



Effectiveness of investigation index

1.60

Prohibition of torture index

27.25

General

- No independent body authorized to investigate torture
- **Insufficient resources for expert investigation and documentation of torture**
- **Sanctions** for torture are **disproportionate** to the gravity of the crime
- Prison medical staff is dependent on the penitentiary authorities
- Kazakhstan **does not comply with the UN CAT and HRC decisions**

Population - **18 877 000**

Prison population (convicted) – 24 700

In pre-trial detention (under investigation) – **6 500**

Detainees (under administrative arrest) - no data

Penitentiary Service Budget **93 787 097 EUR**

Number of Penitentiary Service employees – 8 027, including 2 215 women

Number of police officers - no data

Judgments documenting the problem of torture

Judgments and decisions of international bodies documenting the problem of torture and ill-treatment	None in 2020 (overall, 16 decisions of the UN HRC and CAT)
Judgments of Kazakhstan's courts	No data. Supreme Court has not responded to inquiries
Judgments excluding evidence obtained under torture	No data

Criminalization of torture and ill-treatment

Explicit prohibition of torture in criminal law	Yes, torture is explicitly prohibited
Criminalization of acts falling within the definition of torture	Criminalized. Sanctions for torture are disproportionate to the gravity of the crime
Definition of torture consistent with international treaties	Not fully consistent with the Convention

Government body investigating allegations of torture and ill-treatment

There is a body authorized to investigate torture	No separate body. Torture cases are investigated by the Anti-Corruption Service, the Ministry of Internal Affairs, and the Prosecutor's Office
Number of investigators	No data
Investigator workload	No data
Investigating body's jurisdiction	Shared between the Ministry of Internal Affairs and the Anti-Corruption Service
Geographic coverage	The Prosecutor's Office, the Ministry of Internal Affairs and the Anti-Corruption Service are represented in all provinces
Budget	Insufficient, does not cover essential costs
Number of complaints of torture and ill-treatment	1 328 (according to the General Prosecutor's Office) and 126 complaints from places of detention (according to the Ministry of Internal Affairs)

Ratification of relevant international treaties

Relevant conventions	Yes, except for the ECHR and the CPT
Optional Protocol to the UN Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (2002)	Signed and ratified
Istanbul Protocol	Not implemented in national legislation

Procedural guarantees

Documentation of the actual detention start time	Yes, but not applied consistently in practice
Lawyer notification at the actual detention start time	Not consistent and only after 3 hours
Family notification	Not consistent and only after 3 hours
Medical examination	No. Medical examination is mandatory only at admission to a temporary detention center, pre-trial detention center or special-purpose detention center

Preventive mechanisms

Independent external review mechanism	Available in all provinces
Video surveillance	Continuous, but not all facilities are equipped
Access to, and safekeeping of video evidence	Unsatisfactory