

04 June 2019

Kazakhstan: human rights organisation Feminita denied registration

On 27 May 2019, the Medeu District Court of Almaty city ruled that the decision to suspend the time limit for the registration of the human rights organisation **Feminita** by the Almaty Department of Justice was legitimate. The organisation has been repeatedly denied registration since January 2018.

The [Kazakhstan Feminist Initiative "Feminita"](#) is a human rights organisation working to protect the rights of women with limited physical and mental abilities, LGBTIQ communities and sex workers. The organisation has been trying to register as a legal entity in Kazakhstan since December 2017.

On 27 May 2019, the Medeu District Court ruled that the repeated decisions of the Almaty Department of Justice to suspend the registration of Feminita as a legal entity were legal. According to Kazakh law, organisations ought to be registered as legal entities within a certain period following the submission of an application. However, the deadline can be suspended in case the application does not meet the legal requirements. According to the court's judgment, the objectives listed in Feminita's Charter "do not provide for strengthening spiritual and moral values, spiritual culture, prestige and role of the family", as required of charitable institutions by the law. In its ruling, the court referred to the Law on Charity despite the fact that the registration procedure is regulated by the Law on NGOs and the Law on State Registration of Legal Entities and Registration of Branches and Representative Offices.

On 12 March 2019, Feminita filed a complaint with the Medeu District Court in relation to the decisions of the Almaty Department of Justice suspending the procedure of the organisation's registration as a legal entity. The decisions were issued on 9 January 2018, 20 February 2018 and 3 January 2019. The documents submitted as part of the registration procedure were returned to the organisation "for correction".

Front Line Defenders expresses its concern about the denial of registration to Feminita, as the legal entity status is essential for the full operation of any human rights organisation. Front Line Defenders believes that this decision is solely motivated by Feminita's peaceful and legitimate work protecting LGBTIQ and women's rights.

Front Line Defenders urges the authorities in Kazakhstan to:

1. Take measures to ensure the registration of the Kazakhstan Feminist Initiative "Feminita" as a legal entity and guarantee that all human rights organisations in Kazakhstan can exercise their right to freedom of association;
2. Strongly condemn the discrimination against the Kazakhstan Feminist Initiative "Feminita" working to protect LGBTIQ and women's rights;
3. Guarantee in all circumstances that all human rights defenders in Kazakhstan are able to carry out their legitimate human rights activities without fear of reprisals and free of all restrictions, including judicial harassment.

Front Line Defenders respectfully reminds you that the United Nations Declaration on the Right and Responsibility of Individuals, Groups and Organs of Society to Promote and Protect Universally Recognized Human Rights and Fundamental Freedoms, adopted by consensus by the UN General Assembly on 9 December 1998, recognises the legitimacy of the activities of human rights defenders, their right to freedom of association and to carry out their activities without fear of reprisals. We would particularly draw attention to Article 12 (2): *“The State shall take all necessary measures to ensure the protection by the competent authorities of everyone, individually and in association with others, against any violence, threats, retaliation, de facto or de jure adverse discrimination, pressure or any other arbitrary action as a consequence of his or her legitimate exercise of the rights referred to in the present Declaration”* and to Article 18 (2): *“Individuals, groups, and non-governmental organisations have an important role to play and a responsibility in safeguarding democracy, promoting human rights and fundamental freedoms and contributing to the promotion and advancement of democratic societies, institutions and processes.”*

Please inform us of any actions that may be taken with regard to the above case

Yours sincerely,

A handwritten signature in blue ink that reads "Andrew Anderson". The signature is written in a cursive style.

Andrew Anderson
Executive Director