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**Submission of periodic reports to the UN human rights treaty bodies:  
analysis of the practice of the Republic of Kazakhstan**

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**Abstract.** This scientific article is dedicated to the legal analysis of the Republic of Kazakhstan's practice regarding the submission of reports to the United Nations human rights treaty bodies.

The aim of this article is to conduct a scholarly analysis of the mechanism for submitting periodic reports by the Republic of Kazakhstan to the UN treaty bodies and to formulate certain proposals for improving this process.

During this research, the author proposes the implementation of specific legislative and administrative reforms aimed at enhancing the existing national mechanism for submitting reports to the treaty bodies. This recommendation arises from the observation that the current configuration and legal management of the national mechanism require improvement to more fully meet contemporary demands in the context of Kazakhstan's steadily increasing volume of international legal obligations, including in the field of human rights.

**Keywords:** Human Rights, UN Treaty Bodies, Periodic Report, Implementation, International Treaty, National Legislation, Republic of Kazakhstan.

**БҰҰ-ның Адам құқықтары жөніндегі шарттық органдарына  
мерзімді баяндамалар ұсыну: Қазақстан Республикасының практикасын  
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**Түйіндеме.** Бұл ғылыми мақала Қазақстан Республикасының Біріккен Ұлттар Ұйымының адам құқықтары бойынша шарттық органдарына есептерді ұсыну тәжірибесін құқықтық талдауға арналған.

Мақаланың мақсаты – Қазақстан Республикасының Біріккен Ұлттар Ұйымының шарттық органдарына мерзімді есептерді ұсыну механизмін

ғылыми талдау және осы процесті жетілдіруге қатысты кейбір ұсыныстарды қалыптастыру болып табылады.

Зерттеу барысында автор шарттық органдарға есептерді ұсынудың қазіргі ұлттық механизмін жетілдіруге бағытталған кейбір заңнамалық және әкімшілік реформаларды жүзеге асыруды ұсынады. Бұл ұсыныс Қазақстанның адам құқықтары саласындағы халықаралық құқықтық міндеттемелер көлемінің үнемі өсуі жағдайында қазіргі механизмнің конфигурациясы мен құқықтық басқаруын заманауи талаптарға толық сәйкес келтіру мақсатында оның жетілдірілуі қажет деген байқаудан туындайды.

**Негізгі сөздер:** Адам құқықтары, БҰҰ шарттық органдары, Мерзімді есеп, Іске асыру, Халықаралық шарт, Ұлттық заңнама, Қазақстан Республикасы.

### **Представление периодических докладов в договорные органы ООН по правам человека: анализ практики Республики Казахстан**

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**Аннотация.** Настоящая научная статья посвящена правовому анализу практики Республики Казахстан в отношении представления докладов в договорные органы Организации Объединенных Наций по правам человека.

Целью данной статьи является научный анализ механизма представления периодических докладов Республики Казахстан в договорные органы ООН и формулировка некоторых предложений по совершенствованию этого процесса.

В ходе этого исследования автор предлагает проведение некоторых законодательных и административных реформ, направленных на совершенствование существующего национального механизма представления докладов договорным органам. Данная рекомендация вытекает из наблюдения о том, что текущая конфигурация и правовое управление национальным механизмом требуют своего совершенствования в целях более полного соответствия современным требованиям в условиях постоянно нарастающего объема международно-правовых обязательств Казахстана, в том числе в сфере прав человека.

**Ключевые слова:** Права человека, Договорные органы ООН, Периодический доклад, Имплементация, Международный договор, Национальное законодательство, Республика Казахстан.

### **Introduction.**

In the current landscape of international law, where 'respect for human rights and fundamental freedoms' stands as a principle and is at the forefront, a state's

commitment to protecting human rights and freedoms is a key indicator of its civility and legal maturity.

Consequently, it is unsurprising that young states, eager to establish their reputation as full and responsible members of the international community, are undertaking numerous initiatives in the field of human rights.

