

Kazakhstan

MINIMAL ADVANCEMENT – EFFORTS MADE BUT CONTINUED LAW THAT DELAYED ADVANCEMENT

In 2024, Kazakhstan made minimal advancement in efforts to eliminate the worst forms of child labor. In July 2024, new legislation was enacted that criminalized the users (clients) of prostitution involving children, which brought Kazakhstan's laws on commercial sexual exploitation of children into line with international standards. The government also transferred some labor inspection functions from regional bodies back to the Ministry of Labor and Social Protection and created the Committee of State Labor Inspection in an effort to improve labor inspections and compliance with labor legislation. However, despite these efforts, Kazakhstan is assessed as having made only minimal advancement because on December 30, 2021, the President of Kazakhstan signed a law significantly restricting the circumstances under which unannounced inspections can be performed. The new law, which came into effect on January 1, 2023, codifies and expands the government's existing practice under which unannounced inspections are prohibited in all cases, except in the presence of compelling grounds and supporting evidence enclosed to such a complaint, or if an inspection is mandated by judicial or tax authorities. The lack of unannounced inspections may leave potential violations of child labor laws and other labor abuses undetected in workplaces. Additionally, the laws for minimum age for work and minimum age for hazardous work do not cover workers in informal employment relationships. The government also lacks current, comprehensive, and detailed research on child labor, including in cotton production.

PREVALENCE AND SECTORAL DISTRIBUTION OF CHILD LABOR

Statistics on Children's Work and Education		
Children	Age	Percent and Population
Working	5 to 14	3.2% (79,690)
Hazardous Work by Children	15 to 17	Unavailable
Attending School	5 to 14	90.7%
Combining Work and School	7 to 14	3.6%

Children in Kazakhstan are subjected to the worst forms of child labor, including in commercial sexual exploitation, sometimes as a result of human trafficking. Children also engage in child labor in catering services.

Overview of Children's Work by Sector and Activity	
Agriculture	Working in agriculture,† including farming, harvesting vegetables, weeding, collecting worms, harvesting cotton, milking cows, and tending livestock, including goats and horses.
Industry	Construction† and road repair.
Services	Working in markets and on the streets, including transporting and selling items,† domestic work, including childcare, working in gas stations,† car washing,† working in catering and in restaurants† as waiters, and working as bus conductors.† Public works.
Categorical Worst Forms of Child Labor‡	Commercial sexual exploitation, sometimes as a result of human trafficking. Forced begging. Use in illicit activities, including selling drugs.

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

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

SUGGESTED GOVERNMENT ACTIONS TO ELIMINATE CHILD LABOR

The suggested government actions below would close gaps USDOL has identified in Kazakhstan's implementation of its international commitments to eliminate the worst forms of child labor.

Area	Suggested Action
Legal Framework	Ensure that minimum age provisions apply to all children, including those working without an employment contract, and raise the minimum age for work to 17 to align with the compulsory education age.
	Ensure that hazardous work prohibitions apply to all children, including those working without an employment contract.
	Criminally prohibit slavery-like practices or debt bondage.
	Specify the light work activities permitted for school-age children, ensure that conditions of light work do not interfere with schooling, and limit the number of hours children under age 15 can work to 14 or fewer per week.
Enforcement	Strengthen the labor inspection system by permitting and conducting routine unannounced labor inspections across all sectors at high risk of child labor, including agriculture.
	Strengthen the detection of child labor by ensuring that targeted enforcement efforts, such as raids and unannounced labor inspections, are undertaken throughout the year and in all sectors at high risk of child labor, including in agriculture.
	Increase the number of labor inspectors from 299 to 471 to ensure adequate coverage of the labor force of approximately 9.49 million people.
	Publish information on labor law enforcement efforts, including labor inspectorate funding, the number of child labor violations identified, penalties issued, and penalties collected.
Social Programs	Collect and publish data on the extent and nature of child labor, including the activities carried out by children working in agriculture, in construction, and in the service sector, to inform policies and programs.
	Ensure that all children entering the country legally are properly registered so they can receive identity documents and work permits, and access social services and education.
	Ensure that all children have access to education and can receive official diplomas, including children without identity documents and children with disabilities, and raise awareness in marginalized communities about existing remedies for denial of school enrollment.
	Institute programs to address child labor, particularly in the agriculture and service sectors.

CHILDREN AT HIGHER RISK

Children from other countries in Central Asia, including Uzbekistan, the Kyrgyz Republic, and Tajikistan, are especially vulnerable to forced labor, human trafficking, and other forms of abuse in Kazakhstan. Children under 16 years old may enter Kazakhstan legally without formally registering or receiving identification documents; however, without permanent status or identification documents, these children have limited access to many social and legal services. Children living in or aging out of welfare systems, children from low-income families, and those without parental care are also especially vulnerable to forced labor and human trafficking.

