



Convention on the Rights of Persons with Disabilities

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Summary record of the 690th meeting

Held at the Palais des Nations, Geneva, on Monday, 4 March 2024, at 3 p.m.

Chair: Ms. Fefoame

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The meeting was called to order at 3 p.m.

Consideration of reports submitted by parties to the Convention under article 35

Initial report of Kazakhstan (CRPD/C/KAZ/1; CRPD/C/KAZ/Q/1; CRPD/C/KAZ/RQ/1)

1. *At the invitation of the Chair, the delegation of Kazakhstan joined the meeting.*
2. **A representative of Kazakhstan**, introducing her country's initial report (CRPD/C/KAZ/1), said that Kazakhstan had won international recognition for its sound human rights mechanisms, which were the fruit of the democratic and economic reforms undertaken in the country. As a strong supporter of the Sustainable Development Goals, her Government had incorporated into national strategic planning some 80 per cent of the related targets, including those concerning inequality and discrimination. National policy was based on fairness – in the State, the economy and society – and the President had committed to creating an inclusive society. The principle of “nothing about us without us” was realized through the “Fair Kazakhstan” policy framework, while the national development plan was based on sustainability and inclusion.
3. To uphold the Convention rights of persons with disabilities, who accounted for around 4 per cent of the population, equal rights and non-discrimination were enshrined in the Constitution and the recently adopted Social Code. Under the Plan of Action to Ensure the Rights and Improve the Quality of Life of Persons with Disabilities, measures were being taken to promote social habilitation and rehabilitation, create a barrier-free environment, ensure accessibility of services and change perceptions. In line with the principle of “no one left behind”, work on the new inclusion policy framework had begun with a series of round tables involving organizations of persons with disabilities. The action plan on implementation of the framework would incorporate the Committee's recommendations.
4. Sex discrimination was legally prohibited in all areas of public life. The approximately 320,000 women with disabilities received legal, social, economic and other support on an equal basis with men. The family and gender policy framework included gender parity indicators. Steps were being taken to expand women's economic opportunities, improve their participation in decision-making, combat gender-based violence and support mothers and children. Ratification of the Optional Protocol to the Convention on the Rights of the Child on a communications procedure had established a new mechanism to protect the rights of the approximately 109,000 children with disabilities.
5. A media plan to combat stigmatization was currently being implemented with active public participation. A media bill, providing for increased use of sign language and subtitles in television programmes and the accessibility of online publications for visually impaired persons, was currently before the Senate. The process of accession to the Marrakesh Treaty to Facilitate Access to Published Works for Persons Who Are Blind, Visually Impaired or Otherwise Print Disabled had been initiated.
6. The Government was working to establish full accessibility. Local governments and civil society organizations had produced an interactive accessibility map indicating more than 35,000 social infrastructure facilities and were working to include all public facilities in the map and create a version suitable for blind persons. Government web pages were being updated to ensure compatibility with screen readers. Social inspectors monitored compliance with the 83 accessibility-related standards in force in the country. Over the reporting period, such inspections had resulted in the imposition of fines for failure to ensure accessibility on over 6,000 public and private organizations.
7. Following the expansion of communications infrastructure, Internet coverage stood at 99 per cent of the population. Kazakhstan ranked twenty-eighth on the United Nations e-Government Development Index and eighth on the Online Service Index. The new inclusion policy framework was expected to introduce incentives for private businesses to adapt infrastructure and further measures to combat digital isolation.
8. Kazakhstan was a party to the Second Optional Protocol to the International Covenant on Civil and Political Rights, aiming at the abolition of the death penalty. The 2022 constitutional referendum had paved the way for major reforms, including the establishment

of the Constitutional Court, to which citizens could apply for a review of legislation affecting their constitutional rights. The legal policy framework currently being implemented provided that national law would continue to be shaped by the international obligations of Kazakhstan. To facilitate access to justice, accessible online court proceedings had been introduced. The country had over 21,000 lawyers and legal advisers, and persons with disabilities had guaranteed access to free legal assistance in all specialized social service centres.

