

In 2012, Kazakhstan made a moderate advancement in efforts to eliminate the worst forms of child labor. The Government issued Order Number 398, enabling child migrant workers, including seasonal migrants, to attend educational institutions with the same rights as Kazakh children. The Government approved the Joint Action Plan and Joint Work Plan for the Elimination of the Worst Forms of Child Labor and Implementation of ILO International Convention 182 in the Republic of Kazakhstan for 2012 to 2014 and adopted a National Action Plan to Combat Trafficking in Persons for 2012 to 2014. The Government also continued to fund anti-trafficking education campaigns that targeted potential victims of trafficking, including children, and public awareness campaigns against human trafficking, including a campaign on hazardous child labor in the Almaty and South Kazakhstan regions. However, the funding available for inspectors is not adequate to carry out thorough inspections, and no data are available on the number of child labor investigations conducted during the reporting period. Children continue to engage in the worst forms of child labor, particularly in hazardous agricultural work and cotton farming.

### Statistics on Working Children and Education

Children	Age	Percent
Working	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		108.2

#### Sources:

**Primary completion rate:** Data from 2012, published by UNESCO Institute for Statistics, 2013.(1)

**All other data:** Understanding Children's Work Project's analysis of statistics from MICS3, 2006.(2)

### Prevalence and Sectoral Distribution of the Worst Forms of Child Labor

Children in Kazakhstan are engaged in the worst forms of child labor, many of them in hazardous agricultural work, including cotton farming. In cotton fields, children work long hours in extreme heat and sun without proper protection or adequate access to water, nutrition, or sanitation, and are exposed to hazardous pesticides that can damage their health and growth.(3-5) Children from neighboring countries, Uzbekistan and the Kyrgyz Republic, migrate with their families to work in the cotton fields of Kazakhstan.(6, 7)



Although information is limited, there are reports that children are also found working in the production of vegetables.(4, 12, 13) In vegetable fields, children work long hours in the sun and carry heavy loads. Children working in agriculture may also be exposed to hazardous pesticides and use dangerous tools.(5, 14, 15) Recent reports have also indicated that children working in agriculture have been trafficked to conduct this work.(13)

There is also evidence that children in Kazakhstan are forced into begging and commercial sexual exploitation.(8, 12, 16) There is limited evidence that children from neighboring countries are trafficked into Kazakhstan to work in construction.(13) Children from neighboring countries are trafficked to Kazakhstan for forced labor in domestic service, cattle raising, and agriculture. Girls from neighboring countries are trafficked into Kazakhstan for commercial sexual exploitation.(10, 13) Children are also trafficked within the country for commercial sexual exploitation.(10, 13)

Children in urban areas work in markets and beg on the streets. There are reports of children working on the streets, but specific information on hazards is unknown.(3, 6)

### Laws and Regulations on the Worst Forms of Child Labor

The minimum age for employment is 16. The minimum age for employment for light work is 14.(17) The Government is awaiting final approval from the Ministry on a list to define "light work" for children ages 14 and above.(4, 18)

The Labor Code identifies a list of types of work and working conditions prohibited for children under age 18.(19) These include gambling, working overtime, working in night-time entertainment establishments, and carrying weights

# Kazakhstan

above a maximum standard. Children under age 18 are also barred from the production, transport, and trade of alcoholic products, tobacco goods, narcotics, and psychotropic substances.(19) In addition, the Ministry of Labor and Social Protection of the Population of the Republic of Kazakhstan's List of Hazardous Work prohibits children from working in a number of sectors and activities, including in the production of opium, tobacco, and cotton, and in agricultural work involving the use of pesticides and herbicides.(20) During the reporting period, the Government finalized instructions on identifying child labor cases, which will be appended to the List of Hazardous Work after the Ministry of Labor and Social Protection approves them.(4, 18)