Among these, the recognition of international standards through ratification of the '*the core international human rights treaties*' (United Nation, 2006) has become the primary symbol of their ambition to consolidate their status as legal and civilised participants in the international arena.

A striking example is provided by the Republic of Kazakhstan, which achieved independence in 1991 (Gov.kz, 2020). According to the most recent data from the database of the Office of the United Nations High Commissioner for Human Rights, Kazakhstan has ratified fifteen out of the eighteen core international human rights treaties, equating to 83,33%. of the treaties (United Nation, 2024).

Undoubtedly, such proactive ratification and the State's foreign policy emphatically demonstrate its commitment to international human rights standards and reflect its aspiration to integrate into the international legal community.

However, it is crucial to note that the ratification of international treaties represents merely the initial phase in the process of affirming human rights. The subsequent vital step involves the effective implementation of international norms into national legislation.

The international community, in turn, meticulously monitors this process through the various monitoring and evaluation mechanisms stipulated by the core international human rights treaties. A primary aspect of this is the submission of reports to the United Nation human rights treaty bodies (*treaty bodies*).

It is noteworthy that regular reporting, besides serving as a means to monitor the State's adherence to the provisions of international treaties, is also widely regarded as an effective instrument for States to demonstrate their commitment to openness, transparency, and willingness to cooperate in the realm of human rights.

Consequently, it appears that for States aspiring to international recognition, this instrument is of paramount importance. Utilising it allows them not only to fulfil their international legal obligations and make significant contributions to the development of human rights but also to bolster their international reputation as lawful and democratic entities.

The Republic of Kazakhstan appears to be striving to become such a state and to gain recognition in this regard from the international community. This aspiration is affirmed by the country's Constitution, wherein the first article explicitly states that '*Kazakhstan proclaims itself as a democratic, secular, legal and social state*' (Constitution of the Republic of Kazakhstan, 1995). As highlighted by the Constitutional Council of the Republic of Kazakhstan, the phrase '*proclaims itself*' underscores Kazakhstan's commitment to progressive development (Resolution of the Constitutional Council of the Republic of Kazakhstan 'On the official interpretation

of paragraph 1 of Article 1 of the Constitution of the Republic of Kazakhstan', No. 18/2, 2001).

Accordingly, it appears that Kazakhstan is keen to actively engage in submitting reports to the relevant treaty bodies, aiming not merely to fulfil its obligations but also to enhance its international stature.

In turn, as is well understood, for effective and regular reporting, the State must develop and continuously enhance a specific mechanism for submitting reports, particularly in light of the requirement to provide information to a diverse array of international monitoring bodies.

As a signatory to most of the core international human rights treaties, Kazakhstan is required to furnish reports to a wide spectrum of treaty bodies, necessitating an investigation into whether the existing national reporting mechanism is up to modern standards and the broadened scope of Kazakhstan's international legal obligations.

Consequently, this scientific article aims to conduct an empirical and legal analysis of Kazakhstan's practices in submitting reports to the United Nation human rights treaty bodies, with the objective of identifying areas for improvement in the current national mechanism.

### **Materials and methods.**

This study employed a qualitative analysis method, focusing on the review of documentary materials. Primary sources included the latest data from the United Nation Human Rights Treaty Bodies database, relevant Kazakhstani presidential decree, and national legislation related to human rights reporting. Secondary sources encompassed reports from international human rights organizations and analyses of established human rights reporting mechanisms in other countries. This approach enabled a comprehensive understanding of Kazakhstan's current practices in comparison to international standards.

### **Results and discussion.**

In conducting an empirical and legal analysis of the Republic of Kazakhstan's practice in submitting reports to the treaty bodies, it was found that the State generally fulfils its international legal obligations arising from its participation in the core international human rights treaties. Consequently, Kazakhstan regularly submits reports to the treaty bodies and actively engages in dialogues, signalling a positive commitment.