9. Steps were being taken to ensure the safety of persons with disabilities in situations of risk. For example, the addresses of persons with reduced mobility were automatically compiled by fire departments so that rescuers could be informed promptly of their location.

10. In application of the national policy of zero tolerance for all forms of violence, key provisions of the Convention and of the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment had been incorporated into criminal law. Penalties for torture and trafficking in persons had been stiffened and cruel, inhuman or degrading treatment had been made a criminal offence. The procuratorial authorities had been given exclusive jurisdiction to investigate torture. Parliamentarians had drafted bills to increase penalties for domestic violence, protect women's rights and ensure children's safety.

11. More than 29,000 persons with disabilities received personal assistant services and sign language services were provided to over 8,000. Training courses for personal assistants had been developed. Some 25,000 persons used the 147 taxi service for persons with disabilities.

12. Families with children, including the 100,000 raising children with disabilities, were entitled to seven types of social benefits and payments. The new Digital Family Card had been integrated with the information systems of different public bodies, allowing entitlements to support to be automatically calculated and proactively proposed to those who were eligible.

13. Education policy frameworks included indicators on inclusive education. The proportion of schools accessible to children with special educational needs had increased to 87 per cent. Over 52,000 children with such needs had been educated in mainstream schools in the two previous academic years while some 17,000 attended 99 special schools. The number of students with disabilities in further and higher education was over 8,000, more than half of whom were women. Over 9,000 staff providing psychological and teaching support were employed in educational institutions. Higher education institutions had appointed inclusive education coordinators.

14. Persons with disabilities were entitled to public health care, including preventive, diagnostic and therapeutic services. A pilot project to carry out medical and social assessments of disability remotely was ongoing. Persons with disabilities received priority treatment in health-care institutions. Medical assistance was provided on a voluntary basis.

15. Every year, more than 200,000 people received medical rehabilitation services in the over 11,400 beds available in 838 health-care institutions. Medical rehabilitation funding was currently 13 times higher than in 2020. Persons with disabilities also had access to 35 rehabilitation centres within the social protection system; another 12 such centres were under construction.

16. Assistive devices and technologies were provided free of charge and could be chosen and ordered through the Social Services Portal by persons resident anywhere in the country. In 2023, over 500,000 devices and some 120,000 services had been provided through the Portal. The Portal had improved the transparency of service provision and facilitated an increase in the proportion of individual rehabilitation programmes actually implemented to 93 per cent. A mobile version of the Portal was accessible to blind and deaf persons. There were plans to introduce cash grants for certain rehabilitation devices and services. A pilot project to provide high-tech rehabilitation equipment in the homes of children with motor impairments was being developed. Health resort treatment for children with psychosocial disabilities had been introduced in 2023. A recent independent survey had shown that 73 per cent of respondents were satisfied with the social services and rehabilitation devices they had received.

17. As at the start of 2024, over 34,000 persons were receiving employment support, of whom 11,000 were in regular employment. Under the current labour market development policy, some 4 million decent jobs were expected to be created. Mechanisms to promote the employment of persons with disabilities included quotas of from 2 to 4 per cent of staff, subsidies for employers to procure necessary equipment and grants and loans for business development.

18. Poverty reduction measures included various types of targeted social assistance for persons on low incomes. A methodology for assessing the well-being of the population had been developed. The adoption of the Social Code marked a shift to a more proactive social policy.

19. More than US\$ 2.5 billion of public funding was allocated to social support measures for persons with disabilities. Specialized social services were provided by 830 public institutions and 200 non-governmental and private organizations. More than 35,000 staff, including some 11,500 social workers, were employed in the social protection system. A new professional standard for social workers had been developed. From 2025, specialized social services would be funded on a per capita basis, which would facilitate an increase in the number of organizations providing such services.

20. Of the more than 23,000 non-governmental organizations registered in Kazakhstan, over 3,000 worked to protect the rights of persons with disabilities and other socially vulnerable groups. A policy had been adopted to develop civil society organizations and ensure that their views were taken into account.

