



INFORMATION ABOUT PERFORMANCE OF THE CRIMINAL EXECUTIVE SYSTEM OF THE MINISTRY OF INTERNAL AFFAIRS OF THE REPUBLIC OF KAZAKHSTAN

8 July 2021, Nur-Sultan city



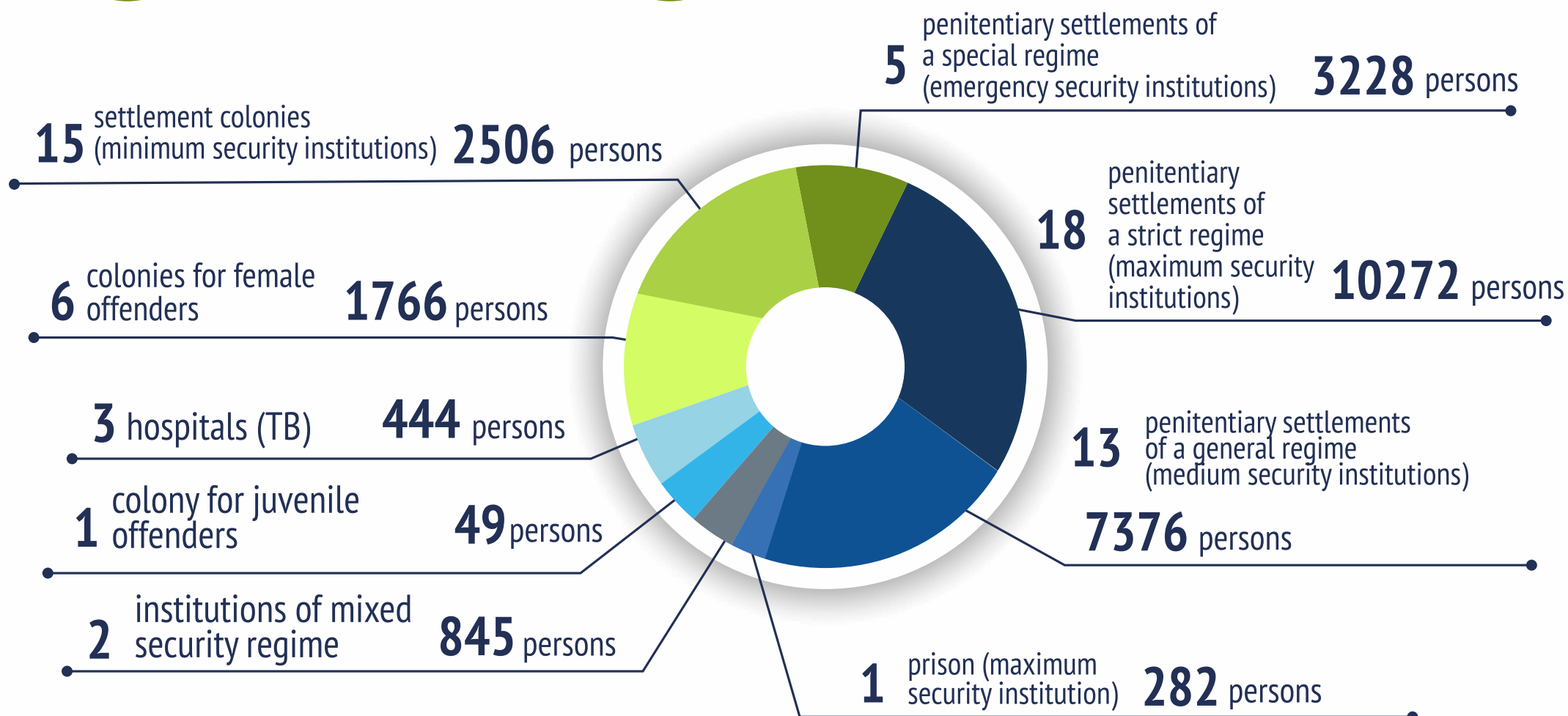
Institutions of the criminal executive system (UIS) under MIA of Kazakhstan



