

UNESCO Almaty draft input to Human Rights Report, Kazakhstan, by Sector

I. Education.

UNESCO has a constitutional mandate to contribute to the promotion of all human rights. At the same time, it has special responsibility with regard to certain rights, in particular the right to education, the right to participate in cultural life, the right to freedom of opinion and expression, including the right to seek, receive and impart information, the right to enjoy the benefits of scientific progress and its applications.

Promotion of Right to Education

Education is both a human right in itself and an indispensable means of realising other human rights. As a tool of empowerment, education is the primary vehicle for human, economic, and social development, profiting both the individual and society. A rights-based approach to education programming involves four key actors:

- the government and its institutions, as duty-bearers
- the child, as rights-holder/claimant
- parents, as representatives of the child
- teachers, as both rights-holders and duty-bearers

No right can exist without a corresponding governmental obligation to respect, protect, and fulfil the right to education.

Justification of needs in Kazakhstan

Human rights education has long become an integral part of school and university education in many countries. It is a tool for the achievement of the MDGs and EFA goals. In Kazakhstan, where civic society has not yet fully formed and democratic institutes and traditions are still not well-developed, teaching and learning human rights is an issue of current importance.

In Kazakhstan teaching human rights has not become an everyday practice in educational establishments and is not widely acknowledged within formal and non-formal education. Despite the attempts of educational authorities to introduce human rights education programs in school, in practice this often amounts to formal transmission of information about human rights or simply directed to interpersonal relations. This approach very often does not achieve the educational goal of forming student attitudes and values necessary for democratic citizenship and respect of human rights.

Another significant requirement for development and implementation of human rights education programs is training for human rights educators. Human rights educators and focal points do not have sufficient knowledge and technical know-how to mainstream human rights in their projects/programs. Competent teachers, trainers are needed who are capable of modeling democratic behavior and instilling democratic values in their students. These teachers and trainers must receive appropriate professional development and training within the framework of formal and non-formal education to help them understand and use the best methods for teaching human rights.

Human rights as integral part of the whole system of education. There is a need to address human rights and value education through a holistic perspective as an integral part of the whole system of education. HRE should therefore constitute the basis for the democratization of education systems in the context of the on-going national education reform in Kazakhstan with a view to integrating the learning and practice human rights and values.

Human rights as integral part of the teaching/ learning process. This includes not only the content of the curriculum but also the educational processes, the pedagogical methods and the environment within which education takes place, including management of education systems. It implies the practice as well as the learning, providing opportunities for learners to develop and practice the skills to respect human rights and democracy through “school life”, ASP network and partnerships.

HRE should be and an integral part of formal, non-formal and informal education, involving NGOs and decision makers. Within the policy reforms in secondary education there is a need to influence the core subjects by mainstreaming HR concepts into the optional courses of extra-curricula activities, further strengthening capacities of policy makers, officials and teachers; to provide assistance to renewal of learning content and skills.

UNESCO Almaty programme activities further the realisation of the right to education and stress quality and relevance of education, as defined in the EFA Dakar Framework for Action.

UNESCO Almaty activities focus on promotion of policy dialogue and support policy reforms in:

- creation of minimum guarantees for education quality
- screening learning material content, methods of instruction, and methods of school discipline using human rights approach and standards
- respect for diversity, ensuring of inclusion, and equal opportunities
- relevance of education content, methods, and scheduling
- responsiveness of education to differing circumstances and needs

The UNESCO Associated schools' network and youth organizations are used to advocate HRE through teaching/learning process for school teachers. UNESCO Almaty provides assistance to CA countries to develop a strategic education framework based on integrating the main principles and values of EFA, MDGs and the World Programme for Human Rights Education commitments.

HIV AIDS. UNESCO Almaty addresses human rights connected in particular to the rights of people living with HIV. Activities in this area include trainings and workshops conducted for educators and journalists to eliminate stigmatization and discrimination related to HIV and AIDS.

II. Natural Sciences (to come early 3 Sept).

III. Social and Human Sciences

UNESCO's mandate in the Social and Human Sciences is to advance knowledge, standards and intellectual cooperation in order to facilitate social transformations conducive to the universal values of justice, freedom and human dignity. In Kazakhstan UNESCO's work in the social sciences has most recently focused on two areas with significant human rights implications: international migration and bioethics.

Migrants' Rights. According to World Bank data, Kazakhstan ranks number nine in the world in numbers of migrants entering its borders. Although Kazakhstan has not signed the International Convention on the Protection of the Rights of all Migrant Workers and Members of their Families (Adopted by General Assembly resolution 451158 of 18 December 1990), there have been recent efforts by the Government of Kazakhstan to revise national migration policy. A new migration law is being adopted in 2009. UNESCO supports data-driven research and dissemination of migration information to policymakers to increase awareness on the rights and responsibilities of migrant workers in Central Asia. In Kazakhstan, activities have included most notably, the research-driven regional conference on International Migration in Central Asia (Almaty, May 2005) and in partnership with the Office for Security and Cooperation in Europe's Office for Democratic Institutions and Human Rights, the first large scale survey of migrant workers in Kazakhstan (2006-07).

Ethics of Science and Technology & Bioethics. In Kazakhstan bioethics is in its developmental stage. Kazakhstan has yet to sign international instruments in this area, including the Universal Declaration on the Human Genome and Human Rights (1997), the International Declaration on Human Genetic Data (2003), and the Universal Declaration on Bioethics and Human Rights (2005). Yet patients' rights, human cloning, genetic modification of foods and the rights of human subjects used for medical research, are all human rights' issues are increasingly of relevant to Kazakhstani scientists, citizens and government officials alike.