21. Following the introduction of an electoral quota, 78 persons with disabilities had been elected to local government and Parliament. The Inclusive Parliament group in the Majilis, the lower house, and the Inclusion Council in the Senate, the upper house, had been formed. Central and local government bodies were assisted in decision-making by 234 citizen councils involving 3,500 persons. A coordinating council on disability issues, with civil society participation, worked under the Ministry of Labour and Social Protection. Advisers to the heads of regional governments and central authorities were being appointed to ensure comprehensive consideration of the needs of persons with disabilities.

22. A department for persons with disabilities in sports had been established in the Ministry of Tourism and Sport. The country had an active National Paralympic Committee, Deaflympic Committee and Special Olympics body.

23. Measures had been taken to bring the national human rights institution into compliance with the principles relating to the status of national institutions for the promotion and protection of human rights (the Paris Principles). The institution of Human Rights Commissioner had been enshrined in the Constitution. An independent Commissioner for the Rights of Socially Vulnerable Groups had been established. While there was still some way to go to create an inclusive society, major changes that would have a positive impact were forthcoming.

24. **Mr. Schefer** (Coordinator, Country Task Force) said that, when he had visited Kazakhstan, he had been struck by the determination of organizations of persons with disabilities. The State party's report gave the impression that not much remained to be done. However, reports received from civil society indicated many remaining challenges. For example, progress towards genuinely inclusive education appeared to be slow, with a significant percentage of children with disabilities being educated at home, segregated in special classes in mainstream schools or enrolled in special schools far from their families and communities, while children with disabilities in residential institutions sometimes received little or no education. Furthermore, deeply troubling information had been received about some institutions for persons with intellectual or psychosocial disabilities, including reports of neglect, physical violence, forced sedation, lack of recourse to legal protection and isolation from relatives. Despite the comprehensive information provided by the State party, many questions thus remained to be answered.

Articles 1–10 and 31–33

25. **Mr. Al-Azzeh** (Country Task Force) said that, given the major legal reforms and overhaul of disability policy undertaken in the State party, he would have expected to see a real shift from a medical model to a human rights or social model of disability. Accordingly, he would like to know why the definitions of disability and persons with disabilities in the Social Code were medical in nature.

26. **A representative of Kazakhstan** said that ratification of the Convention had marked a point of transition in Kazakhstan from a social to a human rights approach to disability based on non-discrimination and the dignity and equality of persons with disabilities. The Inclusive Parliament group had developed bills that contained provisions on tackling disability-based discrimination and would bring national law into line with the Convention. The Inclusion Council had discussed issues such as deinstitutionalization, the rights of legally incapacitated persons, sexual and reproductive rights, access to information, the protection of persons with disabilities in emergencies and the monitoring of the implementation of the Convention. In addition to senators, the Council's members included experts, human rights defenders and representatives of organizations of persons with disabilities.

27. **A representative of Kazakhstan** said that disabilities were defined in terms of the functional restrictions that they entailed. They were not based on medical diagnoses.

28. **A representative of Kazakhstan** said the Government acknowledged that the definition of disability in national law was not consistent with the Convention. However, a bill setting out a new definition was currently being developed.

29. **Mr. Al-Azzeh** said that he would welcome information on any measures being taken to address the clearly discriminatory provisions contained in national laws on health care, employment, the criminal justice system and other key areas.

30. **A representative of Kazakhstan** said that the development of the new inclusion policy framework would entail a comprehensive review of all national laws to identify any legal provisions that were not in compliance with the Convention.

31. **Mr. Schefer** said that he wished to know whether the full range of health-care services was available free of charge to refugees, asylum-seekers, stateless persons and persons staying in psychiatric institutions on a long-term basis.

32. **A representative of Kazakhstan** said that free health care was provided to all citizens of Kazakhstan who were covered by insurance. A total of 15 categories of citizen were entitled to State-funded health care, including children up to 18 years of age, persons with disabilities, pregnant women, retired persons and persons in detention. Refugees, who numbered around 300, were entitled to emergency medical assistance. Persons in detention were entitled to receive the full range of health-care services, including inpatient and outpatient treatment and treatment for mental illnesses.

