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**Consideration of reports submitted by States parties in
accordance with article 16 of the International Covenant on
Economic, Social and Cultural Rights**

**Replies by the Government of Kazakhstan to the list of issues
(E/C.12/KAZ/Q/1) to be taken up in connection with the consideration
of the initial report of Kazakhstan (E/C.12/KAZ/1)**

Kazakhstan

[19 October 2009]

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Reply to question 2

1. Government order No. 1116 of 29 November 2008 on the legal advocacy, legal literacy, legal training and legal education programme for 2009–2011 was drafted and approved to raise levels of legal literacy, improve the forms and methods of advocacy work, and boost the effectiveness of legal training and education. That programme provided for proposals on the insertion of changes and additions to laws, regulatory issues regarding the advocacy work of government bodies and officials, the development and introduction of rules on enhancing legal literacy among the population, inculcating a required minimum of legal literacy among certain population categories and other measures to develop respect for human rights. The joint order of the Office of the Procurator-General and the Ministry of Justice on coordination in clarifying the laws of Kazakhstan was approved on 27 November 2008 with a view to elucidating the country's laws. In addition, the practice was introduced of holding press briefings to clarify how the country's laws and regulations functioned. Thus in 2008 briefings were held to explain the act on introducing amendments and additions to certain legislative acts on the state registration of legal entities and the registration of branches and representative offices.

2. A survey carried out by the Kazakhstan Sociologists Association as part of a project on public opinion and human rights in Kazakhstan showed that 52.6 per cent of 1,500 respondents considered that information about human rights and the means to protect them was lacking in Kazakhstan. Only one third of those polled, 30.7 per cent, said that they were satisfied with the amount of information available, and 16.7 per cent had difficulty responding. The results point to the need to inform the public about the law and establish accessible legal information centres. The Digital Library of the Presidential Commission on Human Rights could serve as one such centre.

3. The Digital Library was launched in Astana on 27 September 2006 and provides free access to legal information for the people of Kazakhstan. The Digital Library is supported within the country by the National Academic Library. The Digital Library's holdings are available at <http://hrc.nabrk.kz> in the Kazakh and Russian languages, and the site provides a user interface in Kazakh, Russian, French and English. The establishment of the Digital Library is an integral part of the preparations for a national human rights action plan. The Digital Library was established through the joint efforts of the office of the United Nations Development Programme (UNDP) in Kazakhstan, the Cluster Office of the United Nations Educational, Scientific and Cultural Organization (UNESCO) in Almaty and the Presidential Commission on Human Rights.

4. For the Baltic countries, Eastern Europe, the Commonwealth of Independent States and Central Asia, the Presidential Commission on Human Rights Digital Library represents an innovation in improving access to legal information and human rights education for all via open public services. Some important features of the Digital Library are that it is multilingual and user-friendly and contains more than 1,000 documents relating to processing of complaints lodged by the public to the secretariat of the Presidential Commission on Human Rights concerning human rights violations. The primary target audiences are rural communities and the most vulnerable segments of society, including persons with disabilities, pensioners, women, children, the poor and population groups without access to legal information. The Digital Library's user's guide section includes more than 70 categories understandable to lay users in which information relating to the field of human rights is systematically organized. Answers to frequently asked questions are provided for most categories. The Digital Library has the potential significantly to raise the public's level of knowledge about human rights and become an effective educational tool.

5. The open-source Greenstone software was provided by UNESCO and developed by the University of Waikato (New Zealand).¹ The Digital Library can be accessed in two ways: online (via the internet) and offline (via a local computer or network). Professional training in information technology is not needed to use the Digital Library, which includes free tools for displaying and developing content. In a large area with a sizable population, information and communication technologies are the most effective means of disseminating information. The Digital Library's holdings are disseminated to provincial, district and rural libraries via the library network of the Ministry of Culture and Information by the National Academic Library, which also offers open access to legal information and provides updating and support services to the Digital Library on its server.

6. With the help of the Presidential Commission on Human Rights, UNDP and the UNESCO Cluster Office in Almaty, the Digital Library has been successfully launched by the Almaty *akimat* and *maslikhat*.

Reply to question 3

7. The statute of the Presidential Commission on Human Rights was ratified by presidential decree No. 1042 of 19 March 2003. Under the statute, the Commission is an advisory body assisting the head of State in the exercise of his or her constitutional mandate to safeguard the rights and freedoms of humans and citizens recognized and guaranteed under the country's constitution. With regard to issues falling within the Commission's purview, its members, following prescribed legal procedures, have the right to call not only on government authorities but also on State-run entities. Any state body and its officials, having received the recommendations and findings of the Commission, must examine them within a prescribed time frame and inform the Commission of any decision that has been taken.

Reply to question 4

8. The statute of the Office of the Commissioner for Human Rights was ratified by presidential decree No. 947 of 19 September 2002. According to paragraph 6 of the statute, the commissioner performs his or her work independently. The commissioner, following prescribed legal procedures, has the right:

- To request officials and organizations, with the exceptions listed in paragraph 18 of the statute, to supply information necessary for considering complaints
- To obtain an immediate interview with senior or other officials of state bodies and other organizations
- In the light of his or her consideration of complaints from Kazakh nationals, foreign nationals and stateless persons or following the receipt by other means of information concerning the violation of their rights or freedoms, to submit proposals to the chambers of Parliament for parliamentary hearings to be held on the matters in question
- To participate in the work of international human rights organizations and other non-governmental human rights organizations

¹ <http://www.greenstone.org>.

- To invite organizations and experts to provide on a contractual basis expert and advisory services for the preparation of opinions on the circumstances under investigation relating to violations of human rights or the rights of citizens
- To take action to protect violated human rights and freedoms and the rights of citizens
- On presentation of official identification papers, to enter and remain on the site and in the premises of state agencies and organizations, including military units and formations, and to visit places of deprivation of liberty and meet and talk to persons detained therein
- To submit applications to the heads of state bodies or other officials for disciplinary, administrative or criminal proceedings to be instituted against an official who has infringed human rights or freedoms or the rights of citizens
- To publish in the mass media official reports on the findings of his or her investigations

9. In addition, in order to determine whether infringements of human rights and freedoms or the rights of citizens have occurred, the commissioner, within the limits of his or her competence, verifies information concerning infringements of those rights and freedoms on the basis of communications received or on his or her own initiative if he or she learns about the infringements from official sources or the mass media. In the exercise of his or her functions the commissioner examines complaints by citizens of Kazakhstan and other countries and stateless persons concerning acts and decisions of officials and organizations which infringe their rights and freedoms guaranteed by the country's constitution and legislation and international agreements entered into by Kazakhstan. The commissioner does not examine complaints concerning the actions or decisions of the President, the Parliament and its members, the Government of Kazakhstan, the Constitutional Council, the Procurator-General, the Central Electoral Commission or the courts. Within the limits of his or her competence the commissioner assists in updating national legislation dealing with human rights and freedoms and their protection, bringing it into line with universally recognized principles and norms of international law, and in promoting international collaboration in the field of human rights by submitting corresponding proposals to the state bodies of Kazakhstan. The commissioner provides assistance for legal education relating to human rights and freedoms and participates in the development of educational programmes and in raising public awareness of national legislation and key international documents concerning human rights.

