

Kazakhstan

<i>Selected Statistics and Indicators on Child Labor</i>	
Percent of children 5-14 estimated as working:	Unavailable
Minimum age of work:	16 ²³⁰¹
Age to which education is compulsory:	16 or grade 9 ²³⁰²
Free public education:	Yes ²³⁰³
Gross primary enrollment rate in 2002:	102 ²³⁰⁴
Net primary enrollment rate in 2002:	91% ²³⁰⁵
Percent of children 5-14 attending school:	Unavailable
Percent of primary school entrants likely to reach grade 5:	Unavailable
Ratified Convention 138:	5/18/2001 ²³⁰⁶
Ratified Convention 182:	2/26/2003 ²³⁰⁷
ILO-IPEC participating country:	Yes, associated ²³⁰⁸

Incidence and Nature of Child Labor

Most working children in rural areas of Kazakhstan are involved in agriculture.²³⁰⁹ Many children migrate to Kazakhstan during the harvest season to work in the cotton and tobacco industry.²³¹⁰ Children working in the cotton and tobacco industry suffer from limited rest time, malnutrition, and limited access to health care.²³¹¹ In urban areas, the country's increasingly formalized labor market has led to a decrease in many forms of child work. However, children are still found begging, loading freight, delivering goods in markets, washing cars, and working

²³⁰¹ Government of Kazakhstan, *Labour Law of the Republic of Kazakhstan, 1999*, (January 2000), Section 11, no. 1; available from <http://natlex.ilo.org/txt/E99KAZ01.htm>.

²³⁰² U.S. Department of State, "Kazakhstan," in *Country Reports on Human Rights Practices- 2006*, Washington, DC, March 6, 2007, Section 5; available from <http://www.state.gov/g/drl/rls/hrrpt/2006/78820.htm>. See also UN Committee on the Rights of the Child, *Initial Reports of States parties due in 1996: Kazakhstan, CRC/C/41/Add.13*, prepared by The Republic of Kazakhstan, pursuant to Article 44 of the Convention on the Rights of the Child, September 24, 2002, paras. 257 and 267; available from <http://www.unhcr.ch/>.

²³⁰³ U.S. Department of State, "Country Reports- 2006: Kazakhstan," Section 5. See also UN Committee on the Rights of the Child, *Initial reports of Kazakhstan, CRC/C/41/Add.13*, paras. 257 and 267.

²³⁰⁴ UNESCO Institute for Statistics, *Gross and Net Enrolment Ratios, Primary; [Total,] accessed December 2005*; available from <http://stats.uis.unesco.org/>

²³⁰⁵ Ibid.

²³⁰⁶ ILO, *List of Ratifications of International Labor Conventions, Minimum Age Convention, 1973*, February 5, 2007; available from <http://webfusion.ilo.org/public/db/standards/normes/appl/appl-byConvYear.cfm?hdroff=1&Lang=EN&conv=C138>.

²³⁰⁷ ILO, *List of Ratifications of International Labor Conventions, Worst Forms of Child Labor Convention, 1999*, February 5, 2007; available from <http://webfusion.ilo.org/public/db/standards/normes/appl/appl-byConvYear.cfm?hdroff=1&Lang=EN&conv=C182>.

²³⁰⁸ ILO-IPEC, *IPEC Action Against Child Labor: Highlights 2006*, Geneva, October 2006, 29; available from http://www.ilo.org/iloroot/docstore/ipecc/prod/eng/20061019_Implementationreport_eng_Web.pdf.

²³⁰⁹ ILO-IPEC, *CAR Capacity Building Project: Regional Program on the Worst Forms of Child Labour*, project document, RER/04/P54/USA, Geneva, September 2004, 5-7. See also U.S. Department of State, "Country Reports- 2006: Kazakhstan," Section 6d. See also ILO-IPEC, *Child Labour in Tobacco and Cotton Growing in Kazakhstan: Rapid Assessment Report*, Almaty, 2006.