33. **Mr. Al-Azzeh** said that he wished to know how the Government identified and dealt with complaints of disability-based discrimination when such discrimination had not been defined in national law.

34. **A representative of Kazakhstan** said that persons with disabilities had the right to judicial protection and were equal before the law. They were entitled to file complaints with a court and could follow the proceedings remotely if they could not attend in person. They were also entitled to free legal assistance and to have their court costs covered by the State. Documentation in Braille and sign language interpretation were made available so that persons with disabilities could follow legal proceedings.

35. **A representative of Kazakhstan** said that discrimination on the grounds of origin, social status, professional status, property, sex, race, ethnicity, language or any other ground, was prohibited under the Constitution. Discrimination was also prohibited under the Social Code. The Government acknowledged that national law lacked a definition of disability-based discrimination and was working with the Inclusive Parliament group to rectify that shortcoming.

36. **Mr. Al-Azzeh** said that it was still not clear whether and how disability-based discrimination was identified and addressed. For instance, it would be interesting to know whether employers who failed to provide reasonable accommodation to employees with disabilities could be held legally accountable for engaging in discrimination.

37. **A representative of Kazakhstan** said that the law provided for the allocation of subsidies to employers to help them cover any costs incurred in recruiting persons with disabilities. Employers were required to comply with quotas on the employment of persons with disabilities. If they failed to comply with the quotas, or otherwise engaged in discriminatory practices, they would be liable for an administrative penalty, such as a fine.

38. **A representative of Kazakhstan** said that between 2,500 and 3,500 persons with disabilities took legal action to resolve administrative or civil disputes every year. Complainants had the right to invoke the Convention or any other international treaty ratified by Kazakhstan. Around 50 cases relating to employment relations had been brought before the courts by persons with disabilities.

39. **Mr. Al-Azzeh**, noting that the State party had established a committee for the development of inter-ethnic relations, said that he wished to know whether any persons with disabilities were members of that committee and whether the committee addressed intersecting forms of discrimination affecting persons with disabilities.

40. **A representative of Kazakhstan** said that a cultural association known as the People's Assembly had been established to bring together people from different ethnic groups. Its members included women, young persons and persons with disabilities. Other ethnic and cultural associations also included persons with disabilities among their members.

41. **Mr. Al-Azzeh**, noting that the Domestic Violence Prevention Act contained no provisions on women with disabilities, said that he wished to know what measures were taken to protect such women.

42. **A representative of Kazakhstan** said that discrimination based on sex was prohibited by law. Men and women were equally entitled to various forms of government support. A new bill addressing domestic violence was currently being considered by the Senate. If it became law, it would provide for increased protection for persons with disabilities, women and children and tougher penalties for perpetrators of domestic violence.

43. **Mr. Schefer** said that, according to reports received by the Committee, women and girls with disabilities who lived in remote areas were sometimes subjected to various forms of abuse and ill-treatment, including being confined to their homes, denied access to basic medical services and having their pensions appropriated by family members. In view of that situation, it would be interesting to hear about any measures being taken to protect such women and girls.

44. **A representative of Kazakhstan** said that the bill on domestic violence would provide for the establishment of around 200 family support centres around the country. The centres would provide temporary shelter, legal assistance, counselling and other forms of support to women and girls whose rights had been violated, including victims of domestic violence.

45. **A representative of Kazakhstan** said that there was a central district hospital in every district in Kazakhstan, as well as doctors' surgeries, outpatient clinics and health-care units. The State allocated sufficient funds to ensure that regular and emergency medical care was available everywhere in Kazakhstan. Nurses or midwives visited new mothers and newborn babies within three days of their release from hospital and children received visits from health-care professionals at various stages of their lives.