Replies to question 5 and 6

10.

- Act No. 114-IV of 29 December 2008 on special social services
- Act No. 70-IV of 20 October 2008 on the Assembly of the People of Kazakhstan
- Labour Code (act No. 251 of 15 May 2007)
- Act No. 39 of 13 April 2005 on the social protection of disabled persons
- Act No. 345 of 8 August 2002 on the rights of the child
- Act No. 149 of 23 January 2001 on employment
- Civil Code (act No. 411 of 13 July 1999)

- Act No. 353-1 of 30 March 1999 on procedures and conditions for holding persons suspected or accused of offences in custody
- Act No. 204 of 13 December 1997 on migration
- Criminal Code (act No. 167 of 16 July 1997)

11. The Labour Code was adopted and implemented on 1 June 2007. Prohibition of discrimination is a key principle underpinning the country's labour laws (art. 4, para. 3, of the Code). The State guarantees citizens protection from all forms of discrimination in employment and guarantees various opportunities relating to professional development and employment (art. 145, para. 1 of the Code). Pursuant to article 7 of the Code, all persons enjoy equal opportunities in the exercise of their labour rights and freedoms. No one may be subjected to any form of discrimination in the exercise of labour rights on grounds of sex, age, physical disability, race, nationality, language, material circumstances, social or official status, place of residence, attitude to religion, political opinions, clan or class, or membership in a voluntary association. Pursuant to article 22, subparagraph 1 (15), of the Code, workers have the right to equal pay for equal work without any form of discrimination. Persons who consider that they have been subjected to discrimination at work are entitled to submit complaints to the courts or to other bodies in accordance with the procedure established by law.

12. Distinctions, exceptions, preferences and restrictions which are deemed to be inherent requirements of a given job or stem from the State's special concern for persons requiring enhanced social and legal protection do not constitute discrimination. Thus the Code has chapters on special issues relating to regulation of the work of women and other persons with family obligations; persons under the age of 18; and the disabled. These chapters contain provisions for special privileges and benefits. The acts on the public health system are the fundamental legislative acts regulating the public health sphere. Among the principles of Act No. 430 of 4 June 2003 on public health is the need to ensure the availability of medical help to the population without regard to social status or material circumstances; social fairness and equality in the delivery of medical assistance to citizens; and measures to protect the health of socially vulnerable segments of the population, including mothers, children, persons with disabilities and pensioners.

Reply to question 7

13. Since becoming independent, Kazakhstan has emerged as an active participant in world migratory processes as a country of entry, transit and departure. The Constitution, adopted on 30 August 1995, is the basis for the legal regulation of migration. In accordance with article 12 of the Constitution foreigners and stateless persons enjoy the same rights and freedoms in Kazakhstan but also have the same responsibilities as citizens unless otherwise stipulated in the Constitution, laws and international treaties. The Constitution stipulates the following as inalienable rights and freedoms: the right of free movement within the territory of Kazakhstan and the free choice of residence, except as otherwise provided by law (art. 21).

Rights of *oralmans*²

14. Over the period between Kazakhstan's acquisition of sovereignty and 1 July 2009 there were 753,300 ethnic Kazakhs (192,300 families) living abroad, including in other States of the former Soviet Union. In accordance with article 10 of Act No. 204-I of 13

² Kazakh returnees.

December 1997 on migration, immigrants who obtain a residence permit in Kazakhstan enjoy all the rights and freedoms and also bear the same obligations as citizens of Kazakhstan, unless otherwise provided for by legislative acts of the country. The budget act for 2009–2011 stipulates that *oralmans* are entitled to social assistance for the purposes of resettling in their historical homeland and for initial adaptation. In accordance with government decision No. 15 of 6 January 2006, *oralmans* included in the immigration quota are allocated a lump sum benefit and funds for housing, travel and transport of personal property. In accordance with article 29-2 of the act, the central government authorities responsible for migration matters shall provide *oralmans* and their families with the following:

(a) The body responsible for social protection:

- Pensions in accordance with Kazakhstan's legislation or international treaties ratified by Kazakhstan
- Disability, survivors' and old-age benefits in accordance with the act on state social benefits and disability, survivors' and old-age benefits
- Payment of special government benefits under the act on special state benefits
- Implementation, for those whose citizenship has been restored, of the rights to compensation established by the act on rehabilitation of victims of mass political repression

(b) The body responsible for education:

- Allocation of quotas for admission to secondary and higher vocational education as determined by the Government

(c) The Ministry of Foreign Affairs:

- Exemption from payment of consular fees for visas to enter Kazakhstan

(d) The Ministry of Defence:

- Deferment from service in the armed forces in accordance with the legislation of Kazakhstan

15. According to article 29-3 of the act, local authorities in charge of migration shall provide:

(a) Local authorities of provinces (and of city states and the capital):

- A guaranteed amount of free medical care in accordance with the laws of Kazakhstan

(b) Local authorities of districts (and of cities of provincial status):

- Provision of targeted state social assistance in accordance with the act on state social assistance
- Assistance in seeking work and in retraining and further training
- Places in schools, preschool centres and social welfare institutions
- Creation of the necessary conditions for the study of state and Russian languages

16. Local authorities have the right under the laws of Kazakhstan to establish benefits and compensation for *oralmans* and their families who have settled in Kazakhstan and who are not within the immigration quota for *oralmans*. Land is provided for subsidiary farming, gardening and dacha construction to *oralmans* and their family members from rural lands for agricultural purposes, the land fund for immigration, a special land fund and reserve

lands under the land laws of Kazakhstan under the right of temporary free land use. According to article 100 of the Land Code, *oralmans* have priority right to receive land from the special land fund for farming or other activities related to agricultural production. In addition, the housing act provides access to housing to socially protected sectors of the population, including *oralmans*. According to the authorities, 78.6 per cent of newly arrived *oralmans* are provided with housing, 28.5 per cent receive land for constructing private housing and 91.2 per cent are employed.

