
Ad hoc	European Social Cohesion Platform (PECS)	Participant
Ad hoc	Consultative Council of European Prosecutors (CCPE)	Participant
Steering Committee	Steering Committee for Educational Policy and Practice (CDPPE)	Member
Ad hoc	Ad hoc European Committee for the World Anti-Doping Agency	Member
Steering Committee	European Steering Committee for Youth	Member
Ad hoc	Advisory Council on Youth	Member
Ad hoc	Joint Council on Youth	Member
Steering Committee	Steering Committee for Culture, Heritage and Landscape	Member
Steering Committee	European Committee of Pharmaceuticals and Pharmaceutical Care (Partial Agreement)	Participant
Steering Committee	European Committee on Blood Transfusion (Partial Agreement)	Participant
Steering Committee	European Committee on Organ Transplantation (Partial Agreement)	Participant
Steering Committee	Committee for Food Contacts Materials and Articles (Partial Agreement)	Participant
Steering Committee	Committee for Cosmetics and Consumer Health	Participant

#### 4. Participation in Committees established by a Convention

Title	Status
Standing Committee on Transfrontier Television	Observer
Monitoring Group of the Anti-Doping Convention	Observer
Standing Committee of the European Convention on Spectator Violence and Misbehaviour at Sports Events and in particular at Football Matches	Observer
Committee of the Council of Europe/UNESCO Convention on the Recognition of Qualifications concerning Higher Education in the European Region	Contracting Party
European Network of National Information Centres on academic mobility and recognition (the ENIC Network)	Contracting Party
Multilateral Consultation Meeting on the Implementation of the European Convention on the Legal Protection of Services based on, or consisting of, Conditional Access	Observer
Standing Committee on the European Convention for the Protection of the Audiovisual Heritage	Observer

#### 5. Participation in Consultative Bodies

Title	Status
European Committee on Crime Problems (CDPC)	Observer
Consultative Council of European Judges (CCJE)	Observer
European Commission for the Efficiency of Justice (CEPEJ)	Observer
European Committee of Legal Co-operation (CDCJ)	Observer

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The Council of Europe is the continent's leading human rights organisation. It comprises 46 member states, including all members of the European Union. All Council of Europe member states have signed up to the European Convention on Human Rights, a treaty designed to protect human rights, democracy and the rule of law. The European Court of Human Rights oversees the implementation of the Convention in the member states.