## International Conventions and Selected Laws on Child Labor and Education

	C138, Minimum Age	✓
	C182, Worst Forms of Child Labor	✓
	CRC	✓
	CRC Optional Protocol on Armed Conflict	✓
	CRC Optional Protocol on the Sale of Children, Child Prostitution and Child Pornography	✓
	Palermo Protocol on Trafficking in Persons	✓
	Minimum Age for Work	16
	Minimum Age for Hazardous Work	18
	Compulsory Education Age	17
	Free Public Education	Yes

The Labor Code prohibits forced labor, though with exceptions. These exceptions include work required under martial law or a court mandate and work that constitutes part of the “civil duties” of citizens.(19) In addition, the Criminal Code prohibits trafficking in persons for forced labor and commercial sexual exploitation. The code also prohibits and prescribes penalties for the sale or trafficking of children, the sexual exploitation of children—including prostitution and pornography—and the use of children for illicit activities such as begging and the transportation and trade of drugs.(21, 22)

The Constitution provides for free and universal education for Kazakh children.(23) The law also specifies that education is free and compulsory for 11 years, or until grade 11.(16, 24) During the reporting period, the Ministry of Education developed the legal framework for transitioning the country to 12-year compulsory education, beginning in 2015. This will extend the average age at which students complete compulsory education to 18.(25, 26)

In 2012, the Ministry of Education issued Order Number 398, which enables the children of foreigners and stateless persons, including seasonal migrants, to attend educational institutions with the same rights as Kazakh children.(27) However, it is unclear whether this will address the barriers to educational access that some Kyrgyz migrants have faced in practice, such as identification requirements.(17) In addition, some Kyrgyz children who have accessed education face obstacles in receiving completion certificates.(28) During the reporting period, Phillip Morris Kazakhstan (PMK) and NGOs continued to help facilitate migrant children's access to education.(8, 18, 28)

The compulsory recruitment age for the military is 18, and the voluntary recruitment age for the military is 19.(29)

## Institutional Mechanisms for Coordination and Enforcement

The National Coordination Council on Child Labor (NCCCL) coordinates efforts to address the worst forms of child labor, and prepares proposals and recommendations on implementing state policy to eliminate child labor. The Council, which includes representatives from all relevant agencies, is overseen by the Ministry of Labor and Social Protection.(26, 30) NGOs report that, while the NCCCL is largely effective, it is not adequately monitoring the implementation of the Joint Action Plan for the Elimination of the Worst Forms of Child Labor and Implementation of ILO International Convention 182 for 2012 to 2014. The NCCCL also lacks data on child labor migration in the regions.(26) Additionally, NGOs have complained of a lack of targeted financing of programs to prevent the worst forms of child labor on the local and national levels, especially in South Kazakhstan and Almaty Provinces, the most problematic areas of the country.(26)

The Interagency Trafficking in Persons Working Group, which is chaired by the Ministry of Justice and includes other relevant ministries, has the primary responsibility of coordinating efforts to combat human trafficking.(3) The group meets quarterly to report on each agency's anti-trafficking efforts.(31)

The Ministry of Labor and Social Protection is responsible for the enforcement of child labor laws.(12) Ministry officials have acknowledged that the funding available for inspectors is not adequate to carry out thorough inspections.(12) No data are available on the number of labor inspectors trained on the issue of child labor or the number of child labor investigations, violations, prosecutions, and convictions.(12) In 2012, the Interior Ministry trained 160 criminal and migration police in investigating the worst forms of child labor, including sexual exploitation.(12) The Ministry of Education's regional Child Protection Departments work with law enforcement to help prevent and eliminate the worst forms of child labor. The National Child Protection Department refers child labor cases to law enforcement and ensures that children receive rehabilitative services when needed.(26) The Almaty Child Protection Department works with the police to conduct investigations of markets to identify migrant children who work as loaders.(32) In 2012, the South Kazakhstan Child Protection Department continued to work with police and prosecutors to monitor child labor in the cotton sector. The regional prosecutor's office in South Kazakhstan conducted checks in cotton fields; however, no data is available on the results of these checks.(26)