64 colonies



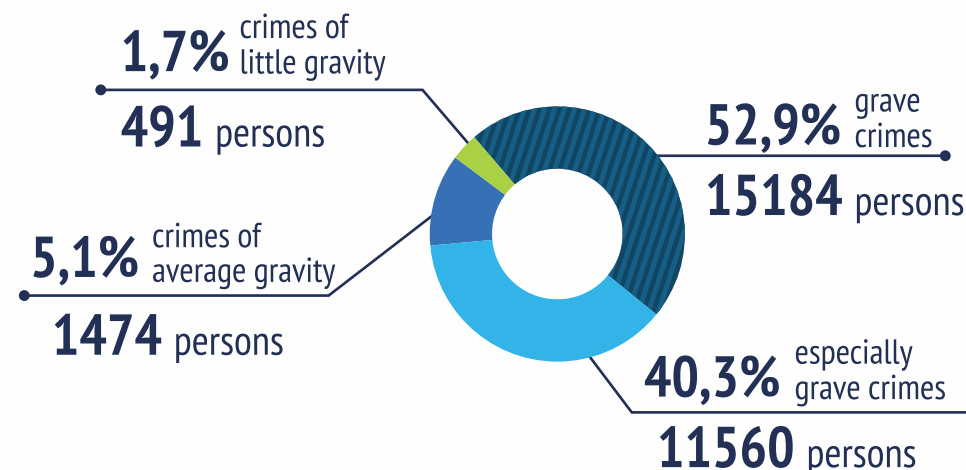
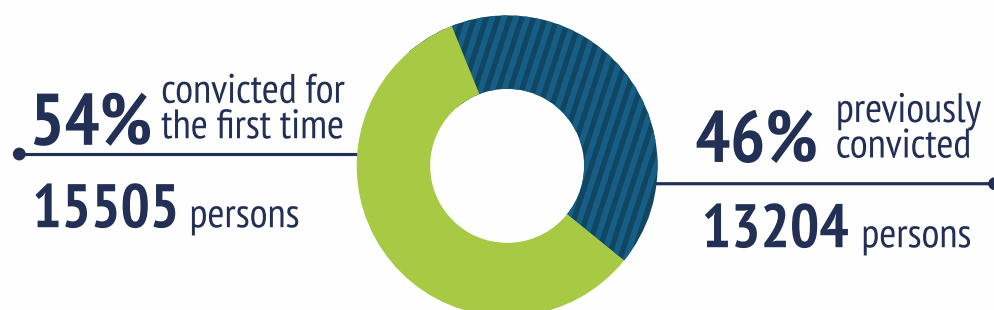
16 pre-trial detention facilities



