



Convention on the Rights of the Child

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Committee on the Rights of the Child

Combined fifth and sixth periodic reports submitted by Kazakhstan under article 44 of the Convention, due in 2021^{*, **}

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* The present document is being issued without formal editing.

** The annex to the present document may be accessed from the web page of the Committee.



1. The present report has been prepared pursuant to article 44 of the Convention on the Rights of the Child, opened for signature in New York on 20 November 1989 and ratified by Decision No. 77 of the Supreme Council of Kazakhstan of 8 June 1994, and in accordance with the requirements set out in the treaty-specific guidelines regarding the form and content of periodic reports ([CRC/C/58/Rev.3](#)), and taking account of the Committee's concluding observations on the fourth periodic report of Kazakhstan ([CRC/C/KAZ/CO/4](#)).
2. The report reflects the measures taken by Kazakhstan to implement the Convention, the Optional Protocol on the sale of children, child prostitution and child pornography and the Optional Protocol on the involvement of children in armed conflict.
3. The report was prepared by the Committee for the Protection of Children's Rights under the Ministry of Education and Science. Representatives of the Supreme Court, the Office of the Procurator General, the Ministry of Internal Affairs, the Ministry of Health, the Ministry of Labour and Social Protection, the Ministry of Culture and Sport, the Ministry of Justice and the Ministry of Ecology, Geology and Natural Resources were involved in the preparation of the report.
4. The report uses research materials prepared by the Y. Altynsarin National Academy of Education, materials from a sociological study conducted in 2021 by the Reindir research organization to assess the situation of the rights and legitimate interests of children, and other materials.

I. Articles 4, 42 and 44, paragraph 6, of the Convention General measures for the implementation of concluding observations ([CRC/C/KAZ/CO/4](#))

Legislation

Follow-up information relating to paragraphs 8 and 9 of the concluding observations

5. Kazakhstan has taken measures to further improve national legislation to ensure the rights and legitimate interests of children in accordance with the provisions of the Convention and the Optional Protocols thereto.
6. In October 2015, the new Code of Civil Procedure, Act No. 377-V, was adopted. The Code provides for the precedence of the provisions of international treaties ratified by Kazakhstan.
7. In January 2016, Kazakhstan ratified the Convention against Discrimination in Education of the United Nations Educational, Scientific and Cultural Organization by Act No. 449-V, which provides for the prevention of discrimination in education regardless of race, ethnicity, sex or religion. In accordance with the Convention, Kazakhstan gives foreign nationals resident within their territory the same access to education as that given to their own nationals.
8. The Convention on the International Recovery of Child Support and Other Forms of Family Maintenance and the Protocol on the Law Applicable to Maintenance Obligations were ratified in April 2016. This allowed for the application of a universal procedure for the enforcement of foreign judgments and maintenance agreements that prioritized the best interests of the child.
9. In order to harmonize international and national standards in a more detailed and complete manner, Kazakhstan has adopted a broad range of laws dealing primarily with the rights and interests of the child.
10. In addition, in April 2016, Act No. No. 501-V amending certain legislative acts on the protection of the rights of the child was adopted.
11. Amendments were made under the Act to the Marriage and Family Code, the Code on Public Health and the Healthcare System, the Criminal Code, the Code of Criminal Procedure, the Penalties Enforcement Code and the Code of Administrative Offences.

Criminal penalties for offences against the life, health and sexual inviolability of children (under 14 years of age) and young persons (under 18 years of age) have been increased.

12. The Act also introduced amendments to the Children's Rights Act, the Education Act, the Act on Administrative Supervision of Persons Released from Places of Detention, the Communications Act and the Minimum Social Standards and Their Guarantees Act in order to further improve the system for protecting the rights and legitimate interests of children.

13. In December 2017, Act No. No. 128-VI amending certain legislative acts on information and communication was adopted. For example, article 43 of the Education Act has been amended to include restrictions on children's access to information harmful to their health and development.

14. In July 2018, Act No. 169-VI on the Protection of Children from Information Harmful to their Health and Development was adopted, which regulates social relations arising in connection with the realization of children's rights to receive and disseminate age-appropriate information and is aimed at protecting children from information harmful to their health and development.

15. The Act defines the principles of State policy and outlines the competence of the Government, the designated authority, public bodies and local authorities in the area of protecting children from information harmful to their health and development. The notions of "age rating", "age group" and "age category sign" have been introduced and requirements for the content of information products intended for different age groups have been established (taking into account the psychophysiological characteristics of children).

16. In 2018, Kazakhstan adopted Act No. 170-VI amending certain legislative acts on the protection of children from information harmful to their health and development. For example, under the Criminal Code, as amended, the use of telecommunications networks, including the Internet, constitutes an indicium of the crime of involving minors in the commission of criminal offences (art. 132) or in prostitution (art. 134).

17. In April 2016, Act No. No. 240-VI was adopted, amending certain legislative acts on the work of organizations protecting the rights of the child.

18. The Act introduced additional provisions to the Code of Criminal Procedure requiring cases of criminal or administrative offences against minors in healthcare and other organizations to be immediately reported to the law enforcement agencies.

19. In December 2019, Act No. 287-VI amending certain legislative acts on compulsory social insurance, social security and public-private partnership in healthcare was adopted, providing for a new State allowance for large families calculated as a multiple of the monthly calculation index, from 42,500 tenge to 74,000 tenge, which varies according to the number of children in the family.

20. Furthermore, in December 2019, Act No. 292-VI amending certain legislative acts to improve criminal law and criminal procedural law and strengthen individual rights was adopted, under which criminal penalties for crimes against sexual inviolability have been increased.

21. In addition, in April 2016, Act No. No. 326-VI was adopted, amending certain legislative acts on maternal and child welfare.

22. The Act introduces provisions on the competence of the authority responsible for education to carrying out intersectoral coordination for the social rehabilitation of children affected by terrorist activities and establishes a list of social services for such rehabilitation.

23. In January 2021, Act No. 410-VI amending certain legislative acts on education was adopted.

24. The Act introduces amendments to article 5 of the Education Act, providing for the expansion of the competence of the Ministry of Education and Science in terms of approving the list of items and substances which may not be brought to school or whose use is restricted in schools and school grounds. The corresponding Ministry of Education and Science Order No. 235 of 25 May 2021 was adopted.

25. On 1 July 2021, the Administrative Procedure Code came into force, which sets out the procedure for administrative procedures and administrative court proceedings, in cases involving the rights and legitimate interests of minors. In accordance with article 27 of the Code, minors emancipated on the grounds provided for by law personally exercise their procedural rights and procedural obligations from the moment of emancipation. In cases established by national laws, in matters of public law, minors between the ages of 14 and 18 are entitled to personally defend their rights, freedoms and legitimate interests in administrative cases.

26. The rights, freedoms and legitimate interests of a minor under 14 years of age and of a person recognized as lacking legal capacity are protected in court by their legal representatives and the procurator.

Comprehensive policy and strategy

Follow-up information relating to paragraphs 10 and 11 of the concluding observations

27. In Kazakhstan, a set of measures to protect children's rights is included in the following laws and regulations.

28. In March 2020, the Government approved a road map, No. 156, for strengthening the protection of children's rights, combating domestic violence and addressing suicidal tendencies among adolescents for the period 2020–2023.

29. The adoption of the road map has made it possible to establish a system to protect the rights and ensure the safety of children in Kazakhstan. This is an inter-agency document, with 13 government bodies and local authorities involved in its implementation.

30. Regional action plans for the implementation of this road map for the period 2020–2023 have been adopted in the regions.

31. Key issues on the protection of children's rights are reflected in the national "Educated Nation" project and national "Healthy Nation: Quality and Accessible Healthcare for Every Citizen" project, the Family and Gender Policy Framework for the period up to 2030, the State Youth Policy Framework for the period up to 2020, the road map to improve the provision of comprehensive assistance to children with disabilities for the period 2021–2023, the Comprehensive Plan for the Prevention of Offences for the period 2020–2022, the Inter-Agency Action Plan for the Prevention of Crimes against the Sexual Inviolability of Minors, Domestic Violence and Child Abuse for the period 2019–2023, the Inter-Agency Joint Action Plan for the Prevention of Violence and Child Abuse for the period 2019–2021.

32. New strategic documents were developed in 2021, including the Education Development Policy Framework for the period up to 2025 and the action plan for the implementation of Policy Framework. These documents contain the section "Protection of the rights and interests of children, ensuring child health and safety", a number of indicators will be introduced, and more than 20 measures are planned.

Allocation of resources

Follow-up information relating to paragraphs 12 and 13 of the concluding observations

33. A budget for children has been drawn up under the State child welfare policy to ensure their protection and contribute to their well-being.

34. The Economic Research Institute, the Committee for the Protection of Children's Rights under the Ministry of Education and Science and the United Nations Children's Fund (UNICEF) have developed a methodology for budgeting for children from 1 April 2021 under a joint plan of action to introduce such a methodology.

35. The draft methodology was developed to determine the main approaches to budgeting for children used in world practice, to study the budgetary process and fiscal relations in

Kazakhstan and the extent to which they are consistent with the State planning system, and to review the current laws and regulations in order to explore the possibility of regulating fiscal relations in the process of drawing up a budget for children.

36. The draft methodology takes into account all types of State support targeting children. There are plans to introduce the methodology in Kazakhstan in 2022, which will allow central and local authorities to determine the amount of State funding for children and the level of priority and effectiveness of these expenditures.

37. The results of the use of the methodology will be presented as analytical information based on the results of the establishment of the necessary methodological framework at the industry level on an annual basis.

Data collection

Follow-up information relating to paragraphs 14 and 15 of the concluding observations

38. Kazakhstan has taken measures to improve the system for monitoring and collecting various data on the situation of children.

39. In 2017, a compendium of statistics on children in Kazakhstan was developed. The structure and content of the compendium were developed with the participation of representatives of interested government bodies, non-governmental organizations (NGOs) and the UNICEF office in Kazakhstan. The objectives of this compendium include the development of indicators, public awareness, monitoring of the situation of children and exchange of information between relevant ministries.

40. The data in the compendium are collected from various official sources and divided into the following sections: demography, health and healthy lifestyles, education, leisure, social protection, children involved in the justice system, welfare and social equality, youth employment, and comparisons with international data, in particular, the Sustainable Development Goals and others.

41. One of the sections includes information on the principles and provisions of the Convention on the Rights of the Child and the Optional Protocols thereto and the annual reports of the Ministry of Education and Science on the situation of children. The compendium is issued annually and is available to the public on the website of the Bureau of National Statistics of the Agency for Strategic Planning and Reforms (<https://bala.stat.gov.kz/en/>).

42. In addition, the national educational database has been in operation since 2012.

43. All educational organizations, whether public or private, enter information into the database coordinated by regional education departments, organizations that report to the Ministry of Education and Science, higher educational institutions, both public and private, national educational organizations and departments for oversight of education and science.

44. The goal of the database is to provide administrative data in electronic format annually in a reliable and timely manner within the time frames established by the forms.

45. The database includes a broad range of data on children from low-income families, orphans and children without parental care, children with special educational needs, guardianship councils, inclusive education, financing of educational organizations at all levels, networks of organizations for orphans and children without parental care, centres for the rehabilitation of minors, improvements to amenities and supplies and equipment for children's facilities, heating and warm toilets, etc.

46. In 2017, a national databank of orphans and children left without parental care and persons wishing to adopt a child was set up, which made it possible not only to automate the registration of children, but also to ensure that the procedure for placing children in a family was transparent.

Independent monitoring

Follow-up information relating to paragraphs 16 and 17 of the concluding observations

47. The Office of the Commissioner for Human Rights in Kazakhstan was established in 2002. The Office complements the existing State protections of human and civil rights and freedoms in its work to monitor compliance with human and civil rights and freedoms in the country. The Office conducts its activities independently.
48. The number of appeals concerning violations of the rights of minors received by the Office in the last three years is as follows: 68 in 2018, 50 in 2019 and 18 in 2020. In addition, in 2020, the Office filed seven applications with State bodies to look into violations of the rights of minors.
49. Furthermore, the Office coordinates the activities of members of the national preventive mechanism, which operates as the system for the prevention of torture and other cruel, inhuman or degrading treatment or punishment.
50. In 2019, rules for the expansion of the list of organizations to be visited by members of the national preventive mechanism were established by Act No. 240-VI.
51. Members of the national preventive mechanism currently visit all the institutions responsible for protecting children's rights: orphanages, boarding schools, children's villages, youth homes, juvenile adaptation centres and institutions for minors with behavioural problems.
52. In 2021, the Committee for the Protection of Children's Rights under the Ministry of Education and Science was commissioned to carry out a sociological study, in which 22,000 parents took part. The results of the study paper showed that 44.7 per cent of children and 39.8 per cent of parents are not familiar with the institutions of the Office of the Human Rights Commission or the Office of the Commissioner for Children's Rights.
53. In February 2016, the Office of the Commissioner for Children's Rights was established by presidential decree.
54. The Office carries out its activities on a voluntary basis in accordance with articles 7-1 and 7-2 of the Rights of the Child Act.
55. In June 2019, Arushan Sain, a prominent public figure and head of the Miloserdie voluntary organization, was appointed to head the Office.
56. In order to increase the visibility of Office of the Commissioner for Human Rights and Office of the Commissioner for Children's Rights, measures will be taken to strengthen awareness-raising activities among students in the form of elective courses, class meetings and other extra-curricular activities.
57. Among the bodies carrying out preventive work with minors in Kazakhstan, a leading role is played by the Interdepartmental Commission on Minors and Their Rights and the Committee for the Protection of Children's Rights under the Ministry of Education and Science.

Children's rights and the business sector

Follow-up information relating to paragraphs 18 and 19 of the concluding observations

58. Kazakhstan has established a legislative framework on the responsibility of businesses to respect the rights of minors. For example, article 77 of the Entrepreneurial Code establishes corporate social responsibility in the environmental sphere. Companies undertake to provide funding for environmental protection.
59. At the Astana Economic Forum in 2017, it was proposed to implement the Guiding Principles on Business and Human Rights endorsed by the United Nations. According to these principles, the State should take additional steps to protect against human rights abuses

by business enterprises. Business enterprises, as part of society, should avoid infringing on the human rights of others and address adverse human rights impacts with which they are involved.

60. Under the Environmental Code of 2 January 2021, by Order No. 286 of 3 August 2021 of the acting Minister of Ecology, Geology and Natural Resources, the rules on public hearings, which were developed in compliance with the Convention on Access to Information, Public Participation in Decision-Making and Access to Justice in Environmental Matters and the Environmental Code, were approved and govern the procedures for holding such hearings.

61. In 2019, fundamentals of entrepreneurship and business, an optional course of study, was introduced in general education schools in Kazakhstan.

62. The course was developed for students in grades 10 and 11, amendments were made to the model general secondary education curriculum, and an action plan for the introduction of the subject of fundamentals of entrepreneurship and business into the learning process of educational and scientific organizations from the 2019/20 academic year was approved.

63. The Atameken National Chamber of Entrepreneurs has developed a professional development course curriculum for teaching staff on the subject of fundamentals of entrepreneurship and business. The Kokziek-Horizont publishing house has developed a draft textbook on the fundamentals of entrepreneurship and business, which been reviewed by Uchebnik (Textbook), the national applied research centre responsible for evaluating educational content.

Cooperation with civil society

64. Some 132 NGOs are actively involved in providing social, legal and psychological assistance to children and families living in difficult circumstances, in particular the Union of Crisis Centres of Kazakhstan, the Ulagatty januya voluntary association, the Children's Fund of Kazakhstan, the Angel24KZ child protection centre, the Sana Sezim Legal Centre for Women's Initiatives, the Pravo public foundation and others.

65. Overall, over the last 30 years, the NGO network has grown from 100 to 22,000 organizations. The volume of public investment through the mechanisms of State social partnership, grants and awards totalled more than 140 billion tenge to support the work of NGOs.