The Government maintains three hotlines for child-related issues, including child labor and child trafficking, operated by the Ministries of Justice, Internal Affairs and Education and Science. All child labor and trafficking cases are referred to the police and/or NGOs, who then refer victims to shelters or crisis centers.(3, 33)

The Anti-Trafficking Unit in the Criminal Police Committee's Organized Crime Department employs 37 officers responsible for investigating allegations of human trafficking, including trafficking of children.(3) In 2012, the Ministry of Interior investigated 82 trafficking cases, including two initiated in 2011, and prosecuted 63 trafficking cases. Through these cases, the ministry identified 84 victims of trafficking, including 67 victims of sexual exploitation and 17 victims of labor exploitation.(34) Data on the ages of trafficking victims is not available from the Government, so it is unclear how many victims were children.(26) According to statistics provided by the IOM, 28 of the 153 trafficking victims assisted by NGOs in 2012 were children under age 17. The Kazakh Government's statistics on trafficking rarely match IOM's because they only include victims in conjunction with criminal investigations.(26)

## Government Policies on the Worst Forms of Child Labor

During the reporting period, the NCCCL approved the Joint Action Plan for the Elimination of the Worst Forms of Child Labor and Implementation of ILO International Convention 182 in the Republic of Kazakhstan for 2012-2014.(18) The Council also approved the Joint Work Plan on the Elimination of the Worst Forms of Child Labor and Implementation of the ILO Convention 182 in the Republic of Kazakhstan for 2012-2014. It finalized the mapping of legislation and policies in Kazakhstan, such as action plans and state/national programs on child labor and youth employment, to facilitate future collaboration between the government and its partners on these issues.(18) The NCCCL also discussed coordination around child labor campaigns, the ILO child labor project in Almaty and South Kazakhstan Provinces, and policies for child labor and youth employment.(12) One outcome of these discussions was the establishment of a Council of NGOs as a forum for discussions on child protection issues, including child labor.(18)

The Government also approved the National Action Plan to Combat Human Trafficking (2012-2014), which prioritizes the development of standards for shelter assistance for trafficking victims and the provision of services to vulnerable population groups, including children.(25, 35) The plan also includes the development of recommendations to improve regulation of the domestic labor market and the accession of Kazakhstan to the ILO Convention on Domestic Workers, the ILO Convention on Migration for Employment, and the ILO Convention on Migrant Workers.(25)

The National Action Plan on Human Rights of the Republic of Kazakhstan (2009-2012) recommends improving systems for detecting and combating the worst forms of child labor and for taking additional measures to fight human trafficking.(36) The achievements of the National Action Plan on Human Rights 2009-2012 led to new legislation intended to curb child labor. For example, in 2010, Kazakhstan's Law on Children's Rights was amended by Article 16-1, which codifies the right of children to be protected from economic exploitation.(26, 37) This amendment brought Kazakh law in line with ratified international Conventions on Children's Rights and the Worst Forms of Child Labor.(26) The National Action Plan also led to the adoption of Article 3 of Kazakhstan's Law on Education that provides equal access of children to education without limitations or discriminations. Lastly, the National Action Plan contributed to the Joint Action Plan and the Joint Work Plan

# Kazakhstan

for the Elimination of WFCL, and Implementation of ILO International Convention 182 in the Republic of Kazakhstan for 2012-2014 is being implemented.(26)

## Social Programs to Eliminate or Prevent the Worst Forms of Child Labor

During the reporting period, the Government continued to participate in a \$1.4 million German-funded, ILO-IPEC-implemented child labor project (2010-2013).(38) In 2012, this project completed a baseline study prioritizing child labor in agriculture, such as cotton, tobacco and vegetables, in the Almaty and South Kazakhstan areas.(18) Survey findings were used to design a pilot child labor monitoring system in the region, which targets child laborers in cotton.(18, 38, 39) In 2013, child labor monitoring systems will be piloted in five villages and direct services will be provided to children at risk for, or involved in, the worst forms of child labor.(18)