However, in consideration of the principle of international law '*pacta sunt servanda*', the situation appears more nuanced. Article 26 of the Vienna Convention on the Law of Treaties stipulates that '*Every treaty in force is binding upon the parties to it and must be performed by them in good faith*' (Vienna Convention on the Law of Treaties, 1969). It is pertinent to note that, regarding the core international human rights treaties for Kazakhstan, all treaties are in force with the exception of the

International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families. Thus, the treaties are:

- 1) International Convention on the Elimination of All Forms of Racial Discrimination (ICERD);
- 2) International Covenant on Civil and Political Rights (ICCPR);
- 3) International Covenant on Economic, Social, and Cultural Rights (ICESCR);
- 4) Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW);
- 5) Convention Against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (CAT);
- 6) Convention on the Rights of the Child (CRC);
- 7) Convention on the Rights of Persons with Disabilities (CRPD);
- 8) International Convention for the Protection of All Persons from Enforced Disappearance (CPED).
- 9) Optional Protocol to the International Covenant on Civil and Political Rights (OPNo.1-ICCPR);
- 10) The Second Optional Protocol to the International Covenant on Civil and Political Rights, aimed at the abolition of the death penalty (OPNo.2- ICCPR);
- 11) Optional Protocol to the Convention on the Elimination of All Forms of Discrimination against Women (OP-CEDAW);
- 12) Optional Protocol to the Convention against Torture (OP-CAT);
- 13) Optional Protocol to the Convention on the Rights of the Child on the involvement of children in armed conflict (OPNo.1-CRC);
- 14) Optional Protocol to the Convention on the Rights of the Child on the sale of children, child prostitution, and child pornography (OPNo.2-CRC);
- 15) Optional Protocol to the Convention on the Rights of Persons with Disabilities (OP-CRPD).

Accordingly, as current commitments for the Republic of Kazakhstan, the treaties and optional protocols are binding upon the State. Thus, the State is required to adhere to the international legal obligations stipulated by texts these international treaties.

An analysis of the texts of these international treaties reveals that each, in some form, mandates the State to report to the treaty bodies regarding the measures enacted to implement the treaty provisions.

It is pertinent to observe that it is primarily the international human rights treaties that directly necessitate reporting, whilst optional protocols typically call for information within the ambit of reports compiled under the main treaties, rather than as distinct documents. The exceptions are Optional Protocols No. 1 and No. 2 to the Convention on the Rights of the Child, which demand separate, initial reports on the implementation of the Protocols' stipulations; but it's worth noting that subsequently, information on the implementation of the optional Protocols is also provided jointly with the main periodic reports on the Convention on the Rights of the Child).



Accordingly, to adhere to the requirements of the '*pacta sunt servanda*' principle, the Republic of Kazakhstan must submit appropriate reports. As previously noted, Kazakhstan meets its reporting obligations arising from its participation in international treaties and optional protocols. However, in recognising this principle, it is essential not to overlook a crucial aspect of its definition, which asserts that existing treaties should not merely be fulfilled, but must be fulfilled '*in good faith*'.

As the eminent scholar I.I. Lukashuk notes, the conscientious fulfilment of a treaty implies not merely the formal adherence to an international legal obligation but the fulfilment of obligations grounded in the spirit and letter of the treaty (Lukashuk, 1989). Therefore, in meeting any international legal obligation, the State must comply with all established requirements related to it, whether explicitly stipulated in an international treaty or implicitly assumed by the provisions of the treaty without explicit mention.

It appears that only when the State considers all these specified requirements can the fulfilment of a particular international legal obligation be deemed truly complete and carried out with sincere intention.

Therefore, in the context of reporting, the direct submission of reports by the Republic of Kazakhstan should not be automatically equated with full compliance with international legal obligations. It is imperative to consider all international legal requirements, particularly those explicitly outlined in the texts of the international treaties themselves.

Pursuing this logic, during the legal analysis, it was determined that to confirm that Kazakhstan fully meets its international legal obligation to submit reports, the State must adhere to the obligation in compliance with the following requirements:

1. *The report should be prepared in accordance with the formal requirements stipulated in the guidelines.*

The legal basis of this requirement is not always explicit in international treaties. For instance, the Convention on the Rights of Persons with Disabilities is somewhat an exception, where Article 35, Paragraph 3, expressly states that '*The Committee shall decide any guidelines applicable to the content of the reports*' (Convention on the Rights of Persons with Disabilities, 2006). In other instances, the legal basis is not directly stated in the treaties, but rather is implicitly inferred. It appears that the legal foundation is deduced through the competence of treaty bodies to establish their own rules of procedure.