66. A priority area for the development of cooperation with NGOs is to contract out government functions on a competitive basis in the area of protection of children's rights.

67. Engagement with civil society institutions is facilitated through various frameworks for dialogue.

68. In November 2020, the ninth Civil Forum was held on the theme "State and society: Birgemiz – 30 years of partnership and development", at which the most pressing issues currently facing society were discussed, in particular the inclusion of social work in the list of professions in high demand needed to meet the country's needs, the development of environmental education and the involvement of NGOs in monitoring activities.

69. The year 2020 was declared the Year of the Volunteer in Kazakhstan. More than 1 million families and children in need were helped in 2020.

70. In November 2021, the tenth Civil Forum was held, in which international partners of Kazakhstan took part for the first time, including representatives from the Organization for Security and Cooperation in Europe, the United Nations Development Programme, UNICEF, Friedrich-Ebert-Stiftung, the United Nations Educational, Scientific and Cultural Organization and the United States Agency for International Development.

71. The Forum was dedicated to the development of society and democratic processes, the implementation of the Sustainable Development Goals and the key challenges and achievements of society, government and business.

Measures to make the principles and provisions of the Convention and Optional Protocols thereto widely known

72. Kazakhstan pays due attention to raising awareness of the provisions of the Convention on the Rights of the Child among the public, including children and their parents.

73. Every year, in the lead-up to World Children's Day, Kazakhstan holds large-scale campaigns to raise awareness of children's rights and progress made.

74. Measures are being taken to train and raise the professional level of law enforcement and prison officers, including with regard to the study and application of international human rights law and standards.

75. For example, the Centre for Retraining and Advanced Training of Judges and Judicial Staff of the Academy of Justice annually conducts advanced training courses for some 20 to 30 judges of specialized juvenile courts. Friedrich-Ebert-Stiftung, with the support of the Supreme Court of Kazakhstan, held a series of seminars on the theme, "International human rights standards: reflecting international law in judicial decisions".

76. National events such as forums, summits, conferences and debates are held in order to raise awareness among children and adolescents in Kazakhstan of the provisions of the Convention.

77. The measures taken by the State to raise awareness among children are quite effective. This has been validated by social research as well. The Y. Altynsarin National Academy of Education thus collected data on the level of students' awareness about the rules of law for one such study paper. A sociological survey was conducted in 2019 in 17 regions in Kazakhstan. A total 960,553 children aged 7–18 years were surveyed. The results of the survey showed a high level of children's awareness about their rights – 88 per cent (between 80 per cent and 94 per cent in the regions) – and the Convention, with 89 per cent for children aged 7–10 years, 91 per cent aged 11–15 years and 92 per cent aged 16–18 years.

78. There are plans to publish a separate report on the issue to promote broad public awareness about problems in implementing children's rights. Additional measures to publicize this report will be carried out (press conferences, press releases, media publications and others).

II. Article 1 Definition of the child

79. The definition of the child in Kazakh law is in line with article 1 of the Convention.

80. Under article 1 (2) of the Children's Rights Act, a child is a person who has not reached 18 years of age (majority).

III. General principles

Article 2 Non-discrimination

Follow-up information relating to paragraphs 20 and 21 of the concluding observations

81. State policy in Kazakhstan ensures respect for the rights and legitimate interests of children and prohibits discrimination against them. In Kazakhstan, discrimination is prohibited by law. To that end, a legal framework has been established to guarantee children's rights and appropriate bodies and organizations have been set up to protect children's rights and legitimate interests.

82. In accordance with article 14 (2) of the Constitution, no one, including a child, may be subjected to any discrimination on grounds of origin, social, official or property status,

sex, race, ethnicity, language, attitude to religion, beliefs or place of residence or on any other grounds.

83. Article 6 of the Rights of the Child Act defines the objectives of State policy in the interests of children, including the objective of safeguarding the rights and legitimate interests of children and preventing discrimination against them. There are also a number of legislative acts that clearly regulate the prohibition of discrimination against children (the Education Act, art. 3 (1)(1), the Social Protection of Persons with Disabilities Act, art. 5 (3), and the Code on Public Health and the Healthcare System, art. 5 (1)).

84. In January 2016, Kazakhstan ratified the Convention against Discrimination in Education, whose main objectives include the elimination of all forms of discrimination in education and the proclamation of compulsory, universally accessible and free primary education.

85. All children, including children from vulnerable groups, are thus provided with equal access to education, healthcare and special social services.

86. In addition, the Criminal Code governs matters involving the commission of any act of discrimination and criminal punishment for violations of the equal rights of the individual and the citizen. Under article 145 of the Criminal Code, the direct or indirect restriction of human or civil rights or freedoms based on origin, social, official or property status, sex, race, ethnicity, language, attitude to religion, beliefs, place of residence, membership of voluntary associations or any other circumstances is punished by a fine of up to 160 times the monthly calculation index, or by punitive deduction of earnings in the same amount, or by community service for up to 160 hours, or up to 40 day's detention.

Article 3 **Best interests of the child**

Follow-up information relating to paragraphs 22 and 23 of the concluding observations

87. The best interests of the child is a fundamental principle for both parents and the State.

88. According to article 72 of the Marriage and Family Code, parental rights must not be exercised in a manner contrary to the interests of the child. Safeguarding the interests of the child is a matter of fundamental concern to the child's parents.

89. By order of the President of Kazakhstan, Kassym-Jomart Tokayev, the Ministry of Education and Science has developed an a child well-being index.

90. The main objective is to develop an adapted model of the index based on the global methodology of the UNICEF Office of Research – Innocenti, comparing countries from the Organisation for Economic Co-operation and Development and Europe, for the purpose of making public policy decisions to improve the lives of children in Kazakhstan.

91. UNICEF and the Economic Research Institute are working in partnership with the Ministry of Education and Science to develop methods for calculating and approving the index.

92. The index is currently being piloted and a manual is under way. The work will result in government regulations on the implementation of the index.

Article 6 **Life, survival and development**

93. The basic principles of the child's right to life, survival and development are addressed in paragraphs 122 to 128 of the initial report, paragraphs 97 to 102 of the combined second and third periodic reports and paragraphs 194 to 216 of the fourth periodic report on the implementation by Kazakhstan of the Convention on the Rights of the Child.

Article 12

Respecting children's views

Follow-up information relating to paragraphs 24 and 25 of the concluding observations

94. Under article 11 of the Children's Rights Act, every child has the right to freedom of speech and expression, freedom of conscience, an evolving level of public participation and the right to receive and impart age-appropriate information and choose to join voluntary associations, other non-profit organizations and peaceful legal assemblies.

95. In accordance with article 62 of the Marriage and Family Code, children, regardless of age, have the right to express their opinion when the family decides on any matter affecting their interests and to be heard in any judicial or administrative proceedings.

96. The opinion of a child who has reached the age of 10 must be taken into account in cases provided for by the Code of Administrative Offences, unless it is contrary to the child's best interests.

97. It should be noted that the courts, when considering civil cases involving the determination of the child's place of residence and the times when the non-custodial parent may have contact with the child, must necessarily hear the views of the child as to which parent he or she wishes to live with. In order to make a decision that fully contributes to the protection of the minor's interests, the judge must ascertain the child's living conditions and upbringing, the personality traits of the child and the parents, and the specific nature of their relationship.

98. Children express their opinions by actively participating in conferences, quizzes, legal seminars, business role-playing games, clubs, round tables and forums.

99. One of the ways in which children can express their opinions is through the debating movement, which is organized as part of a social partnership with NGOs. The national debating movement has two branches: the student branch and the school branch.

100. Every year, the Ministry of Education and Science holds public hearings of "My Ideas for My Country!", children's projects addressing important social issues.

101. In August 2020, the Committee for the Protection of Children's Rights under the Ministry of Education and Science approved regulations on children's representative offices on ensuring children's rights in Kazakhstan, which set out the general provisions, purposes, responsibilities, powers and procedure for forming such offices. Elections to the children's representative offices were held in educational organizations in September and October 2020 in accordance with the regulations.

102. The day before International Children's Day, 31 May 2021, the Minister of Education and Science, A. Aimagambetov, presented certificates and badges to members of the National Council of Children's Representative Offices on Ensuring Children's Rights.

103. Since February 2021, in order to develop students' skills of civic engagement, social competence and civic responsibility, school/student parliaments have been set up in educational organizations in the country.

104. Various studies are conducted to identify the issues that are most important to children. In particular, a national report on the situation of children in Kazakhstan is prepared annually for the President of Kazakhstan. Sociological studies are being conducted to determine the level of children's legal protection.

IV. Civil rights and freedoms

Articles 7 and 8

Name, nationality and preservation of identity

105. Kazakhstan supports global efforts to prevent statelessness and takes the necessary measures to protect the rights of children in the migration process.

106. In particular, in November 2019, Act No. 272-VI amending certain legislative acts on public service delivery amended article 187 of the Code of Administrative Offences to make provision for the registration of all children born in Kazakhstan and the issuance of birth certificates to them, regardless of the legal status of their parents.

107. The article, as amended, provides that, in cases where a child is born in a medical establishment and the mother has no identification documents, when the birth is registered, information about her is filled in on the basis of her declarations and according to the medical certificate of birth, which contains a note to the effect that the information concerning the mother is taken from her own words.

Article 13

Right to freedom of expression and the right to seek, receive and impart information

108. Under article 11 of the Children's Rights Act, every child has the right to freedom of speech and expression, freedom of conscience, an evolving level of public participation and the right to receive and impart age-appropriate information and choose to join voluntary associations, other non-profit organizations and peaceful legal assemblies.

109. State bodies promote the activities of voluntary organizations that aim to develop children's personalities, creativity, involvement in society, scientific, technical and artistic creativity, protect their intellectual property, protect children's lives and health, protect the natural environment and historical and cultural monuments, carry out charitable activities, and encourage participation in cultural life and sports and leisure activities.

Article 14

Freedom of thought, conscience and religion

110. The right of every citizen of Kazakhstan to freedom of conscience is set out in paragraphs 143 to 146 of the initial report, paragraphs 133 to 141 of the combined second and third periodic reports and paragraphs 235 to 245 of the fourth periodic report on the implementation of the Convention.

Article 15

Freedom of association

111. Article 23 (1) of the Constitution establishes the right of every citizen of Kazakhstan to freedom of association.

112. Everyone has the right to freedom of association with others. Citizens have the opportunity to exercise the right to associate, establish, operate, reorganize or liquidate voluntary associations provided that this is not contrary to the law of Kazakhstan.

113. The State bodies promote the activities of these voluntary associations, whose purpose is to develop the child's personality, creative talents and involvement in society.

114. In order to create the right conditions for young people to develop socially and realize their potential, Zhas Ulan, Scouts of the Great Steppe, the Academy of Young Kazakh Patriots and other youth movements are active in general education schools in the country.

115. Furthermore, in accordance with the Act on the Procedure for Organizing and Holding Peaceful Assemblies, only adult citizens or a group of adult citizens of Kazakhstan may act as organizers of a peaceful assembly, initiate the peaceful assembly, organize its holding and supervise the peaceful assembly and its participants.

Article 16

Protection of privacy

116. Information on measures to implement the above-mentioned articles of the Convention is set out in paragraphs 151 and 152 of the initial report, paragraphs 152 to 160 of the combined second and third periodic reports and paragraphs 257 to 273 of the fourth periodic report on the implementation of the Convention.

Article 17

Access to appropriate information

117. Kazakhstan recognizes the important function performed by the mass media and ensures that the child has access to information and material from a diversity of national and international sources, especially those aimed at the promotion of his or her social, spiritual and moral well-being and physical and mental health.

118. There were 3,962 libraries available for children in Kazakhstan in 2019, including 3,423 in rural areas and 539 in cities. The number of users of children's libraries is 1.6 million children.

119. In 2019, the share of children aged 6–15 years using a computer amounted to 80.8 per cent (65.3 per cent in 2016) and the Internet 75 per cent (62.1 per cent in 2016).

120. The percentage of schools with Internet access at speeds of up to 4 megabits per second (Mbps) or higher in 2019 was 94.1 per cent, up 55.5 per cent from 2016 (34.6 per cent).

121. Active measures are being taken in Kazakhstan to protect children from information harmful to their health and development.

122. In December 2017, Act No. No. 128-VI amending certain legislative acts on information and communication was adopted, which includes provisions for the protection of children.

123. In particular, the Mass Media Act has been amended to prohibit, without the consent of children's legal representatives, the dissemination of information in the mass media or telecommunications networks that makes it possible to identify children who have suffered as a result of unlawful acts or omissions and minors suspected or accused of committing administrative or criminal offences.

124. The Education Act has been amended to task educational organizations with ensuring access of students to the Internet through service providers designed to limit children's access to negative information.

125. In July 2018, Act No. 169-VI on the Protection of Children from Information Harmful to their Health and Development was adopted, which is aimed at protecting the rights and legitimate interests of children from the negative impact of the media environment, with due regard for their age-specific psychological characteristics and vulnerabilities.

126. The Act establishes criteria for the content of information products intended for different age groups of children, taking into account their psychophysiological characteristics.

127. In 2018, Kazakhstan adopted Act No. 170-VI amending certain legislative acts on the protection of children from information harmful to their health and development.

128. The authorized State bodies monitor the media on a daily basis for publications that violate children's rights and legitimate interests. The work with local authorities to respond immediately to serious incidents and their consequences.

129. Every year, on the recommendations of the authorized body, more than 140,000 illegal materials are removed by the owners and administrators of Internet resources, and the access of users in Kazakhstan to more than 5,000 materials has been restricted.

130. The social project to develop a set of measures to prevent Internet addiction and gambling addiction among young people and children was implemented in 2021 in order to create conditions for teaching young people the rules of safe behaviour in the Internet space and preventing addiction to the Internet and gambling.

131. In 2021, a questionnaire survey of 100,000 students and their parents was conducted, showing a high level of addiction to gambling among students.

132. In order to prevent gambling addiction, a gambling prevention manual for young people and parents has been developed.

V. Violence against children

Article 19

Abuse and neglect

Corporal punishment

Follow-up information relating to paragraphs 28–31 of the concluding observations

133. In Kazakhstan, any corporal punishment is prohibited, both in schools and in the family.

134. In accordance with article 72 of the Marriage and Family Code, parents may not harm their children's physical and mental health or moral development while exercising their parental authority. Child-rearing methods must not include cruel, brutal or degrading treatment, neglect, humiliation or exploitation. The provisions of this article are incompatible with corporal punishment or any parenting method that involves the infliction of physical pain, however slight.

135. All types and forms of violence against a person, including children, are punishable acts. The country's legislation is governed by provisions prohibiting beatings, torture and ill-treatment (Criminal Code, arts. 109, 110 and 146).

136. During the reporting period, measures were taken to increase penalties for violent acts against children, including those committed by parents and other individuals who, in accordance with the legislation of Kazakhstan, are responsible for the child's care, education, and upbringing and protection of the child's rights and interests.

137. The Education Act has been amended so that teachers are responsible for informing law enforcement agencies about acts or omissions at educational establishments committed by or against minors that show signs of criminal or administrative offences, and also about acts outside school that become known to teachers in connection with their professional activities. These amendments were introduced by Act No. 501-V of 9 April 2016.

138. Also, in accordance with the amendments, teachers are required to inform the agencies responsible for preventing offences, neglect and homelessness among minors within one working day after they identify a child in a difficult circumstances.

139. Since 2013, a national preventive mechanism has been in place with the aim of preventing torture and other cruel, inhuman or degrading treatment or punishment at restricted facilities, educational establishments, labour and social protection facilities, educational institutions for orphans and children left without parental care and medical and social establishments.

140. In April 2019, the legislation was amended to significantly expand the mandate of the national preventive mechanism by including organizations performing child rights protection

functions and entities providing special social services in the list of sites to be visited by the mechanism. This has made it possible to check on more than 200 establishments.

