

*In 2015, Kazakhstan made a moderate advancement in efforts to eliminate the worst forms of child labor. The Government of Kazakhstan adopted a policy to combat human trafficking, which included elements to prevent child labor in the production of cotton and ensure access to education for noncitizen children living permanently in Kazakhstan. The Government also carried out inspection raids in some economic sectors in which children are likely to be engaged in child labor, provided access to education for children of foreign migrants, and conducted awareness-raising campaigns on human trafficking. However, children in Kazakhstan are engaged in the worst forms of child labor, including in harvesting cotton and working in restaurants. The Government lacks a comprehensive policy that addresses all worst forms of child labor. There is also a lack of current, comprehensive, and detailed research on child labor.*



## I. PREVALENCE AND SECTORAL DISTRIBUTION OF CHILD LABOR

Children in Kazakhstan are engaged in the worst forms of child labor, including in harvesting cotton and working in restaurants.(1-3) Table 1 provides key indicators on children's work and education in Kazakhstan.

**Table 1. Statistics on Children's Work and Education**

Children	Age	Percent
Working (% and population)	5-14 yrs.	3.2 (79,690)
Attending School (%)	5-14 yrs.	90.7
Combining Work and School (%)	7-14 yrs.	3.6
Primary Completion Rate (%)		113.0

Source for primary completion rate: Data from 2015, published by UNESCO Institute for Statistics, 2015.(4)

Source for all other data: Understanding Children's Work Project's analysis of statistics from Multiple Indicator Cluster Survey 3, 2006.(5)

Based on a review of available information, Table 2 provides an overview of children's work by sector and activity.

**Table 2. Overview of Children's Work by Sector and Activity**

Sector/Industry	Activity
Agriculture	Farming, including weeding, collecting worms, and harvesting cotton† (1, 2, 6-9)
	Production of vegetables* (1-3)
Industry	Construction,* activities unknown (3)
Services	Working in markets,* activities unknown (3, 10, 11)
	Domestic work* (3, 12)
	Working in gas stations* (10, 12)
	Car washing (3, 10-12)
	Working as bus conductors* (3)
	Working in restaurants as waiter† (10-12)
Categorical Worst Forms of Child Labor‡	Commercial sexual exploitation as a result of human trafficking* (13-15)
	Forced begging as a result of human trafficking* (13, 14)
	Forced labor in agriculture,* domestic work,* and construction,* each sometimes as a result of human trafficking* (13, 16)

\* Evidence of this activity is limited and/or the extent of the problem is unknown.

† Determined by national law or regulation as hazardous and, as such, relevant to Article 3(d) of ILO C. 182.

‡ Child labor understood as the worst forms of child labor *per se* under Article 3(a)-(c) of ILO C. 182.

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There is no current, comprehensive research on child labor in Kazakhstan. The last national child labor survey was conducted in 2006; since then, a baseline study prioritizing child labor in agriculture in the Almaty and South Kazakhstan areas was completed in 2012.(17) There is limited evidence that children from the neighboring countries of Uzbekistan and the Kyrgyz Republic migrate with their families to work in the cotton fields in Kazakhstan.(1, 10, 18)

## II. LEGAL FRAMEWORK FOR THE WORST FORMS OF CHILD LABOR

Kazakhstan has ratified all key international conventions concerning child labor (Table 3).

**Table 3. Ratification of International Conventions on Child Labor**

Convention	Ratification
 ILO C. 138, Minimum Age	✓
ILO C. 182, Worst Forms of Child Labor	✓
 UN CRC	✓
UN CRC Optional Protocol on Armed Conflict	✓
UN CRC Optional Protocol on the Sale of Children, Child Prostitution and Child Pornography	✓
 Palermo Protocol on Trafficking in Persons	✓

The Government has established laws and regulations related to child labor, including its worst forms (Table 4).