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NO. OF CONVICTS AND PERSONS IN PRE-TRIAL DETENTION FACILITIES

THERE ARE CURRENTLY **33 217** PERSONS IN PLACES OF DETENTION IN KAZAKHSTAN, INCLUDING



COSTS FOR CONVICTS: **KZT 559 000** PER YEAR, **KZT 50 000** PER MONTH, **KZT 1 642** PER DAY

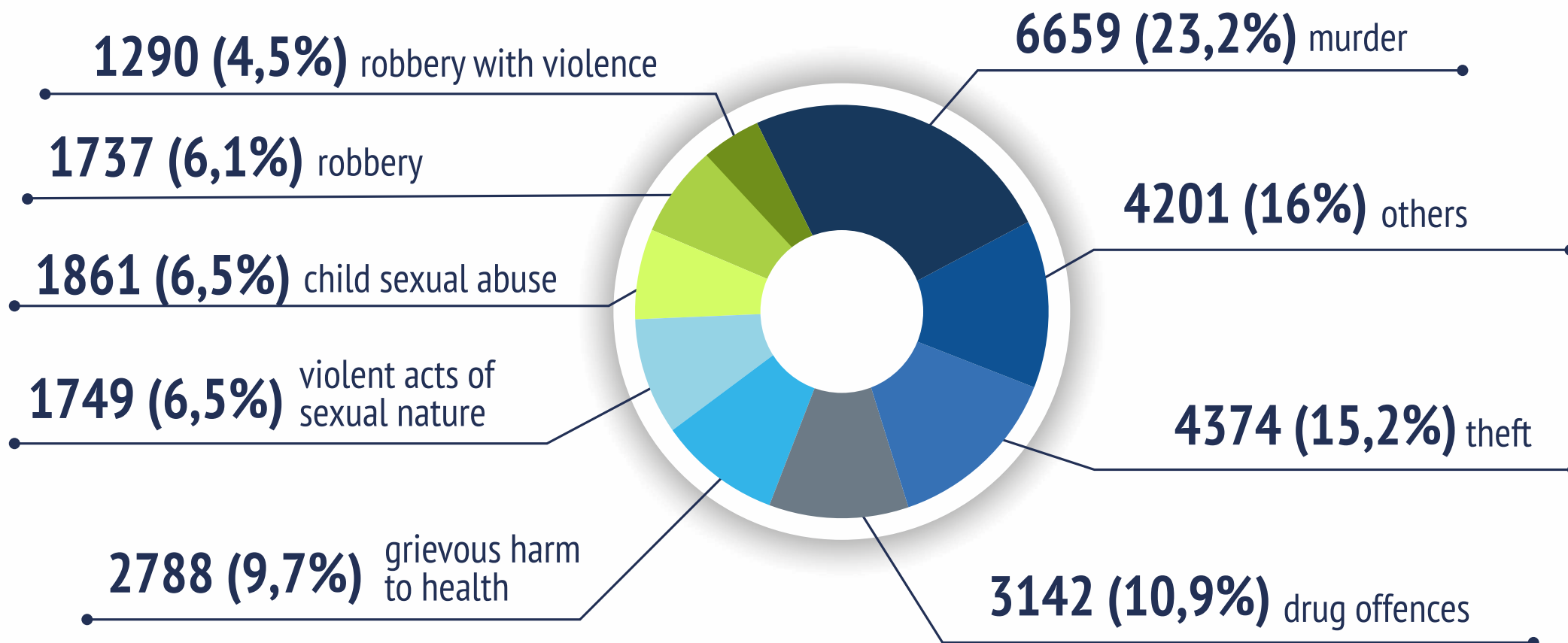


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CATEGORIES OF CRIMES



28 709 convicts



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ROADMAP FOR THE DEVELOPMENT OF THE CRIMINAL EXECUTIVE SYSTEM

- AMENDMENTS TO LAWS AND REGULATIONS RELATED TO THE LEGAL STATUS OF CONVICTS
- GRADUAL TRANSFER TO THE CELLS-BASED FACILITIES
- DIGITALIZATION AND EQUIPPING THE PENITENTIARY INSTITUTIONS WITH CONTINUOUS VIDEO SURVEILLANCE SYSTEMS
- DEVELOPMENT OF TRAINING CENTERS AND MANUFACTURING/PRODUCTION ACTIVITIES
- RESOCIALIZATION, MAINTAINING SOCIALLY USEFUL RELATIONSHIPS WITH THE FAMILY



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THE PRESIDENTIAL DECREE ON FURTHER MEASURES OF THE REPUBLIC OF KAZAKHSTAN IN THE FIELD OF HUMAN RIGHTS DATED JUNE 9, 2021



THE PLAN OF PRIORITY MEASURES IN THE FIELD OF HUMAN RIGHTS WAS APPROVED BY THE DECREE OF THE GOVERNMENT OF THE REPUBLIC OF KAZAKHSTAN NO. 405 DATED JUNE 11, 2021

- **Adoption** of the Amnesty Law (in 2021)
- **Amendments** and additions to the Penal, Criminal Procedure and Penal Execution Codes related to the legal status of convicts (in 2022)
- **Amendments** to the legislation providing for the improvement of conditions for the employment of convicts and their social adaptation (in 2021)
- **Development** of a centralized automated Database for the criminal justice system (in 2022)



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LEGAL STATUS OF CONVICTS



In accordance with international human rights documents, including the UN Standard Minimum Rules for the Treatment of Prisoners (Nelson Mandela Rules)

15 AMENDMENTS TO THE PENAL, CRIMINAL PROCEDURE AND PENAL EXECUTION CODES AND 14 AMENDMENTS TO THE DEPARTMENTAL LEGAL ACTS WERE MADE