141. To prevent violence and juvenile delinquency, policing and preventive measures are carried out under titles such as “Adolescent”, “Graduation parties” and “Children in the City at Night”, along with campaigns under the titles “Adolescents, the Law and Safety”, “Employment” and “My Police Officer and I”.

142. Awareness-raising work is carried out to improve the legal literacy of minors and to inform them about the work of services, crisis centres, juvenile adaptation centres and hotlines.

143. As a mechanism for rapid response to violations of children’s rights and for the coordination of actions of all the responsible State bodies, since April 2019, the Committee for the Defence of Children’s Rights of the Ministry of Education and Science has maintained the Balaqorgau chat room in the Telegram messenger service. Since 1 November 2021, a Telegram bot under the name BalaQorgauBot2.0 has been accessible in the Balaqorgau chat room. This will make it possible to extend free legal assistance to socially vulnerable population groups.

144. There are also pages in social networks, and a hotline under the phone number 87172-742528, and round-the-clock call centres on education issues have been set up by the regional education departments.

145. An algorithm has been developed for interagency cooperation to ensure a rapid response to cases of harsh treatment. All educational institutions have boards of trustees, parents’ committees, fathers’ councils and mediation services.

146. The Committee for the Defence of Children’s Rights ensures State supervision in the field of child rights protection through the preventive monitoring of the persons in question, with and without visits, and also by means of unscheduled inspections.

147. In 2019, 143 organizations carrying out functions to protect the rights of the child were inspected as part of preventive monitoring measures, with or without on-site visits. In 2020 the number had risen to 411.

148. In order to promptly respond to violations of children’s rights, involve the public in child rights protection issues, detect violations and draw up proposals in the field of child rights protection, on 2 April 2021 Order No. 142 of the Minister of Education and Science established a national monitoring group on the protection of children’s rights.

149. In December 2020, the Minister of Education and Science issued Order No. 569, which approved guidelines for interagency cooperation in detecting and dealing with violence and abuse against minors. The guidelines were developed on the basis of international experience and the recommendations of the European Union, and they outline a step-by-step procedure for action and interaction among the bodies and establishments in: (1) education; (2) internal affairs; (3) health; (4) social protection; (5) juvenile justice; and (6) the actions of other local executive bodies.

Article 24 (3)

Measures to prohibit and eliminate all forms of harmful practices, including, but not limited to, female genital mutilation and early and forced marriage

Follow-up information relating to paragraphs 34 and 35 of the concluding observations

150. Only marriages performed by State bodies are recognized in Kazakhstan.

151. Marriages concluded according to religious rites are not considered the same as registered marriages and do not have the corresponding legal effect. Religious marriage ceremonies (*neke*) in mosques are performed only upon presentation of a certificate of marriage.

152. Under the Marriage and Family Code, the minimum age for marriage is 18 years for men and women. The registry office may lower this age by no more than 2 years where there are valid reasons, such as a pregnancy or the birth of the couple's child. The minimum age for marriage may be lowered only with the consent of the persons entering into marriage and the written consent of the parents or guardians of the minors.

153. In 2020, 997 early marriages were registered in Kazakhstan (there were 1,075 in 2019 and 1,052 in 2018).

154. The Criminal Code criminalizes the following acts: sexual intercourse or other sexual acts with a person under 16 years of age (art. 122, with a maximum penalty of imprisonment of 10–15 years and lifelong deprivation of the right to hold certain posts or engage in certain activities); kidnapping (art. 125, with a penalty of imprisonment of 10–15 years with or without confiscation of property); and illegal deprivation of liberty, regardless of the purpose (art. 126, with a penalty of imprisonment of 5–10 years, with or without confiscation of property).

155. Thus, forcing minors to enter into marriage or entering into de facto marital relations with them is already criminalized in the current legislation.

156. Nevertheless, early marriages or de facto marriages with minors do occur in some families, predominantly in rural areas, and among ethnic minorities.

157. To prevent early marriages and de facto marital relations, the relevant State bodies and civil society organizations, along with the national and regional media, conduct information and awareness campaigns among parents, adolescents and young persons on a regular basis.

158. In boarding schools, psychologists hold annual round tables and seminars among high school students on the problems of early marriage and organize events on the prevention and protection of women's reproductive health, discrimination against women and bride kidnapping.

Article 34

Sexual exploitation and abuse

Follow-up information relating to paragraphs 32 and 33 of the concluding observations

159. In Kazakhstan, issues of sexual inviolability of children fall specifically under the remit of the authorized State bodies responsible for child welfare. Voluntary organizations are also actively involved in this work.

160. In the reporting period, a number of laws and regulations were adopted to strengthen criminal penalties for crimes against the sexual inviolability of minors and juveniles.

161. In particular, in April 2016, Act No. No. 501-V was adopted, amending and adding provisions to certain laws on the protection of the rights of the child.

162. This law prohibits the application of the following articles of the Criminal Code to criminal offences against the sexual integrity of minors: suspended sentencing (art. 63); release from liability in connection with active repentance and reconciliation (art. 65), or when the conditions of a procedural agreement are met (art. 67), or in connection with reconciliation (art. 68); conditional early release (art. 72); replacement of an unserved part of a sentence with a more lenient penalty or reduction of the sentence (art. 73); release from serving a sentence because of the expiration of the statute of limitations for the conviction (art. 77); and release from criminal liability and punishment based on an amnesty or a pardon (art. 78).

163. These changes to the Criminal Code were introduced with a proviso that such restrictions do not apply to minors who have committed a crime against the sexual integrity of a minor between the ages of 14 and 18.

164. The above-mentioned articles of the Criminal Code had previously been inapplicable for crimes committed against the sexual inviolability of minors only if they were under 14 years of age.

165. The Code of Criminal Procedure has been amended so that persons who have served a sentence for crimes against the sexual inviolability of minors are subject to administrative supervision.

166. The Penalties Enforcement Code has been amended so that citizens of Kazakhstan who have served a sentence for crimes committed against the sexual inviolability of minors are subject to administrative supervision.

167. An interagency action plan on the prevention of criminal offences against the sexual inviolability of minors for the period 2015–2017 was implemented by the Ministry of Education and Science, the Ministry of Health and Social Protection (which was reorganized by a presidential decree issued on 25 January 2017, splitting it into the Ministry of Health and the Ministry of Social Protection), the Ministry of Investment and Development (reorganized on 26 December 2018 into the Ministry of Industry and Infrastructural Development), the Ministry of Communication and the Ministry of Internal Affairs.

168. Specialized groups in the internal affairs bodies carry out operations to identify covert child predators who use the Internet. To effectively accomplish the assigned tasks, accounts are operated under the guise of minors, with special attention given to preventing any instances of provocation.

169. Procurator General's Order No. 169 of 31 December 2015 approved the rules for keeping records of persons convicted of criminal offences against the sexual inviolability of minors and for the publication of information about them (an electronic database). The electronic database contains information on child predators and is in operation; it is remotely accessible to the entire population.

170. Procurators' offices, together with government agencies and NGOs, are implementing a road map under the title "Protecting Children Together!". The road map includes organizational, practical and legal measures in four main areas (improvement of the legal framework; measures aimed at preventing and reducing crimes against the sexual inviolability of minors; identification of children who have been subjected to sexual violence and their provision with medical, psychological and legal assistance; and information and awareness-raising work).

171. Measures have been taken to enhance the safety of students. An access control system for school buildings and premises has been set up and rules have been adopted for access by unfamiliar persons.

172. In January 2019, Joint Order No. 49 of the Ministry of Internal Affairs and the Ministry of Education and Science approved standards and requirements for equipping organizations of preschool and secondary education with video surveillance systems.

173. In May 2021, Government Decree No. 305 approved requirements for antiterrorist protection of facilities vulnerable to terrorism.

174. Also in May 2021, Order No. 235 of the Minister of Education and Science approved a list of items and substances that may not be brought to schools or school premises and whose use is restricted.

175. All general education schools, regardless of the form of ownership, are now equipped with video surveillance systems. Work is under way to have schools under round-the-clock security coverage by specialized services.

176. Specialized security services have been introduced at 21.4 per cent of urban schools (466 schools), and turnstiles are functioning at 44.5 per cent (at 971 schools).

Article 37 (a) and article 28 (2)

The right not to be subjected to torture or other cruel, inhuman or degrading treatment or punishment

Follow-up information relating to paragraphs 26 and 27 of the concluding observations

177. In the reporting period, no cases were registered of torture or other ill-treatment of minors serving criminal sentences at penal institutions.

178. In the LA-155/6 facility, where male juveniles serve their sentences, there is a special visiting room for members of the national preventive mechanism to meet with juvenile convicts.

179. Juveniles serving sentences are provided with an independent complaints mechanism. Special boxes for letters to procurator's offices, the public oversight commission, the national preventive mechanisms, human rights NGOs and the media have been installed and sealed at the facility.

180. Human rights NGOs have unimpeded access to monitor the conditions of detention of juveniles deprived of their liberty. In particular, representatives of NGOs, including Zhetiagash, Zhartas Kazakhstan, the International Association of Social Projects and Penal Reform International (PRI), regularly visit young offenders institutions, special education organizations, remand prisons and temporary detention facilities.

Article 39

Measures to promote the physical and psychological recovery and social reintegration of child victims

181. In Kazakhstan, measures are taken for the physical and psychological recovery and social reintegration of child victims.

182. The Zhusan and Rusafa special humanitarian operations were carried out, thus returning 700 citizens of Kazakhstan home from the zone of hostilities in Syria, including 502 children, 37 of whom are orphans.

183. In May 2020, Act No. 326-VI was adopted, thus amending certain legislative acts on the protection of motherhood and childhood. It established the authority of an authorized education body to coordinate intersectoral efforts for the social rehabilitation of children affected by terrorist activities and also established a list of social services aimed at socially rehabilitating such children.

184. In implementation of the above Act, Order No. 382 of the Minister of Education and Science of 4 September 2020 approved the rules and timelines for the social rehabilitation of children affected by terrorist activities.

185. Medical, psychological, social, economic and legal assistance has been provided to all children who have returned from the war zone.

186. Local executive bodies have carried out work to identify children in educational institutions. At least 118 children are enrolled in preschool education and at least 227 children are enrolled in school. Also, at least 140 children have been given the opportunity to participate in extracurricular creative clubs, organized sports activities and additional classes.

VI. Family environment and alternative care

187. The main principles and approaches to the formulation of family policy are reflected in the Family and Gender Policy Framework for the period up to 2030, approved by Presidential Decree No. 384 of 6 December 2016. The National Commission for Women's Affairs and Family and Demographic Policy under the President and the Committee on Youth and Family Affairs of the Ministry of Information and Public Development coordinate the implementation of these measures.

188. Since 2020, the second phase (2020–2022) of the action plan for the Framework’s implementation has been launched. It is aimed at strengthening and supporting the institution of the family, including by protecting reproductive health, preventing domestic violence, providing employment and promoting gender education. In accordance with the Criminal Code and the Code of Administrative Offences, responsible individuals are subject to criminal and administrative liability for failure to fulfil or to properly carry out their duties related to the upbringing of minors.

189. In order to popularize family values, Kazakhstan has introduced Family Day (the second Sunday in September) and holds an annual Mereyli Otbası (Family of Honour) national contest. Within the framework of grant financing for NGOs, various projects are implemented to strengthen the institution of the family and family values (including video clips, contests, flash mobs, campaigns, seminars or training sessions, master classes and festivals for young families).

Article 5

The right of parents to provide direction for the child

190. Kazakhstan respects the responsibilities, rights and duties of parents, guardians, custodians and other persons legally responsible for the child, to provide proper direction and guidance for the child. Marriage and family, motherhood, fatherhood and childhood are under the protection of the State.

191. The rights and obligations of parents to provide guidance for their child are enshrined in the current legislation of Kazakhstan, including the Marriage and Family Code, the Children’s Rights Act and the Education Act.

192. The country’s marriage and family legislation is based on the principles of prioritizing family upbringing of children and care for their development and well-being. The care of children and their upbringing are a natural right and responsibility of parents.

193. The protection of the rights and interests of orphans and children left without parental care is carried out by placing them in family care (adoption, guardianship, foster care or a foster family), and if such an option is not available, in organizations of all types for orphans and children left without parental care.

194. Guardians or custodians are obliged to: raise the child under their guardianship or custody; care for the child’s health and physical, mental, moral, and spiritual development; report on the work done on the child’s upbringing and the management of the child’s property to the agency responsible for the guardianship or custody regarding the child’s health; refrain from obstructing children’s communication with their parents and other close relatives; and carry out other related responsibilities.

195. In the reporting period, work continued on the improvement of the system for the protection of orphans and children left without parental care.

196. In December 2019, amendments and additions were made to the Marriage and Family Code in relation to the placement in citizens’ families of orphans and children left without parental care. Specifically, Act No. 292-VI of 27 December 2019 amended the Code with article 114-1, which prescribes the rights and obligations of organizations assisting in the placement in citizens’ families of orphans and children left without parental care.

197. Organizations providing assistance in placing orphans and children left without parental care in citizens’ families are obliged to: maintain the confidentiality of adoption; psychologically prepare citizens wishing to take such children into their care; offer legal assistance; provide psychological and psycho-educational consultations; submit quarterly reports on their activities to the authorized body protecting children’s rights; and carry out other related responsibilities.

Article 18 (1) and (2)

Parental responsibility

198. Parents are obliged to bring up the child, care for the child, support the child financially, look after the child's welfare and provide the child with shelter.

199. Act No. 240-VI was adopted on 1 April 2016 amending article 24 of the Children's Rights Act, which enshrines the obligation of parents or other legal representatives to establish the living conditions necessary for the comprehensive development of the child.

200. In Kazakhstan, support is provided to families and legal representatives bringing up children through the provision of social assistance, in accordance with a procedure established by law. The comprehensive model of support for families and legal representatives raising children includes a system of State benefits; social entitlements; cash payments; employment assistance measures; and tax credits.

Article 9

Separation from parents

201. In Kazakhstan, deprivation of parental rights is an exceptional measure. Departmental agencies provide support to families and try to keep the child in the family as much as possible, in the best interests of the child.

202. In accordance with the Marriage and Family Code, parents are deprived of parental rights if they evade their parental responsibilities, wilfully avoid paying alimony, refuse without valid reasons to take their child from a maternity hospital, treat the child cruelly, commit physical or psychological abuse of the child, violate the child's sexual integrity or engage in gambling, betting or alcohol, drug abuse or other substance abuse, and in cases where they commit intentional criminal offences against the life or health of their child.

203. The deprivation of parental rights is the exclusive remit of a court. At the same time, the deprivation of parental rights does not release parents from the obligation to support their child; that obligation ceases with the adoption of the child. Children whose parents have been deprived of parental rights retain the right to ownership or use of housing and property rights based on kinship with the parents and other relatives, including the right to inherit. In the event that it is impossible to transfer the child to the other parent, or if both parents are deprived of parental rights, the child is placed under the care of the body responsible for guardianship or custody.

204. Parents may have their parental rights restored by a court if they have changed their behaviour, lifestyle and attitude to the upbringing of the child (art. 78).

205. The court may, taking into account the opinion of the child, refuse to satisfy the parents' claim for restoration of parental rights if the restoration of parental rights is contrary to the interests of the child. Restoration of parental rights in respect of a child who has reached the age of 10 is possible only with the child's consent.

206. The court may, taking into account the interests of the child, decide to restrict parental rights by removing the child from the parents without fully depriving them of their parental rights. The placement of a child whose parents (or one parent) have (or has) been deprived of parental rights or restricted in parental rights is made by the body exercising guardianship or custody functions at the child's place of residence. If the grounds for which the parents were restricted in their parental rights have ceased to exist, the court, upon the parents' request, issues a decision returning the child to the parents.

207. In the event of an immediate threat to the child's life or health, the body exercising the functions of guardianship or custody may immediately remove the child from the parents or other persons in whose care the child is placed. When a child is removed, the body responsible for guardianship or custody is obliged to promptly notify the procurator, secure the temporary placement of the child and petition the court to restrict or deprive the parents of their parental rights. Such action is taken within seven days after the issuance of an act

regarding the removal of the child by a local executive body of a city of national status or of the capital, of a district, or of a city of regional significance.