17. Social matters arising in the provision of special social services to persons (families) in difficult situations are governed by the act on special social services. This act applies to citizens of Kazakhstan, *oralmans* and foreigners and stateless persons permanently resident in Kazakhstan. The act regulates the types of special services and the reasons for providing them and establishes the grounds on which a person (family) can be considered to be in a difficult situation. The act on state social aid governs the legal relations connected with the provision of targeted state social assistance to the population. Under the law, the State provides persons (families) whose monthly average per capita income is below the poverty line established for provinces (city states and the capital) with targeted state social assistance. Citizens of Kazakhstan, *oralmans*, persons with refugee status, foreigners and stateless persons permanently resident in Kazakhstan with incomes below the poverty line are entitled to targeted social assistance. According to the employment act, the state takes steps to promote the employment of target groups, including:

- The poor
- Young people under the age of 21
- Children in children's homes, orphans and children deprived of parental care up to the age of 23
- Single parents of large families including minor children
- Citizens supporting persons who, in accordance with the legislation of Kazakhstan, have been declared in need of constant care, assistance or supervision
- Persons approaching retirement age (within two years of retirement)
- Disabled persons
- Persons discharged from the armed forces
- Other population categories

18. In addition, the Tax Code specifies the fees which *oralmans* are exempt from paying:

- Fee for the state registration of private entrepreneurs (prior to their acquisition of Kazakh citizenship) (art. 457)
- Fee for the state registration of title to immovable property and transactions involving such title (prior to their acquisition of Kazakh citizenship) (art. 457)
- Fee for the state registration of mortgages of movable property, vessels or vessels under construction
- Fee for the state registration of copyright and related rights, licensing agreements for the use of creative works and others covered by related rights
- State courts fee (art. 541 — *oralman* plaintiffs — in all cases and procedures related to the acquisition of Kazakh citizenship)
- State fee for notarial acts (art. 542)

- State fee for notarial acts (for all notarial acts connected with the acquisition of Kazakh citizenship)
- State fee for the restoration and acquisition of Kazakh citizenship (art. 544 – upon acquisition of Kazakh citizenship)
- State fee for other acts (art. 546).

Rights of refugees

19. As a member of the international community, Kazakhstan is actively involved in tackling the problems of refugees in line with the country's evolving policy on migration. This is a logical continuation of the course taken by Kazakhstan to demonstrate its commitment to the purposes and principles of the Charter of the United Nations and the Universal Declaration of Human Rights, a course affirmed with the adoption of the act of 15 December 1998 on the accession of Kazakhstan to the 1951 Convention relating to the Status of Refugees and its 1967 Protocol relating to the Status of Refugees. On acceding to the Convention, Kazakhstan also stipulated that refugee status was determined not only by the rules of the Convention but also by universally recognized norms of international law and by the laws of the country of asylum, and this was confirmed by the issuance of a corresponding document. Refugee status is granted for one year, upon the expiry of which the status is reviewed and extended or the request for renewal is denied. According to the rules for refugee status approved under Order No. 273-p of the Minister of Labour and Social Protection of Kazakhstan of 20 November 2007, individuals whose renewal request is denied leave voluntarily or are forcibly expelled from the territory of Kazakhstan.

20. As at 1 July 2008 there were 603 registered refugees, including 394 people of working age, 9 of retirement age and 200 children. The refugee population included 93 Khazars, 141 Pashtuns, 332 Tajiks, 26 Uzbeks and 11 members of other ethnic groups. In general, refugees are registered in two regions: South Kazakhstan province (11.9 per cent) and the city of Almaty (88.1 per cent). While Kazakhstan provides legal residence to refugees on its territory, it does not provide any material assistance. Most refugees work in various set-ups and are self-employed. More vulnerable segments of the refugee population are assisted by international organizations such as the Office of the United Nations High Commissioner for Refugees (UNHCR) and the International Committee of the Red Cross. Refugees in Kazakhstan are not harassed by the State and are guaranteed legal residence in Kazakhstan until such time as the circumstances which led to their flight change. For its part, Kazakhstan fulfils all its obligations towards refugees and tries to find new approaches to solving their problems.

21. A number of voluntary associations have been set up in Almaty, including an Afghan cultural centre, the Association of Afghan Refugee Women, the Union of Afghan Refugee Women, an Afghan school and a kindergarten for Afghan children. Following official instructions from the Minister of Labour and Social Protection, in 2009 the technical specifications of a refugee database were drafted and a related costing carried out in cooperation with the state pension centre. Pursuant to order No. 20-42/3605 of the chief of the Office of the Prime Minister of 15 June 2007 and order No. 159 of the Minister of Labour and Social Protection of 18 July 2007, a working group was set up to draft a law on refugees. The working group included representatives of government agencies and non-governmental and international organizations. As things stand, a law on refugees has been drafted and forwarded to Parliament for its consideration. The draft law provides for the filing and registration of applications for refugee status in Kazakhstan, and it defines refugee status and its conferment, the fundamental rights and obligations of refugees and asylum-seekers in Kazakhstan, and grounds for denying an asylum-seeker refugee status. According to article 3 of the act on the legal status of foreigners of 19 June 1995, foreigners in Kazakhstan (including refugees, immigrants and asylum-seekers) have all the rights and

freedoms and also bear all the responsibilities stipulated in the Constitution, laws and international treaties of Kazakhstan, except in cases stipulated by the country's laws and the international agreements that it has signed.

Reply to question 8

22. For the protection of persons infected with HIV/AIDS, government decision No. 1216 of 15 December 2006 approved a programme for AIDS control in Kazakhstan for the period 2006–2010, which includes measures to support the constitutionally guaranteed rights and freedoms of citizens and social protection of priority population groups, including developing a comprehensive action plan to prevent HIV transmission from mother to child, the introduction of fast-track diagnosis of HIV infection in pregnant women who are not registered with prenatal clinics (units), and ensuring the implementation of providing chemoprophylaxis for tuberculosis in people with HIV infection, including persons in custodial facilities.