- The requirement for a positive degree of behavior to transfer the convict to serve a sentence in the institution close to the place of residence eliminated
- The weight of parcels for convicts increased from (14 kg to 20 kg)
- Medicine and medical products are now not included in the number of parcels and packages
- Video calls introduced, telephone conversations extended (from 19:00 to until 21:00)
- The terms for considering a submission for release due to the convict's illness reduced (from 1 month to 10 days)
- The convicts were granted the right to file complaints in electronic format (starting from January 2020)
- The list of permitted items for convicts in institutions of minimum security expanded (starting from January 2020)
- The nutrition standards for one convict increased from KZT 686 to KZT 1 018 per day (starting from February 2021)



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IMPROVING LEGISLATION

- MANDATORY NOTIFICATION OF THE PROSECUTOR'S OFFICE WHEN TRANSFERRING A CONVICTED PERSON TO ANOTHER FACILITY
- DEFERRAL OF SENTENCE IN CASE OF A SERIOUS ILLNESS OF A CONVICTED PERSON
- IMMEDIATE EXECUTION OF A COURT ORDER ON RELEASE OR REPLACEMENT WITH A LESS STRICT TYPE OF PUNISHMENT DUE TO SERIOUS ILLNESS OF A CONVICTED PERSON
- EXTENDING THE PERIOD OF STAY OF A CHILD WITH A MOTHER AFTER REACHING THE AGE OF THREE, IN CASE OF THE MOTHER'S RELEASE WITHIN A YEAR
- SEPARATION OF PREVIOUSLY CONVICTED FROM THOSE CONVICTED FOR THE FIRST TIME, ETC.



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VIDEO SURVEILLANCE SYSTEMS IN PLACES OF DETENTION



No. of available video cameras

14 417 cameras available, including

- 5 522 digital cameras
- 8 895 analog cameras

Required **33 966** more

digital cameras



VIDEO RECORDERS AVAILABLE 3531

5 550 video recorders required according to the norms
32% demand in **2019**



INTRODUCTION OF CONTINUOUS VIDEO SURVEILLANCE SYSTEMS IN PLACES OF DETENTION WITHIN 2021-2025



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A DRAFT AMNESTY LAW DEDICATED TO THE 30TH ANNIVERSARY OF KAZAKHSTAN'S INDEPENDENCE WAS DEVELOPED

- BY THE DECREE OF THE GOVERNMENT OF THE REPUBLIC OF KAZAKHSTAN, THE DRAFT AMNESTY LAW WAS SUBMITTED TO THE MAZHILIS OF THE PARLIAMENT ON JUNE 29, 2021**
- AMNESTIES TO BE GRANTED TO PERSONS CONVICTED OF CRIMES THAT DO NOT POSE A SERIOUS THREAT TO THE SECURITY OF CITIZENS AND THE STATE**
- SPECIAL ATTENTION WILL BE PAID TO THE SOCIALLY VULNERABLE CATEGORIES OF CITIZENS, I.E. JUVENILES, ELDERLY WOMEN AND MEN, PEOPLE WITH DISABILITIES OF GROUPS I AND II, AND OTHER PERSONS WHO DO NOT POSE A SIGNIFICANT THREAT TO SOCIETY**



CELLS-BASED TYPE OF IMPRISONMENT



More than **4 000 convicts** are serving sentences in **9** penitentiary institutions (**12%** of the total number of institutions)

Starting from 2012, 4 penitentiary institutions were reconstructed from a collective (barrack-detachment) type of facilities to cells-based facilities