208. During the reporting period, the number of families in crisis and the number of children in such families decreased, from 11,715 families with 17,163 children in 2016 to 7,210 families with 11,670 children in 2020.

209. Court decisions relating to the removal of children from their parents and their transfer to another person are enforced with the mandatory participation of a representative of the guardianship or custody agency, as well as the person(s) to whom the child is being transferred, and, when necessary, with the participation of a representative of the internal affairs agencies. If it is impossible to enforce the court's decision regarding the child's removal from the parents and transfer to another person or persons without prejudice to the child's interests, the child may, by court order, be temporarily placed with organizations protecting the rights of the child.

210. During the reporting period, there were slight fluctuations in the number of cases involving the possible deprivation of parental rights. The number averaged around 2,200. However, since 2016, the proportion of petitions granted has decreased from 91.7 per cent to 61.8 per cent. Overall, over the past five years, there has been a decrease in the number of successful parental rights termination petitions, from 2,107 in 2015 to 1,240 cases in 2020.

211. In this process, a significant role is assigned to the regional commissions for minors and their rights, which serve as the coordinating bodies for preventing offences, neglect and homelessness among minors and which address orphanhood. At present, 229 commissions are functioning in Kazakhstan: 14 at the provincial level, 39 at the city level and 176 at the district level.

Article 10

Family reunification

212. Order No. 13 of 13 January 2016 issued by the acting Minister of Health and Social Development approved the rules for the consideration and certification of invitations for citizens to bring relatives to Kazakhstan if they are ethnic Kazakhs living abroad, for the purpose of family reunification.

213. The Population Migration Act stipulates that children, including adopted children, who are under 18 years of age, unmarried and dependent on or under the guardianship of a person issuing an invitation to come to Kazakhstan, and who are unable to support themselves due to health-related reasons, may be considered as family members of the inviting person for the purpose of family reunification.

Article 27 (4)

Recovery of child maintenance

214. Under the Marriage and Family Code and the Criminal Code, children have the right to receive maintenance from their parents and other family members. Parents, in turn, may independently determine the way child support is provided and the form it takes.

215. When parents divorce, an agreement is made for the maintenance of their minor children. Otherwise, child support is collected from the parents by the court. Parents who are capable of working are obliged to support their adult children who are unable to work and are in need of assistance. In the absence of an agreement on child support payments, the amount of support for incapacitated adult children is determined by a court, as multiples of the monthly calculation index indicator applicable at the time of payment, taking into account the material and family circumstances and other relevant interests of the parties.

216. Child support is also collected for children left without parental care and is paid to their guardians or foster carers or to the accounts of the institutions where the children are brought up. Evasion from the payment of child support is a punishable criminal offence.

During the period when a parent evading child support payments is being sought, the monthly child support allowance is increased.

217. Act No. 180-VI of 12 July 2018 amended article 139 of the Criminal Code, which provides for an additional type of penalty for the non-fulfilment of more than three months of a parent's obligation to pay court-ordered funds for child maintenance, or for the maintenance of children with disabilities who have reached the age of 18, with community service of up to 600 hours. The new wording of article 139 of the Criminal Code retains the penalties of restriction of freedom for up to 2 years, or imprisonment for the same term.

218. Between 2016 and 2020, 1,904 criminal offences were recorded under article 139 of the Criminal Code.

219. A multilateral agreement has been concluded on the guarantee rights of citizens' entitlements to social benefits, to compensatory payments for families with children and to child support. The agreement is valid in the Russian Federation, the Republic of Moldova, Ukraine, Uzbekistan, Tajikistan, Turkmenistan, Armenia, Belarus, Georgia, Kyrgyzstan and Kazakhstan.

Article 20

Children deprived of a family environment

Follow-up information relating to paragraphs 36 and 37 of the concluding observations

220. Kazakhstan is implementing a successful policy of deinstitutionalization aimed at placing children from residential institutions into families and is working with parents to keep children in their biological families.

221. At independence, the number of orphans and children without parental care in Kazakhstan was about 100,000. At the end of 2020, this number had decreased by a factor of 4.3 and amounted to 23,410 children. The number had decreased by 5,009 since 2016. Of these 23,410 children, 81.8 per cent, or 19,156 children, are being brought up in the Kazakh citizens' families under guardianship, custodianship, foster care or foster family structures.

222. Foster family and guest family arrangements are a new form of placement of orphans and children left without parental care (Act No. 501-V of 9 April 2016).

223. The number of residents of residential organizations (orphanages) decreased from 7,236 in 2016 to 4,254 in 2020. The proportion of children benefiting from State protection who were in residential structures thus decreased from 25.5 per cent in 2016 to 18.2 per cent in 2020.

224. From 2015 to 2020, the number of orphanages decreased from 146 to 98. At the end of 2020, there were 60 organizations (with 3,336 children) for orphans and children left without parental care in the education system, 20 organizations (with 272 children) in the healthcare system and 18 organizations (with 646 children) in the social protection system.

225. In all regions of Kazakhstan, regional plans for deinstitutionalization, decentralization and transformation of organizations for orphans and children without parental care have been developed and are being implemented, as well as plans for the development of professional foster families.

Support measures and housing for former residents of institutions for orphans and children left without parental care

226. In order to ensure the social adaptation of former residents of institutions for orphans and children left without parental care, the country's regions have implemented activities under the Comprehensive Plan to Support Orphans and Children Left Without Parental Care for the period 2015–2018, the Life and Career Planning Project and the Meirim and Start with Yourself campaigns. Work is carried out to identify children for vocational training and mentorship relationships are established with large enterprises, businesses and public sector organizations. Social partnership agreements are signed with the former residents under

which they undergo training, followed by employment, the provision of housing and a package of social services.

227. Kazakhstan has established a legislative framework that ensures the right of orphans and children left without parental care to receive housing. Since 2013, this category has been granted priority rights to receive housing from the State housing fund, and officials and legal representatives are responsible for the timely registration of individuals in the housing waiting list and for maintaining the required allocations of housing.

228. Orphans and children left without parental care are included on the waiting list until they reach the age of 29. Importantly, persons in this category may not be removed from the waiting list.

Article 21 **Adoption**

Follow-up information relating to paragraphs 38 and 39 of the concluding observations

229. Of all forms of family placement, adoption is the most preferable. Work continued on the development of the institution of adoption during the reporting period.

230. Act No. 501-V of 9 April 2016 added chapter 15-1 to the Marriage and Family Code, introducing a national database in Kazakhstan.

231. The database contains information on orphans, children without parental care and persons wishing to foster children in their families.

232. The website of the Committee for the Protection of Children's Rights of the Ministry of Education and Science contains derivative information on orphans and children left without parental care who are raised in institutions. The derivative information includes gender, age, state of health, character traits, reasons for lack of parental care, presence of siblings, adult relatives, possible forms of placement in families and photographs of the children.

Schools for foster parents

233. Act No. 292-VI of 27 December 2019 regulates the activities of organizations assisting in the placement of orphans and children left without parental care and introduces mandatory psychological training for potential foster parents (effective from 1 July 2020).

234. The psychological training for potential adoptive parents is conducted in accordance with Order No. 165 of 27 April 2020, of the Minister of Education and Science. The Order approved the requirements for the content of the psychological preparation programme, the procedure for organizing activities for the psychological preparation of citizens who permanently reside in Kazakhstan and who wish to adopt orphans and children left without parental care into their families and the form of certification of such training.

235. The psychological training is carried out by organizations that assist in the placement of orphans and children left without parental care in citizens' families and by educational institutions for orphans and children left without parental care.

236. In 2020, two NGOs received accreditation to conduct psychological training: the Anay Public Fund and the Ark Institution.

237. In 2020, 2,362 people attended foster parent schools.

238. Between 2016 and 2020, 13,450 adoption cases were considered by the Supreme Court. At the same time, only 2,234 adoption cases were processed in 2020, the lowest number in the reporting period.

239. Also, from 2016 through 2020, 816 adoption annulment cases were processed.

240. The Citizenship Act has been amended to provide for the retention of Kazakh citizenship for a child adopted by foreigners. Act No. 501-V of 9 April 2016 specifies that

the loss or withdrawal of the country's citizenship from children adopted by foreigners is permitted only after the children reach adulthood and upon their voluntary request.

241. To ensure the transparency of the foreign adoption process, accreditation of foreign adoption agencies has been introduced. The adoption of Kazakh children by foreign citizens is possible only through accredited international agencies, the number of which must not exceed 20 in Kazakhstan.

242. In March 2016, the Supreme Court adopted a standard-setting decision on the application of child adoption legislation by the courts.

243. In June 2016, the Minister of Foreign Affairs issued Order No. 11-1-2/243, which introduced amendments to strengthen oversight of children "who are citizens of Kazakhstan and have been adopted by foreigners" by Kazakh government institutions in other countries.

Article 25

Periodic review of conditions of care

244. Child custody conditions are periodically assessed in accordance with the Civil Code and the Marriage and Family Code. The activities of guardians and custodians are supervised by the guardianship and custody agencies at the children's place of residence. Supervision inspections are carried out of the living conditions and upbringing of children under guardianship at least twice a year in order to provide appropriate assistance and to monitor the children's situation in the guardians' families. The guardianship and custody agencies also monitor the conditions of maintenance, upbringing and education of children at institutions for children left without parental care.

245. The oversight of the health status of children placed under guardianship is assigned to local children's medical and preventive institutions, which have developed a practice for monitoring children raised in so-called priority families (families that have foster children). Local healthcare bodies and institutions are responsible for providing medical and preventive measures for the residents of children's homes, orphanages and other residential institutions, each of which is required to have medical staff, in accordance with current regulations. If specialized medical services are required, they are provided at local specialized medical centres. Medical assistance is provided to them with funding from the State budget.

Article 11

Illicit transfer and non-return

246. Kazakhstan is a party to a number of international agreements regulating family relations. In particular, Kazakhstan has ratified the Convention on the Civil Aspects of International Child Abduction of 25 October 1980 (by Act No. 48-V of 13 November 2012).

247. In accordance with that Convention, Kazakhstan has taken measures to ensure the international protection of children against the harmful effects of their wrongful removal or retention and to establish a procedure for their prompt return to their State of habitual residence, as well as to ensure the protection of the right to communication.

248. The process for returning children and exercising rights of access to them is implemented through the authorized bodies: the Committee for the Defence of Children's Rights of the Ministry of Education and Science and the court. The Committee provides advice on issues related to the implementation of the Convention in Kazakhstan. It assists in obtaining the necessary informational support, in drawing up the required documentation and in understanding the specifics of the legal procedures in Kazakhstan and in arranging for the voluntary return of the child.

249. In 2016–2020, 71 citizens of Kazakhstan contacted the Ministry's Committee for the Defence of Children's Rights regarding the return of children. Of these, 35 children were returned to Kazakhstan, from the Russian Federation, Ukraine, Moldova, Jordan, South Africa, the Republic of Korea, France and the United Arab Emirates.

250. The judicial procedure for the return of children is set out in chapter 51 of the Code of Civil Procedure, which regulates proceedings on applications for the return of a child or the exercise of rights of access to a child, on the basis of an international treaty of Kazakhstan.

251. Cases in this category are heard by specialized juvenile courts. The application is filed by the parent initiating the return of the child.

252. According to Principle 6 of the Declaration of the Rights of the Child, adopted by the United Nations General Assembly on 20 November 1959, a child of tender years must not, save in exceptional circumstances, be separated from his or her mother. In accordance with this principle, in most cases the courts decide in favour of the mother.

253. However, in some cases, there are opposing decisions by foreign courts regarding the determination of the child's place of residence and other related issues.

254. Article 501 of the Code of Civil Procedure establishes that the decisions of foreign courts are recognized and enforced by the courts of Kazakhstan if the recognition and enforcement of such acts are provided for by legislation and international treaties ratified by Kazakhstan, or on the basis of reciprocity.

VII. Disability, basic health and welfare

Article 23

Children with disabilities and children with special needs

Follow-up information relating to paragraphs 40 and 41 of the concluding observations

255. In Kazakhstan, childhood disability remains one of the most pressing problems, and it has had a tendency to increase. The protection of the rights of children with disabilities is enshrined in the country's legislation in the areas of social protection, education and healthcare for persons with disabilities and the protection of children's rights. During the reporting period, Kazakhstan continued to take active measures to improve the system for protecting the rights of children with disabilities.

256. At the end of 2020, 94,700 children with disabilities were registered in Kazakhstan, including 84,900 under 16, 1,600 children from 16 to 18 of disability group I, 2,800 from 16 to 18 of group II and 5,400 of group III. From 2016 to 2020, child disability increased by 18.9 per cent. The share of children with disabilities amounted to 1.5 per cent of the total number of children (in 2016 it had stood at 1.41 per cent).

257. In 2020, the leading causes of primary disability among children were congenital malformations (30.2 per cent), which ranked first; diseases of the nervous system (21.9 per cent) ranked second, with a significant proportion being children with disabilities due to cerebral palsy. Disability due to mental disorders ranked third, at 16.2 per cent.

258. The increase in the number of children with disabilities reflects not only an increase in the absolute and relative numbers of children with disabilities in the country, but also an increase in the detection, registration and subsequent protection of children.

259. Children with disabilities in Kazakhstan have the right to State assistance in rehabilitation (or habilitation), socialization, social adaptation and social integration into normal living conditions, social services, upbringing and education in regular and special education institutions and healthcare.

260. Families raising children with disabilities receive material assistance from the State. In 2020, 89,500 persons raising children with disabilities received monthly allowances worth 49.6 billion tenge. An average of 14,500 people received monthly allowances to care for a person with disabilities of the first group from childhood to 18 years of age, for the amount of 7.9 billion tenge.

261. Government Decision No. 326 of 28 May 2019 approved the National Plan to ensure the rights and improve the quality of life of persons with disabilities in Kazakhstan until 2025.

The goals of the National Plan are to implement the commitments made by Kazakhstan in connection with the ratification of the Convention on the Rights of Persons with Disabilities and to form an inclusive society by creating a favourable environment for all vulnerable groups, within the framework of the country's social modernization up until 2030.

262. Prime Minister's Order No. 2020 of 17 August 2020 approved a road map for improving comprehensive assistance for children with disabilities for the period from 2021 to 2023. The road map makes provision for taking measures for disability prevention and early corrective and developmental assistance; for improving the organization of rehabilitation services and the system of accounting and provision of special technical means, medicines and medical devices; and for training personnel and improving qualifications.

263. For children with disabilities, individual rehabilitation programmes are developed in accordance with their rehabilitation potential. The programme determines a set of rehabilitation measures, including medical, social, and professional rehabilitation measures aimed at restoring and/or compensating for impaired or lost functions.

264. In order to overcome the social problems encountered by children with disabilities and create opportunities for their participation in society on equal terms with other citizens, Act No. 114-IV of 29 December 2008 provides them with special social services in inpatient, semi-inpatient and home care settings.

265. The social protection system includes four residential social service centres for children with musculoskeletal conditions, with an annual coverage of around 150 children, and 16 social service centres for children with neuropsychiatric conditions, with a coverage of approximately 2,000 children.

266. There are 72 organizations that provide day-care services to more than 2,000 children. Psychologists, special education teachers, speech therapists, physical therapy instructors and massage therapists work with the children, providing services in everyday care, medical rehabilitation and assistance in obtaining benefits and allowances, and also providing psychological and educational support. Over 1,000 children receive special social services at 16 rehabilitation centres of the social protection system. There are 23 rehabilitation centres in the healthcare system that provide assistance to children, including 3 at the national level (in Akmola Oblast, Nur-Sultan and Almaty).

267. In 2020, as part of the road map for implementation of the Elbasy Qamqorlyq (Care) initiative of the First President of Kazakhstan Foundation, children's rehabilitation centres were opened at medical facilities in eight of the country's regions. The centres were equipped with the latest medical equipment.

