In view of the 7th Universal Periodic Review of the United Nations Human Rights Council, the World Coalition Against the Death Penalty (WCADP), would like to communicate several points concerning the situation of the death penalty in Kazakhstan.

The World Coalition Against the Death Penalty (WCADP) gathers 96 members: human rights organizations, professional associations and local authorities on the five continents who have united to campaign for the universal abolition of the death penalty. It was founded in 2002 in Rome. Its actions for 2009 and 2010 include the World Day Against the Death Penalty, a ratification campaign of the United Nations Protocol aiming at the abolition of the death penalty, a campaign for the implementation of the UN moratorium resolution, and the preparation of the 4th World Congress against the Death Penalty.

Death penalty

1. There has been no execution in Kazakhstan since the decree of December 2003 when a moratorium on capital executions was established. In May 2007, Article 15 of the Kazakh Constitution was amended: the death penalty may now only be imposed in two cases: terrorist acts with the loss of life and the gravest crimes committed during wartime. In December 2007, 31 death row prisoners had their sentence commuted to life imprisonment by a Presidential Decree. The death penalty was then partially abolished in the Criminal Code in September 2008. There are currently no prisoners under death row in Kazakhstan.


3. However, in 2007 a working group on the death penalty had been set up by the government to discuss about the revision of the Criminal Code. This group insisted that the death penalty had to be completely removed from the Criminal Code to open the way to ratification of the Second Optional Protocol to the International Covenant on Civil and Political Rights, aiming at the abolition of the death penalty.

After two years of debate the Kazakh Justice Ministry prepared a draft law which only brought the Criminal Code into line with the Constitution as amended in 2007. The death penalty therefore still exists in the Kazakh Criminal Code.
4. The WCADP regrets that Kazakhstan did not seize this opportunity to fully abolish the death penalty. It thus urges Kazakhstan to abolish the death penalty in the Criminal Code for all crimes, including for terrorism and in times of war, as it not a mandatory sentence according to the Constitution. The WCADP then encourages Kazakhstan to ratify the Second Optional Protocol to the International Covenant on Civil and Political Rights, aiming at the abolition of the death penalty, once it has abolished capital punishment for all crimes.