In 2012, the Government participated in an ILO-IPEC-implemented Action Program to increase the participation of Kazakhstan's Confederation of Employers in the elimination of child labor. Two Action Plans for employers to address child labor in the vegetable and tobacco sectors in the Almaty region, and two Action Plans on Mainstreaming Child Labor into the Education Sector in Almaty and South Kazakhstan regions were created by the program.(18)

During the reporting period, the Ministry of Labor and Social Protection continued to participate in a national Web site on child labor, which includes materials on national and international legislation, and public awareness materials on combating child labor.(4, 18) In August and September 2012, the Department of Education and Child Protection Department conducted 3,277 investigations to identify incidents of school truancy. They identified 24 children who were truant, and all were returned to school.(26) During the reporting period, the Child Protection Department also continued to provide poor students with uniforms and school supplies.(26, 32) The question of whether these programs have had an impact on child labor does not appear to have been addressed.

During the reporting period, the Government continued its partnership with PMK and ILO-IPEC to eliminate child

and forced labor in the production of tobacco by providing assistance to migrant children in the Almaty region.(8, 18) PMK's child labor project provided a summer camp for migrant and local children of tobacco workers ages 6 to 13 and vocational school for migrant children ages 14 to 17. It also equipped sport facilities in remote farms, established and equipped a community center with education and training equipment, and supplied Kyrgyz migrant children with school materials.(9, 18)

In 2012, the Ministry of Labor and Social Protection and the Ministry of Education's ongoing "100 Schools, 100 Hospitals Program" increased children's access to schools through school construction and rehabilitation programs.(28) The Ministry of Education also continued to operate the Centers for Adaptation of Minors, which house street children, migrant children, and children in difficult situations after being picked up by the police for truancy, curfew violations, lack of documentation, and other minor infractions. The Ministry of Education operates 18 such centers.(26, 35, 40, 41)

During the reporting period, the Government continued to fund anti-trafficking education campaigns that targeted potential victims of trafficking, including children. The Government also participated in public awareness campaigns against human trafficking, including a campaign on hazardous child labor in the Almaty and South Kazakhstan regions.(12, 34, 42)

In 2012, the Government spent an estimated \$53,000 on assistance to trafficking victims, of which \$43,500 was allocated by the Ministry of Justice to the Government-funded TIP shelter in Astana, one of four NGO-operated shelters for adult and child trafficking victims in the country.(34) The nearly \$10,000 remaining was allocated to 25 victims of trafficking, including four foreign victims, during the course of investigations. The Government is authorized by law to provide medical and legal assistance, pretrial safe houses, security services, housing, food, clothing, and transportation.(26) The authorities can help a victim or witness change residence, find another job, or change his or her physical appearance.(26) Despite this assistance, NGOs report that some foreign victims of trafficking experience problems accessing local medical facilities because they lack health insurance or residency permits.(34)

**Based on the reporting above, the following actions would advance the elimination of the worst forms of child labor in Kazakhstan:**

Area	Suggested Actions	Year(s) Action Recommended
Coordination and Enforcement	Ensure effective interagency cooperation in coordinating efforts to combat child labor.	2011, 2012
	Supply adequate funding for child labor inspections.	2010, 2011, 2012
	Make publicly available information on the number of labor inspectors trained on child labor issues.	2012
	Collect and make available to the public information on child labor violations found during investigations and child labor cases prosecuted.	2009, 2010, 2011, 2012
	Improve NCCCL's monitoring of the implementation of the Joint Action Plan for the Elimination of the Worst Forms of Child Labor and Implementation of ILO International Convention 182 for 2012 to 2014. In addition, increase the NCCCL's access to data on child labor migration in the regions and improve the NCCCL's targeted financing of programs to prevent the worst forms of child labor on the local and national levels.	2012
Social Programs	Assess the impact that existing education programs have on child labor.	2010, 2011, 2012
	Further develop or expand programs to protect and assist victims of child trafficking.	2009, 2010, 2011, 2012