268. Alternative social assistance for over 12,000 children with disabilities is provided by 199 home-based social assistance units.

269. In addition, 164 NGOs provide specialized social services in semi-inpatient and home-based settings, for more than 4,000 children. Within the framework of public-private partnerships, seven inpatient and semi-inpatient establishments are functioning, serving 1,000 children.

270. Within the framework of a national project entitled "Healthy Nation: Quality and Accessible Healthcare for Every Citizen", there are plans to build eight children's rehabilitation centres and two early intervention centres in the regions.

271. Psychological, medical and educational consultation centres are in operation in cities of national and provincial status, in the capital and in district centres, for 60,000 children. The main tasks of these centres are the early detection of children with special educational needs and the recommendation of an appropriate type of curriculum for the children: general education, special or individualized.

272. At the end of 2020, 161,826 children with special needs were registered with the psychological, medical and educational consultation centres. That was 14.1 per cent more than in 2016 (when there were 141,821 children registered).

273. Systematic work is being carried out to develop inclusive education, the fundamental principle of which is the right of children with special educational needs to receive joint

education in a general education environment, with peers who are without disabilities, and under appropriate conditions.

274. At the beginning of the 2020/21 school year, the share of schools that had established the conditions for inclusive education was 74.9 per cent (in the 2016/17 school year it had been 44.7 per cent).

275. The number of children with special needs of school age was 107,348, of whom 41,581 (38.7 per cent) were enrolled in inclusive education (the corresponding figure in the 2016/17 school year had been 25.95 per cent).

276. In 100 special general education organizations, there are 14,989 students enrolled. There are 2,007 special classes in general education schools, attended by 11,175 children. There are 8,335 children with special needs studying at home.

277. In the system of secondary education, the per-student funding standard is higher for each student with special needs. In 2021, the average per-student funding standard for a student in a general education class was 452,668 tenge, for a student in a special needs class it was 731,701 tenge, and for home-schooled students the amount was 2,016,142 tenge, which is four and a half times higher than the amount for a student in a general education class.

278. Textbooks and a teaching-methodological package have been developed for blind and visually impaired children (using Braille and enlarged print) and for children with intellectual deficiencies in grades 0, 1, 2, 5, and 7.

279. Act No. 56-VII was adopted in June 2021 to amend and supplement certain legislative acts on inclusive education. It aims to improve the coverage of children with disabilities with psychological and educational remedial support and to address staffing issues.

280. The Act revises the norms for the activities of psychological, medical and educational consultation services, providing for a transition from a medical to a socio-educational model. The functions of the psychological, medical and educational consultation centres include monitoring the educational path of children with special needs. This makes it possible to anticipate the establishment of special conditions in schools prior to the children's admission. There are also plans to automate the State psychological, medical and educational examination service provided by the psychological, medical and educational consultation centres.

281. The Act also includes a provision for a State call for tenders for special psychological and educational support for children with special needs. The State call for tenders will be implemented from 1 September 2022 and will increase the coverage of children with special education needs with specific psychological and educational support, without capital budget expenditures to expand the network of correction rooms and rehabilitation centres, tapping the potential of the private sector.

282. Work is nearing completion on the integration of information systems for instance in the fields of education, healthcare and social protection, within which a unified registry of children with special needs will be implemented.

283. Public organizations play a big role in the development of inclusive education. The Bolashak Foundation has a project entitled "Every Child Deserves a School". With the assistance of local executive bodies, the project opened 41 inclusion support rooms at general education schools in all regions of the country between 2015 and 2020. Over 400 children with autism and other disabilities receive the necessary psychological and educational support there.

Article 6 (2)

Survival and development

Article 24

Health and medical care, in particular primary healthcare

Follow-up information relating to paragraphs 42 and 43 of the concluding observations

284. In Kazakhstan, the protection of the health of the younger generation is one of the main priorities of State policy.

285. The Densaulyk State Health Development Programme for the period 2016–2019 was implemented.

286. A national project entitled “Healthy Nation: Quality and Accessible Healthcare for Every Citizen” has been implemented since 2021. One of its main focuses is to strengthen the health of children, adolescents and youth by preventing diseases, providing timely assistance and ensuring comprehensive rehabilitation based on international best practices.

287. Life expectancy at birth increased from 72.4 years in 2016 to 73.19 years at the end of 2019. The infant mortality rate per 1,000 live births decreased from 8.77 in 2016 to 7.77 by the end of 2020. The under-5 mortality rate per 1,000 live births decreased from 10.79 in 2016 to 9.41 by the end of 2020. The maternal mortality rate per 100,000 live births decreased from 15.7 in 2016 to 13.7 by the end of 2019. However, in 2020, the maternal mortality rate increased by 2.8 times, to 36.5. The sharp increase in maternal mortality in 2020 was associated with the coronavirus disease (COVID-19) pandemic.

288. Special attention is paid to improving primary healthcare. Prime Minister’s Order No. 103-r of 10 June 2019 approved a plan of action for the development of primary healthcare for the period 2019–2020.

289. A screening programme has been introduced for key non-communicable diseases at the primary healthcare level.

290. Measures are being taken to provide material incentives to healthcare workers. As part of the implementation of the “Yelbasy Œleumettik kamkorlyk” new social measures, the wages of healthcare workers increased by 30 per cent, with effect from 1 June 2019. As from 1 January 2021, the salaries of doctors increased by 30 per cent and those of middle-level medical workers by 20 per cent. By 2023, there are plans to bring the average physician’s salary to 2.5 times the average wage (in 2018, the average physician’s salary was 93 per cent of the average wage).

291. By the end of 2020, the number of registered patients per doctor had been reduced to 1,700 (compared with 2,303 in 2014). To improve access to primary healthcare, in addition to the increase in the number of general practitioners, healthcare services are being decentralized. Private investors are being mobilized to bring small primary healthcare services in urban areas, within walking distance. In rural areas, primary healthcare services are integrated with district hospitals, which employ general practitioners, paramedics and nurses working in medical posts, paramedic-obstetric stations and outpatient clinics.

292. The measures to increase the attractiveness of entrepreneurial activity in the provision of primary healthcare services made it possible to increase the share of private healthcare providers to 36.2 per cent in 2019.

293. Measures are being taken to ensure the accessibility of medical facilities for the population, including for residents in remote areas. Conditions are being created for the establishment of private individual and group family outpatient clinics located near citizens’ homes. The accessibility of medical services for the population in rural areas and remote settlements is also ensured through the use of remote medicine and medical transport services (medical trains, mobile medical units and air ambulance services).

294. According to the results of work in 2020, over 248,000 medical workers were working in the country, including 76,443 doctors (there had been 74,611 in 2016) and 185,757 middle-level medical workers (there had been 170,819 in 2016).

295. The number of beds for sick children at the end of 2020 was 20,899, an increase of 2,340 from 2016. The availability of hospital beds for children increased by 2.4 per cent and amounted to 301 children of the relevant age per bed.

296. In Kazakhstan, the prevalence of HIV infection has been maintained at a concentrated stage. In the World Economic Forum's Global Competitiveness Index ranking, Kazakhstan has in recent years been in the group of countries with low HIV prevalence. Full access to highly active antiretroviral therapy is ensured for children with HIV infection, and necessary medical assistance is provided within the framework of the guaranteed free medical care.

Mental health of children

Follow-up information relating to paragraphs 44 and 45 of the concluding observations

297. State bodies are taking a set of measures to prevent and stop suicide among minors.

298. As part of the implementation of Order No. 201 of 11 March 2015, issued jointly by the Ministry of Health and Social Development (which was divided into the Ministry of Labour and Social Protection and the Ministry of Health by a presidential decree of 25 January 2017), the Ministry of Education and Science and the Ministry of Internal Affairs, on the phased implementation of the project on suicide prevention among minors, a road map was drawn up and implemented until 2019 for the prevention of suicidal behaviour among children and adolescents.

299. Since 2018, a suicide prevention for minors and life skills training programme has been implemented by the Bilim Foundation in a number of regions (Nur-Sultan and Akmola, Aktobe, Atyrau and Kyzylorda Oblasts).

300. To preserve and improve the health of adolescents and young people, the activities of youth health centres are being improved in the primary healthcare network. Adolescents and young adults and victims of violence and bullying are provided with counselling for depression or suicidal thoughts.

301. For each suicide incident, pretrial investigations are conducted to determine whether there has been a criminal offence of incitement to suicide and to establish the cause and condition contributing to the act. From 2016 to 2020, based on the results of the pretrial investigations, 632 submissions were made to State bodies to eliminate the causes and conditions that contributed to suicides by minors. As a result of the submissions, 258 specialists of the education system and 96 medical workers faced disciplinary action.

302. The media, including social networks, are constantly monitored to identify and block illegal content that directly or indirectly promotes suicidal behaviour. From 2016 to 2020, the Ministry of Internal Affairs removed 366 illegal posts on the Internet promoting suicide.

303. Work is being carried out to prevent suicidal behaviour among minors serving sentences at places of deprivation of liberty. Psychologists at the LA-155/6 facility and at pretrial detention facilities (which hold adolescents during the investigation stage and while they are awaiting referral to an establishment for serving a sentence) provide psychological assistance to the adolescents in adapting to the conditions of isolation, the social environment and the detention regime. They also help them overcome crises, confront anxiety and stressful situations that arise when they serve their sentences and improve interpersonal relations among minors.

304. Training courses are held for school psychologists and primary healthcare workers for the early identification of suicide risks among adolescents and for corrective work with minors at risk.

305. Measures are taken to promote the physical and mental health of children and adolescents and to train parents and teachers to recognize signs of mental instability and suicidal behaviour in children and adolescents.

306. Such measures have made it possible to reduce the rate of child suicide in Kazakhstan. From 2016 to 2020, 843 suicides were recorded among children between 5 and 17 years of age, including 543 boys and 300 girls. In 2020, 144 child suicides were recorded, a reduction of 17.7 per cent from the 2016 level.

Adolescent health

Follow-up information relating to paragraphs 46 and 47 of the concluding observations

307. The reproductive health of the country's children and adolescents remains a pressing issue. In 2020, 3,162 early pregnancies were registered. Among these, 2,777 pregnancies were terminated by adolescent girls. The number of reported cases of early pregnancy decreased by 1,586 cases, or 33.4 per cent, compared with the levels in 2017.

308. The birth rate among adolescent girls aged 15 to 19 in 2020 was 23.17 per 1,000 births, a decrease of 4.93 points, or 17.5 per cent. Nevertheless, the rate of births among teenagers remains high. The birth rate among teens is 5–6 times higher than in developed countries.

309. The Ministry of Health conducts information and awareness-raising work on reproductive health issues on an ongoing basis.

310. A national communication strategy and a media plan to inform young people about reproductive health issues are being implemented.

311. Youth-friendly health centres operate in all regions. Their main objectives are to preserve health and ensure favourable conditions for the socialization of adolescents and young people by providing qualified medical and psychosocial support and free medical and social assistance on family planning.

312. Special qualification courses on adolescent health and the specifics of providing services to them at the youth-friendly health centres are regularly conducted for healthcare workers.

313. The Ministry of Health, with financial and technical support from the United Nations Population Fund (UNFPA) in Kazakhstan and active assistance from the Kazakh Scientific Centre for Dermatology and Infectious Diseases and the National Centre for Public Health, has implemented the shyn.kz project. Its website contains up-to-date, evidence-based knowledge and recommendations on sexual and reproductive health, developed by the World Health Organization, UNFPA, the Joint United Nations Programme on HIV/AIDS (UNAIDS) and UNICEF. Teenagers have the opportunity to anonymously request information and receive free help on a wide range of sexual and reproductive health issues.

314. A joint project has been implemented by the World Bank and UNFPA for the period 2020–2021 to develop methodological materials for the youth health centres. Clinical reproductive health protocols have been developed along with algorithms for individual and group psychological counselling for adolescents and youth, and informational materials have been developed on reproductive health for adolescents, youths and parents.

315. The project developed 11 clinical protocols, 11 algorithms for reproductive, psychological, social and legal counselling, an operational strategy, an organizational chart and a strategy for the institutional development of the youth health centres.

Environmental health

Follow-up information relating to paragraphs 48 and 49 of the concluding observations

Aral Sea

316. To address the problem of dust and salt dispersion in the Kazakh portion of the dried seabed of the Aral Sea, in the last 25 years saxaul trees have been planted over an area of 183,000 ha. Every year, funds allocated from the regional budget of Kyzylorda Oblast are used to plant saxaul trees on an area of 6,500 ha on the dried seabed.

317. A project entitled “Phyto-forestry reclamation of the drained bottom of the Aral Sea” has been implemented, in collaboration with the Republic of Korea. Between 2018 and 2020, 5 million saxaul seedlings were planted on 13,300 ha of land.

318. The second phase of the project, entitled “Regulation of the Syrdarya River Channel and preservation of the northern part of the Aral Sea”, is now being implemented. The project consists of eight components (six in phase I and two in phase II). The first phase of the project includes: (1) restoration of the left-bank regulating sluice of the Kyzylorda hydraulic complex; (2) construction of protective dams in Kazaly and Karmaksha districts; (3) straightening of the Syrdarya River channel in the Korgansha and Turumbet sections; (4) construction of a road bridge near the village of Birlik in Kazaly district; (5) restoration of the Kamyshlybash and Akshatau lake systems; and (6) reconstruction and expansion of growing ponds at the Tastak site of the Kamyshlybash fish nursery in Aralsk district. The feasibility study is to be completed for subprojects: (1) reconstruction of the northern part of the Aral Sea (single-level or two-level option); (2) construction and equipping of a working centre for water resources management in the Kazakh part of the Syr Darya River Basin. Due to the length of procedures for securing a World Bank loan, the Government has decided to start implementing four components of phase I of the project with national funds from the State budget (without a World Bank loan). Three of these components (strengthening the protective dams in the Karmakshy and Kazalinsky districts, straightening the riverbed in the Korgansha and Turumbet sections of the Zhalagash district and comprehensive repairs of the Kyzylorda hydraulic complex) are planned to be implemented within the framework of the road map for the Comprehensive Plan for Socioeconomic Development for the period 2019–2022, while one component (the construction of a bridge near the village of Birlik, in Kazalinsky district) will be carried out under a regional development programme.

319. Due to the fact that four of the six components of the project will be implemented using the national budget, the World Bank, based on discussions and consultations, has presented a new approach for the integrated development of the Kazakh part of the Syrdarya River Basin and the northern Aral Sea. Additionally, it has been proposed to change the project’s name to “Regional Development and Restoration Project for the Northern Part of the Aral Sea”, including additional components to enhance the region’s socioeconomic development.

320. The project consists of three components, with a preliminary total cost of \$190 million: the first is “Improvement of water management infrastructure and enhancement of the hydrological regime in the Northern Aral Sea – Syrdarya River”, amounting to \$120 million; the second is “Support for sustainable economic, social, and environmental activities in the Kyzylorda region”, for \$60 million; and the third component is “Enhancement of the information base and management of water resources, regional planning, and project management”, for \$10 million.

321. On 15 July 2020, an agreement was signed between the Ministry of Ecology, Geology, and Natural Resources and the World Bank for a grant to develop the feasibility study for the regional development and restoration project of the northern part of the Aral Sea, prepared by World Bank experts, amounting to \$1.5 million. The grant agreement came into effect on 15 December 2020.

322. The Ministry is now working on the selection of international companies specializing in the development of such projects.

Semipalatinsk test site

323. The Ministry of Energy's national nuclear centre, a State enterprise, is implementing a programme entitled "Ensuring the safety of the former test site at Semipalatinsk."

324. Environmental studies continued in 2020 at the Semipalatinsk test site. A total of 88.8 per cent (16,252.9 km²) of the test site's area has been surveyed. Its total area is 18,311.4 km².