**Table 4. Laws and Regulations Related to Child Labor**

Standard	Yes/No	Age	Related Legislation
Minimum Age for Work	Yes	16	Article 30 of the Labor Code (19)
Minimum Age for Hazardous Work	Yes	18	Article 179 of the Labor Code (19)
Prohibition of Hazardous Occupations or Activities for Children	Yes		Decree of the Government No. 1220 of 2011; Decree of the Minister of Health and Social Development No. 391 of 2015 (20, 21).
Prohibition of Forced Labor	Yes		Article 8 of the Labor Code; Article 135 of the Criminal Code (19, 22)
Prohibition of Child Trafficking	Yes		Article 135 of the Criminal Code (22)
Prohibition of Commercial Sexual Exploitation of Children	Yes		Articles 134, 135, and 312 of the Criminal Code (22)
Prohibition of Using Children in Illicit Activities	Yes		Articles 132 and 133 of the Criminal Code; Article 179 of the Labor Code (19, 22)
Minimum Age for Compulsory Military Recruitment	Yes	18	Article 31 of the Military Service Act (23)
Minimum Age for Voluntary Military Service	Yes	19	Article 38.1(2) of the Military Service Act (23)
Compulsory Education Age	Yes	17‡	Article 30 of the Constitution (24)
Free Public Education	Yes		Article 8.2 of the Education Act (25)

‡ Age calculated based on available information.

The law does not comprehensively criminally prohibit the offering of a child or the benefiting from a monetary transaction involving a child, for the production of pornography.

In Kazakhstan education is compulsory until grade 11 or completion of vocational school.(26) Children generally enroll in schools at the age of 6 or 7 and attend primary school (grades 1-4) and basic secondary school (grades 5-9). After grade 9, they either go to general secondary school (grades 10-11) or vocational schools (for 2-3 years).(3, 27) Therefore, they are 17 or 18 years old when education stops being compulsory.

### III. ENFORCEMENT OF LAWS ON THE WORST FORMS OF CHILD LABOR

The Government has established institutional mechanisms for the enforcement of laws and regulations on child labor, including its worst forms (Table 5).

**Table 5. Agencies Responsible for Child Labor Law Enforcement**

Organization/Agency	Role
Ministry of Health and Social Development, Departments of Control and Social Protection	Enforce child labor laws and manage child labor cases during broader investigations.(28) In 2015, functions of the Ministry of Health and Social Development as a central labor inspection body were transferred to the Ministry's <i>oblast</i> -level departments of Control and Social Protection.(3, 29)
Ministry of Education and Science	Receive complaints of child labor and determine if law enforcement should investigate cases. Mediate cases of child labor in the agricultural sector to encourage parents to keep their children in school.(28)
Ministry of Education and Science Center for the Adaptation of Minors	Provide assistance to child victims of forced labor, human trafficking, and commercial sexual exploitation, and to children involved in illicit activities; make referrals to appropriate government services or NGOs for further assistance.(30, 31)
Ministry of Internal Affairs	Enforce child labor laws in criminal offenses and train criminal and migration police in investigating the worst forms of child labor, including commercial sexual exploitation.(30, 32)
Ministry of Internal Affairs, Criminal Police Department, Anti-Trafficking Unit	Identify and investigate allegations of human trafficking, including trafficking of children.(28)
Assistance Hotlines	Provide hotlines for child-related issues, including child labor and child trafficking, through the Ministry of Internal Affairs and Ministry of Education and Science. Refer all child labor and trafficking cases to the police or NGOs, which in turn refer victims to shelters or crisis centers.(33)

#### *Labor Law Enforcement*

In 2015, law enforcement agencies in Kazakhstan took actions to combat child labor, including its worst forms (Table 6).

**Table 6. Labor Law Enforcement Efforts Related to Child Labor**

Overview of Labor Law Enforcement	2014	2015
Labor Inspectorate Funding	Unknown	Unknown
Number of Labor Inspectors	320 (28)	320 (3)
Inspectorate Authorized to Assess Penalties	Yes (29)	Yes (29)
Training for Labor Inspectors		
■ Initial Training for New Employees	Unknown	Unknown
■ Training on New Laws Related to Child Labor	Unknown	Unknown
■ Refresher Courses Provided	Yes (28)	Yes (3)
Number of Labor Inspections	Unknown (34)	11,400 (34)
■ Number Conducted at Worksite	N/A	Unknown
■ Number Conducted by Desk Reviews	N/A	Unknown
Number of Child Labor Violations Found	547 (34)	400 (34)
Number of Child Labor Violations for Which Penalties Were Imposed	Unknown (28)	82 (34)
■ Number of Penalties Imposed That Were Collected	Unknown	Unknown
Routine Inspections Conducted	No (28)	No (3)
■ Routine Inspections Targeted	N/A	N/A
Unannounced Inspections Permitted	Yes (35)	Yes (35)
Unannounced Inspections Conducted	No (28)	Yes (3)
Complaint Mechanism Exists	Yes (28)	Yes (3)
Reciprocal Referral Mechanism Exists Between Labor Authorities and Social Services	Yes (33)	Yes (3)

According to the ILO recommendation of one inspector for every 20,000 workers in transitional economies, Kazakhstan should employ about 450 inspectors to adequately enforce labor laws in the country.(3, 36-38) Therefore, the number of labor inspectors is insufficient to adequately enforce the law in Kazakhstan.

