The Commission is aware about the case of Erzhan Elshibayev and regrets that he still remains in jail. His case, which is on the EU individual cases list since 2019, has been raised with Kazakh officials regularly, including during Human Rights dialogues and the latest Cooperation Committee. During the most recent Human Rights dialogue the EU repeated the request to implement the conclusion of the United Nations Working Group on Arbitrary Detention and release Mr Elshibayev. The EU Delegation raised this case several times during Human Rights meetings with the Ministry of Justice and in September 2021, together with EU Member States, was allowed to organise a videoconference with Mr Elshibayev. The physical visit, despite several requests, was not permitted by the Kazakh authorities. The EU supports the efforts of trade unions and mass organizations calling for Mr Elshibayev’s release and will continue to raise his case with Kazakh authorities.

The EU remains committed to the promotion, protection, respect and fulfilment of human rights, including labour rights, the right to organise and the freedom of association as key part of EU-Kazakhstan relations. The EU deplores any violation of fundamental rights and any act of harassment, intimidation, assault or imprisonment against trade unionists. While the EU acknowledges the progress made by the Government in amending parts of the Kazakh legislation, the EU is concerned that undue restrictions on the freedom of labour to organise remain in law and in practice. Kazakhstan’s full compliance with International Labour Organization Convention 87 on freedom of association remains necessary. This includes the repeal of section 402 of the Criminal Code, which is incompatible with the freedom of association and the Government’s responsibility to protect the right of workers and employers.