Reply to question 9

23. The act on citizenship of the Republic of Kazakhstan stipulates that in Kazakhstan everyone has the right to citizenship. A citizen of Kazakhstan may under no circumstances be stripped of citizenship or the right to change his or her nationality and cannot be exiled from the territory of Kazakhstan. In accordance with article 23 of the act on the legal status of foreigners, foreigners leave Kazakhstan on a valid foreign passport or equivalent document with entry visas issued by authorized state bodies of Kazakhstan, unless otherwise specified in the agreement with the relevant country. Foreigners are not permitted to leave Kazakhstan:

- If there are grounds for instituting criminal proceedings against them – until the end of such proceedings
- If they are convicted of a crime – until they have served the sentence or been released from punishment
- If they evade obligations imposed on them by a court – until the obligations have been fulfilled
- On other grounds stipulated by the legislation of Kazakhstan

The departure of a foreigner from Kazakhstan may be delayed until the discharge of liabilities associated with interests which are of substantial concern to the citizens of Kazakhstan or other natural or legal persons. In this case, foreigners and stateless persons shall enjoy in Kazakhstan the rights and freedoms, and bear the responsibilities, established for citizens unless otherwise stipulated by the Constitution, laws and international treaties (table 6).

24. In addition, under article 15 of this act, foreigners and stateless persons may upon their application be granted Kazakh citizenship. It is the President who decides whether to accept an application for citizenship. In accordance with article 56 of the Labour Code (on the procedure for termination of a contract by the employer), administrative deportation of foreigners or stateless persons from the territory of Kazakhstan is a measure applied by the judge as an administrative penalty in the manner and on the grounds set forth in the special part of this Code. In addition, if during the administrative proceedings the person who is subject to administrative deportation from Kazakhstan reports that an act recognized in the Criminal Code as a serious or very serious offence has been perpetrated against him or her,

the administrative offence proceedings are deferred until a decision has been made on the report or statement in accordance with article 185 of the Code.

Reply to question 10

25. In accordance with article 8 of the Code, forced labour is prohibited. Forced labour means all work or service exacted from any person under the menace of any penalty and which the person has not voluntarily accepted to perform. Foreigners and stateless persons who are temporarily in the territory of Kazakhstan and are performing work on the basis of a permit to recruit foreign workers issued by the local executive authorities have the same labour rights as citizens of Kazakhstan; the provisions of the Code, and also all guarantees and compensation payments, apply to them. In addition, if an employment contract is terminated because permission to recruit foreign workers is lacking, or because of non-compliance with restrictions or limitations imposed by the country's laws, then, pursuant to article 61, paragraph 3, of the Code, the employer shall pay migrant workers compensation corresponding to the average wage for three months. Employment of foreign nationals in the territory of Kazakhstan is governed by the following:

- The Labour Code
- The acts on employment, on migration and on the legal status of foreigners
- The rules governing the quotas, conditions and procedures for granting employers permission to recruit foreign workers in Kazakhstan ratified by government decision No. 836 of 19 June 2001
- Article 9 of the Labour Code, which states that the Code governs labour relations, matters directly related to employment, and issues of social partnership, safety and job security
- According to article 7 of the Labour Code, everyone has equal opportunities to exercise his or her rights and freedoms in the workplace

26. No one shall be subjected to any discrimination in the application of labour rights based on sex, age, disability, race, ethnic affiliation, language, material circumstances, social and official status, place of residence, religion, political beliefs, clan or class affiliation, or membership in a voluntary association. In order to liberalize the law relating to foreign labour, the Ministry of Labour and Social Protection has prepared a draft resolution to simplify procedures involving former Kazakh citizens who wish to reacquire Kazakh citizenship. Special conditions will be applied to employers seeking to recruit foreign workers, depending on the category of specialists involved, and the employer will be able to choose one of several conditions. In addition, the draft reflects the suggestions of representatives of the Foreign Investors' Council regarding the approach followed in other countries of seconding experts and the establishment of a fixed time frame for the issuance of a work permit by the relevant authority. There are also plans to waive the requirement for permission to hire foreign workers with respect to higher educational institutions, which have a special status in the country's legislation.

27. Bilateral and multilateral agreements are concluded to ensure that movements of labour are effectively regulated. An appropriate international treaty framework governing labour migration issues has been created in Kazakhstan. Within the Commonwealth of Independent States, cooperation in the sphere of labour migration is based on the agreement on cooperation in the field of labour migration and the social protection of migrant workers, signed in Moscow by the member States of the Commonwealth. In order to stem dangerous migration processes in the Commonwealth countries and put into effect joint measures to prevent illegal migration, Commonwealth member States have signed an agreement on

cooperation in combating illegal migration. The bilateral resolution of labour migration issues remains relevant for Kazakhstan as unemployment and the low level of social and economic development in neighbouring countries encourage illegal migration to Kazakhstan by citizens of neighbouring countries. Thus on 4 May 2006 the Governments of Kazakhstan and Tajikistan signed an agreement on the employment and rights of migrant workers holding the citizenship of one country and working temporarily in the territory of the other (ratified by government decision No. 1248 of 23 December 2006).

28. On 4 July 2006 the Governments of Kazakhstan and Kyrgyzstan signed an agreement on the employment and rights of migrant workers holding the citizenship of one country and working temporarily in the territory of the other (ratified by government decision No. 494 of 13 June 2007). To regulate labour migration between Kazakhstan and China, the Ministry of Labour and Social Protection has drawn up a draft agreement between the Governments of Kazakhstan and China on the temporary employment of Kazakh citizens in China and Chinese citizens in Kazakhstan. In 2007, the Ministry drew up a draft agreement between the Governments of Kazakhstan and the Republic of Korea on temporary employment of Kazakh citizens in the Republic of Korea and citizens of the Republic of Korea in Kazakhstan. On 14 November 2008 in Chisinau a meeting of the Council of Heads of Government of the Commonwealth of Independent States was held to sign the Convention on the Legal Status of Migrant Workers of member States of the Commonwealth of Independent States and Members of Their Families, which aims to regulate and define the legal status of migrant workers and their families for the entire migration period.

29. The principle of non-discrimination, including on grounds of nationality, is widely recognized in Kazakhstan, and there are no provisions on working conditions in Kazakh law that discriminate against migrant workers. Migrant workers in Kazakhstan have some access to health services and education. They have no access to pension schemes or compulsory social insurance, as such opportunities are provided only to persons having the right to reside permanently in Kazakhstan. In addition, pension contributions in Kazakhstan, in contrast to the approach used in Europe, consist of a certain percentage of the employee's salary, without additional financial participation by the employer.