The President's Decree No. 757 prohibited announced labor inspection.(39) The Ministry of Health and Social Development labor inspectors can conduct unannounced inspections only if they have evidence of labor violations or in response to complaints.(3)

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Cases of illegal child labor may be reported to the police, an education official, a labor inspector, or one of several Government-operated hotlines. An official from the *oblast*-level Department of Education responds to the report and determines whether law enforcement should investigate the claim.(3) For cases in which the alleged child labor occurs in an agricultural setting, local officials meet with the child’s parents and with school administrators to reinforce the message that during the school year, children should be in school and not in the fields.(3) In 2015, inspectors identified 400 children who missed school to work in cotton fields.(34)

In addition to labor inspectors, the Ministry of Education and Science and the Ministry of Internal Affairs, in cooperation with other Government agencies, carried out targeted raids in areas in which children were likely to be engaged in child labor, such as local markets, gas stations, and construction sites. As a result of such raids, 139 child laborers were identified, including those who worked as bus conductors or in car wash stations.(3)

### *Criminal Law Enforcement*

In 2015, criminal law enforcement agencies in Kazakhstan took actions to combat the worst forms of child labor (Table 7).

**Table 7. Criminal Law Enforcement Efforts Related to the Worst Forms of Child Labor**

Overview of Criminal Law Enforcement	2014	2015
Training for Investigators		
■ Initial Training for New Employees	Unknown	Unknown
■ Training on New Laws Related to the Worst Forms of Child Labor	Unknown	Unknown
■ Refresher Courses Provided	Yes (28)	Yes (3)
Number of Investigations	17 (11)	22 (3)
Number of Violations Found	Unknown	5 (3)
Number of Prosecutions Initiated	Unknown	5 (3)
Number of Convictions	18 (11)	4 (3)
Reciprocal Referral Mechanism Exists Between Criminal Authorities and Social Services	Yes (14)	Yes (3)

The Ministry of Internal Affairs Legal Academy in the city of Karaganda and the Judicial Training Institute of the Supreme Court in the capital city of Astana held human trafficking trainings for 300 judges, and 103 police officers in different police units; additionally 150 labor inspectors were trained on a regional level.(3) Law enforcement officials of the Ministry of Internal Affairs carried out targeted operations for the proactive identification of individuals at risk of human trafficking and forced labor.(40)

## IV. COORDINATION OF GOVERNMENT EFFORTS ON THE WORST FORMS OF CHILD LABOR

The Government has established mechanisms to coordinate its efforts to address child labor, including its worst forms (Table 8).

**Table 8. Mechanisms to Coordinate Government Efforts on Child Labor**

Coordinating Body	Role & Description
National Coordination Council on Child Labor	Coordinate efforts to address the worst forms of child labor and prepare proposals and recommendations on implementing state policy to eliminate child labor.(17) Chaired by the Minister of Health and Social Development, includes representatives from the Ministry of Internal Affairs, the Ministry of Education and Science, the Prosecutor General’s Office, the Human Rights Ombudsman, and NGOs.(3) The Council convened in April 2015.(34)
Interagency Trafficking in Persons Working Group	Coordinate efforts to combat human trafficking and recommend improvements to anti-human-trafficking legislation, prevention strategies, protection of victims, and prosecution of offenders. Chaired by the Minister of Internal Affairs, its coordinating role is shared on a 2-year rotation between the Ministry of Internal Affairs and the Ministry of Health and Social Development.(40) Includes representatives from the Ministry of Foreign Affairs, the Ministry of Education and Science, the Ministry of Culture and Sports, the Committee for National Security, the Office of the Prosecutor General, the National Human Rights Commission, and the Supreme Court. Met twice in 2015.(40)
Committee for the Protection of Child Rights	Work to protect children from exploitation. Operate under the Ministry of Education and Science at the oblast-level departments of education.(28)

## V. GOVERNMENT POLICIES ON THE WORST FORMS OF CHILD LABOR

The Government of Kazakhstan has established policies related to child labor, including its worst forms (Table 9).

