



# KAZAKHSTAN

## MINIMAL ADVANCEMENT – Efforts Made but Continued Law that Delayed Advancement

In 2023, Kazakhstan made minimal advancement in efforts to eliminate the worst forms of child labor. In December 2023, Kazakhstan’s Parliament ratified the United Nations Optional Protocol to the Convention on the Rights of the Child on a Communications Procedure. In addition, Kazakhstan created Territorial Mobile Teams in 2023, which include police, prosecutors, labor inspectors, and non-governmental organization representatives, and travel to remote rural areas to carry out explanatory work among the population and immediately respond to reports of forced labor on farms. The government also provided law enforcement authorities with targeted trainings on detecting and prosecuting child labor and child trafficking and conducted many public awareness campaigns on these issues. 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. In addition, the government extended a moratorium until January 1, 2024, under which labor inspections of small enterprises were permitted only in cases that pose a mass threat to life and health, law and social order, or national security. 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 of 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 †.



#### 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.

### **Legal Framework**

Ensure that minimum age provisions and hazardous work prohibitions apply to all children, including those working without an employment contract.

Increase the compulsory education age from 17 years old to 18 years old to align with the minimum age for work.

Criminally prohibit slavery-like practices or debt bondage.

Criminally prohibit and penalize the users (clients) of prostitution involving children.

### **Enforcement**

Strengthen the labor inspection system by eliminating barriers for onsite and unannounced inspections, as well as targeting high-risk industries for inspections.

Lift the moratorium on labor inspections at small enterprises and ensure that the labor inspectorate conducts routine, targeted, and unannounced labor inspections at such businesses as appropriate.

Strengthen 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 in which children are vulnerable to child labor, including in agriculture.

Publish information on criminal enforcement efforts to address the worst forms of child labor, including the number of prosecutions initiated and perpetrators convicted.

Publish labor law enforcement information, including labor inspectorate funding amount, the number of child labor violations found, and the number of child labor penalties imposed that were 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.

Remove barriers that prevent migrant children, ages 16 and 17, from obtaining legal work permits for light work.

Ensure that all children have access to education and may receive official diplomas, including children with irregular migration status 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**

Child migrants from other countries in Central Asia, including Uzbekistan, Afghanistan, the Kyrgyz Republic, and Tajikistan, are especially vulnerable to forced labor, trafficking, and other forms of abuse. Refugee children may only officially register for annual permits rather than a more permanent residency status, and migration authorities sometimes register migrant children under age 16 as unnamed family members, which prevents them from receiving Kazakhstani identification documents. Without permanent status or identification documents, these children have limited access to many social and legal services. Children in welfare systems are also especially vulnerable to forced labor and trafficking.



## BARRIERS TO EDUCATION ACCESS

Migrant children face barriers to accessing education in Kazakhstan. Children may enroll in school without identification documents but may not receive a diploma without them. Landlords often do not register migrant tenants, which may prevent migrant children from enrolling in local schools. Children with disabilities in Kazakhstan also face challenges accessing education due to inaccessible school buildings, a lack of specialists able to provide inclusive education services, and official disability evaluations that render children eligible for at-home education only or ineligible for education entirely. In addition, disabled children who are unable to access mainstream or inclusive 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

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; and Kazakhstan's laws prohibiting commercial sexual exploitation of children also do not meet international standards because they do not criminalize the users (clients) of prostitution involving children.

Child Labor Laws and Regulations	Meets International Standards	Legislation
Minimum Age for Work, <b>18 Years</b>		Articles 31 and 69 of the Labor Code; Article 153 of the Criminal Code
Minimum Age for Hazardous Work, <b>18 Years</b>		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		Article 7 of the Labor Code; Articles 3, 128, and 135 of the Criminal Code
Prohibition of Child Trafficking		Article 135 of the Criminal Code
Prohibition of Commercial Sexual Exploitation of Children		Articles 134, 135, 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, <b>19 Years</b>		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, <b>17 Years</b> ‡		Article 30 of the Constitution; Articles 12 and 30 of the Law on Education
Free Public Education		Article 30 of the Constitution

‡ Age calculated based on available information

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. Additionally, no law criminalizes slavery-like practices or debt bondage. Although Article 134 of the Criminal Code of the Republic of Kazakhstan criminalizes involving a minor in prostitution, and Article 135 of the Criminal Code criminalizes trafficking of minors, including for the purpose of sexual exploitation, no law clearly criminalizes the users (clients) of prostitution involving children. However, government officials report that any users identified in the course of a prostitution investigation involving minors will be charged under Article 122, which criminalizes adult sexual relations with persons under the age of 16. Children in Kazakhstan are required to attend school through the completion of secondary education, which typically ends when they are around age 17. This standard makes children aged 17 vulnerable to child labor as they are not required to attend school but are still subject to restrictions on the hours and times of day they may work and may, therefore, be pushed into informal work outside of legal contracts.

 **ENFORCEMENT**

In 2023, labor and criminal law enforcement agencies in Kazakhstan took actions to address child labor. However, a labor inspection moratorium and restrictive laws on unannounced inspections hindered enforcement efforts.