325. According to the results of the study conducted in 2020, the levels of radionuclides in the environment across the majority of the surveyed area of the Semipalatinsk test site are within acceptable limits, and there is no need to carry out measures there to clean up after the nuclear weapons testing, with the exception of two areas of radioactive contamination in the western and southeastern parts of the surveyed territory. The total area of contaminated sites is 691 km², which is 37 per cent of the total surveyed area. At these sites, which pose a radiation hazard to the public, measures are planned to clean up the remnants of the nuclear tests and to restrict access.

326. A comprehensive survey of the entire test site is scheduled for completion in 2021.

327. Government Decision No. 362 of 17 April 2014 approved an action plan for improving the social protection of citizens affected by nuclear tests at the Semipalatinsk former nuclear test site. It increased the benefits and compensation for citizens affected by the nuclear testing there.

328. Article 13 of the Act on Social Protection of Citizens Affected by Nuclear Tests at the Semipalatinsk Nuclear Test Site establishes that the people residing in the areas of radiation risk defined by this law have the right to additional pay and additional annual paid leave.

329. In 2019, a long-term action plan was approved for the rehabilitation and development of infrastructure at the Semipalatinsk test site.

330. In 2021, a Nuclear Medicine and Oncology Centre was opened in Semey, which makes it possible to detect and treat oncological diseases in a timely manner. The Centre employs highly qualified staff, with modern diagnostic equipment and devices.

Article 33**Measures to protect children from the illicit use of psychotropic substances**

331. From 2016 to 2020 there was a positive trend of decreasing prevalence rates for underage drinking and drug abuse. The rate of alcohol consumption among minors decreased almost four-fold, from 9.1 cases per 100,000 in 2016 to 2.3 cases per 100,000 population of the corresponding age. The rate of children with a first-time diagnosis of a mental or behavioural disorder caused by the use of psychotropic active substances (the substance abuse rate) decreased 3.4 times, from 2.8 cases per 100,000 juvenile population in 2016 to 1.2 cases per 100,000 juvenile population in 2020.

332. In Kazakhstan, despite a slight decrease in the statistics, the use of psychoactive substances by children remains a serious problem.

333. In order to raise awareness among minors as well as adults about drug addiction and substance abuse, measures are being implemented to educate the population in this area.

334. In all regions, informational work is constantly carried out for adolescents and young people on the harmful effects of drugs, especially new types of synthetic drugs and a healthy lifestyle is encouraged.

335. Interactive anti-drug lessons are organized for students at general education schools. Since 2016, computer programmes have been used to identify the risks of involvement in tobacco, alcohol and drug addiction at the country's schools.

336. NGOs play an active role in assisting adolescents who have engaged in drug use and in promoting a healthy lifestyle. They establish specialized rehabilitation facilities and

self-help groups for drug addicts, conduct round-table discussions and seminars and publish specialized literature.

Article 26 and article 18 (3)

Social security, childcare services and facilities

Article 27 (1)–(3)

Standard of living

Follow-up information relating to paragraphs 50 and 51 of the concluding observations

337. In Kazakhstan, support is provided to families and legal representatives bringing up children, through the provision of social assistance, in accordance with a procedure established by law. The comprehensive model of support for families and legal representatives raising children includes a system of State benefits; social entitlements; cash payments; employment assistance measures; and tax credits.

Benefits for families with children

338. The Act on State Benefits for Families Raising Children provides for the following types of benefits:

- A lump-sum State benefit granted and paid in connection with the birth of a child (the birth allowance)
- A monthly State allowance granted and paid for the care of a child after the age of 1 year (the childcare allowance)
- A monthly State allowance granted and paid to large families with four or more cohabiting minor children, including children studying in full-time education at secondary, technical, vocational, post-secondary, higher, and/or postgraduate educational institutions, from the time they reach adulthood until they complete their education (but not after they reach the age of 23) (the large family allowance)
- A monthly State allowance granted and paid to mothers of large families who have been awarded the Altyn Alqa or Kūmis Alqa decoration, or who have previously received the title of “Heroine Mother,” as well as those awarded the Maternal Glory orders of the first or second degrees (a large family mother’s allowance)
- A monthly State allowance allocated and paid to a mother or father or an adoptive parent or guardian raising a child with a disability (a children with disabilities allowance)
- A monthly State benefit granted and paid for the care of a person with a disability of the first group since childhood (a first-group disability since childhood allowance)

339. The birth allowance is paid to all women (both working and non-working) who give birth, regardless of their family income. The amount of allowance depends on the order of birth of the child (for the first, second and third child it is 38.0 times the monthly calculation index; for a fourth or subsequent child it is 63.0 times the indicator).

340. In 2020, some 430,700 people received birth allowances amounting to 52.3 billion tenge.

341. Additionally, for working mothers, the State Social Insurance Fund provides maternity benefits, the amount of which is based on the average monthly income of the woman over the past 12 months. In 2020, the average size of such payment came to 498,700 tenge, the beneficiaries of which were 203,200 people, for a total amount of 96.4 billion tenge.

342. The childcare allowance is paid to all women who give birth (both working and non-working), regardless of family income.

343. For non-working women, this benefit is paid in a differentiated amount, taking into account the number of children born and raised in the family. The amount in 2020 ranged from 5.76 times the monthly calculation index (for a first child) to 8.90 times the indicator (for a fourth child). In 2020, some 121,000 people received childcare allowances amounting to 31.7 billion tenge.

344. Additionally, for working mothers, the State Social Insurance Fund provides childcare allowances for children under 1 year of age, the amount of which is based on the average monthly income over the past two years. The average amount of these payments in 2020 came to 32,055 tenge, which were received by some 501,600 people, for a total amount of 106.4 billion tenge.

345. In addition, the State subsidizes women's mandatory pension contributions at a rate of 10 per cent of the average monthly income taken into account in calculating the social benefit. This is done in order to ensure that the woman's pension contributions are not interrupted during her time caring for her child.

346. To provide proper assistance to parents in fulfilling their responsibilities for raising children, the Labour Code includes inter alia the following provisions for the relief and protection of parents in their employment: the temporary transfer of pregnant women to other jobs without exposure to harmful factors, with pay not lower than the average salary at their original posts (art. 44); restrictions on the termination of employment contracts at the initiative of the employer during temporary disability and while employees are on leave if they have children under 3 years of age or if they are single mothers (art. 54); and a prohibition against employers assigning night work to women and others who have children under 7 years of age and to workers raising children with disabilities up to 16 years old, without the employee's written consent (art. 76).

347. The large family allowance is paid to families with four or more minor children living together. The benefit in 2020 ranged from 16.03 times the monthly calculation index (for four children) to 28.06 times the indicator (for seven children). Families raising eight or more children received four times the indicators for each child. In 2020, some 392,400 people received these allowances, amounting to 236.2 billion tenge.

348. Mothers who have given birth to five or more children and raised them to the age of 18 are eligible to retire at age 53.

349. The large family mother's allowance is valid for life and is awarded regardless of the mother's income. The benefit amounts to 6.4 times the monthly calculation index. In 2020, some 232.3 people received these allowances, amounting to 49.1 billion tenge. Mothers with numerous children who have been awarded the Altyn Alqa or Kūmis Alqa decoration are also exempt from paying a number of taxes and State duties.

350. The children with disabilities allowance is paid monthly to parents, guardians and adoptive parents raising a child with disabilities until the child reaches the age of majority, in the amount of 1.4 times the monthly calculation index. In 2020, some 89,500 people received these allowances, amounting to 49.6 billion tenge.

351. By a decision of a local executive body, parents and other legal representatives of children with disabilities who are home-schooled are provided with reimbursement for educational expenses. In 2020, an average of 14,200 families received this type of assistance, for a total amount of 800.5 million tenge, with an average amount of 4,700 tenge per month.

352. A monthly allowance to care for a person with disabilities from childhood of the first disability group is paid to parents, guardians and adoptive parents in the amount of 1.4 times the subsistence minimum. If two or more persons with disabilities from childhood of the first group live in a family, the allowance is granted and paid for each of them.

Support for families raising orphaned children and children left without parental care

353. In accordance with article 28 of the Act on Minimum Social Standards and Their Guarantees, the Minister of Education and Science issued Order No. 557 of 10 September 2015, which approves the norms of a social standard ensuring the protection of the rights and

interests of orphaned children, children left without parental care and children placed in families (in adoption, guardianship or custody and foster care).

354. According to this standard, the following types of support are provided to families raising orphans and children deprived of parental care.

355. The money paid for the maintenance of children placed with foster care providers for food, for one preschool child, is six times the monthly calculation index per month; for one school-age child, it is seven times the indicator; for clothing, footwear and textiles for one child, it is three times the indicator.

356. A monthly allowance of 10 times the indicator is paid for the maintenance of orphans and children left without parental care who have been entrusted to guardians or custodians.

357. The adoptive parents of an orphaned child and/or a child left without parental care are entitled to a lump-sum cash payment of 75 times the monthly calculation index.

358. Foster parents are paid a monthly cash payment of 10 times the indicator.

Support for low-income families

359. In accordance with the Act No. 246 of 17 July 2001 on State Targeted Social Assistance, ethnic Kazakhs with (*kandas* (compatriot) status, refugees, foreigners and stateless persons permanently residing in the country, with an average per capita income under the poverty line, are entitled to receive targeted social assistance. The level of the poverty line in Kazakhstan is determined by the central authorities, based on the average per capita subsistence level in percentage terms, depending on the economic capacity of the State.

360. During the reporting period, the approaches to providing targeted social assistance underwent changes three times (on 1 January 2018, 1 April 2019 and 1 January 2020). The amount of budget expenditure allocated to targeted social assistance payments increased by a factor of 18.8, from 13 billion tenge in 2017 to 244.5 billion tenge in 2019, while the number of recipients increased 95-fold, and for children by 81.6 times. In 2020, targeted social assistance was granted to 184,700 families, or 936,200 people.

361. In 2020, more than 4.5 million people received social payments in the amount of the minimum wage (42,500 tenge) in order to mitigate the consequences of the quarantine measures imposed in connection with the COVID-19 pandemic.

362. Starting from 1 January 2020, a guaranteed social package was introduced for children from low-income families aged 1 to 18 years of age. This package includes free school meals, subsidized transportation on municipal public transport, provision of school uniforms and supplies and, for preschool children, the provision of food packages and household cleaning products. In 2020, 403,400 children are to be covered by the guaranteed social package.

VIII. Education, leisure and cultural activities

Article 28

Education, including vocational training and guidance

Article 29

Aims of education, with reference also to the quality of education

Follow-up information relating to paragraphs 52 and 53 of the concluding observations

363. In Kazakhstan, a key principle of State social policy in the area of education is the equal right of all persons to receive a quality education.

364. During the reporting period, Kazakhstan continued to work to improve the accessibility and quality of education for all.

365. Pursuant to the Education Act, the State ensures that Kazakh citizens receive free preschool education (from the age of 5 years until the start of first grade) and primary, basic secondary and general secondary education at State educational establishments. It also ensures that they receive free technical and vocational, post-secondary, higher and postgraduate education on a competitive basis under the established quota on State-requisitioned places if they are pursuing an education at each of these levels for the first time, except for education received at military educational institutions and colleges.

366. Foreigners and stateless persons permanently residing in Kazakhstan and those who have entered the country for the purpose of family reunification have the same rights as Kazakh citizens to receive preschool, primary, basic secondary and general secondary education in accordance with the procedure established by the education authorities.

367. Stateless persons permanently residing in Kazakhstan are granted the right to receive free technical and vocational, post-secondary, higher and postgraduate education on a competitive basis under the established quota on State-requisitioned places if they are pursuing an education at each of these levels for the first time, except for military educational institutions and colleges (Act No. 319-III of 27 July 2007, art. 8).

368. Article 16 of the Refugees Act provides that children seeking refugee status and refugee children arriving without parents or other legal representatives, including in cases where parents or other family members cannot be found, are to be afforded the same protection and access to education as other children in Kazakhstan without parental care, in accordance with Kazakh law on the rights of the child.

369. However, Kazakh law does not provide for State education to children of foreign nationals temporarily staying in Kazakhstan, victims of trafficking in persons and/or asylum-seekers, or children of asylum-seekers, refugees, or migrant workers who are undocumented and unregistered. Support centres for children in difficult circumstances and juvenile adaptation centres are not empowered by law to provide their services to children in this category. This problem is systemic and has remained unresolved for many years.

370. In the course of research conducted by the International Organization for Migration (IOM) in 2020, more than 1,000 children without proper migration documentation (from the Russian Federation, Mongolia, Uzbekistan, the Republic of Moldova, Tajikistan and other countries) were identified in 12 regions of Kazakhstan. These children have not been able to travel to their home countries for various reasons, including reasons related to the COVID-19 pandemic, and are not enrolled in school.

371. IOM also identified 15 child victims of trafficking in Kazakhstan in the period 2017–2020 (198 in total since 2004).

372. With a view to taking further steps in to uphold human rights, pursuant to Government Decision No. 405 of 11 June 2021, a Plan of Priority Measures in the Field of Human Rights was approved, which include measures to ensure the rights of victims of trafficking in persons.

373. Pursuant to an instruction issued by the Office of the President on 28 June 2021, the provision of education to children of foreign nationals temporarily staying in Kazakhstan, victims of trafficking in persons and/or asylum-seekers is subject to special monitoring.

374. In connection with the above and on the basis of the Convention on the Rights of the Child, measures will be taken to amend the Education Act (arts. 8 and 47) and the Act on the Legal Status of Aliens (art. 10) to include provisions on the right to education of foreign nationals temporarily staying in Kazakhstan, with the exception of suspects or accused persons in criminal cases, until a procedural decision is taken by the competent authorities in respect of them or their parents or other legal representatives.

Preschool care and education

375. During the reporting period, the development of preschool care and education became a priority area of efforts to modernize the education system.

376. As at 1 October 2020, there were 10,650 preschools in the country, including 6,959 kindergartens and 3,691 daycare centres (“mini-centres”). There are 885,033 children enrolled in preschool.

377. Public-private partnership is a priority in the development of preschool education. Forty-three per cent of the country's preschools (4,570) are private, which is 18.2 per cent more than in 2016 (24.8 per cent). Preschool education was provided to 98.7 per cent of children aged between 3 and 6 years.

378. During implementation of the State Programme for the Development of Education and Science for the period 2016–2019, 1,749 new units were added to the network of preschools in the country, with 10,583 in 2019 compared with 8,834 in 2015. Accordingly, the number of children aged between 3 and 6 years enrolled in preschool increased by 16.9 per cent (to 98.5 per cent in 2019 compared with 81.6 per cent in 2015).

379. In 2020, the preschool enrolment rate for children aged between 3 and 6 years reached 100 per cent across 12 regions of the country: Akmola, Aktyubinsk, Atyrau, West Kazakhstan, Zhambyl, Karaganda, Kyzylorda, Mangistau, Pavlodar, North Kazakhstan and East Kazakhstan Oblasts and Shymkent.

380. There are more and more qualified staff working in preschools. The proportion of teaching staff in preschools who have received specialist higher and technical vocational education in preschool care and education is growing annually. Between 2016 and 2020, it increased by 20 per cent, from 35.1 per cent to 55.3 per cent.

381. As part of efforts to identify new approaches to, and effective means of, ensuring equal access to quality preschool care and education, the staff of preschools includes a full-time “social nanny” who provides home-based care and promotes the development of children who are not enrolled in preschool, while responding to the needs of parents.

382. One of the mechanisms for increasing competition within the preschool education system will be funding based on a voucher system.

383. At the same time, given the continuing growth of the child population in Kazakhstan, the problem of waiting lists remains relevant. There are 364,206 children on the waiting list for preschool, of whom 288,155 are in urban areas and 76,051 are in rural areas. The number of children aged between 3 and 6 years is 58,381, or 16 per cent of the total number.