30. Foreigners residing temporarily in Kazakhstan can engage in private enterprise. Operating as a small- or medium-sized enterprise without incorporation as a legal entity is not permitted. In addition, the current Majilis (lower house of the Parliament) of Kazakhstan is considering a bill on ratification of the Convention on the Legal Status of Migrant Workers of member States of the Commonwealth of Independent States and Members of Their Families, which will specify the rights and obligations of migrant workers and their families during their presence in the territory of the receiving State. Article 26 of the Labour Code stipulates that no employment contracts may be signed with foreigners or stateless persons residing temporarily in the territory of Kazakhstan until the local authority has granted permission for the recruitment of foreign labour, in the manner prescribed by the Government of Kazakhstan, or without the imposition of restrictions or exemptions established by the laws of Kazakhstan.

Reply to question 11

31. In order to recognize the equal importance to women and men of professional work, family and domestic functions, and social and political activities, the President of Kazakhstan has ratified by decree the strategy for gender equality in Kazakhstan for the period 2006–2016, whose objectives are:

- To achieve balanced participation of men and women in central government bodies

- To ensure that men and women have equal opportunities with regard to economic independence, business development and professional advancement
- To create conditions conducive to equal enjoyment of rights and responsibilities in the family
- To ensure freedom from gender-based violence

The principle of equality for all regardless of race, sex or religion is enshrined in the Constitution. Strict compliance with this principle is guaranteed by the Constitutional Council — an independent public body set up to ensure constitutional legitimacy in Kazakhstan — Parliament, the National Human Rights Centre and other government agencies. As at 1 January 2008 the pregnancy and childbirth benefits from the state social insurance fund and the pension contributions of working women continue to be paid during their statutory maternity leave and leave to care for a child under the age of 1. The number of women in the government executive bodies has increased to 58 per cent of the membership of those bodies. That said, however, only 7 per cent of political public service posts (that is, at the decision-making level) are held by women.

32. The year 2011 is expected to see the development and introduction by the Government in Parliament of a gender equality bill. The legal policy framework for the development of the bill was adopted by presidential decree in August 2009.

Replies to questions 12 and 13

33. The action plan for 2009–2011 to implement the strategy for gender equality in Kazakhstan for the period 2006–2016 was ratified by government regulation No. 7 of 15 January 2009. In order to improve legislation on gender equality, bills on equal rights and equal opportunities for women and men (drawn up by parliamentary initiative) and on preventing and combating domestic violence (drawn up by the Ministry of Internal Affairs) have been prepared and are being considered in the Majilis.

Reply to question 14

34. Act No. 149 of 23 January 2001 on employment defines the main thrusts of state policy regarding equal access to employment for women as follows:

- Protection from all forms of discrimination and ensuring equal access to careers and employment
- Social protection against unemployment
- Assistance in finding employment through the relevant authorities

Despite the annual trend of slowing growth in female unemployment, it is still higher than male unemployment (in 2008 – 7.9 per cent compared to 5.3 per cent). In this context, decisive employment policy measures (promotion of employment, vocational training for the unemployed, public work programmes) are being set in place pursuant to the action plan to boost employment in Kazakhstan, ratified by government decision No. 1114 of 20 November 2007. Thus, in 2008 out of 130,000 women seeking work through employment agencies, 109,000, or 84 per cent (a third of whom were rural residents), found employment. A total of 66,300 women took part in public work programmes. To improve the competitiveness of women in the labour market and boost their employment, vocational training, skills upgrading and retraining are organized. Thus, in 2008, training workshops were attended by around 14,000 women, of whom 11,000 found employment after completing the course. Women are mostly trained for occupations such as hair stylist,

salesperson, cook, seamstress, tailor, massage therapist, plasterer and painter. They acquire computer skills and are trained in accounting, the fundamentals of law, and the legal regulation of business and management, which helps them become self-employed. In 2008, 394 women opened their own businesses.

35. In the first half of 2009, 76,000 women (63.3 per cent of applicants) found work through employment agencies, more than 42,000 people participated in public work programmes, and 6,000 underwent vocational training or retraining, with more than 4,000 of them finding jobs. In order to increase employment of the working-age poor, act No. 121-IV on introducing amendments and additions to certain legislative acts dealing with issues of employment and social aid of 16 January 2009 introduces measures to improve employment prospects for persons engaged in caring for children under the age of 7, assigning them to vocational training, retraining and further training. In addition, as a form of social support, part-time workers are granted the right to vocational training, retraining and further training and participation in public work programmes. The Labour Code stipulates that the State shall guarantee citizens protection from all forms of discrimination in employment and equal access to careers and employment (art. 145, para. 1).

Reply to question 15

36. In accordance with the law the State takes steps to promote employment of target populations, including persons with disabilities, by giving them opportunities to participate in sheltered employment and public work programmes. Local authorities set quotas for such employment equalling 3 per cent of the total number of jobs. For example, in 2008 the quota was 2,000 unemployed persons with disabilities, including 922 people in rural areas. A total of 1,600 persons with disabilities participated in public work programmes and 714 people in sheltered employment. In the first half of 2009, under this quota system, employers hired 948 disabled persons, 954 unemployed persons were placed in public work programmes, and 586 sheltered jobs were arranged for the disabled. In 2005, an act on the social protection of disabled persons was adopted which contemplates the creation of a system for the rehabilitation of the disabled and opportunities for their full integration into society, conditions for independent living and training of people with disabilities and their employment. In accordance with article 31 of the act, local authorities provide employment for persons with disabilities by:

- (a) Setting quotas of jobs for disabled persons, namely 3 per cent of the total number of jobs;
- (b) Creating additional jobs for persons with disabilities through the development of private entrepreneurship and small and medium-sized businesses;
- (c) Creating affirmative and sheltered employment for the disabled in accordance with the laws of Kazakhstan.

In addition, by presidential decree No. 711 of 11 December 2008 Kazakhstan signed the Convention on the Rights of Persons with Disabilities and the Optional Protocol to the Convention on the Rights of Persons with Disabilities. Work is under way to prepare the necessary conditions for Kazakhstan's implementation of the Convention and its Optional Protocol.

Reply to question 16

37. In the labour market, informal employment is a counterweight to unemployment. The informal sector includes various categories of workers, including the self-employed,

domestic workers and family members working for the household without pay. It employs a high proportion of women, as it is easier to combine this type of employment with the performance of household duties. In 2008, the proportion of self-employed persons among the economically active population of Kazakhstan stood at 31.5 per cent, or 2,657,800 people (in rural areas – 47.2 per cent or 1,909,200 people). Of this percentage 50.8 per cent were women and 3.2 per cent workers aged 65 and older. The self-employed population included 121,700 employers, 2,448,700 self-employed people, 26,600 members of cooperatives and 60,600 unpaid family workers. The largest proportion of self-employed persons was observed in sectors such as agriculture (62.9 per cent), commerce (22 per cent), transport and communication (5.7 per cent).