²³¹⁰ ILO-IPEC, *Child Labour in Tobacco and Cotton Growing in Kazakhstan: Rapid Assessment Report*, vii.

²³¹¹ Ibid., ix.

at gas stations.²³¹² Reports also indicate a rise in the number of children exploited in prostitution and pornography in urban areas. Police estimate that one-third of all street prostitutes in Kazakhstan are minors.²³¹³ Children working as domestic servants are often less visible to law enforcement officials and thus are vulnerable to exploitation.²³¹⁴ The trafficking of children is a problem in Kazakhstan.²³¹⁵

Child Labor Laws and Enforcement

The law sets the minimum age for employment at 16 years.²³¹⁶ However, children may work at age 15 with parental consent if they have completed their compulsory education.²³¹⁷ With parental consent, children 14 years or older may perform light work, if the work does not interfere with school attendance or pose a health threat.²³¹⁸ Children under 18 are prohibited from working in dangerous conditions, overtime, or at night. Children between 16 and 18 may not work more than 36 hours per week. Children between 15 and 16 years (or 14 and 16 years during non-school periods) may not work more than 24 hours per week. The labor authorities determine a list of dangerous occupations in which children are prohibited from working.²³¹⁹

The constitution prohibits forced labor, except under a court mandate or in a state of emergency.²³²⁰ The minimum age for compulsory military service is 18.²³²¹ The law prohibits the involvement of minors in the creation and advertisement of erotic products.²³²² Procuring a minor to engage in prostitution, begging, or gambling is illegal and punishable by up to 3 years of imprisonment.²³²³ The keeping of brothels for prostitution and pimping is outlawed and punishable by 2 to 5 years of imprisonment.²³²⁴ New laws enacted in 2006 impose a 10-year prison sentence if a minor is involved in trafficking and a 12-year sentence if persons are trafficked abroad.²³²⁵

The Ministry of Labor is responsible for enforcing child labor laws and imposing fines for administrative offenses. The Ministry of the Interior is responsible for investigating criminal child labor offenses.²³²⁶ The Ministry of Labor has 400 labor inspectors. Each of the country's

²³¹² ILO-IPEC, *CAR Capacity Building Project, project document*, 5-7. See also U.S. Embassy- Almaty, *reporting*, August 22, 2004. See also U.S. Department of State, "Country Reports- 2006: Kazakhstan," Section 6d.

²³¹³ Liz Kelly, *Fertile Fields: Trafficking in Persons in Central Asia*, International Organization for Migration, April 2005, 61.

²³¹⁴ ILO-IPEC, *CAR Capacity Building Project, project document*, 8.

²³¹⁵ U.S. Department of State, "Country Reports- 2006: Kazakhstan," Section 5.

²³¹⁶ Government of Kazakhstan, *Labour Law*, Section 11, no. 1.

²³¹⁷ *Ibid.*, Section 11, no. 2. See also U.S. Embassy- Almaty, *reporting*, August 22, 2004.

²³¹⁸ Government of Kazakhstan, *Labour Law*, Section 11, no. 3.

²³¹⁹ *Ibid.*, Sections 46-49.

²³²⁰ Government of Kazakhstan, *Constitution of the Republic of Kazakhstan*, Article 24. See also Government of Kazakhstan, *Labour Law*, Section 6.

²³²¹ Coalition to Stop the Use of Child Soldiers, *Child Soldiers Global Report- Kazakhstan*, November 17, 2004; available from http://www.child-soldiers.org/document_get.php?id=909.

²³²² UN Committee on the Rights of the Child, *Initial reports of Kazakhstan*, CRC/C/41/Add.13, para 355.

²³²³ *Criminal Code of the Kazakh Republic as cited by The Protection Project, Kazakhstan*, March, 2002.

²³²⁴ *Ibid.*

²³²⁵ U.S. Department of State, "Country Reports- 2006: Kazakhstan," Section 5.

²³²⁶ *Ibid.*, Section 6d.

