

# KAZAKHSTAN

## ACCESS TO GOODS AND SERVICES

In August, the NGO Education Community applied for registration on the employment site Headhunter (hh.kz), mentioning their focus on LGBTQI+ activism. Headhunter initially denied the application, citing terms of use prohibiting associations that could harm the site's reputation. After the request to elaborate on the application denial, the NGO was registered on the platform.

## ASYLUM

Hundreds of trans people have reportedly come to Kazakhstan from Russia in the past year, either because of the war or because of the laws banning so-called 'LGBT propaganda'.

## BIAS-MOTIVATED SPEECH

(See also under Freedom of Assembly)

Politicians, journalists, religious leaders and other public figures made several anti-LGBTQI statements again this year.

In April, the muftiate published a statement saying that same-sex relationships were "obscene" and "degenerate" and called on the public before the 8 April feminist rally (see below) to "avoid obscenity". The statement alleges that under the "guise of protecting women's rights, obscene, degenerate same-sex relationships are being promoted" and that LGBT people are cursed by God, are against nature, deviant.

In April with help of anti-gender movement represented by Kazakhstani Union of Parents, MP Mazhilisman Ardak Nazarov said that "LGBT ideology is aimed at disabling the centuries-old traditions and national values of the Kazakh people" and called for a ban on "promoting same-sex marriage and gender reassignment." He proposed a ban on films and TV shows with LGBT characters. In April, he tabled a request for a ban in parliament, saying the "epidemic has already arrived".

The Kazakhstani Union of Parents issued a statement in April, saying that 'feminists' and especially Kazakhstan Feminist Initiative 'Feminita' "gather young people, teenagers to rallies and carry out prohibited LGBT propaganda". One of the activists B. has been stalking Zhanar Sekerbayeva and Gulzada Serzhan since 2021. She claimed that these LBQT-activists corrupt youth and the Kazakh ethnicity.

A video of two men kissing went viral and brought on a stream of hate comments. In the second half of this year, the video was posted on social media again, but now with mentions of

the person's workplace and Instagram nickname. The person believes that this publication was intentionally commissioned.

## BIAS-MOTIVATED VIOLENCE

Several hate crimes were committed again this year and LGBTQI+ people continued to face police abuse.

In July, an LGBTQI activist was almost run over by a driver who recognised her. The man also verbally assaulted her. The activist filed a police complaint. but there was no investigation or follow up.

A trans sex worker was harassed, blackmailed and threatened with eviction when police officers came to her apartment pretending to be clients. The officers extorted money from her, as others had done in the past. Several other trans sex workers reported being harassed, detained, and abused by police.

Several lesbian, gay, and trans people shared their stories this year (see here, here, here, here, and here), speaking about hiding, stigma, family and police violence and harassment in employment.

In autumn, a group of ex military officers proposed that homosexuality be criminalised again.

A man was sentenced to five years in prison for luring a gay man on a fake date, robbing and assaulting him.

Out of 440 Education Community study participants, 73 or 17% LGBTQI+ people reported experiencing violence in the past year. Additionally, 40 (or 9%) chose not to respond. Most instances of violence were categorised as psychological (77%), physical (55%), sexual (32%), or economic (14%).

## EDUCATION

Young people shared experiences of bullying in a campaign from NGO's in the media.

## EMPLOYMENT

In February, a queer man faced job dismissal threats over a customer comment on the 2GIS application. Despite getting the comment removed and settling with his employers, he later chose to resign due to the homophobic workplace environment.

In May, in Almaty a lesbian woman was compelled to resign from her job due to a hostile environment.



## EQUALITY AND NON-DISCRIMINATION

On the occasion of IDAHOLBIT in May, activists held up the rainbow flag at the mausoleum of Khoja Akhmet Yasawi in the Turkestan region.

Over 20 embassies released a support message urging the government to respect the rights of the LGBTQI+ community on IDAHOLBIT.

## FAMILY

In July, Kaspi bank introduced a beta version of its online marriage registration application service, excluding same-sex couples.

## FREEDOM FROM TORTURE, CRUEL, INHUMAN, OR DEGRADING TREATMENT

Humiliation and torture in detention centres continued to be reported this year, including affecting trans detainees. In 2023, for example, reports were received of a gay prisoner being restricted from legal travel and phone calls, being assigned physically demanding work using forged medical documents, and not receiving wages. (source unavailable due to confidentiality).

## FREEDOM OF ASSEMBLY

Several activists who participated in the 2022 protests were sentenced to prison this year. Many activists were punished on fabricated grounds (see the story of Aigerim Tleuzhan). The sentences were a worrying sign for civil society in Kazakhstan about the growing pressure from Tokaev's authoritarian regime.

Several protests were denied permission this year in Almaty, with fabricated justifications such as “ongoing repairs” or “patriotic events”. The 8 March rally was also denied a permit, in what the organisers saw as a clearly political and discriminatory move. In the end, after four rejections, the Feminist Women's meeting was allowed to go on in a more remote area of Almaty. The authorities wanted to limit participants to 300, but between 700-1,000 people joined the rally. This year's event called for bodily autonomy and protection against sexual violence.