38. A significant proportion of the self-employed — 49.3 per cent — worked at home and were hired on an individual basis; 4.6 per cent were employers; 2.3 per cent worked without pay in family businesses; and 1 per cent worked in production cooperatives. Under the law, individuals due to retire in two years or less are included in the target groups. In 2008, employment agencies registered 3,100 unemployed persons approaching retirement age, of whom 192 were placed in jobs and 770 in public work programmes. In addition, 13,000 people, including people approaching retirement age, were placed in sheltered employment.

Reply to question 17

39. According to the national statistics agency, in 2008 there were 557,800 unemployed people in Kazakhstan, including 76,300 who had been out of work for more than a year. Of them 2.8 per cent were categorized as long-term unemployed, including 1.9 per cent of men and 3.7 per cent of women. Of the unemployed, 42,400 had been employed in industry, including 8,800 in mining, 27,300 in manufacturing, and 6,300 in the production and distribution of electricity, gas and water. According to figures provided by local authorities, the number of unemployed registered at employment agencies as at 31 December 2008 stood at 48,400, including 10,600 who had been out of work for more than a year. In the country's northern provinces, the number of registered long-term unemployed was as follows: Aqmola – 2,200, Qostanay – 2,600, Pavlodar – 3,100, North Kazakhstan – 3,300.

Reply to question 18

40. Under the Constitution (art. 28), the state guarantees that the minimum wage is set every year. As stipulated by the Labour Code, the minimum wage is the guaranteed monthly minimum wage paid to workers performing simple (least difficult) work not requiring special qualifications for the performance of their job duties under normal conditions and during normal working hours (art. 1). The minimum wage is determined annually for the financial year by the national budget act. The minimum wage should not be below the subsistence level; does not include additional payments, allowances, compensatory and social benefits, bonuses and other incentive payments; and is paid in proportion to the hours worked (art. 122). The monthly wage of a worker who has worked the full amount of time for a given period and complied with the job requirements cannot be lower than the statutory minimum wage (art. 121). The minimum wage is the wage threshold for workers performing simple (least difficult) work not requiring special qualifications in an organization, regardless of its form of ownership. In accordance with the law on the minimum subsistence level, this level, defined for the country in general and adjusted annually for inflation by the law on the national budget for the financial year, is the basis for establishing the minimum wage (art. 5 of this law). In 2008 the minimum wage was 12,025 tenge; as from 1 July 2009 it is set at 13,717 tenge.

Reply to question 19

41. The bill on equal rights and equal opportunities for men and women contains articles obliging employers to implement specific programmes to close the pay gap between women and men by giving them equal vocational training and by eliminating low-skilled, low-paying jobs. Employers are also required to create conditions that make it possible to combine work with family responsibilities (such as the introduction of staggered working hours, exemption from overtime, a part-time work scheme and further training during working hours). The employer has administrative liability for failure to enforce the legislation on equal rights and equal opportunities. The current legislation of Kazakhstan prohibits the employment of women for heavy physical labour and work in harmful (especially harmful) or hazardous (especially hazardous) working conditions. A list has been drawn up of occupations involving heavy physical labour and harmful (especially harmful) or hazardous (especially hazardous) working conditions for which the employment of women and persons below the age of 18 is prohibited. Women can be hired to work in harmful and hazardous conditions only after a preliminary medical examination and determination that they have no health-related contraindications, and in accordance with the regulations of the relevant health authority. Pregnant women are, on the basis of their medical report, assigned to other work which does not involve unfavourable working conditions, and their average monthly wage remains unchanged. Young women who have been forced to interrupt their studies because of pregnancy or child care duties are granted a sabbatical leave, after which they can continue their studies.

Replies to questions 20 and 21

42. According to article 330 of the Labour Code, in exercising state control of compliance with the labour legislation of Kazakhstan, state labour inspectors have the right to unimpeded access to businesses to carry out inspections. The organization and conduct of inspections of private enterprises are governed by the private enterprise act. According to article 38, paragraph 1, of the act, government agencies shall draft and ratify statutory instruments governing the modalities of mandatory sectoral statistical reporting, checklists, criteria for risk assessment and annual audit plans. Criteria for assessing the degree of risk, sectoral statistical reporting forms and checklists must be prepared in consultation with the agency responsible for overseeing business activities. In accordance with article 38, paragraph 2, government agencies authorized to perform monitoring and oversight functions on a permanent and continuous basis are required to maintain departmental records of inspections of private businesses, and of violations and the administrative measures taken in response to such violations. Depending on the degree of risk, government agencies shall assign private enterprises to high, medium or low-risk groups and determine the frequency of routine checks required, which shall not exceed:

- Once a year – for a high degree of risk
- Once every three years – for a moderate degree of risk
- Once every five years – for an insignificant degree of risk

The official responsible for performing the monitoring and oversight functions of a State agency shall notify the enterprise in writing of the start of a routine inspection at least 30 days prior to the inspection, indicating the date and subject of the audit.

43. In the case of an unscheduled inspection, except as provided by subparagraphs (3), (4), (7) and (8) of paragraph 7 and paragraphs 9 and 10 of article 37-1 of this act, the public agency must notify the private entrepreneur of the audit at least 24 hours before the start of the audit, indicating the subject of the audit (art. 38, para. 5). Thus, verification of

compliance with labour laws is carried out with mandatory notification of private entrepreneurs, which reduces the effectiveness of verification. In accordance with article 23, subparagraph 2 (22), of the Labour Code, the employer must allow unhindered access to officials of the labour authority and of local offices of the central labour authority, workers' representatives, and public health and safety inspectors to conduct safety audits, to inspect the occupational health and safety conditions and to verify compliance with national health and safety legislation, and also to investigate accidents at work and occupational illnesses.

44. Under article 330, subparagraph (1), of the Labour Code, in the exercise of state oversight of observance of labour legislation, state labour inspectors have the right to unimpeded access to businesses to audit compliance with employment laws.

Reply to question 22

45. Under article 23, paragraph 2, of the Constitution, members of the armed forces, employees of national security bodies, law enforcement officials and judges should not belong to political parties or trade unions or express public support for any political parties. Their special legal status in the system of state bodies and the specific nature of their functions and occupations require this constitutional limitation. The term "law enforcement" refers to government agencies whose primary functions are to maintain law and order, defend human rights and freedoms, and combat crime. Law enforcement officials include persons in the service of the Ministry of Internal Affairs, the penal system, the financial police, the state fire service, Customs, and the Office of the Procurator who perform work related to law enforcement in accordance with the laws of Kazakhstan. The rights of civilians working in law enforcement bodies are also stipulated in the Constitution.