46. People living in rural areas could undergo medical examinations for a number of different conditions, including diabetes and high blood pressure, and women could be screened for breast cancer and cervical cancer. A total of 140 specially adapted buses visited remote parts of the country to deliver medical services. The buses were equipped with X-ray machines, ultrasound equipment, facilities for analysing samples and chairs for conducting gynaecological examinations. Medical trains travelled to remote areas to ensure access

preventive examinations in local communities. Patients who were found to have a medical problem were referred to inpatient facilities for treatment.

47. **Mr. Al-Azzeh** said that he wished to know when the State party would put an end to the forced hospitalization of children with disabilities and their institutionalization.

48. **A representative of Kazakhstan** said that about 109,000 children with disabilities lived in Kazakhstan and over 1,000 organizations provided special social services in inpatient, semi-inpatient and day-care facilities. The Government was taking comprehensive measures to improve the quality of life of children with disabilities. The Ministry of Labour and Social Protection was taking steps to support children with intellectual impairments. The new system of per capita funding for social support services would make it possible to open specialized centres that supported children with disabilities in all parts of the country.

49. **Mr. Al-Azzeh** said he took it from the State party's replies that it had no plans to put an end to the institutionalization of children with disabilities.

50. **A representative of Kazakhstan** said that the Social Code adopted the previous year was intended to transform children's lives through the establishment of social service centres. The per capita funding system would enable the private sector to participate in social service provision, including by establishing small-scale centres that children could attend during the day.

51. **Mr. Al-Azzeh**, noting the large number of awareness-raising campaigns undertaken in Kazakhstan, said that he would welcome information on any initiatives conducted to eliminate harmful stereotypes against persons with disabilities.

52. **A representative of Kazakhstan** said that the Access to Information Act adopted in 2015 was intended to facilitate access to information for all persons, including those with disabilities. The Act covered all types of information, including that held by State and quasi-State agencies. More than 3,000 State websites were being adapted for persons with disabilities. The Senate was currently discussing a draft amendment to the Access to Information Act that contained a specific article on access to information for persons with disabilities.

53. **Mr. Al-Azzeh** said that he would be grateful to know what percentage of buildings in Kazakhstan were accessible for persons with disabilities and how the Government enforced regulations on accessibility.

54. **A representative of Kazakhstan** said that, following ratification of the Convention, the Government had established mandatory accessibility standards for building design and urban planning, including requirements for handrails and ramps in buildings and for the consideration of the needs of persons with disabilities in project documentation. Technical inspectors monitored compliance with those standards. At least 5 per cent of housing units in urban plans were required to be accessible, and State funding was available for that purpose.

55. **A representative of Kazakhstan** said that new accessibility standards, adopted in November 2023, provided for greater involvement of businesses in addressing issues concerning persons with disabilities. Official statistics indicated that 40 per cent of buildings in the country were accessible for persons with disabilities.

56. **Mr. Al-Azzeh**, noting that many of the country's monitoring mechanisms had been established under executive decrees or by executive bodies, said that he wished to know what measures were in place to ensure independent monitoring of the implementation of the Convention. He would also like to know whether persons with disabilities or their representative organizations participated effectively in monitoring mechanisms, including by conducting visits to residential centres and submitting complaints on behalf of persons whose rights had been violated. He also wondered what measures were being taken to improve the national human rights institution of Kazakhstan, currently accredited with category B status.

57. **A representative of Kazakhstan** said that, in addition to granting the institution of Human Rights Commissioner constitutional status, the Government had established the post of regional human rights commissioner. The Human Rights Commissioner was independent, was not accountable to State bodies or officials and had been granted immunity from

prosecution; liability had been established for obstruction of the activities of the Human Rights Commissioner.

58. **A representative of Kazakhstan** said that the Senate would soon discuss the creation of a system for monitoring implementation of the Convention in all regions of the country, independently of the executive branch and with the participation of the general public.

The meeting was suspended at 4.30 p.m. and resumed at 4.45 p.m.

59. **Sir Robert Martin** said that he wished to know whether there were any organizations for persons with intellectual disabilities in the State party that were run by those persons and what steps had been taken to ensure that persons with disabilities were effectively consulted, through their representative organizations, on the design and implementation of laws and policies affecting them.