**Agencies Responsible for Child Labor Law Enforcement**

**Ministry of Labor and Social Protection (MLSP):** Enforces child labor laws and conducts labor inspections through the Ministry’s Committee on Labor and Social Protection. Responsible for implementation and control 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 labor and social protection committee holds the position of Chief Labor Inspector and coordinates the work of labor inspectors in the regions.

**Ministry of Internal Affairs (MOIA):** Oversees police and specialized law enforcement officials, including an Anti-Trafficking Unit. Identifies and carries out initial investigation of criminal cases involving the worst forms of child labor and hazardous child labor and 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	Has a Complaint Mechanism	Yes
Able to Assess Civil Penalties	Yes	Imposed Penalties for Child Labor Violations	Yes
Routinely Conducts Worksite Inspections	Yes	Routinely Conducted Criminal Investigations for Worst Forms of Child Labor Crimes	Yes
Unannounced Inspections Permitted	No	Imposed Penalties for Worst Forms of Child Labor Crimes	Yes

An **unknown** number of labor inspectors conducted **6,926** worksite inspections and found **1** child labor violation. The government also conducted **11** investigations into suspected cases of the worst forms of child labor, although it is **unknown** how many prosecutions were initiated, and at least **1** perpetrator was convicted and sentenced to 8 years in prison.

Legislative barriers prevent labor inspectors in Kazakhstan from performing unannounced, onsite inspections. 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 or the inspection is mandated by judicial or tax authorities, and the President extended a labor inspection moratorium on all small businesses through January 1, 2024. 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. 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

<p><b>Key Mechanism to Coordinate Government Efforts on Child Labor</b></p> <p>Kazakhstan established a mechanism to coordinate its efforts to address child labor.</p>	<p><b>National Coordination Council on Combating the Worst Forms of Child Labor:</b> Implements the 2022–2024 National Action Plan (NAP) on the Elimination of the Worst Forms of Child Labor, overseen by MLSP. The Council met once in June 2023.</p>
<p><b>Key Policies Related to Child Labor</b></p> <p>Kazakhstan established policies that are consistent with relevant international standards on child labor.</p> <p>‡ The government had other policies that may have addressed child labor issues or had an impact on child labor.</p>	<p><b>National Action Plan (NAP) on the Elimination of the Worst Forms of Child Labor (2022–2024):</b> Includes 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 NAP also includes an initiative to conduct research, analysis, and monitoring of child labor including children engaged in seasonal work. The NAP remained active during the reporting period.</p> <p><b>National Action Plan (NAP) to Counter Trafficking in Persons (2021–2023):</b> Included legislative improvements to provide shelter assistance to non-citizen survivors, align the legal definition of human trafficking with international standards, and improve identification procedures for front-line officials. Some of the activities specifically targeted the worst forms of child labor, including efforts to prevent forced child labor, including the exploitation of child labor in cotton and tobacco fields and at construction sites; monitoring and exchanging data between competent agencies on advertisements of human trafficking and child pornography; and conducting human trafficking prevention and awareness campaigns for children. In November 2023, a new NAP was approved for 2024–2026.</p> <p><b>Roadmap to Strengthen the Protection of the Rights of Children, Counter Domestic Violence, and Address Suicide Among Adolescents (2020–2023):</b> Addressed issues related to children’s mental health and social well-being by creating a more supportive environment in schools and promptly identifying children in need of social assistance.</p>
<p><b>Key Social Programs to Address Child Labor</b></p> <p>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 sectors.</p> <p>‡ 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.</p>	<p><b>Shelters for Trafficking Victims:</b>‡ Funded by the government and operated by NGOs, shelters provide legal, psychological, medical, and educational services to survivors of human trafficking, including minors, in seven provinces and two cities, including Almaty. 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. In 2023, at least six children were removed from the circumstances of their exploitation and referred for services and rehabilitation at the government-funded shelters.</p> <p><b>Awareness-Raising Campaigns:</b>‡ Raise public awareness on child labor issues, including the annual "Twelve Days Against Child Labor" campaign, conducted by the government June 1–12, 2023, in cooperation with NGOs, labor inspectors, and police.</p> <p><b>Juvenile Care Centers:</b>‡ 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 assistance to orphans, unhoused 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. These Centers remained active during the reporting period.</p>

For information about USDOL’s projects to address child labor around the world, visit [dol.gov/ILABprojects](https://dol.gov/ILABprojects)



## **WORKER RIGHTS SPOTLIGHT**

Kazakhstan maintains burdensome requirements for union registration at the sectoral and national level. Unions must register and maintain affiliates in at least half of Kazakhstan’s provinces and cities of national significance and are frequently denied affiliate registrations for minor paperwork issues. Kazakhstan also limits workers’ ability to engage in collective action, including by imposing criminal penalties for calling for strike action deemed illegal by a court and restricting individuals’ ability to hold trade union officer positions after completing a criminal sentence. This can hinder workers’ ability to report child labor, particularly in agriculture and the informal economy.

*For references, please visit [dol.gov/ChildLaborReports](https://dol.gov/ChildLaborReports)*