Reply to question 23

46. Citizens of Kazakhstan, regardless of seniority and salary, are entitled to constitutionally guaranteed welfare benefits related to age, disability and loss of breadwinner. On 1 July 2009 more than 427,000 persons with disabilities were receiving social welfare benefits. In accordance with the acts on state social benefits related to disability, loss of breadwinner and age in Kazakhstan and on special state benefits in Kazakhstan, persons with disabilities receive monthly state welfare payments for disability and a special state allowance (instead of benefits). The amount of the disability payment is calculated according to the group and cause of disability, based on the subsistence threshold approved annually in the national budget act for the year in question. As from 1 January 2009, in connection with the increase in the subsistence welfare payment from 12,025 tenge to 13,470 tenge (\$1 = 140 tenge), the size of the monthly state welfare payment increased by 12 per cent on average in comparison with 2008, and the average monthly state welfare payment for disability for the first half of 2009 is 14,006 tenge. On 1 July 2009 the subsistence threshold was raised to reflect inflation. Also to compensate for inflation, the size of the state welfare payments for disability was increased in line with the new level of the subsistence threshold (13,717 tenge). The increase in state welfare payments as a whole in 2008 was about 14 per cent.

47. In accordance with the President's address to the Kazakh people of 6 February 2008 on the subject of further improvements in the standard of living, state welfare payments are expected to increase at an average annual rate of 9 per cent. Along with the improvement of basic social benefits, on 1 January 2005 a compulsory social insurance system was introduced. The introduction of social insurance is the second level of social welfare and is designed to create a system that better protects workers in the formal sector against social risks, including disability and job loss. Recipients of unemployment benefits from the fund

in the first half of 2009 totalled 8,882 people who were paid a total of 270.0 million tenge; recipients of disability benefits numbered 26,624 and were paid 657.3 million tenge. In 2009, state welfare benefits for disability and special state benefits for all categories of persons with disabilities came to a total of 82.4 billion tenge. In accordance with the act on targeted state social assistance, individuals (families) with incomes below the poverty line receive targeted social assistance. According to the regular monitoring of social and economic indicators over the period January–August 2009, targeted social assistance was allocated to 54,600 people, the average level of such assistance was 2,177 tenge and local budgets spent a total of 2.7 billion tenge on payments of targeted social assistance.

Social benefits for the disabled

48. The acts on social protection of persons with disabilities, on state welfare payments in the case of veterans and disability, loss of breadwinner and age, and on benefits and social protection for veterans and invalids of the Great Patriotic War and persons assimilated to that category establish standards for the social protection of persons with disabilities and for granting them equal opportunities to earn a livelihood and to be integrated into society.

Social benefits for the unemployed

49. Under the act of 17 July 2001 on state social assistance, the unemployed are paid targeted state social assistance. In accordance with article 1, subparagraph (1), targeted state social assistance means cash payments by the State to persons (families) with a monthly per capita income below the poverty line established in provinces (city states and the capital).

Reply to question 24

50. In Kazakhstan state welfare payments for disability are paid from budget funds. The payments are made in full on a monthly basis. Children with disabilities who are on full state support in the specialized medical and social facilities of the social protection system are paid full state social benefits (in accordance with the act on state social benefits, disability, loss of breadwinner and age). Benefits are paid monthly, without delay, according to the established payment schedule (based on the regulations for the allocation and disbursement of basic disability payments, survivors' benefits and retirement pensions from the national pensions centre of basic state pensions and of special state allowances, as ratified by government decision No. 819 of 25 August 2006). Orphans and children denied parental care have the right to the child support, pensions, allowances and other welfare payments due to them as prescribed by the law. In accordance with article 110 of the act on marriage and the family, children denied parental care and living in foster institutions and medical treatment facilities are entitled:

- To maintenance, upbringing, education, comprehensive development, respect for their human dignity and protection of their interests
- To the child support, pensions, benefits and other welfare payments due to them
- To retain ownership of their home, or the use of residential premises, or, in the absence of such premises, to be granted accommodation in accordance with the housing law
- To preferential employment, as provided for by the labour law, at the end of their stay in these institutions

Any outstanding social benefits are credited to children's personal accounts in the manner prescribed by the law.

51. In accordance with the act on marriage and the family, guardianship and custody bodies monitor the conditions of the maintenance, upbringing and education of children deprived of parental care and residing in foster institutions and medical treatment facilities, and also the protection of their rights. In accordance with article 10, paragraph 1, of the act on family-type children's villages and young people's homes of 13 December 2000, persons residing in such facilities are entitled to the child support payable to them by their parents, and to benefits and other payments prescribed by law.

Reply to question 25

52. According to experts in Kazakhstan, no fewer than 50 per cent of women have experienced physical and sexual violence at least once. Only a small proportion of women take their cases to court, however. Rape, forced cohabitation and prostitution are among the most prominent forms of violence against women. Commercial sex, where women and minors are reduced to commodities, is becoming more prevalent. To strengthen the moral foundations of education and protect the reproductive health of the younger generation, a blueprint for moral and sexual education in Kazakhstan was drawn up by the Ministry of Education and Science and ratified by government decision No. 1500 of 21 November 2001. In accordance with order No. 395 of the Minister of Education and Science of 10 July 1998 all educational institutions follow a programme of hygiene for teenage girls called "About You". The main objectives of the blueprint and the programme are to prevent the incidence of sexually transmitted diseases among younger people and to teach safe behaviour in such matters. Hygiene training and related education for children and teenagers form part of the biology syllabus and are taught as separate subjects, such as health awareness and basic health and safety. To prevent violence against girls, during the special month of moral and sexual education, as part of the activities on the "Teenage girls' health days", meetings with police representatives, prosecutors and health workers are organized in educational institutions.