For example, the Convention on the Elimination of All Forms of Discrimination against Women specifies in Article 19, Paragraph 1 that '*The Committee shall adopt its own rules of procedure*' (Convention on the Elimination of All Forms of Discrimination against Women, 1981). Therefore, the Committee may develop its own Rules of Procedure, within which it may subsequently set and directly specify formal requirements for reports.

In practice, this often occurs, with the rules of procedure typically detailing the norm by which reports must comply with the formal requirements outlined in the guidelines. For instance, the Committee on the Elimination of Discrimination against

Women, in its rules of procedure, particularly in Rule No. 60, specifies that States should submit reports in accordance with consolidated guidelines (Rules of procedure of the Committee on the Elimination of Discrimination against Women, 2008).

Accordingly, when preparing a report for CEDAW, States should be mindful of the existence of these consolidated guidelines, which delineate formal requirements. Similarly, the rules of procedure for the other treaty bodies also stipulate the necessity of reporting in line with the guidelines.

It is important to recognise that since each treaty body establishes its own rules of procedure and guidelines, this inherently implies that the guiding principles of each treaty body may vary. Consequently, the formal requirements might differ, a factor that should be considered by report authors representing the States. This awareness helps avoid the misconception that all reports can be uniform in format.

For instance, the guidelines of the Committee on the Elimination of All Forms of Racial Discrimination, it is noted that the report length should not exceed 60 pages, with subsequent periodic reports limited to 40 pages (Reporting guidelines of the Committee on the Elimination of Racial Discrimination, 2007). Conversely, in the parliamentary guide, the Committee on the Elimination of All Forms of Discrimination against Women remarked that *'reports should be as brief as possible'*. Meanwhile, in the second general comment of the Human Rights Committee on Reporting guidelines, the Committee observed that *'some reports remain so brief and general that they fail to meet the reporting obligations under Article 40'* (General comment No.2 of the Human Rights Committee, 1981).

Consequently, even such an ostensibly straightforward matter as the report's volume elicits varying requirements. This discrepancy likely led to the UN General Assembly's decision in 2014, as expressed in its Resolution 68/268 on Strengthening and enhancing the effective functioning of the human rights treaty body system. The Assembly *'decides to establish word limits for all State party documentation submitted to the human rights treaty body system, including State party reports, of 31,800 words for initial reports, 21,200 words for subsequent periodic reports and 42,400 words for common core documents'* (United Nation General Assembly Resolution 68/268, 2014).

Thus, using the matter of report length as an example, it is evident that for a State-submitted report to comply with formal requirements, it is crucial to research and consider each guiding principle of every individual treaty body in preparing specific reports, due to the diverse requirements established by treaty bodies in relation to reports.

## *2. The report should incorporate the provisions of the general comments.*

In addition to the obligation of States to heed the concluding observations of treaty bodies and endeavour to implement their provisions domestically, reporting on progress in subsequent reports, they should also consider the provisions of the general comments. These comments, formulated in response to current and contentious issues faced by States parties to international treaties, serve as a crucial instrument in interpreting and applying the provisions of these treaties, aiding States in

understanding and fulfilling their obligations. While this aspect is not directly articulated in international treaties, its existence is implicitly understood. General comments often provide essential guidance for reports. For instance, in 1973, the Committee on the Elimination of All Forms of Racial Discrimination urged States parties *'to include to include in their reports under article 9 relevant information on the demographic composition of the population referred to in the provisions of article 1 of the Convention'* (General recommendation IV of the Committee on the Elimination of All Forms of Racial Discrimination, 1973).