## REFERENCES

- UNESCO Institute for Statistics. *Gross intake ratio to the last grade of primary. Total.*; accessed February 4, 2013; <http://www.uis.unesco.org/Pages/default.aspx?SPSLanguage=EN>. Data provided is the gross intake ratio to the last grade of primary school. This measure is a proxy measure for primary completion. For more information, please see the "Children's Work and Education Statistics: Sources and Definitions" section of this report.
- UCW. *Analysis of Child Economic Activity and School Attendance Statistics from National Household or Child Labor Surveys*. February 5, 2013. Reliable statistical data on the worst forms of child labor are especially difficult to collect given the often hidden or illegal nature of the worst forms. As a result, statistics on children's work in general are reported in this chart, which may or may not include the worst forms of child labor. For more information on sources used, the definition of working children and other indicators used in this report, please see the "Children's Work and Education Statistics: Sources and Definitions" section of this report.
- U.S. Embassy- Astana. reporting, February 18, 2010.
- ILO-IPEC. ILO-IPEC in Kazakhstan Newsletter, 2011 [cited March 1, 2012];
- ILO-IPEC. Child Labour in Rural Kazakhstan: Baseline Survey Results in Almaty and South Kazakhstan Oblasts. Almaty; 2012.
- U.S. Department of State. Kazakhstan. In: *Country Reports on Human Rights Practices- 2010*. Washington, DC; April 8, 2011; <http://www.state.gov/g/drl/rls/hrrpt/2010/>.
- Radio Free Europe Radio Liberty. "Central Asia: Child Labor Alive and Thriving." [rferl.org](http://www.rferl.org/content/article/1144612.html) [online] June 12, 2008 [cited October 30, 2012]; <http://www.rferl.org/content/article/1144612.html>.
- U.S. Embassy- Astana. reporting, January 20, 2012.
- U.S. Embassy- Astana. reporting, November 2, 2011.
- U.S. Department of State. Kazakhstan. In: *Trafficking in Persons Report- 2012*. Washington, D.C.; June 19, 2012; <http://www.state.gov/documents/organization/192596.pdf>.
- U.S. Embassy- Astana official. Email communication to USDOL official. January 31, 2012.
- U.S. Embassy- Astana. reporting, January 17, 2013.
- UNICEF. A Rapid Assessment of Children's Vulnerabilities to Risky Behaviors, Sexual Exploitation, and Trafficking in Kazakhstan; March 2012.
- International Labour Office. Children in hazardous work: What we know, what we need to do. Geneva, International Labour Organization; 2011. [http://www.ilo.org/wcmsp5/groups/public/---dgreports/---dcomm/---publ/documents/publication/wcms\\_155428.pdf](http://www.ilo.org/wcmsp5/groups/public/---dgreports/---dcomm/---publ/documents/publication/wcms_155428.pdf). While country-specific information on the dangers children face in agriculture is not available, research studies and other reports have documented the dangerous nature of tasks in agriculture and their accompanying occupational exposures, injuries and potential health consequences to children working in the sector.
- International Labour Office. Farming, International Labour Organization, [online] January 31, 2012 [cited March 18, 2013]; [http://www.ilo.org/ipec/areas/Agriculture/WCMS\\_172416/lang--en/index.htm](http://www.ilo.org/ipec/areas/Agriculture/WCMS_172416/lang--en/index.htm).
- U.S. Embassy- Astana. reporting, January 31, 2012.
- U.S. Department of State. Kazakhstan. In: *Country Reports on Human Rights Practices- 2011*. Washington, DC; May 24, 2012; <http://www.state.gov/j/drl/rls/hrrpt/2011/index.htm>.
- ILO-IPEC. Combating Child Labour in Central Asia - Commitment Becomes Action PROACT CAR Phase III. Technical Progress Report; Jan. - June 2012.
- Government of Kazakhstan. Labor Code of the Republic of Kazakhstan, 25321, (2007); [www.oit.org/dyn/natlex/docs/MONOGRAPH/76433/82753/F982631364/Microsoft%20Word%20-%20ENG%20KAZ.76433.pdf](http://www.oit.org/dyn/natlex/docs/MONOGRAPH/76433/82753/F982631364/Microsoft%20Word%20-%20ENG%20KAZ.76433.pdf).