384. According to the Ministry of Education and Science, there are 42 special kindergartens, which are attended by 4,229 children in 335 groups. A total of 534 special groups for 8,229 children have been established in 217 preschools. In seven regions of the country – Akmola, Almaty, Zhambyl, West Kazakhstan, Kostanay, North Kazakhstan and Turkistan Oblasts – there is no network of special preschools.

Primary, basic secondary and general secondary education

385. In 2020, the net enrolment ratio in primary education reached its highest level (99.8 per cent) during the period under consideration, rising from 98.1 to 99.9 per cent for girls and from 99.5 to 99.6 per cent for boys. The gross enrolment ratio in secondary education during the period under consideration ranges from 104.6 to 105.9 per cent. In 2020, it was 105.4 per cent for girls and 105.5 per cent for boys.

386. There has been an increase in both the number of teachers in general education schools, from 319,167 to 366,666, and the number of students in these schools, from 2,930,583 to 3,483,347, while the student-teacher ratio remains unchanged, at 9 to 1.

387. As a result of the lockdown imposed in connection with the COVID-19 pandemic, 60 per cent of children in primary education attended classes in person at the beginning of the 2020/21 school year, while approximately 2.6 million pupils began the school year remotely using domestic educational platforms chosen by the schools themselves. The Balapan and El Arna national television channels broadcast televised lessons, which served as an additional learning tool.

388. Since 1 September 2020, per capita school funding has been fully implemented at 1,584 large State general education day schools in urban locations, which represent 34.1 per cent of the total number (4,643) of such schools. In 2020, 336 billion tenge were allocated from the State budget for these purposes, which is 34.2 per cent more than the amount allocated in the previous year. At the same time, school budgets have increased by an average of 20 per cent. The introduction of per capita school funding has made it possible

to significantly reduce the influence of subjective factors in the distribution of financial resources and to increase the economic security of educational establishments and their engagement in ensuring that funds allocated are used effectively and efficiently.

Making educational and vocational information and guidance available and accessible to all children

389. The procedure for providing educational establishments with textbooks, teaching materials and teaching aids, including electronic textbooks, was approved by Order No. 91 of the Minister of Education and Science of 28 January 2016. Pursuant to this order, the libraries of educational establishments are to be provided with textbooks and teaching materials, including electronic textbooks, with funding from the national budget every five years for primary, basic secondary and general secondary education and every six years for special education establishments, while additional textbook acquisitions are to be made annually, as necessary, in accordance with student numbers.

390. Under article 47 of the Education Act, students and pupils, regardless of social background, attending educational establishments that provide general education programmes at the primary, basic secondary and general secondary levels, specialized general education programmes and special education programmes are provided with free textbooks and teaching materials, including electronic textbooks, funded from the local and national budgets in the quantities projected by the education authorities for the academic year.

391. In order to improve the quality of textbook development, requirements for textbook authors have been made stricter and now include holding a certificate of completion of courses on textbook preparation and evaluation.

Accessibility of higher education

392. A higher education can be acquired by citizens who have a general secondary, technical and vocational, or post-secondary education. Pursuant to Order No. 600 of the Minister of Education and Science of 31 October 2018 approving model regulations for admission to educational establishments providing higher and postgraduate education programmes, every citizen has the right to receive a free higher education on a competitive basis.

393. A system of statistics for monitoring children from low-income families and orphans has been developed and implemented and is helping the Government make informed management decisions on policy regarding access to higher education. Rectors' grants for low-income students have been introduced at higher education institutions and State support measures for students from low-income families have been developed, including social grants, housing allowances and free transport.

394. Foreign nationals may be admitted to accredited international higher and postgraduate education programmes established pursuant to international agreements, under a quota-based educational grant. Admission to such programmes on a paid basis is based on the outcome of interviews conducted by the programme admissions boards over the calendar year.

Inclusive and special education

395. Systematic work is being carried out to develop inclusive education, the fundamental principle of which is the right of children with special educational needs to receive integrated education in a mainstream school environment with peers without disabilities, and under appropriate conditions.

396. At the end of 2020, there were 107,348 school-age children with special educational needs, of whom 41,581, or 38.7 per cent, were receiving inclusive education (compared with 25.95 per cent at the end of 2015). As at 2020, conditions conducive to inclusive education have been established at 5,214, or 74.9 per cent of, schools. At the end of 2015, the proportion was 44.7 per cent.

397. In 2021, a law was adopted with a view to further developing inclusive education in Kazakhstan. The law will make it possible to shift the focus of pre-existing laws and regulations from a medical model of inclusive education to a socio-educational one.

398. A significant change made in 2020 was the introduction of teaching assistants, whose role is to provide teaching support for children with special educational needs in the general education process, as members of the standard educational staff at all educational levels.

399. Community-based organizations play a significant role in the development of inclusive education. The Bolashak Foundation has a project entitled “Every Child Deserves a School”. With the assistance of local executive bodies, in the period 2015–2020, the project opened 41 inclusion support rooms at general education schools in 17 regions of the country, where over 400 children with autism and other special educational needs receive the necessary psychological and teaching support. In cooperation with Samruk Trans limited partnership, the Dara Private Foundation has opened 70 psychological and special education centres and 20 resource centres in general education schools to support children with special educational needs in the country’s regions.

Supplementary education

400. In Kazakhstan, supplementary education for children is considered an essential element of the education system. Recreational activities have a significant impact on children’s health and development. Participation in study groups, clubs and sports clubs, and other organizations that provide supplementary education fulfils a number of important roles in socializing children and preventing delinquency, and contributes to the healthy and comprehensive development of the personality.

401. As at the beginning of the 2020/21 academic year, there are 1,272 organizations in the country providing supplementary education to 995,522 children. There are more than 75,000 groups with 1,216,073 students, or 35 per cent, and more than 45,000 clubs with 965,155 students, or 28 per cent, in schools, with 85.8 per cent of groups and 92.1 per cent of clubs operating free of charge.

Article 30

Cultural rights of children belonging to Indigenous Peoples and minorities

402. The Constitution prohibits any discrimination on the grounds of race, ethnicity, language, or attitude to religion and guarantees the right to use one’s native language and culture and many other rights and freedoms.

403. The Assembly of the People of Kazakhstan and small regional assemblies work intensively to ensure that the cultural potential of each ethnic group in Kazakhstan is fulfilled to the greatest extent possible and to increase the role played by the culture and language of the Kazakh people as the nation which formed the State. With the commencement of the work of ethnic cultural centres and the Assembly of the People of Kazakhstan, the national minorities of Kazakhstan have been given a real opportunity to revive their language and traditions, educate and bring up their children in their native language and develop ties with their historical homeland and the diaspora abroad, and to do so under the auspices of the State.

404. All children in Kazakhstan thus have equal rights regardless of their origin, race and ethnicity, social and property status, sex, language, education, attitude to religion, place of residence, state of health and other circumstances relating to the child and his or her parents or other legal representatives. All children, whether born in or out of wedlock, enjoy full and equal protection.

405. Language policies at educational establishments are conducted in accordance with the Constitution and legislative acts on language. All educational establishments, regardless of their form of ownership, must ensure that students know the Kazakh language as the State language and that they study Russian and one foreign language in accordance with the mandatory State standard for each stage of education.

406. The right of members of minorities living in Kazakhstan to receive an education in their native language is also safeguarded through the creation of relevant educational establishments, classes and groups and the proper conditions for their operation.

407. Setting up the corresponding educational establishments, classes and groups with the State language as the language of instruction is a priority.

Article 31

Rest, play, leisure and cultural and artistic activities

408. The following have been implemented with a view to organizing comprehensive, high-quality summer recreational and work activities for children:

- An interdepartmental plan for organizing rest and recreation, leisure and work activities for children during the summer holidays (Order No. 162 of the Ministry of Education and Science of 22 February 2016)
- An interdepartmental plan for ensuring the safety of children at educational establishments
- A road map for developing rest and recreation and work activities for children and tourism for children and young people during the holidays

409. An instruction for counsellors to be trained to work at children's recreation facilities has been adopted (Order No. 290 of the Minister of Education and Science of 19 April 2016).

410. In 2020, 1,932,000 schoolchildren, or 71.5 per cent of the total number of students in grades 1–10, attended camps offering activities to promote health and well-being (compared with 1,510,000, or 59 per cent, in 2016). Overall, 2,492,000 children, or 92.4 per cent, were involved in such activities (compared with 2,220,000, or 86.7 per cent, in 2016). Children participate in neighbourhood clubs, take part in sports and tourism and attend work and recreation camps, among other activities.

411. More than 900,000 secondary school students, or 35.3 per cent (compared with 960,000, or 37.5 per cent in 2016), were involved in activities at work and recreation camps, in school forestry, landscape, work, repair and construction teams.

412. A total of 467,000 children and adolescents, or 17.3 per cent (compared with 348,000, or 13.6 per cent in 2016), were involved in creative activities in hobby groups and neighbourhood clubs. During the summer holidays, 517,000 children, or 19.2 per cent (compared with 511,000, or 19.9 per cent in 2016), were involved in sports and tourism activities and organizations. The number of children involved in summer language and leadership schools fell to 341,000 schoolchildren, or 12.6 per cent (compared with 511,000 or 19.9 per cent in 2016).

413. In December 2020, Act No. 395-VI ZRK amending certain legislative acts on culture, physical education and sports was adopted, under which a mechanism for State purchase orders for the arts and sports for children and young people was introduced for the first time. Under the Act, procedures and rules for per capita funding of children's participation in creative arts and sports clubs have been approved. State purchase orders for the arts and sports were implemented on 1 May 2021. Funding is provided out of local budgets. The introduction of the State purchase orders will make it possible for an additional 82,241 children and adolescents aged between 4 and 18 years to participate free of charge in extracurricular activities, including 30,172 in study groups and 52,069 in clubs. This measure will create a conducive environment for increasing the number of people involved in creative arts and sports clubs.

IX. Special protection measures

Article 23

Asylum-seeking and refugee children

Follow-up information relating to paragraphs 53 and 54 of the concluding observations

414. Kazakhstan takes the necessary measures to ensure that refugees and asylum-seekers, including children, are adequately protected in accordance with the provisions of the Convention relating to the Status of Refugees, adopted on 28 July 1951, and the Protocol relating to the Status of Refugees, adopted on 31 January 1967.

415. Article 16 of the Refugees Act provides that children seeking refugee status and refugee children, both when arriving without parents or other legal representatives and in cases where parents or other family members cannot be found, are to be afforded the same protection as other children in Kazakhstan without parental care, in accordance with Kazakh law on the rights of the child. Refugee certificates are issued to refugee children who are in Kazakhstan without their parents or legal representatives (art. 16).

416. Refugee status is determined in a way that takes the best interests of the child into consideration. When the parents are granted refugee status, the child automatically receives the same status. Furthermore, according to the Ministry of Internal Affairs, no independent applications by children (whether unaccompanied or separated) for refugee status have been registered.

417. The principle of non-refoulement applies equally to adults and children. Kazakh law prohibits the return or expulsion of asylum-seekers and refugees to countries where their lives or freedom may be endangered on account of their race, religion, ethnicity, nationality, membership of a particular social group or political opinion. Moreover, children under the age of 16 years are not subject to administrative proceedings, including expulsion proceedings.

418. Amendments have been made to the Marriage and Family Code that provide for universal birth registration of all children, regardless of the legal status of their parents, which has been an important step towards ending statelessness.

419. Kazakhstan provides medical care for asylum-seekers and refugees. Kazakh law defines the procedure for providing preventive, diagnostic and therapeutic medical services to refugees and asylum-seekers in the country. From 2015 to 2020, rules for providing refugees and asylum-seekers with preventive, diagnostic and therapeutic medical services with the highest proven effectiveness (adopted pursuant to Order No. 368 of the Ministry of Health and Social Development of 21 May 2015) were in force.

420. Since 2020, free medical care has been provided to asylum-seekers and refugees pursuant to Ministry of Health Order No. KR DSM-121/2020 of 9 October 2020 approving a list of diseases posing a danger to others for which foreign nationals, stateless persons temporarily staying in Kazakhstan and asylum-seekers are entitled to a guaranteed level of free healthcare and specifying the level of healthcare.

421. Under article 8 (2) of the Education Act, foreign nationals and stateless persons permanently residing in Kazakhstan and those who have entered the country for the purpose of family reunification have the same rights as Kazakh citizens to receive preschool, primary, basic secondary and general secondary education in accordance with the procedure established by the education authorities.

422. Pursuant to Order No. 468 of the Ministry of Education and Science of 28 September 2010, children of foreign nationals, and stateless persons permanently residing in Kazakhstan and of migrants temporarily residing in the country are admitted to educational establishments for education and enjoy the same rights as citizens of Kazakhstan.

423. Necessary steps are being taken in Kazakhstan to improve conditions for children of migrants, protect their rights and interests and ensure their safety and access to social and

educational services. Since April 2020, a project to protect children affected by migration has been implemented with the support of OHCHR and UNICEF. Under the project, training sessions are being held for representatives of guardianship and custody bodies, juvenile adaptation centres, centres for supporting children in difficulty, the juvenile police, the specialized juvenile court, the migration service and non-governmental organizations (NGOs).

424. Together with UNICEF, the Academy of Public Administration under the Office of the President has developed a training programme on international standards and best practices for working with children in situations of migration for migration service officials and social workers.

425. According to the Ministry of Internal Affairs, there were 144 registered refugee children in 2020 (compared with 206 in 2016, 184 in 2017, 176 in 2019 and 177 in 2019).

426. In the 2020/21 academic year, 689 refugee children, 20,367 migrant children and 7,637 children with *kandas* status were enrolled at secondary education establishments.

427. There are 485 children with *kandas* status and 93 migrant children enrolled in technical and vocational education.

428. In May 2020, Act No. 327-VI ZRK amending various laws related to the regulation of migration processes was adopted. The act is intended to speed up the adaptation and integration of persons with *kandas* status into Kazakh society by enabling them to work in the country on a temporary basis without obtaining a permit.

Article 30

Children belonging to minorities

429. The State is committed to establishing conditions conducive to the study and development of the languages of the people of Kazakhstan. In Kazakhstan, everyone has the right to use his or her native language and culture and to a free choice of language of communication, child-rearing, education and expression.

430. Conditions conducive to the study and development of the languages of the people of Kazakhstan have been established at the legislative level. Citizens' rights may not be infringed on the basis of language. Persons who obstruct the use and study of the State and other languages spoken in Kazakhstan are held liable in accordance with Kazakh law.

431. Preserving linguistic diversity is a State priority. Under the State programme for the development and use of languages in Kazakhstan for the period 2011–2020, conditions conducive to teaching members of various ethnic groups living in the country their native language have been put in place. These consist in providing teaching aids to Sunday schools, recruiting experienced teachers who are native speakers and making use of international experience and modern technologies in native language teaching.

432. The State programme for the development and use of languages in Kazakhstan for the period 2020–2025 is being implemented. One of the objectives of the Programme is to promote the development of languages of ethnic groups.

433. According to the Ministry of Education and Science, in the 2020/21 academic year there were 3,733 Kazakh-language schools with a total of 1,505,779 students, 1,160 Russian-language schools with 394,645 students and 2,047 mixed language schools with 1,456,175 students. In addition to these, in Kazakhstan, where large groups of Uzbek and Uighur ethnic minorities are concentrated, there are nine Uzbek-language schools with 6,835 students and eight Uighur-language schools with 5,268 students.

Article 32

Economic exploitation, including child labour

Follow-up information relating to paragraphs 56 and 57 of the concluding observations

434. Everyone in Kazakhstan has the right to freedom to work and freedom to choose a type of activity and profession. Forced labour is allowed only pursuant to a court judgment, in a state of emergency or under martial law.

435. Preventing the worst forms of child labour is one of the basic principles of Kazakh labour law, the violation of which is punishable with administrative and criminal penalties.