BARRIERS TO EDUCATION ACCESS

Non-citizen children face barriers to accessing education in Kazakhstan. Children may enroll in school without identification documents but may not receive a diploma without them. In addition, children with disabilities that prevent them from participating in mainstream education are at greater risk of being sent to state institutions where they may not be able to access education and may be subjected to labor exploitation.

LEGAL FRAMEWORK FOR CHILD LABOR

Kazakhstan has ratified all key international conventions concerning child labor. However, Kazakhstan's laws do not meet international standards on minimum age for work or minimum age for hazardous work because they do not cover children working in the informal sector.

Laws and Regulations on Child Labor			
Standard	Age	Meets International Standards	Legislation
Minimum Age for Work	16	X	Articles 31 and 69 of the Labor Code; Article 153 of the Criminal Code
Minimum Age for Hazardous Work	18	X	Article 26(1)(2) of the Labor Code; Article 153 of the Criminal Code
Identification of Hazardous Occupations or Activities Prohibited for Children		✓	Article 26.1(2) of the Labor Code; Decree of the Minister of Health and Social Development No. 944 of 2015
Prohibition of Slavery, Debt Bondage, and Forced Labor		X	Article 7 of the Labor Code; Articles 3 and 135 of the Criminal Code
Prohibition of Child Trafficking		✓	Article 135 of the Criminal Code
Prohibition of Commercial Sexual Exploitation of Children		✓	Articles 122, 134, 135, 309, and 312 of the Criminal Code
Prohibition of Using Children in Illicit Activities		✓	Articles 132, 133, 135.2(9), 296, and 297 of the Criminal Code; Article 26.1(2) of the Labor Code
Minimum Age for Voluntary State Military Recruitment	19	✓	Article 38(1)(2) of the Military Service Act
Prohibition of Compulsory Recruitment of Children by (State) Military		✓	Article 31 of the Military Service Act
Prohibition of Military Recruitment by Non-state Armed Groups		✓	Article 41 of the Law on Children's Rights; Articles 132 and 267 of the Criminal Code
Compulsory Education Age	17‡	✓	Article 30 of the Constitution; Articles 12, 16, and 31 of the Law on Education
Free Public Education		✓	Article 30 of the Constitution

‡ Age calculated based on available information

The new law On Amendments and Supplements to Certain Legislative Acts of the Republic of Kazakhstan on Issues of Combating Human Trafficking, Vandalism and Damage to Other People's Property, signed into law in July 2024, updated the Criminal Code to explicitly criminalize the users (clients) of prostitution involving children. However, no law criminalizes slavery-like practices or debt bondage. The Labor Code's protections, including the minimum age for employment and prohibitions on hazardous work, do not meet international standards because they do not cover children working without a written employment contract. As the minimum age for work at age 16 is lower than the age at which children typically complete compulsory education, 16 year old children may be encouraged to leave school before the completion of compulsory education. In addition, the light work framework does not meet international standards because it does not specify the activities permitted for school-age children, it does not specify the conditions of work for children older than 14, and it permits 14-year-old children to work up to 24 hours per week.

ENFORCEMENT OF LAWS ON CHILD LABOR

In 2024, labor and criminal law enforcement agencies in Kazakhstan took actions to address child labor. However, restrictive laws on unannounced inspections hindered enforcement efforts.

Agencies Responsible for Child Labor Law Enforcement

Ministry of Labor and Social Protection: Enforces child labor laws and conducts labor inspections through the Ministry's Committee on Labor and Social Protection. Responsible for implementation and controls functions in the fields of labor, employment, and social protection. Implements the special social services program that funds shelters for survivors of trafficking, including children. The Committee on Labor, Social Protection, and Migration is divided into two different committees, with one focused on labor and social protection and the other on migration. The chairperson of the Committee on Labor and Social Protection holds the position of Chief Labor Inspector and coordinates the work of labor inspectors in the regions. In August 2024, a government decree transferred responsibility for monitoring compliance with labor legislation from local executive bodies to the Ministry of Labor and Social Protection and created the Committee of State Labor Inspection to provide state oversight of labor inspections.

Ministry of Internal Affairs: Oversees police and specialized law enforcement officials. The Ministry's Organized Crime Department's Division for Combating Trafficking in Persons and Protection of the Participants of Criminal Proceedings has primary responsibility for detecting crimes and conducting initial investigations into criminal offenses related to the worst forms of child labor and hazardous child labor. Refers cases to the Prosecutor General's Office for prosecution. Engages in identification and protection of human trafficking victims, including child victims.