### *3. Timely submission of reports.*

Arguably the most crucial requirement for the submission of reports is their timeliness. It is well-recognized that the failure of States to submit reports punctually has a profoundly negative impact on the functioning of the treaty bodies. Consequently, almost all treaty bodies, with the exceptions of the Committee against Torture, the Committee on the Rights of Persons with Disabilities, and the Committee for the Protection of All from Enforced Disappearance, have at various times issued General Comments under international treaties. These Comments often express regret that the delay in submitting reports is a primary factor complicating the work of the treaty bodies.

Significantly, unlike other requirements, this need for timely reporting is explicitly stated in all international treaties.

In summary, it is noteworthy that, among all the above requirements — which are not exhaustive — within the context of an empirical analysis of the practice of the Republic of Kazakhstan, it was observed that Kazakhstan generally complies with the first two requirements (although periodic remarks are made in the concluding observations regarding the State). However, the same cannot confidently be said about the third requirement.

Thus, according to the latest data from the United Nation Human Rights Treaty Bodies database, the Republic of Kazakhstan, in its interactions with each of the treaty bodies, has submitted a total of 27 reports, comprising 20 separate and 7 combined reports.

It is important to remember that for each report, the treaty bodies establish a clear deadline for submission. For instance, Article 44 of the Convention on the Rights of the Child mandates States parties to submit their first report to the Committee on the Rights of the Child within two years of the Convention's entry into force for that State. However, despite these explicit deadlines, of all the reports submitted by the Republic of Kazakhstan, only four were submitted punctually: three separate and one combined, constituting a mere 15% of the total number of reports. Therefore, the majority of the reports were submitted after the deadline, indicating the State's insufficient adherence to the established timelines for report submission.

Indeed, it is noteworthy that the late submission of reports is a widespread practice, even among countries with high rankings in the Human Freedom Index (Cato institute, 2023), such as Sweden, Denmark, and Germany. In these countries, delays of a month or two beyond the established deadlines are sometimes observed.



However, it is apparent that a comparative analysis of such instances should not be used as justification for a State's non-compliance with its international legal obligations stemming from participation in relevant international treaties. This holds particularly true in cases where delays exceed one year, which can be construed as a blatant disregard for, or even violation of, the stipulations of the relevant international treaties.

For instance, it is viewed as a significant oversight that, despite ratifying the Convention on the Rights of the Child in 1994, the Republic of Kazakhstan submitted its first report only in 2001, missing the prescribed deadline by five years.

Overall, it is striking that the Republic of Kazakhstan has repeatedly experienced delays in submitting reports that exceed one year. This is surprising, considering its frequent declarations of commitment to the diligent execution of international legal obligations. This inconsistency is especially pronounced given that domestically, particularly in Article 20 of the Law of the Republic of Kazakhstan On International Treaties, Kazakhstan underscores the necessity of adhering to the principle of '*pacta sunt servanda*', which dictates the strict fulfilment of international obligations.

It should also be highlighted that the reasoning from the State regarding the protracted nature of the reporting process cannot be accepted as a legitimate excuse for delays. The Human Rights Committee, in its first general comment of 1981, underscored the necessity for States to promptly attend to their reporting obligations, acknowledging that the compilation of a comprehensive report encompassing a broad spectrum of civil and political rights inevitably requires time.

Furthermore, the Limburg Principles on the Implementation of the International Covenant on Economic, Social, and Cultural Rights, established in 1986, assert more forcefully that neither political circumstances nor external factors can be invoked to justify non-reporting. This is premised on the notion that the obligation to report is primarily influenced by the State's '*intention*' to fulfill its duties. For instance, paragraph 72 in the Limburg Principles lists the non-submission of reports in accordance with the Covenant's requirements as an example of a State party's violation of the Covenant (Limburg Principles on the Implementation of the International Covenant on Economic, Social, and Cultural Rights, 1986).

This perspective appears pertinent to other treaty bodies as well. Consequently, it is of utmost importance to submit reports punctually and in accordance with all stipulated requirements, an aspect with which Kazakhstan, regrettably, does not seem to fully comply.