UNESCO has supported bioethics initiatives in Kazakhstan through collaboration with Kazakh partners on a number of roundtables and training seminars to raise awareness on bioethics. UNESCO also provides opportunities for bioethics professionals to network and expand their expertise in their fields. UNESCO participated in the creation of the Republic of Kazakhstan Ethics Committee under the Ministry of Health and the creation of the Central Asian Bioethics Association; the latter with active participation of Kazakhstan bioethics professionals in its secretariat.

IV. Culture

Cultural rights. The Kazakh government, aware of the challenges represented by the ethnic diversity of Kazakh society, has recognized the potential of culture for nation-building and the relevance of culture in economic, political and social spheres. Although the legislative base in regard to culture is regularly updated (a new Law on Culture in 2006, amendments to the Law on the Protection and Use of Cultural Heritage in 2007), the Government recognises the weakness of its normative base along with low infrastructure development; unequal access to cultural services; an insufficient level of research, development and promotion of cultural heritage; and a shortage of specialists and institutions in the cultural sphere.

One domain of culture where UNESCO has taken the lead is normative action which includes seven conventions and two declarations and forms the basis for the protection of cultural diversity. Kazakhstan remains committed to this action and is making efforts to increase the number of sites on the World Heritage List (there are currently three sites on the List and 11 sites on the Tentative List). However, it is not yet State Party to key conventions such as the 1970 Convention for the Prevention of Illicit Trafficking of Cultural Property, the 2003 Convention for Intangible Heritage, and the 2005 Cultural Diversity Convention. In this normative area, UNESCO assists Kazakhstan in the implementation of the 1972 World Heritage Convention by continuing to provide support to the Central Asian Silk Roads Serial Nomination, the Central Asian Rock Art Serial Nomination, and natural heritage nominations. This corresponds to the national priorities of Kazakhstan and its State Programme for Cultural Heritage and can contribute to the development of tourism and generate and diversify income in Kazakhstan.

List of key conventions – ratified and not ratified by Kazakhstan – and declarations aimed at protecting and promoting the cultural diversity in all its forms:

Ratified:

- Convention for the Protection of Cultural Property in the Event of Armed Conflict (1997)¹
- First Protocol of 14 May 1954 to the Convention for the Protection of Cultural Property in the Event of Armed Conflict (1997)
- Convention concerning the Protection of the World Cultural and Natural Heritage (1994)
- Universal Copyright Convention (1992)

Not Ratified:

- Second Protocol of 26 March 1999 to the Convention for the Protection of Cultural Property in the Event of Armed Conflict (1954)²
- Convention on the Means of Prohibiting and Preventing the Illicit Import, Export and Transfer of Ownership of Cultural Property (1970)
- UNIDROIT Convention on Stolen or Illegally Exported Cultural Objects (1995)
- Convention on the Protection of the Underwater Cultural Heritage (2001)
- Convention for the Safeguarding of the Intangible Cultural Heritage (2003)
- Convention on the Protection and Promotion of the Diversity of Cultural Expressions (2005)

¹ Refers to the year of the convention's adoption by Kazakhstan

² Refers to the year when the convention was agreed internationally

- Protocol 3 annexed to the Universal Copyright Convention concerning the effective date of instruments of ratification or acceptance of or accession to that Convention. (1952)

V. Communication and Information

Access to information. Access to public information is essential to a country's economic, political and social development; it is necessary for democracy and participation, for accountability of the government, for the battle against corruption, and for economic progress – in fact, for every aspect of development.

UNESCO's Communication and Information programme promotes universal access to information in two ways:

- (i) **Developing a conducive environment.** In 2008-9, UNESCO Almaty sought to raise public awareness of the importance of free access to information; to generate political will to consider and implement the "right of access"; to enhance a culture for the "right of access" in government and civil society; and to improve the right-of-access management skills within selected government institutions. The dialogue was on-going with the competent authorities about international standards for access to information legislation; in this area cooperation was close with the UNDP.

UNESCO also provided training to a number of stakeholders on the basics of records management to improve access to, and the storing of, public domain information on-line. Several FOSS tools for governmental instructions were further popularized in the Kazakh language, including Greenstone Digital Library and Museolog Software programmes for museum professionals and Moodle for educators. Simultaneously UNESCO strengthened professional networks among partner institutions in the efficient use of these tools. The "How to Do" guidelines on FOSS for education, culture and improved access to information were also published.

Through the UNDP Human Rights project, UNESCO assisted the Akimat of Shymkent oblast to publish an online collection of local government information and produced and shared guidelines on the online distribution of government information. The national Digital Library on Human Rights has been distributed to libraries outside of major cities through a library network of the Ministry of culture and information.

- (ii) **Media development.** Alongside regular programme funds, assistance for the other CI programme pillar, media development, was mobilized primarily through media development projects funded by the International Programme for the Development of Communication (IPDC).

The free flow of information and its corollary, the freedom of expression, has been UNESCO's constitutional mandate since the Organization's creation in 1945. In 60 years, this mandate has evolved and adapted to global, political, economic, and technological changes. The visible symbol for the 'free flow' is the annual celebration of 3 May as the United Nations World Press Freedom Day, which UNESCO has been marking in Kazakhstan since the Alma-Ata Declaration which put the independent and pluralist media on the Kazakhstan media development agenda. In 2007, the World Press Freedom Day was marked jointly by the whole UN Country team under the 'communication for development' theme. In 2008, the theme was the right to access to information as a precondition for all other human rights.