Enforcement Mechanisms and Efforts

Has a Labor Inspectorate	Yes
Able to Assess Civil Penalties	Yes
Routinely Conducted Worksite Inspections	Yes
Unannounced Inspections Permitted	No
Has a Complaint Mechanism	Yes
Imposed Penalties for Child Labor Violations	Unknown
Conducted Criminal Investigations for Worst Forms of Child Labor Crimes	Yes
Imposed Penalties for Worst Forms of Child Labor Crimes	Yes

In 2024, **299** labor inspectors conducted **2,366** worksite inspections and found an **unknown** number of child labor violations. The government also conducted **15** investigations into suspected cases of the worst forms of child labor, and initiated **4** prosecutions, resulting in **9** convictions, most of which resulted in sentences of between 5 and 10 years' imprisonment.

Legislative barriers prevent labor inspectors in Kazakhstan from performing routine, unannounced, onsite inspections. Although a labor inspection moratorium expired on January 1, 2024, all small businesses are exempt from inspections in their first 3 years after registration, and thereafter, an inspection can only occur at a small enterprise in cases that pose a mass threat to life and health, law and social order, or national security. Moreover, additional restrictions came into force in 2023 that prohibit unannounced inspections unless suspected violations are supported by compelling evidence, typically a complaint, or the inspection is mandated by judicial or tax authorities. This law officially codifies what has been standard practice since 2020 and is in part a response to complaints from business owners that labor inspectors use unannounced inspections as a pretext to solicit bribes. While "raids" were conducted at over 10,000 businesses during the reporting period, they did not target all sectors at high risk of child labor, such as agriculture. These restrictions limit inspectors' ability to check that working conditions comply with national labor laws, including those related to child labor.

COORDINATION, POLICIES, AND PROGRAMS

Kazakhstan established a mechanism to coordinate its efforts to address child labor.

Key Mechanism to Coordinate Government Efforts on Child Labor

Interagency Trafficking in Persons Working Group: Established in 2007 and chaired by the Ministry of Labor and Social Protection and Ministry of Internal Affairs on a rotational basis. Members include NGOs, international organizations, and government ministries. Met once in June 2024.

Kazakhstan established policies that are consistent with relevant international standards on child labor.

Key Policies Related to Child Labor

National Action Plan to Counter Trafficking in Persons (2024–2026):* Aims to guide Kazakhstan's efforts to eliminate crimes related to trafficking in persons. Several planned activities specifically address the worst forms of child labor, such as preventing forced labor at construction sites and farms, and especially the exploitation of child labor in the harvest of cotton and tobacco; addressing online trafficking-related crimes, including the solicitation of children into commercial sexual exploitation; and organizing awareness-raising campaigns in educational institutions for both children and parents. The plan remained active during the reporting period.

National Action Plan on the Elimination of the Worst Forms of Child Labor (2022–2024): Included a set of organizational and legislative measures aimed at eliminating child labor issues by strengthening administrative liability for hiring minors without an employment contract, requiring employers to inform local executive bodies about minors involved in work, introducing an electronic recording system for labor contracts, and conducting public awareness campaigns. The plan also included an initiative to conduct research, analysis, and monitoring of child labor, including children engaged in seasonal work. The plan remained active during the reporting period.

* Policy was approved during the reporting period.

Kazakhstan funded and participated in programs that may contribute to eliminating or preventing child labor. However, these social programs do not address child labor in all high-risk sectors, such as in agriculture and the service industry.

Key Social Programs to Address Child Labor

Shelters for Trafficking Victims:‡ Funded by the government and operated by NGOs, shelters provide legal, psychological, medical, and educational services to survivors of human trafficking, including minors. These shelters provide social support and other assistance to minor survivors of trafficking, including foreign survivors and those from underserved populations, and are staffed by trained social workers who remain present for all interviews, including medical evaluations. These shelters remained operational during the reporting period.

Awareness-Raising Campaigns:‡ Raise public awareness on child labor issues, including the annual "Twelve Days Against Child Labor" campaign, conducted by the government on June 1–12, 2024, in cooperation with NGOs, labor inspectors, and police.

Juvenile Care Centers:‡ Ministry of Education-run centers, including the Centers for the Adaptation of Minors and Children Support Centers for children in difficult circumstances. There are shelters that provide both short- and long-term assistance to orphans, homeless children, children with behavioral problems, children who committed crimes, and children who are victims of crimes, including child survivors of the worst forms of child labor. During the reporting period, 10 such centers were operational. The Government of Kazakhstan is also developing psychological support centers to ensure that all children have access to professional psychological care.

‡ Program is funded by the Government of Kazakhstan.

† The government had other social programs that may have included the goal of eliminating or preventing child labor.

For references, please visit dol.gov/ChildLaborReports