



NETHERLANDS HELSINKI COMMITTEE

International Olympic Committee
Att. Mr. Bach
Château de Vidy
Case postale 356
1001 Lausanne
Switzerland

The Hague, 23 July 2015

Dear Mr. Bach,

Preservation of human dignity is at the heart of both international human rights treaties and the fundamental principles of Olympism. Lack of compliance with the international human rights standards by China and Kazakhstan, the contestants to host the 2022 Winter Olympic Games, asks for special measures to be taken by the International Olympic Committee to ensure that sport is placed at the service of humanity in Beijing or Almaty. We are writing specifically about the Almaty nomination since our mandate focuses on Europe and Central Asia.

Preamble §L and clause §21 of the Host City contract contain specific commitments to human rights protection. **The Netherlands Helsinki Committee would like to bring to the attention of the International Olympic Committee major human right concerns and critical conditions that require implementation of the clause, which could leave a positive legacy if the Winter Olympics are to take place in Almaty, Kazakhstan.**

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Preparation of mega sporting events has been documented to have a far-reaching impact on host societies. The associated risks include severe forms of labour exploitation, evictions, displacement of communities, negative health and environmental impact. Public access to information, stakeholder dialogue, the possibility to organise and advocate for human rights and dignity are crucial safeguards against the abuses mentioned above.

However, recent reports of well-known authoritative human rights organizations such as Human Rights Watch¹, Amnesty International² and Freedom House³ document extensive violations of the rights and liberties of Kazakhstani residents. The final report of the visits to Kazakhstan of the UN Special Rapporteur on the Rights to Freedom of Peaceful Assembly and Association (January 2015)⁴ contains highly critical comments concerning the respect of these rights in the country.

Kazakhstan severely restricts its citizens access to freedom of speech. The government exerts influence on the media through a variety of means, including harassment, licensing regulations and criminal and administrative charges, including criminal libel suits.⁵ Also, an individual's ability to criticize the government is limited by law, and censorship legislation enables the government to restrict media content. The 2015 Freedom of the Press report issued by Freedom House again assessed Kazakhstan as a "not free" country with respect to freedom of speech and ranked the country 85th out of 97 countries.⁶

There are serious concerns regarding the limited freedom of assembly and association in Kazakhstan. You might be aware of the tragic events in Zhanaozen and Shchetpe in 2011, where police used indiscriminate force, including firearms that resulted in the deaths of peaceful protestors. Article 400 of the new criminal code introduces penalties not only for organizing or participating in non-sanctioned gatherings, but also for providing support in the form of property, equipment or means of communication.⁷ The procedure for having a demonstration sanctioned is being criticized by rights organizations for being vague, complicated and time consuming. According to the Kazakhstan International Bureau for Human Rights and Rule of Law, which monitored peaceful demonstrations in the seven largest cities in the first 7 months of 2014, 94 percent were unsanctioned. In addition, members of public associations are banned by article 403 of the criminal code from "illegal interference" in the activities of the government.

Finally, we would like to mention the new Labour Rights legislation. In June 2014, Kazakhstan adopted a new restrictive law on trade unions, despite repeated calls by independent unions to bring it in line with international standards.⁸ Independent trade unions are required to affiliate with the larger, often government-controlled, unions. Significant banners are erected to the creation of new independent unions, thus undermining the possibility of independent collective bargaining for workers.⁹ The right to strike has been severely limited, amongst others through introducing criminal sanctions for calling on workers to continue a strike declared illegal by courts.

¹ World Report 2015 (pp. 325-330) http://www.hrw.org/sites/default/files/reports/wr2015_web.pdf

² The State of the World's Human Rights (p.209) <https://www.amnesty.org/en/documents/po110/0001/2015/en/>

³ Freedom in the World 2015 (p.23) https://freedomhouse.org/sites/default/files/01152015_FIW_2015_final.pdf

⁴ <http://freeassembly.net/rapporteurreports/kazakhstan/>

⁵ Report on human rights in Kazakhstan in 2014 <http://www.state.gov/j/drl/rls/hrrpt/humanrightsreport/index.htm#wrapper>

⁶ Freedom of Press 2015 <https://freedomhouse.org/report/freedom-press-2015/2015-press-freedom-rankings#.VYKiKfntkSU>

⁷ Report on human rights in Kazakhstan in 2014 <http://www.state.gov/j/drl/rls/hrrpt/humanrightsreport/index.htm#wrapper>

⁸ World Report 2015 (pp. 325-330) http://www.hrw.org/sites/default/files/reports/wr2015_web.pdf

⁹ Report on human rights in Kazakhstan in 2014 <http://www.state.gov/j/drl/rls/hrrpt/humanrightsreport/index.htm#wrapper>

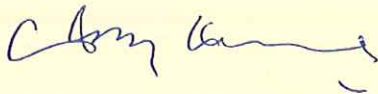
Therefore, we ask you to bring up these issues during all future negotiations with the authorities of the Republic of Kazakhstan, during and after the bid process.

Mr. President, we call on you to use your position to promote implementation of International Human Rights Standards by the Kazakhstani Government and provide assurances of protection of human rights. In particular:

- Revise repressive laws concerning peaceful assembly and association, the right to organise and collective bargaining and bring them in line with international standards;
- Stop prosecuting independent media and blocking access to critical web sites; and
- Create a committee for monitoring implementation of relevant human rights obligations by Kazakhstan that includes local stakeholders, including independent Kazakhstani human rights defenders.

Encouraging compliance with clause §21 will be in conformity with the International Olympic Committee's desire to strengthen human rights through sports as reflected in its 2020 reform agenda. We look forward to working together to make the most of this opportunity to improve the human rights situation in Kazakhstan.

Yours sincerely,

A handwritten signature in blue ink, appearing to read 'Harry Hummel', with a small flourish at the end.

Harry Hummel
Executive Director