436. The Labour Code defines the age from which an employment contract may be concluded. Pursuant to article 31 of the Labour Code, an employment contract may be concluded with citizens who have reached the age of 16 years, or:

- Citizens over the age of 15 years, provided they have received a basic and general secondary education in secondary education establishments
- Students over the age of 14 years, provided the work is performed in their free time after school, is not harmful to their health and does not disrupt their learning process
- Persons under the age of 14 years for the purposes of work in the cinema or theatre, theatre or concert organizations or circuses in connection with participation in or production of performances, provided that such work does not impair their health or moral development

437. It is also prohibited under the Labour Code to engage persons under 18 years of age in heavy physical work and work in harmful and hazardous working conditions, night work between the hours of 10 p.m. and 6 a.m. and overtime work.

438. Kazakh law also sets out a list of 103 general professions and types of work, including in agricultural production, in which persons under the age of 18 may not be employed.

439. The State, represented by such State bodies as the Labour Inspectorate, the Office of the Procurator and the education authorities, constantly monitors compliance with the legal requirements for the employment of minors.

440. The Coordinating Council for Combating the Worst Forms of Child Labour operates at the national level and includes representatives not only from State bodies but also from the National Chamber of Entrepreneurs, the International Labour Organization and NGOs.

441. At the initiative of the Coordinating Council, a 12-day national information campaign against the exploitation of child labour dedicated to World Day against Child Labour is held annually.

442. Every year, the Ministry of Internal Affairs conducts an employment campaign during the summer holidays as a measure for preventing minors from committing offences over the summer period and for providing employment for young persons registered on the preventive register or lists of the internal affairs agencies.

443. In 2021, more than 800,000 minors were involved in various forms of leisure activities, including more than 7,000 children registered with internal affairs bodies and approximately 11,000 children from disadvantaged families.

444. Nevertheless, the involvement of minors in work in Kazakhstan is systemic in nature. The most frequent use of underage labour is in agriculture. The causes of child labour are predominantly economic and social problems.

445. According to the Coordinating Council for Combating the Worst Forms of Child Labour under the Ministry of Labour and Social Protection, State inspectors identified 10 cases of illegal child labour during inspections in 2018, 5 cases in 2019 and 5 cases in 2020. Appropriate administrative measures have been taken against employers.

Article 35

Sale, trafficking and abduction

Follow-up information relating to paragraphs 58 and 59 of the concluding observations

446. Kazakhstan works actively to prevent and combat the sale, trafficking and abduction of children.

447. Offences related to the sale of children are criminally punishable by a maximum penalty of 18 years' imprisonment and confiscation of property.

448. Pursuant to Act No. 292-VI of 27 December 2019, the Criminal Code was amended with a view to increasing penalties for the commission of offences against minors. Specifically, the sentences for forcibly or illegally removing human organs or tissues (Criminal Code, art. 116), for involving minors in prostitution (Criminal Code, art. 134) and for trafficking in minors (Criminal Code, art. 135) were increased.

449. In the period 2016–2020, 47 offences were recorded under article 135 of the Criminal Code (Trafficking in minors) (9 in 2016, 12 in 2017, 5 in 2018, 6 in 2019 and 15 in 2020), while 39 offences were recorded under article 134 (Involvement of minors in prostitution) (12 in 2016, 8 in 2017, 10 in 2018, 6 in 2019 and 3 in 2020).

450. In June 2017, the Interdepartmental Commission on Combating People Smuggling and Trafficking in Persons was established pursuant to Order No. 78 of the Prime Minister.

451. With the assistance of international organizations and NGOs, State bodies have implemented six action plans aimed at preventing and combating crimes related to trafficking in persons. This is a range of additional organizational measures that contribute to the detection, prevention and investigation of child exploitation.

452. Since 2016, a protocol of intent for cooperation between the Ministry of Internal Affairs and OSCE has been in force. The protocol provides for joint working meetings, round tables, conferences, seminars, training sessions and advanced courses on combating organized crime, trafficking in persons and cybercrime, and for the exchange of information and experience in these areas.

453. A national free helpline (11616) operates around the clock. Its staff provide advice on any matters related to labour migration and trafficking in persons.

454. Pursuant to Government Decision No. 94 of 24 February 2021, a plan of action to prevent and combat offences involving trafficking in persons for the period 2021–2023 was approved.

455. In cooperation with the relevant bodies, the Ministry of Internal Affairs conducts targeted investigative and preventive measures with names such as “STOP Trafficking”, “Illegal” and “Migrant” on a quarterly basis. Close cooperation has been established with NGOs, with which memorandums of cooperation have been signed.

456. The Government cooperates with law enforcement agencies of neighbouring countries to combat crime, including trafficking in persons, under existing intergovernmental and inter-agency agreements and an inter-State programme of joint measures to combat crime for the period 2019–2023 approved by a decision of the Council of Heads of State of the Commonwealth of Independent States on 28 September 2018.

Article 36

Other forms of exploitation

457. Children in Kazakhstan are legally protected from all forms of exploitation at the legislative level in all areas of family, criminal, labour, administrative and civil law.

Article 37 (b)–(d)**Children deprived of their liberty, including any form of detention, imprisonment or placement in custodial settings**

458. Pursuant to article 15 (1) of the Criminal Code, an individual who is fit to plead and has reached 16 years of age at the time of committing a criminal offence is subject to criminal liability.

459. For serious and especially serious offences, criminal liability begins at the age of 14 years (Criminal Code, art. 15 (2)).

460. Minors may be sentenced to deprivation of liberty for a term not exceeding 10 years, or, for aggravated murder or an act of terrorism, or for a combination of criminal offences, one of which is aggravated murder or an act of terrorism, for a term not exceeding 12 years. Deprivation of liberty is not imposed on minors who have committed a minor offence or an ordinary offence not involving the occasioning of death.

461. Pursuant to Act No. 58-VI of 18 April 2017, the Criminal Code was amended to provide that sentences of deprivation of liberty must be served by convicted minors at medium-security penal institutions that are used exclusively for the detention of minors (Kazakh law previously also provided for their detention at high-security young offenders' institutions). Children remain at the institutions until the age of 18 years, after which they have the right to remain at them until the age of 21 years upon application. A minor who has reached the age of 18 years may be transferred to an adult facility if he or she so wishes if his or her sentence exceeds the period remaining until he or she reaches the age of majority.

462. As at the end of 2020, 51 minors were in prisons and other closed settings, of whom 48 were male children (compared with 44 in 2016 and 449 in 2008). The largest number of minors in prisons and other closed settings observed during the reporting period was 52 children in 2017. As at the end of 2020, 70 children, of whom 66 were male, were held in pretrial detention facilities, prisons and facilities operating as pretrial detention facilities and prisons.

463. Minors in prisons and other closed settings are entitled to visits, the number of which depends on their behaviour at the institution. Persons held under ordinary conditions (new arrivals and persons who have not demonstrated any positive behaviour) are entitled to eight short visits (of up to two hours) with relatives and other persons and four long visits (of up to two days) with close relatives per year. Minors held under less restrictive conditions (who have achieved positive grades for behaviour) are entitled to 24 short visits (of up to two hours) with relatives and other persons and 6 long visits (of up to two days) with close relatives per year.

464. Pursuant to Act No. 180-VI ZRK, the Criminal Code was amended to provide for the mitigation of penalties for minors. In particular, the maximum fine is limited to 100 times the monthly calculation index (having previously been limited to 250 times the index), while community service is limited to 75 hours (having previously been limited to 150 hours).

465. Male minors sentenced to deprivation of liberty are held at a facility on the site of institution LA-155/6 (in the city of Almaty), while female minors are held in a segregated area at institution LA-155/4 (in the settlement of Zhaugashty in Almaty Oblast).

466. One important aspect of the educational process pursued with convicted persons at penal institutions is the involvement of relatives in individual educational work, which is done mainly when relatives arrive to visit convicted persons and, if necessary, by inviting relatives to visit for that purpose.

467. In order to make the educational measures more effective for inmates, a parents' committee and a supervisory board have been established at the institutions.

468. Open days are organized at institutions with the participation of relatives of convicted minors in order to strengthen the inmates' socially beneficial ties. These activities are aimed at creating a positive psychological climate at institutions.

469. Staff from the mental health service of penal institutions conduct psychological assessments, including for the detection of suicidal tendencies. A research group from the Kazakh National Women's Teacher Training University works with female convicts, conducting research in the field of educational psychology and providing educational assistance with the reintegration of convicts after release.

470. All children held at institutions have access to secondary and supplementary education and are provided with educational resources, school supplies and computer equipment.

Article 40

Administration of juvenile justice

Follow-up information relating to paragraphs 60 and 61 of the concluding observations

The practice of establishing courts to hear disputes involving minors

471. Protecting the rights and legitimate interests of minors is a priority of State social policy.

472. In the period 2003–2006, an international project entitled “Juvenile Justice in Kazakhstan” was implemented in the country. Under the project, the first experimental juvenile courts were established in the cities of Astana and Almaty pursuant to a decree issued on 23 August 2007.

473. Subsequently, the Juvenile Justice System Development Framework 2009–2011 was approved pursuant to a presidential decree issued on 19 August 2008. Under this framework, juvenile courts were identified as the most important component of the juvenile justice system.

474. Given the success of the pilot juvenile courts, such courts were established in all regional centres and some major cities of Kazakhstan pursuant to a presidential decree issued on 4 February 2012.

475. There are now 20 juvenile courts operating successfully in Kazakhstan: 2 in each of Almaty, East Kazakhstan and Karaganda Oblasts and 1 in every provincial centre and in cities such as Nur-Sultan, Shymkent and Almaty.

The jurisdiction of juvenile courts

476. Juvenile courts are established as courts with comprehensive jurisdiction, which hear criminal cases involving offences committed by minors and criminal cases involving offences that violate the rights of minors, as well as civil and administrative cases.

477. The range of cases that fall within the jurisdiction of juvenile courts is clearly delineated in law.

478. Article 27 (3) of the Code of Civil Procedure provides that specialized inter-district juvenile courts must consider and rule on civil cases related to determining a child's place of residence; setting a schedule for contact between a parent and a child and removing of a child from the care of other persons; determining a child's place of residence when the child and one of his or her parents leaves Kazakhstan to travel to a permanent place of residence; withdrawing, restricting or restoring parental rights; adopting a child and annulling adoptions; referring minors to special education establishments or educational establishments with special custodial regimes; resolving disputes regarding guardianship, custody and fostering of minors; establishing the paternity of a minor and recovering child support payments from the minor's father; dealing with applications to withdraw or restrict the right of a minor aged between 14 and 18 years to independently dispose of his or her income; recognizing a minor as having full legal competence (emancipation); establishing paternity and recovering child support payments as a percentage share or as a cash sum; reducing the amount of child support payments; protecting the labour and housing rights of minors; and compensating harm caused jointly by minors and adults, including with the participation of adults who lack or have limited legal capacity.

479. At the request of a minor's legal representatives, cases that fall within the jurisdiction of a specialized inter-district juvenile court may be considered, or may be transferred to the district or city court at the place of residence or location of the child, with the exception of cases that fall within the jurisdiction of district or city courts located within cities of national status, the capital and provincial capitals. Such a request must be submitted prior to the point at which the case has been prepared for trial.

480. When administering justice, juvenile court judges ensure that the legal rights and psychological well-being of minors are protected and that favourable environment for speaking with minors has been established. A psychologist conducts an interview with the child with a view to providing a psychological assessment of the child's personality, making relevant determinations and providing the child with psychological support. The conversation takes place in a special children's room, in an informal setting that bears no resemblance to a courtroom, and the minor can feel more at ease and trusting of the person he or she is speaking with.

Legal and regulatory frameworks

481. In considering cases involving the rights and interests of the child, the courts are guided by the Constitution; the Civil Code; the Code of Civil Procedure; the Marriage and Family Code; the Children's Rights Act; the Criminal Code; the Code of Criminal Procedure; the Code of Administrative Offences; the Convention on the Rights of the Child, ratified by the Supreme Council on 8 June 1994; and other laws and regulations.

482. Kazakhstan has acceded to the main international children's rights instruments, thereby confirming its intention to build a law-based, democratic and secular State that guarantees the inviolability of children's rights and legal interests.

483. In order to ensure that the rights and legally protected interests of minors are safeguarded to the fullest extent possible, the Supreme Court has adopted the following regulatory decisions:

- No. 5 of 28 April 2000 on Application by the Courts of Legislation in Cases of Dissolution of a Marriage (Matrimony)
- No. 2 of 31 March 2016 on the Practice of Application by the Courts of Legislation on the Adoption of Children

484. In order to ensure that Kazakh courts apply legislation in a uniform manner, the Supreme Court adopted two regulatory decisions on 29 November 2018:

- No. 15 on Application by the Courts of Legislation in Resolving Disputes Related to the Upbringing of Children
- No. 16 on Application by the Courts of Legislation when Examining Cases Related to Establishing a Child's Background

485. Information on training activities on the rights of minors conducted for procuratorial, internal affairs and court officials is provided in the section "Measures to make the principles and provisions of the Convention and Optional Protocols thereto widely known".

Measures taken to implement the Optional Protocol to the Convention on the Rights of the Child on the sale of children, child prostitution and child pornography

Follow-up information relating to paragraphs 62 and 63 of the concluding observations

486. Under the Code of Criminal Procedure, a person may not be convicted or prosecuted twice for the same criminal offence (art. 20), nor may a person be extradited if he or she has already received a sentence for the same offence that has entered into legal force or proceedings in the case have been terminated (art. 590).

Article 38

Children in armed conflicts

Measures taken to implement the Optional Protocol to the Convention on the Rights of the Child on the involvement of children in armed conflict

Follow-up information relating to paragraph 64 of the concluding observations

487. Pursuant to article 132 of the Criminal Code, the involvement of minors in the commission of criminal offences, including extremist or terrorist crimes, is criminally punishable by deprivation of liberty for a term of between 2 and 15 years, depending on the seriousness of the act.

488. Furthermore, organizing, leading and participating in an illegal paramilitary group in Kazakhstan is punishable by imprisonment (Criminal Code, art. 267).

489. Harsh criminal punishment and a long term of imprisonment are imposed on citizens who engage in mercenarism (Criminal Code, art. 170) and participate in foreign armed conflicts (Criminal Code, art. 172), including citizens who involve children in the commission of those offences.

490. In addition, as part of the implementation of the State Programme to Counter Religious Extremism and Terrorism in Kazakhstan for the period 2013–2017 and a plan for its implementation, targeted and precise preventive work was carried out in Kazakhstan that was aimed at preventing the involvement of the population, and especially children, in the ideology of violent extremism and terrorism, including preventing them from travelling abroad to participate in military conflicts.

491. Recruitment of children for participation in hostilities or armed conflict and the creation of children's paramilitary units are prohibited under article 41 of the Children's Rights Act.

492. In addition to the above, article 31 of the Act on Military Service and the Status of Military Personnel provides for citizens of Kazakhstan between the ages of 18 and 27 who are not entitled to deferment or exemption from conscription to be called up for fixed-term military service in the numbers necessary to bring the armed forces up to strength. It is therefore prohibited for citizens under the age of 18 years to be conscripted into the armed forces of Kazakhstan.

493. The armed forces of Kazakhstan are not involved in any hostilities or armed conflicts.

Ratification of the Optional Protocol on a communications procedure

Follow-up information relating to paragraph 65 of the concluding observations

494. Accession to the Optional Protocol on a communications procedure is envisaged under the national action plan to give effect to the President's address of 1 September 2020 to the people of Kazakhstan, entitled "Kazakhstan in a new reality: time for action", approved pursuant to Presidential Decree No. 413 of 14 September 2020.

495. A road map for the accession of Kazakhstan to the Optional Protocol on a communications procedure for the period 2021–2022 has been developed and approved pursuant to a decision of the Presidential Chief of Staff, No. 6845 PAB-10 of 12 May 2021.

Ratification of international human rights instruments

Follow-up information relating to paragraph 66 of the concluding observations

496. Kazakhstan is not a party to the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families, adopted by General Assembly Resolution 45/178 of 18 December 1990, and continues to study the advisability of acceding to this Convention.
