

Dear Committee members,

In 2021 on May 28 I and my colleague Zhanar Sekerbaeva were at a hotel hall among 15 persons from the local lesbian, bisexual and queer (LBQ) community in Shymkent. We gathered regarding LBQ women's rights as we usually do. Nobody else knew what hotel we had chosen. Nevertheless, three men from the Committee of National Security Service surveilled and harassed us, made sure that the hotel administration denied us to meet at a conference room we previously rented.

Then about 30 angry men entered the hall shouting "Allah akbar!" and cursing us. One of them came close to me and looked me in the eyes and said: "We will kill you!" A police officer brutally dragged Zhanar to a car (not a police car!) and someone grabbed her hair and punched her in her face a few times under the watch of the police. All of this was shot in a professional camera and shared immediately on the internet to show "how they hate LGBTI people in Shymkent". This was an incident that happened to us in three cities.

They kept us for 8 hours trying to make a criminal case against Zhanar in Shymkent. LBQ women who wanted to meet with us were intimidated by police after we were convoyed from the cities.

In the List of Issues the Committee asks the State to describe measures taken to protect human rights defenders from harassment, surveillance, intimidation, threats and arbitrary arrest and detention in connection with their human rights work and activities, including those working on promoting the rights of women and combating discrimination based on sexual or gender identity. However, the State did not indicate whether reports of such harassment were promptly, impartially and thoroughly investigated, prosecuted and punished, and it did not include the number of investigations carried out during the period under review.

We also recommend:

- To encourage Kazakhstan to adopt all-inclusive anti-discrimination legislation, which would ban all forms of discrimination and would protect all people from discrimination based on the grounds of gender identity and sexual orientation;
- To advise Kazakhstan to introduce measures to combat torture against LGBT+ people in the national plan for the prevention of torture and implement them in partnership with LGBT+ organizations;
- To recommend Kazakhstan to criminalize domestic violence, including crimes based on the grounds of gender identity and sexual orientation into a distinct, individual category of crimes and to identify sexual orientation and gender identity as protected grounds that construe aggravating circumstances if they are the motive for committing a crime;
- We advise Kazakhstan to separate and collect the data on the crimes committed based on the victim's sexual orientation and/or gender identity;
- We suggest to provide training on working with LGBT+ people for law enforcement officers with the involvement of community-based organizations;