2013  in Kyzylorda city

2015  in Uralsk and Almaty cities

2017  in Almaty region



40 more penitentiary institutions need to be reconstructed

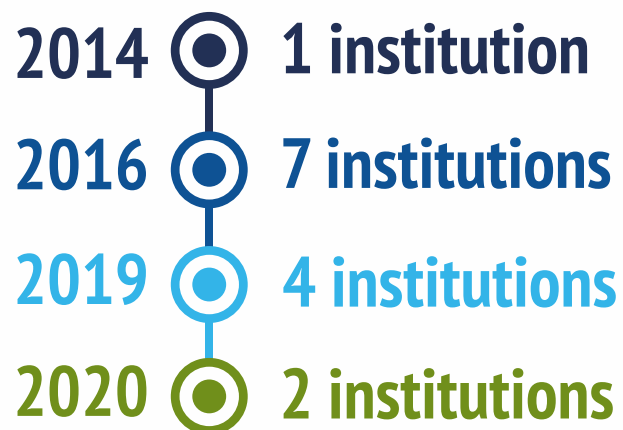
Reconstruction of 12 residential blocks in 6 penitentiary institutions (АП-162/2, УГ-157/9, ЭК-166/5, ЭК-166/25, АК-159/6, УК-16) to cells-based facilities is planned within 2021-2025



NUMBER OF PENITENTIARY INSTITUTIONS WHICH HAVE BEEN CLOSED DOWN



The humanization of criminal legislation and the reduction of the prison population allowed to close **14 COLONIES** with the worst conditions over the past six years



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ELECTRONIC TERMINALS FOR FILING COMPLAINTS

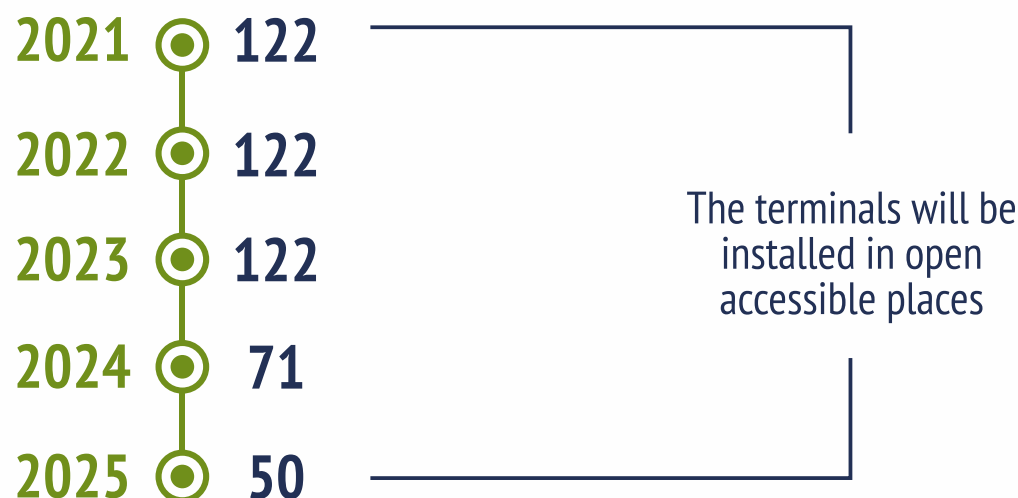


Complaints filled in electronic terminals located on the territory of penitentiary institutions are sent straight to the relevant state authority bypassing the administration of the institution

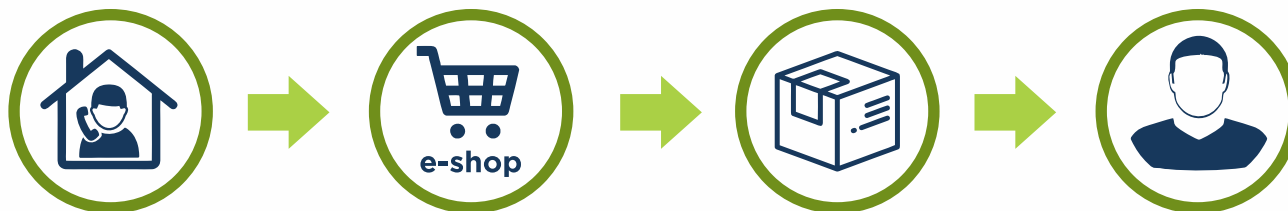


121 electronic terminals were bought in 2020

It is planned to buy additionally 487 electronic terminals



THE ONLINE SHOPS SERVICE IS BEING INTRODUCED



Orders of **the food, clothes, books** and other goods that are not prohibited (via courier services)

Private investors support the **ONLINE SHOPS** service in **7 penitentiary institutions**