60. **Mr. Kabue** said that he wondered how the State party planned to enforce the recently introduced standards on digital content accessibility, given that some government digital services were still not accessible to persons with disabilities, particularly persons with visual impairments, and how it would ensure compliance with the standards by the private sector. He also wished to know how the related technologies would be made affordable for persons with disabilities.

61. **A representative of Kazakhstan** said that her delegation was not aware of any organizations led by persons with intellectual disabilities, although those persons participated actively in the work of other organizations.

62. **A representative of Kazakhstan** said that the new digital content accessibility standards complied with the Web Content Accessibility Guidelines 2.2, were applicable to both the public and private sectors and had come into force on 1 January 2024. Accessibility measures, such as audio description, sign language interpretation and accessible keyboard navigation, were being rolled out for approximately 3,000 government websites. Under the Access to Information Act, the Ministry of Culture and Sport was responsible for ensuring that all open data websites were compliant with accessibility standards, and administrative penalties for non-compliance had been introduced.

63. **Ms. Gamio Ríos** said that, as Kazakhstan had one of the highest suicide rates of any country, she wished to receive statistics regarding suicide among persons with disabilities and the mortality rate of persons with disabilities in psychiatric or penitentiary institutions.

64. **Ms. Kayess** said that she wished to know what the status of the bill providing for the introduction of a statutory definition of disability-based discrimination was, whether the bill included frameworks and definitions of direct and indirect discrimination, whether it recognized denial of reasonable accommodation as a form of discrimination and whether it provided for the right of action in response to intersectional or multiple discrimination.

65. **A representative of Kazakhstan** said that, in 2023, there had been 3,683 reported cases of suicide in the country involving 2,918 men and 765 women. Three of the cases had involved persons with disabilities, 2 men and 1 woman, and 203 cases had involved minors, 134 boys and 69 girls. No cases of suicide among children with disabilities had been recorded. None of the 22 cases of suicide recorded in penitentiary institutions had involved persons with disabilities.

66. **A representative of Kazakhstan** said that the Inclusive Parliament group had developed norms and amendments to bills, including updates to three codes. The bill on disability-based discrimination had been submitted to the Government for review and, in the next 15 working days, would be submitted to the Majilis, to be considered by a committee on social and cultural development.

67. **Mr. Al-Azzeh** said that he would like to be informed of the results of any investigation undertaken by the State party into the 50 cases of suicide among persons with disabilities that had occurred between 2018 and 2020. He wondered how the State party engaged with and supported the families of children with disabilities in order to prevent those children being sent to residential care centres.

68. **Mr. Makni** said that he wished to know what measures were being taken to guarantee the right of children with disabilities and women with disabilities to be involved in decision-making processes affecting them. He wondered whether accessible transport was available to ensure that persons with disabilities could receive health care.

69. **A representative of Kazakhstan** said that, under the Code of Criminal Procedure, all cases of apparent suicide were recorded and criminal investigations were initiated to ascertain the circumstances of each case, whether any person was responsible for the death and whether the death constituted a suicide or a homicide. Where fault was found, the case was referred to the appropriate government body for further action.

70. **A representative of Kazakhstan** said that children with disabilities might be hospitalized if they had a birth defect. Some 1,500 treatments to address birth defects were available in the country, with a success rate of more than 80 per cent. Kazakhstan was the only country in Central Asia in which heart surgery was performed on newborns; more than 1,800 such procedures had been carried out, with a 75 per cent success rate. Specialized children's facilities were available for the priority hospitalization of children up to the age of 3 years. Some 140 youth health centres had been opened in the country and provided young persons with specialist health care and legal assistance.

71. **A representative of Kazakhstan** said that the families of children with disabilities were eligible to receive State social benefits for persons with disabilities, and parents caring for children with disabilities could receive social insurance payments to cover any loss of income owing to their reduced capacity to work. More than 1,300 centres provided social services for persons with disabilities, and 89 centres provided day care for children with disabilities to allow their parents to work.