**Table 9. Policies Related to Child Labor**

Policy	Description
Action Plan to Combat Human Trafficking (2015–2017)†	Aims to strengthen coordination among Government ministries and with foreign governments and international organizations. Emphasizes victim assistance and prevention, specifically to prevent child labor in the production of cotton and in construction, to provide access to education for children of stateless and foreign individuals permanently living in Kazakhstan, to monitor and exchange data on the trafficking of children and child pornography, and to enforce criminal laws on the worst forms of child labor.(41)

† Policy was approved during the reporting period.

Although the Government of Kazakhstan has adopted the Action Plan to Combat Human Trafficking, research found no evidence of a policy on other forms of child labor.

## VI. SOCIAL PROGRAMS TO ADDRESS CHILD LABOR

In 2015, the Government of Kazakhstan funded and participated in programs that include the goal of eliminating or preventing child labor, including its worst forms (Table 10).

**Table 10. Social Programs to Address Child Labor**

Program	Description
Combating Child Labor in Central Asia — Commitment Becomes Action (PROACT CAR Phase III) (2010–2016)	\$4.5 million, Government of Germany-funded, 5-year regional project implemented by the ILO, designed to mainstream child labor issues in national policies and legislation, to build the capacity of stakeholders, and to provide direct services to children removed from the worst forms of child labor.(12, 42)
Assistance to Trafficking Victims‡	Provides medical and legal assistance, pretrial safe houses, security services, housing, food, clothing, and transportation to trafficking victims. Authorities can help victims or witnesses change residences, find employment, or change their physical appearance.(43)
Improving Identification and Referral of Victims of Human Trafficking (August 2014–July 2015)	\$175,000 USDOS-funded, one-year project implemented by the IOM to improve identification of human trafficking victims and refer them to services. The Government of Kazakhstan has committed to extend identification functions to all police units, such as migration or and administrative police and labor inspectors, and to train them to identify victims and refer these victims for further assistance.(44, 45)
Ministry of Education and Science Program of Education Development (2011–2020)‡	Aims to provide equal access to education, to transition to a 12-year education model, and to improve technical and vocational training.(46)

‡ Program is funded by the Government of Kazakhstan.

The Ministry of Internal Affairs, in cooperation with IOM, conducted the awareness-raising campaign, “Let’s stop trafficking together!” in 2015, which consisted of conferences, roundtables, and discussions with local government agencies.(15) The Ministry of Education and Science, in cooperation with other Government agencies, also carried out child labor awareness-raising campaigns that reached 1.6 million individuals through conferences, meetings, and competitions.(3) Local government bodies of several *oblasts* in Kazakhstan provided grants to NGOs to conduct awareness-raising campaigns about human trafficking and provide social and legal services to victims.(40)

In 2015, the Government provided access to education for approximately 3,400 children of foreign migrants in Kazakhstan.(40) Previously, access to education was a challenge for some migrant children who did not have an Individual Identification Number, which became a requirement for school enrollment in September 2014.(28) Based on available information, migrant children were not denied access to education in 2015 due to lack of Individual Identification Numbers.(45)

Although the Government of Kazakhstan implemented programs to combat human trafficking and provide assistance to trafficking victims in 2015, research found no evidence that it has carried out programs to assist children engaged in child labor in services and agriculture, particularly in the production of cotton.

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### VII. SUGGESTED GOVERNMENT ACTIONS TO ELIMINATE THE WORST FORMS OF CHILD LABOR

Based on the reporting above, suggested actions are identified that would advance the elimination of child labor, including its worst forms, in Kazakhstan (Table 9).

**Table 11. Suggested Government Actions to Eliminate Child Labor, Including its Worst Forms**

Area	Suggested Action	Year(s) Suggested
Legal Framework	Ensure that the law clearly and comprehensively criminally prohibits the offering of a child and benefiting from a monetary transaction involving child, for the production of pornography.	2015
Enforcement	Make information about the training system for labor inspectors and criminal investigators publicly available.	2015
	Increase the number of labor inspectors responsible for enforcing laws related to child labor to provide adequate coverage of the workforce.	2014 – 2015
	Resume routine labor inspections to enforce child labor laws, particularly targeting cotton fields and other areas where children are commonly employed.	2013 – 2015
Government Policies	Adopt a policy that addresses all relevant worst forms of child labor, including harvesting cotton.	2015
Social Programs	Conduct research to gather comprehensive data on child labor, including the activities carried out by children working in the construction and services industries, to inform policies and programs.	2013 – 2015
	Institute programs to address child labor in services and agriculture, particularly in the production of cotton.	2014 – 2015

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