VIDEO CALLS



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EMPLOYMENT OF CONVICTS



The «**YENBEK**» Republican state enterprise is the main employer

11 495 (49%) convicts are employed

There are also **243** small and medium-sized enterprises where **3 200** convicts are employed

In 2020, the convicts were involved in the work to prevent the spread of the coronavirus and made

Protective masks



1,8 million

Protective coveralls



23 000

Protection screens



3 300

Disinfection tunnels



73

ISSUE

INSUFFICIENT PRODUCTION LOAD

Without state support the 'Yenbek' RSE (the main employer for convicts) cannot compete on an equal footing with other enterprises



SOLUTION

Amendments to the Decree of the Government No. 79 dated February 18, 2016 and Article 39 of the Law on Public Procurement: expansion of the list and scope of goods, works and services purchased from the RSE



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PROFESSIONAL TRAINING

49



No. of general secondary education institutions where more than 2 000 convicts are studying annually

35

professions



Professional training for convicts on manual jobs is organized in 44 specialized secondary education institutions

The most in-demand manual jobs are carpenter, plasterer and painter, plumber, electric or gas welder, miller, tailor, baker, cook

734
convicts



received certificates of professional education in 2019-2020



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INTERACTION WITH INTERNATIONAL ORGANISATIONS

United Nations Office on Drugs and Crime (with the support of the European Union, the US Embassy, the Embassy of the Kingdom of the Netherlands):

1. Technical support for the establishment of the Prison Staff Training Centre on Countering Extremist Ideology on the basis of the Kostanay Academy under the Ministry of Internal Affairs was provided.
2. UNODC has developed and implemented online courses on the Nelson Mandela Rules, as a practical training tool for the prison staff. More than 2 500 employees completed online training and received the certificates.
3. Trainings, online classes, webinars with 250 prison staff members were organized.
4. The material and technical capacity of 8 pilot institutions in Karaganda and Pavlodar regions is enhanced.

Penal Reform International (PRI) office in Central Asia

1. Organization of the MIA Forum "Open Dialogue - a Tool for Reforming the Penitentiary System" and the Forum "The Penitentiary System in the New Reality" **(with the support of the British Embassy)**.
2. Organization of the Forum "Central Asian Dialogue of Penitentiary Services".
3. Expert support on the issues of penitentiary healthcare, prison staff capacity building **(with the support of UNDP)**.
4. Analysis of the penal execution legislation for compliance with the Nelson Mandela Rules and further implementation of standards in regulatory legal acts.
5. Opening the rooms for juvenile probation clients in all regions of the country **(together with UNICEF)**.
6. Regional monitoring visits together with the Ombudsman, prison service administration and national experts on the observance of human rights in the penitentiary institutions.
7. The Capstone Project, a research works competition on human rights issues in the criminal justice system among the cadets of the MIA Kostanay Academy **(with the support of the Embassy of the Kingdom of the Netherlands)**.
8. Republican literary contest among convicts.



INTERACTION WITH NGOS

PMCs and NPM members are conducting independent monitoring of the observance of the rights of convicts and detention conditions

THE FOLLOWING WORK IS ORGANIZED IN ALL REGIONS OF THE COUNTRY

- 17 PUBLIC MONITORING COMMISSIONS
- 49 NGOS ASSISTING IN THE WORK ON RESOCIALIZATION OF CONVICTS
- 16 REGIONAL GROUPS OF THE NATIONAL PREVENTIVE MECHANISM MEMBERS

conducted more than
1 000 monitoring visits
to penitentiary institutions
in 2020



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HEALTHCARE IN PLACES OF DETENTION