# Kazakhstan

20. National Informational and Resource Center on the Problems of Child Labor. National Coordination Council on Child Labor, National Informational and Resource Center on the Problems of Child Labour, [online] [cited April 5, 2013]; <http://stopdetrud.kz/rus/trud/nfdt/> [source on file].
21. Government of Kazakhstan. Criminal Code of the Republic of Kazakhstan, 167, (1997); [www.legislationline.org/download/action/download/id/1681/file/ca1cfb8a67f8a1c2ffe8de6554a3.htm](http://www.legislationline.org/download/action/download/id/1681/file/ca1cfb8a67f8a1c2ffe8de6554a3.htm)/preview.
22. U.S. Embassy- Astana. reporting, January 27, 2011.
23. Government of Kazakhstan. Constitution of the Republic of Kazakhstan, (August 30, 1995); [http://online.zakon.kz/Document/?doc\\_id=1005029#sub\\_id=100000](http://online.zakon.kz/Document/?doc_id=1005029#sub_id=100000).
24. UNESCO. Beyond 20/20 Web Data Systems: Table 1: Education Systems. 2012. <http://stats.uis.unesco.org/unesco/TableViewer/tableView.aspx?ReportId=163>.
25. ILO-IPEC. Combating Child Labour in Central Asia - Commitment Becomes Action PROACT CAR Phase III. Technical Progress Report; July- Dec. 2012.
26. U.S. Embassy- Astana. reporting, May 20, 2013.
27. Government of Kazakhstan. Amendment to the Ministry of Education and Science of the Republic of Kazakhstan's order "On the Rules of obtaining pre-primary, primary, basic, secondary and general secondary education, foreigners and stateless persons permanently residing in the Republic of Kazakhstan" on September 28, 2010, August 28, 2012 [cited March 7, 2013]; <http://adilet.zan.kz/rus/docs/V1200007924>.
28. ILO-IPEC official. Email communication to USDOL official. March 1, 2012.
29. Coalition to Stop the Use of Child Soldiers. Kazakhstan. In: Child Soldiers Global Report 2008. London; 2008; [http://www.childsoldiersglobalreport.org/files/country\\_pdfs/FINAL\\_2008\\_Global\\_Report.pdf](http://www.childsoldiersglobalreport.org/files/country_pdfs/FINAL_2008_Global_Report.pdf).
30. ILO-IPEC. Elimination of Child Labour in Kazakhstan 2005-2010. Geneva; 2010.
31. U.S. Embassy- Astana. reporting, February 15, 2011.
32. U.S. Embassy- Astana. reporting, September 1, 2010.
33. U.S. Embassy - Astana official. Email communication to USDOL official. March 2, 2012.
34. U.S. Embassy- Astana. reporting, February 15, 2013.
35. U.S. Embassy- Astana. reporting, February 15, 2012.
36. Government of Kazakhstan. National Human Rights Action Plan of the republic of Kazakhstan 2009-2012. Astana; May 5, 2009. [www.undp.kz/userfiles/plan\\_en.pdf](http://www.undp.kz/userfiles/plan_en.pdf).
37. Government of Kazakhstan. On the Rights of the Child in the Republic of Kazakhstan, 345, Article 16-1, (2010); [http://adilet.zan.kz/rus/docs/Z020000345\\_#z166](http://adilet.zan.kz/rus/docs/Z020000345_#z166) [source on file].
38. ILO-IPEC. Combating Child Labour in Central Asia-Commitment Becomes Action PROACT CAR Phase III. Project Brief; 2012.
39. ILO- IPEC official. Email communication to USDOL official. May 23, 2012.
40. U.S. Embassy -Astana official. Email communication to USDOL official. May 21, 2012.
41. UNICEF. Assessment of Juvenile Justice Reform Achievements in Kazakhstan; 2009.
42. ILO. Kazakhstan: National Awareness Raising Campaign "12 Days Against Child Labor" [online] June 12, 2011 [cited January 25, 2012].