72. **A representative of Kazakhstan** said that a taxi service, Invataksi, was in place for persons with disabilities, children with disabilities and their families, including those living in remote areas. Improvements were being made to the service following criticisms from users. The service could now be booked through the Government's Social Services Portal or through a mobile application.

73. **Ms. Thongkuay** said that she wished to know what steps were being taken to modify or abolish existing laws, regulations, customs and practices that discriminated against women and girls with disabilities and what the time frames for such action were.

74. **A representative of Kazakhstan** said that the rights of women and girls with disabilities could be properly protected only if they were clearly laid down. In that regard, the recently passed legislation on special social services for victims of domestic violence made specific provision for persons with disabilities. Much remained to be done, however, and the National Commission for Women's Affairs and Family and Demographic Policy, the Government and Parliament continued to work towards the effective protection of the rights of women and girls.

Articles 11–20

75. **Ms. Dondovdorj** (Country Task Force) said that she wondered what plans there were to review existing policies and programmes relating to emergency response and disaster risk reduction, including the guidelines issued by the Ministry for Emergency Response in November 2020, to bring them into compliance with relevant international treaties and ensure that they reflected the needs of persons with disabilities and guaranteed their safety and protection in emergency situations. She also wished to know whether the State party planned to adopt specific policies on emergency situations that addressed the needs of persons with diverse disabilities and to involve organizations of persons with disabilities in the formulation of such policies.

76. **A representative of Kazakhstan**, noting that earthquakes, including one that very morning, had jolted the country's biggest city, Almaty, in recent weeks, said that steps were being taken to improve both earthquake forecasting and emergency response. Relevant response algorithms were being brought up to date, consideration was being given to amending Ministry for Emergency Response Order No. 48 of 26 November 2020 and a handbook on emergencies was being published in Braille.

77. Public officials, firefighters in particular, had taken part in a large number of emergency response training sessions that had been developed with input from persons with disabilities. The Ministry for Emergency Response had drafted contingency plans for a wide range of scenarios.

78. **Ms. Dondovdorj** said that she wished to know whether the State party would review its emergency response policies and programmes specifically to ensure that they met the needs of all persons with disabilities.

79. **Mr. Schefer** said that he wondered whether he had understood correctly that the State party had not yet fulfilled its obligations under article 11 of the Convention, on situations of risk and humanitarian emergencies, but was taking steps to do so.

80. **A representative of Kazakhstan** said that measures to ensure the protection and safety of persons with disabilities in situations of risk were indeed being developed. The Senate was, for example, working to ensure that information on emergencies and emergency response was fully accessible. It was also looking into ways of ensuring that the tent cities or other reception facilities often set up after disasters such as earthquakes were accessible to persons with disabilities.

81. **Ms. Dondovdorj** said that she wished to know to what extent persons with disabilities and their representative organizations participated in the design, supervision and evaluation of emergency response plans and whether there were any means of ensuring their participation.

82. **A representative of Kazakhstan** said that there was a portal through which persons with disabilities and others could comment on prospective legislation.

83. **Ms. Dondovdorj** said that she wondered whether the State party's coronavirus disease (COVID-19) pandemic recovery plans took into account the needs of persons with disabilities.

84. **A representative of Kazakhstan**, noting that the country was still grappling with the effects of the pandemic, said that measures were being taken for the rehabilitation of persons who had contracted COVID-19. Over the past five years, the amount of money that had been set aside for those and other rehabilitation measures had increased considerably.

85. **Ms. Dondovdorj** said that she would like to know what steps the State party was taking to ensure that asylum-seekers and refugees with disabilities had access to the social services to which they were entitled.

86. **A representative of Kazakhstan** said that refugees in Kazakhstan had the right to social protection. Their disability status could be certified, and they could apply for disability benefits.

87. **Ms. Dondovdorj** said that she wondered what was being done to abolish the guardianship regime, to which persons who had been deprived of the right to exercise their legal capacity were subjected, and to facilitate supported decision-making. She also wondered how many people had challenged court decisions to deprive them of the right to exercise their legal capacity and how many had had that right restored.