No. of medical units  65

No. of mental hospitals  1

No. of TB dispensaries  3

No. of somatic hospitals  2

No. of medical centers  15

No. of persons who received diagnostic assistance

 5000

No. of operations held

 150

No. of TB patients decreased in five years

 3 times



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INCIDENCE AMONG CONVICTS

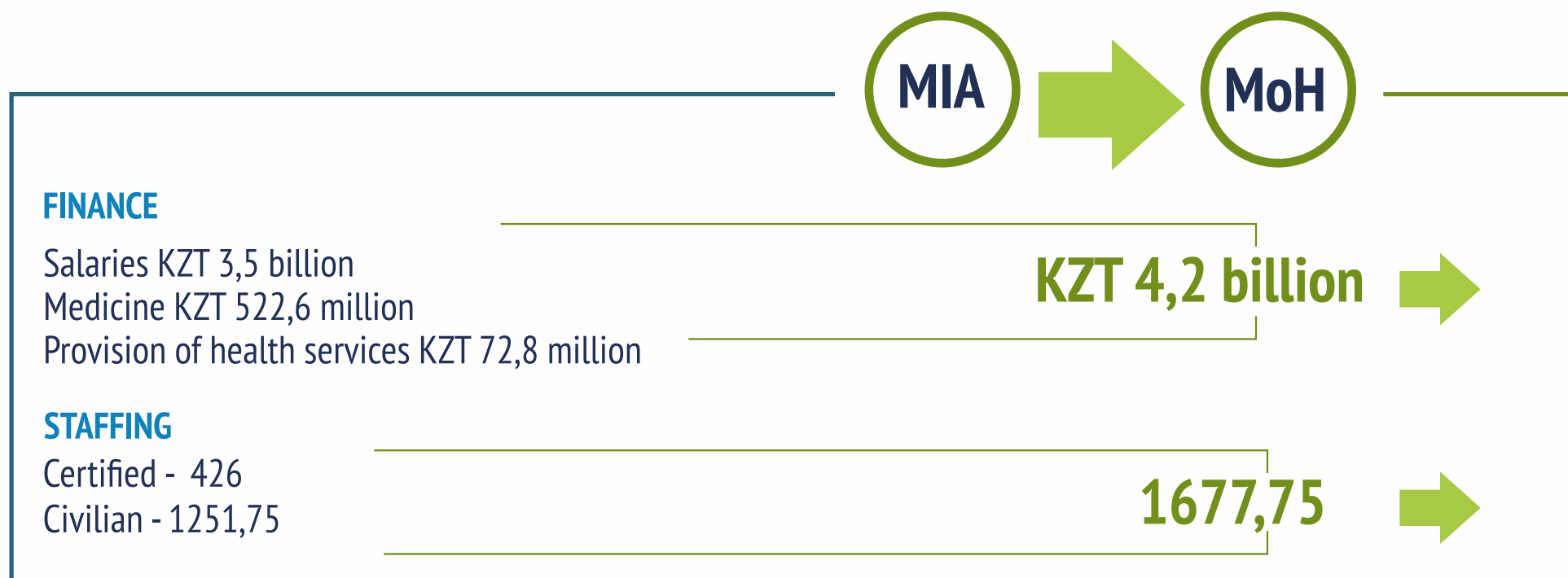
COVID 19



PNEUMONIA



TRANSFER OF THE PENITENTIARY HEALTHCARE UNDER THE MINISTRY OF HEALTH



- Improved interaction with healthcare organizations
- Wider access to modern methods of medical examination, diagnosis and treatment
- Financial support from Akimats (Mayors' offices)
- Independence of medical workers from the administration of penitentiary institutions when registering illnesses, facts of physical harm
- Reducing shortage in medical personnel



PUBLIC RELATIONS

Articles published



6 000 in the media
6 500 in SNS

No. of followers
on SNS



More than 8 000 followers on the prison service's official
Facebook and Instagram pages

Hotline



More than 2 500 calls

No. of complaints on
the official blog of
the Head of the prison service



More than 150 complaints reviewed

Call center of
the prison service



More than 1 600 calls

Assistance of volunteers



More than 1 600 persons



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TORTURE CASES

Number of torture cases is decreasing

No. of cases registered
in the Unified Register
of Pre-trial Investigations



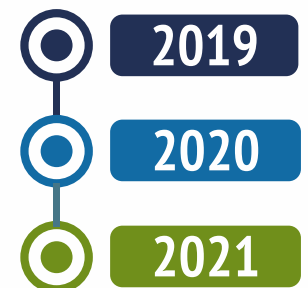
No. of cases sent to court



No. of dismissed cases



No. of convicted persons



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