As for the reasons why Kazakhstan encounters challenges in fully meeting its obligations, an empirical and legal analysis revealed that a mismatch between the legal regulations and the form of the existing national reporting mechanism with the present-day realities and expanded obligations of Kazakhstan poses a significant problem in the submission of reports.

Currently, the preparation of reports for treaty bodies is governed by Presidential Decree No. 1037 of 2010. This decree vaguely states that responsibility

for the preparation of reports is assigned to central executive bodies and state bodies subordinate to the President (Decree of the President of the Republic of Kazakhstan No. 1037, 2010). However, the Decree lacks any further specifications, and there is no other legislative act within the state's legal framework that explicitly outlines or regulates the issue of a national mechanism for submitting reports to the United Nation human rights treaty bodies. In essence, the issue of submitting reports is not comprehensively legislated, being confined only to an ancillary mention in the laws and regulations of the executive bodies that they contribute to the preparation of reports. Consequently, due to the absence of formal legal stipulation regarding reporting, there appear to be significant challenges in coordinating activities among the central executive bodies and bodies subordinate to the President on all aspects of reporting.

In its report titled '*On the implementation by the Republic of Kazakhstan of decisions (views, opinions) of the United Nations treaty bodies*', the public organisation Kadyr-Kassiyet observed that within the scope of national legislation, there is no specific law assigning explicit responsibility to certain state bodies for implementing decisions on individual complaints. This absence creates obstacles in executing these decisions (Kadyr-Kassiyet, 2021). Similarly, no legislation clearly defines which body or bodies are accountable for preparing the report and ensuring its adherence to requirements, leading to challenges in the timely preparation of the report.

Regarding the format of the national mechanism, analysis of all reports revealed that State reports are prepared by a '*special mechanism*' in two ways: 1) by central executive bodies through working groups established for each individual report, or 2) by a specific department within the central body. Notably, this mode of operation also lacks formal recognition. Essentially, the State forms working groups not as a pre-planned requirement (or an assigned duty for central authorities to produce a report), but rather on an as-needed basis.

For instance, the periodic report on the Convention on the Elimination of All Forms of Racial Discrimination submitted by the State in 2019 was prepared by a working group under the Ministry of Information and Public Development. Conversely, the periodic report on the same Convention submitted in 2009 was prepared by the Ministry of Information and Public Development itself (then part of the Ministry of Culture and Information). On the other hand, the report on the Convention on the Rights of Persons with Disabilities, submitted in 2019, was compiled by the Ministry of Labour and Social Protection of the Population of the Republic of Kazakhstan, a completely different central executive body. Although this allocation has its own rationale, the absence of a standardized reporting mechanism, even for the same Convention, undeniably leads to several drawbacks and creates challenges in report preparation.

In general, it is recognised that '*special mechanisms*', established solely for preparing a specific report and disbanded immediately after their submission, such as '*working groups*' or '*specific departments of Ministries*', exhibit several shortcomings.

These limitations seemingly contribute to delays in the timely submission of reports. Specifically, this kind of mechanism:

**Does not preserve** any institutional capabilities, practices, network structures, or accumulated knowledge.

**Fails to integrate** human rights considerations and lacks the fundamental capacity to prepare reports and coordinate across multiple ministries.

**Lacks a clear purpose or mandate** to act on recommendations issued by international human rights mechanisms.

**Is unsupported by** a permanent executive secretariat—such as one within the Ministry of Foreign Affairs or the Ministry of Justice—that would coordinate information collection and facilitate meetings of national human rights commissions on various issues.

**Does not organize meetings** with representatives from ministerial coordination centers dedicated to human rights.

Accordingly, when defining the national reporting mechanism of Kazakhstan as a '*special mechanism*', and considering the broad spectrum of treaty bodies to which States are required to submit periodic reports, it can be asserted with confidence that the existing mechanism is not in line with current realities.