16 districts has labor inspectors. They are empowered to levy fines for labor violations and refer criminal cases to law enforcement authorities.²³²⁷ Mandatory licensing laws for tourist agencies were enforced by the Procurator's Office, and inspections were conducted throughout the year to uncover agencies involved in trafficking.²³²⁸ However, the U.S. Department of State reports that endemic corruption and bribery of law enforcement officials has hampered anti-trafficking efforts.²³²⁹

Current Government Policies and Programs to Eliminate the Worst Forms of Child Labor

A National Plan to Combat Trafficking covering the years 2006-2008 was developed by an interagency working group including the Ministries of Justice, Internal Affairs, Foreign Affairs, Education and Science, Labor and Social Welfare, Culture, Information and Sports; the Procurator General; and the Commission on Women and Family.²³³⁰ The Children for Kazakhstan National Program (2006-2011) was approved during the 2006. It aims to create a comprehensive national child protection strategy.²³³¹

The government, the IOM, and 19 local NGOs have cooperated on an anti-trafficking information campaign, and the Ministry of Justice has distributed a booklet for Kazakh migrant workers and maintained a hotline for victims.²³³² In cooperation with the IOM and other NGOs, the government is also participating in several other awareness programs to prevent trafficking, prosecute offenders, and assist victims.²³³³ Local governments have supported and cooperated with NGOs to provide services to victims.²³³⁴ Public and private media have been required to broadcast government-sponsored anti-trafficking public service announcements.²³³⁵ The Ministry of Education has stated that anti-trafficking components are included in the curriculum of all high schools and colleges.²³³⁶

²³²⁷ U.S. Embassy- Almaty, *reporting*, August 22, 2004.

²³²⁸ U.S. Department of State, "Country Reports- 2006: Kazakhstan," Section 5.

²³²⁹ U.S. Department of State, "Kazakhstan (Tier 2)," in *Trafficking in Persons Report- 2006*, Washington, DC, June 5, 2006; available from <http://www.state.gov/g/tip/rls/tiprpt/2006/>.

²³³⁰ U.S. Department of State, "Country Reports- 2006: Kazakhstan," Section 5.

²³³¹ ILO-IPEC, *CAR Capacity Building Regional Program on the Worst Forms of Child Labour*, technical progress Report, Geneva, August 31, 2006, 2.

²³³² U.S. Department of State, "Trafficking in Persons Report- 2006: Kazakhstan." See also U.S. Department of State, "Country Reports- 2006: Kazakhstan," Section 5.

²³³³ IOM, *Combating Trafficking in Persons in Central Asia: Prevention, Prosecution, Protection (ASPPP)*, accessed October 22, 2006; available from <http://www.iom.int/iomwebsite/Project/ServletSearchProject?Category=1%3BCounter-Trafficking®ion=0%3B%28any%29&title=&keyWord=&resultPerPage=25&event=search&search=Search>. See also IOM, *Prevention of Trafficking in Persons and Protection (PTPP) of Victims of Trafficking From, To, Through and Within Kazakhstan*, accessed October 22, 2006; available from <http://www.iom.int/iomwebsite/Project/ServletSearchProject&Category=1%3BCounter-Trafficking®ion=0%3B%28any%29&country=0%3B%28any%29&title=&keyWord=&resultPerPage=25&event=search&search=Search>.

²³³⁴ U.S. Department of State, "Trafficking in Persons Report- 2006: Kazakhstan."

²³³⁵ U.S. Department of State, "Country Reports- 2006: Kazakhstan," Section 5.

²³³⁶ *Ibid.*

USDOL is funding a 3-year USD 2.5 million ILO-IPEC project that will build the capacity of national institutions to eliminate the worst forms of child labor as well as share information and experiences in Kazakhstan, Kyrgyzstan, Tajikistan, and Uzbekistan.²³³⁷

²³³⁷ ILO-IPEC, *CAR Capacity Building Project*, project document, vii.