

On approval of the Rules for the burial of persons whose criminal prosecution in connection with their participation in terrorist activities was terminated due to their death resulting from the commission of an act of terrorism, as well as the suppression of the act of terrorism committed by them

Unofficial translation

Decree of the Government of the Republic of Kazakhstan dated August 26, 2013 No. 858.

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In accordance with Article 21-1 of the Law of the Republic of Kazakhstan dated July 13, 1999 “On Countering Terrorism”, the Government of the Republic of Kazakhstan HEREBY DECREES AS FOLLOWS:

1. That the attached Rules for the burial of persons whose criminal prosecution in connection with their participation in terrorist activities was terminated due to their death that ensued as a result of the commission of an act of terrorism, as well as in the suppression of the act of terrorism committed by them shall be approved.

2. This resolution shall come into effect upon expiry of ten calendar days after the first official publication.

*Prime Minister
of the Republic of Kazakhstan*

S. Akhmetov

Approved by
Decree of the Government of the
Republic of Kazakhstan
No. 858 dated August 26, 2013

**The rules for the
burial of persons whose criminal prosecution in
connection with their participation in terrorist
activities was terminated due to their death
resulting from the commission of an act of terrorism, as well as in the
suppression of the act of terrorism committed by them**

1. These Rules for the burial of persons whose criminal prosecution in connection with their participation in terrorist activities was terminated due to their death resulting from the commission of an act of terrorism, as well as the suppression of an act of terrorism committed by them (hereinafter - the Rules) determine the procedure for the burial of persons whose criminal prosecution was terminated due to their participation in terrorist activities due to their death resulting from the commission of an act of terrorism, as well as in the suppression of their act of terrorism.

2. The corpses of persons whose criminal prosecution was terminated due to participation in terrorist activities because of their death resulting from the commission of an act of terrorism, as well as in the suppression of an act of terrorism committed by them, shall not be issued for burial, and the place of their burial shall not be reported.

3. The burial of the persons referred to in paragraph 2 of the Rules shall be organized by the akim of the district in the city, city of district significance, township, aul (village), aul (rural) district and shall be carried out by organizations engaged in ritual (funeral) services to the population (hereinafter referred to as organizations performing burial) in specially designated places (cemeteries) for the burial of rootless persons.

The choice of a provider of burial services, as well as the conclusion of an agreement on public procurement with him, shall be carried out in the manner determined by the legislation of the Republic of Kazakhstan on public procurement.

4. To carry out the burial, the body of criminal prosecution shall direct the necessary supporting documents to officials, referred to in paragraph 3 of the Rules, including a copy of the termination of criminal proceedings and criminal prosecution of the persons referred to in paragraph 2 of the Rules, as well as a doctor's certificate of death issued by the forensic authority.

5. On the death of foreigners and stateless persons who arrived in the Republic of Kazakhstan from other states, the preliminary investigation body shall notify the diplomatic missions or consular posts of the respective states through the Ministry of Foreign Affairs of the Republic of Kazakhstan.

6. On the basis of a medical death certificate, the administration of the organization carrying out the burial shall make an appropriate entry in the registration book and issue a registration number to the grave.

The following information shall be filled out in the registration book: the year, month, burial date, grave number, date of birth and death, number, date and by whom the medical certificate of death was issued, name and address of the organization carrying out the burial.

The surname, name and patronymic of the deceased shall not be indicated in the registration book.

The administration of the organization carrying out the burial shall issue to the officials referred to in paragraph 3 of the Rules a certificate of burial indicating the date of burial with a view to its further referral to the body conducting the preliminary investigation for inclusion in the criminal case.

7. Transportation and transfer of the deceased to the burial places shall be carried out by the organization carrying out the burial in closed coffins (if necessary, galvanized in sealed form).

8. The device of the grave, lowering the coffin into it, filling the grave shall be carried out by the organization carrying out the burial.

9. By decision of the preliminary investigation body, the relatives of the persons referred to in paragraph 2 of the Rules shall be provided with copies of the medical death certificate issued by the forensic medical examination body and the conclusion of the forensic medical examination of the corpse, as well as personal belongings of the person that are not subject to seizure and inclusion in the criminal case file.

10. Funding for the burial of persons referred to in paragraph 2 of the Rules shall be carried out at the expense and within the limits of the funds provided for in the local budget.