On 8 April, a feminist rally against domestic violence took place in Astana bringing together 400 people urging the government to adopt laws that protect women. A day before the event, the Spiritual Administration of Muslims of Kazakhstan (SAMK) published a hostile and stigmatising statement (see also under Bias-motivated Speech). A few days later, MP Nazarov (see also

under Bias-motivated Speech) suggested that young people who participated in a march in April, which featured rainbow flags, should be monitored and their parents should take responsibility for the participants' actions.

In January, an LGBTQIA+ activist from 'Feminita' applied to hold The Equality March (Pride event) in June in Almaty several times. She got the denial from the local council. 'Feminita' has an ongoing trial process regarding this case.

In May an LGBTQI+ activist applied to organise a Pride event in Astana. The city administration falsely cited ongoing repairs and cultural events to deny the request. A court hearing took place in October after the activist's appeal to the decision. The court withheld the ruling of the previous court and refused to satisfy the activist's appeal.

## FREEDOM OF ASSOCIATION

Civil society groups continued being harassed and raided by the authorities.

Since 2017 'Feminita' cannot register a public fund and work with legal status. In 2023 activists lost trials again and the number of these denials equaled 11.

On 21 September, the State Revenue Committee of the Finance Ministry published a “foreign funding register”, which lists organisations and individuals who receive funds from abroad for research, legal assistance, and other areas of work. The publication of this information was required in the 2012 amendments of the tax law and the Committee's did announce in March that they would publish later in 2023. Civil society organisations in Kazakhstan and abroad called for the immediate withdrawal of the register (see here, here, and here), which lists several groups working on LGBTQI rights issues, as well as journalists and bloggers.

Only a few days later, NGOs started facing close monitoring and new reporting and administrative burdens, for instance, from banks.

## FREEDOM OF EXPRESSION

In October, the Kazakhstan Parents' Union launched a campaign against the children's theatre studio, 'Fourth Wall' in Semey after a post on Instagram claimed the teachers were inviting children to a “homo-performance.”



## HEALTH

In 2022, the Kazakhstani transgender initiative 'Alma-TQ' conducted a study finding that transgender people face problems accessing prevention and treatment for HIV and other STIs.

## HOUSING

Among 440 participants in the NGO Education Community survey, 73 (or 17%) LGBTQI+ respondents experienced housing instability in the past year.

Due to the war in Ukraine and mobilisation in Russia, Kazakhstan faced economic problems in 2022-2023. As a result, prices for housing rentals, services, as well as food and essential goods have increased significantly. These problems were experienced specifically by trans people through forced eviction from rented housing.

'Alma-TQ' received many requests for housing from trans people from Russia who came to Kazakhstan, thus a temporary Residence Center was created to meet the need.

## HUMAN RIGHTS DEFENDERS

In April, two LGBTQIA+ activists collaborated, suggesting a link between the "Kazakhstani Union of Parents" and separatist activities in North Kazakhstan ([Russian](#), [Kazakh](#)). In response, anti-gender activist Olga Shantal posted three denials (see [here](#), [here](#) and [here](#)) on Instagram, disassociating herself from the Union and calling for legal action against Sadykov and two others for defamation, spreading false information, and inciting interethnic conflict. Two other representatives from the Union - Yurkovskaya and Yurkina - subsequently filed statements against Sadykov.

## LEGAL GENDER RECOGNITION

In July, the Kazakh authorities [granted](#) a correct birth certificate to an intersex child, marking the end of a months-long legal battle.

## PARTICIPATION IN PUBLIC, CULTURAL AND POLITICAL LIFE

LGBTQI activist Zhanar Sekerbayeva [ran](#) elections as an open lesbian for Almaty's local council (Maslikhat) in March. She was not elected but came in third among participating candidates.

The closed screening of *Queer in Kazakh*, a film by Mutali Moskeu, was [held](#) in June in Almaty. The film was first [posted](#) on social media in May.

Aid Yesimova's collection of stories of LGBT+ people from Kazakhstan, *On the Other Side of the Rainbow* was [published](#) in August.

## POLICE AND LAW ENFORCEMENT

In July, two men on a date in a legally parked car were attacked by patrol officers. The officers, without presenting badges or legal reasons, attempted to force them out of the car, demanded documents, and used derogatory homophobic language. They also threatened to distribute a potentially embarrassing video allegedly filmed on their work camera. Following a threat to file a complaint, the police left the scene, and the men later received an apology from the department.

In 2023 in Shymkent a transgender woman experienced business seizures and forced expulsion from the city by law enforcement. An attack on her in her own home occurred, and the police refused to take any action.

\*Some of the information about Kazakhstan was shared with ILGA-Europe by activists who for safety reasons need to stay anonymous. These accounts were not publicly shared online or otherwise.



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