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## CLD Comments on Draft Kazakh Law on Access to Information

The Kazakh Parliament (the Mazhilis) is working on developing a right to information law, after years of advocacy by civil society groups. The current draft has been published for comment and will be reviewed by the government and Parliament in 2012. The Centre for Law and Democracy has issued a set of Comments on the latest draft. CLD Legal Officer, Michael Karanicolas, will attend a roundtable in Astana from 11-12 August 2011 to discuss these Comments, as well as international standards regarding a number of other freedom of expression issues.

*"CLD welcomes these efforts to adopt a right to information law in Kazakhstan," said Toby Mendel, Executive Director of CLD. "At the same time, our assessment shows that significant improvements are still required to ensure that the draft that is being prepared largely respects international standards."*

CLD's recommendations include:

- That the law should include all organs and branches of government, all state-owned enterprises, all statutory and constitutional bodies, and all private bodies that perform a public function.
- The regime of exceptions should be revised so that the right to information law overrides secrecy laws.
- The law should create an independent administrative oversight body to hear appeals against violations of the right to information, as well as to oversee the implementation of the law more generally.
- Officials who undermine the right to information should be subject to a system of sanctions.
- Public authorities should be required to undertake promotional measures, such as reporting annually on their implementation efforts and training officials.

CLD welcomes the initiative by the Kazakh government to enact this law and hopes that its final version will be more fully in line with international standards.

The full commentary is available at: <http://www.law-democracy.org/wp-content/uploads/2010/07/11.08.Kazakh.FOI-Analysis.pdf>.

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