88. **A representative of Kazakhstan** said that, under a recently adopted law, consideration must be given to applications submitted by persons who, for whatever reason, were unable to assert their rights. The circumstances under which a person could be legally incapacitated were defined in law. The guardians appointed for such persons were often family members. More than a hundred people had had the right to exercise their legal capacity restored.

89. **Ms. Dondovdorj** said that she wished to know what was preventing the State party from bringing its laws into line with article 12 of the Convention by abolishing guardianship regimes.

90. **A representative of Kazakhstan** said that the Ministry of Labour and Social Protection was considering a new procedure for appointing guardians for older persons. Plans were being made for a general review of guardianship procedures.

91. **A representative of Kazakhstan** said that, under the planned reforms, on which work was only just beginning, persons with disabilities would be allowed to choose the guardian who was appointed for them.

92. **Ms. Dondovdorj** said that she would welcome information on the measures that were taken to ensure that persons with disabilities living in institutions, including those who had been deprived of the right to exercise their legal capacity, had access to justice. An indication of what was done to ensure that children with disabilities had access to justice and could express their views on matters of concern to them would also be welcome. It would be helpful to learn, too, whether procedural accommodations were made for persons with disabilities in all legal proceedings.

93. **A representative of Kazakhstan** said that procedural accommodations were provided in legal proceedings involving persons with disabilities. In the past three years, for example, sign language interpretation had been used in 32 cases. Nearly all the country's courts had been able to hear cases remotely since the pandemic.

94. **A representative of Kazakhstan** said that the development of a juvenile justice system had begun in 2015. Currently, all cases touching on the best interests of the child – in 2023, there had been around 80,000 such cases – were heard in juvenile courts. Children had the right to be heard. Rulings on such matters as name changes and placement in foster care were handed down, in the case of children aged 10 years and over, only with the child's consent.

95. **Ms. Dondovdorj** asked whether any plans had been made to allow children under 10 to be heard by the courts.

96. **A representative of Kazakhstan** said that such children were also heard. The courts could rule on matters involving those children without obtaining their consent, however.

97. **Mr. Schefer** said that he wished to know what the State party had done to correct the problems identified in a 2019 report by a former member of its national mechanism for the prevention of torture, who had found that persons with disabilities committed to psychiatric institutions enjoyed no clear guarantees of protection of their rights. In some cases, for example, persons contesting their committal to an institution did not meet their lawyers until they appeared before the judge who would rule on their case.

98. **A representative of Kazakhstan** said that a range of programmes was provided at institutions offering special social and educational services, in accordance with the abilities of the beneficiary. The programmes included life-skills training, intended to support inclusion in society. Some previously institutionalized persons were now living independently.

99. **A representative of Kazakhstan** said that children with disabilities followed a special educational curriculum tailored to their needs. Work was being done to build the capacity and improve the qualifications of the teachers who worked in centres providing special educational and social services.

100. **Mr. Schefer**, speaking in follow-up to his previous question, said that he wished to know what the Government was planning to do to act on the recommendations presumably made by the national preventive mechanism in the wake of its former member's 2019 report. Did the Government have plans to make those recommendations public?

101. He wondered whether non-refoulement was expressly prohibited by law and, if not, what plans were being made to ensure that persons with disabilities were not deported to a country where they faced a risk of torture. He also wondered whether any express provision was made for the referral to the appropriate service providers of refugees or asylum-seekers with disabilities.

102. **A representative of Kazakhstan** said that information on asylum-seekers and refugees with disabilities would be provided in writing.

103. **Mr. Al-Azzeh** said that he wished to know how the State party's courts would rule in the event of the incompatibility of the Convention and national law. He wondered what plans

had been made to prohibit the violent forms of restraint tantamount to torture that were currently legal under the Code on Public Health and the Health-Care System.

104. **A representative of Kazakhstan** said that international treaties ratified by the country took precedence over national law. The courts had applied the provisions of the Convention hundreds of times in the past five years.

The meeting rose at 6 p.m.