Given the issues mentioned above, it's imperative to take immediate steps to improve the existing mechanism. The following recommendations are particularly important:

First, the national reporting and follow-up mechanism should be made permanent, ensuring that its structure continues beyond the completion of a single report. This mechanism could be situated within a ministry, span multiple ministries, or function as an independent institution. Second, an effective national mechanism would benefit from a comprehensive formal legislative or political mandate. This should be accompanied by a unified understanding within the government of its role, along with strong interest and support at the highest political levels. Third, the mechanism should employ dedicated, authorized, and permanent staff members. This will facilitate the development of national expertise, knowledge, and professionalism.

To achieve this, in practical terms, it seems advisable to enact a normative legal act establishing a specific, permanent ministerial or interministerial body tasked with preparing periodic reports, considering the principle of *mutatis mutandis*.

Notably, several countries have successfully established permanent national mechanisms for the preparation of reports and follow-up in the field of human rights. These nations include Denmark, Spain, the United States, Mexico, Finland, Greece, Latvia, Portugal, Serbia, and Switzerland. In most of these countries, the reporting mechanism is organized as a ministerial or interministerial body. However, Serbia distinguishes itself by operating this mechanism in a format similar to a Human Rights Commissioner institution (United Nation, 2016).

Given that the establishment of structured national mechanisms for report preparation and engagement with the treaty bodies has already been accomplished in many developed countries, which are viewed as exemplars in human rights

protection, it can be inferred that such an approach, while not novel, is indeed effective.

In addition to compiling reports, such an organization could also carry out the following essential functions:

- 1) **Serve as the primary conduit** for interaction with international human rights mechanisms, making communication more efficient, coordinating urgent actions, and organizing visits.
- 2) **Inform stakeholders and the general public** about upcoming human rights reviews, thereby enhancing the reporting process.
- 3) **Coordinate the collection and analysis** of information and statistical data to provide a comprehensive assessment.
- 4) **Facilitate engagement** with judicial authorities, national human rights institutions (NHRIs), and civil society organizations.
- 5) **Monitor the state's progress** in implementing recommendations from international and regional organizations.

The enactment of legislation to establish such a body appears particularly pertinent in light of the President of the Republic of Kazakhstan's Decree dated June 9, 2021, No. 597 '*On Further Measures of the Republic of Kazakhstan in the Field of Human Rights*'. This decree mandates the Government to develop two human rights plans, explicitly instructing the inclusion of a focus area on Enhancing the Mechanisms of Interaction with the UN Human Rights Treaty Bodies and the Special Procedures of the UN Human Rights Council (Decree of the President of the Republic of Kazakhstan No. 597, 2021).

Also the establishment of such a body is likely to be viewed positively by the treaty bodies, especially considering that in the General Assembly Resolution 68/268 of 2014, it was acknowledged that 'enhancing coordination in the area of reporting at the national level would be a highly beneficial step towards strengthening and improving the effectiveness of the functioning of the United Nation human rights treaty body system.

### Conclusions

The Republic of Kazakhstan has made commendable strides in ratifying international human rights treaties and optional protocols, demonstrating a commitment to human rights standards. However, the effectiveness of these efforts is undermined by delays and inconsistencies in the reporting process and the implementation of treaty obligations.

The current national reporting mechanism, characterized by temporary and ad-hoc 'special mechanisms', lacks the continuity, institutional memory, and comprehensive legislative framework necessary for effective human rights reporting and follow-up. This has resulted in the late submission of reports and insufficient implementation of recommendations from international human rights bodies.

To address these challenges, Kazakhstan needs to establish a permanent, structured national mechanism for human rights reporting. This body should be endowed with a clear legislative mandate and staffed with dedicated, knowledgeable

personnel to ensure the continuity and professionalism of the reporting process. Such reforms are crucial not only for aligning with international best practices but also for fulfilling the commitments made under the President's Decree No. 597 and enhancing the country's standing in the international community.

Moreover, these reforms would align with the objectives of the UN General Assembly Resolution 68/268, contributing positively to the global human rights framework. The establishment of a permanent and effective national reporting mechanism would mark a significant step towards strengthening Kazakhstan's legal maturity and its role as a responsible participant in the international legal field.

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