53. The act of 8 August 2002 on the rights of the child provides for children's rights:

- To health care (art. 8)
- To education (art. 15)
- To state assistance (art. 17), in particular to the benefits provided under the act of 28 June 2005 on state allowances for families with children

Public policy for children is based on state minimum social standards. Those standards include a specified minimum level of social services relating to:

- Guaranteed free public primary, basic and general secondary education and, on a competitive basis, in accordance with state educational provisions, free technical and vocational, post-secondary and higher education
- Free medical care for children and provision of meals in accordance with minimum standards of nutrition
- For children aged 15 and above, a guaranteed right to vocational guidance, choice of career, employment, occupational safety and wages in accordance with the law
- Social services; social support for children, including the provision of guaranteed financial support through the payment of state benefits to citizens with children in connection with their birth and upbringing; and measures for the social adjustment and social rehabilitation of children in difficult circumstances
- The guaranteed right to housing in accordance with prevailing housing legislation

- Organization of health-building and leisure activities, including for children living in extreme conditions or in environmentally unfavourable areas identified as such in accordance with the legislation of Kazakhstan
- Qualified legal aid

A bill on domestic violence is currently before Parliament.

Reply to question 26

54. Kazakhstan is a party to the Convention for the Suppression of the Traffic in Persons and of the Exploitation of the Prostitution of Others, the United Nations Convention against Transnational Organized Crime, the Slavery Convention (1926) and the Supplementary Convention on the Abolition of Slavery, the Slave Trade, and Institutions and Practices Similar to Slavery (1956). Participation in the Convention obliges the State to take more effective measures to combat trafficking in persons, especially in view of its forthcoming presidency of the Organization for Security and Cooperation in Europe (OSCE), which has as one of its areas of activity efforts to combat trafficking in human beings. Since 2003 a special inter-departmental commission has been operating under the Government. It comprises representatives of government agencies, non-governmental organizations, the International Organization for Migration (IOM) and OSCE.

55. Combating human trafficking requires a comprehensive approach, since it falls within the purview of various government agencies. Accordingly, the Government is for the third time adopting an action plan to combat trafficking in persons (the last such plan for 2009–2011). All these plans have been developed by the Commission. Joint activities are conducted with countries of the Commonwealth of Independent States within the framework of the cooperation programme of Commonwealth member States in combating trafficking in human beings for the period 2007–2010, ratified by the Council of Commonwealth Heads of State on 26 November 2006. As such crimes are committed secretly they are difficult to investigate. Accordingly, the victims of such crimes are, like other victims, subject to protection under the act on the protection of persons involved in criminal proceedings if they facilitate a criminal investigation. In the act of 2 March 2006 on introducing amendments and additions to certain legislative acts on combating trafficking in persons, offences relating to human trafficking were brought into conformity with international definitions and, consequently, became punishable by more severe administrative penalties. In addition, the possibility is envisaged of not applying administrative expulsion to persons who have violated immigration rules as a result of trafficking-related offences committed against them. To prevent offences related to trafficking in persons, the internal affairs authorities conducted preventive operations under the slogan “Stop trafficking”, which in 2008 resulted in the detection of 6 cases of trafficking in persons, 5 cases of trafficking in minors, 2 cases of kidnapping, 5 cases of abduction, 107 cases of procurement and 5 cases of enticement into prostitution. In 2008, 99 brothels, 122 pimps and 905 prostitutes were discovered. A total of 441 persons engaged in providing commercial sexual services, of whom 228 (including 22 minors) were citizens of Commonwealth of Independent States countries, were remanded in the special agencies of the internal affairs bodies for the purposes of establishing their identity. In 2008, 1,790 employers incurred administrative penalties for the unlawful recruitment and use of foreign labour.

56. Over the six-month period beginning in January 2009, 147 criminal cases were opened concerning offences related to trafficking. These included:

- 14 cases of human trafficking under article 128 of the Criminal Code
- 5 cases of trafficking in minors under article 133 of the Criminal Code

- 3 cases of abduction under article 125 of the Criminal Code
- 4 cases of illegal deprivation of liberty under article 126 of the Criminal Code
- 5 cases of enticement into prostitution under article 270 of the Criminal Code
- 116 cases of procurement under article 271 of the Criminal Code

Citizens of Kazakhstan who have been victims of trafficking or other offences or of force majeure receive funds from the State for their repatriation if they apply to a diplomatic mission of Kazakhstan. Thus, in 2008, 39 Kazakh citizens resident abroad were granted, through diplomatic missions, financial assistance in the amount of 8,586,300 tenge from the 11,645,000 tenge budgeted for this purpose. In 2009, such assistance totalled 2,169,200 tenge. Victims of trafficking are not included in these totals.

57. Law enforcement agencies are actively involved in use of the media to combat human trafficking and conduct joint awareness-raising campaigns with non-governmental organizations. For example, in 2008 more than 300 news items about efforts to combat human trafficking appeared in electronic mass media and some 400 articles in national publications. Law enforcement workers are being trained to detect and deter human trafficking offences. In 2008, 97 staff members of the Ministry of Internal Affairs underwent training at the Academy of the Ministry at the Law Institute in Qaraghandy. The Ministry of Defence held six training sessions which were attended by 92 staff members. Migration police officers of Commonwealth of Independent States countries are trained at the All-Russian National Further Training Institute in Moscow. The United States embassy in cooperation with IOM conducted training at the Law Institute in Qaraghandy on combating human trafficking. In 2008, 38 staff members attended such training. Efforts are being made to establish a legal framework with the countries of entry, departure and transit of citizens who are victims of trafficking. This is done with the goal of ensuring effective cooperation between law enforcement bodies to investigate such offences and punish perpetrators in cases where such offences were committed or the offender is hiding in another country. International treaties on legal assistance in criminal and civil cases, on extradition and on combating organized crime are being concluded with other countries. For example, in 2008 the Office of the Procurator-General of Kazakhstan and the Ministry of Justice of Austria signed a memorandum on cooperation in combating organized crime and the laundering of proceeds of crime, which provides for mutual legal assistance in criminal matters.

58. Law enforcement agencies conduct checks of employment agencies and organizations offering public services related to travel abroad for permanent residence — modelling, travel and marriage agencies — on a continuous basis. Currently the State is funding socially significant projects by non-governmental organizations to combat human trafficking. An urgent problem today is the need to ensure social rehabilitation of victims of trafficking, including through special crisis centres. The establishment of such centres with the assistance of the State is provided for in conventions to which Kazakhstan is a party. OSCE and the United Nations also welcome this work. Since the beginning of 2009, the Ministry of Justice has allocated funds for social projects to combat human trafficking. These projects are to be implemented over three years. In particular, with the involvement of non-governmental organizations, projects are being implemented to create a crisis centre for the temporary housing and rehabilitation of victims of trafficking, and information campaigns are being conducted. Measures are being taken to raise awareness among the population to prevent the commission of such offences, with a special emphasis on young people. In educational institutions special courses have been introduced providing

schoolchildren and students with relevant legal knowledge, including about their rights. An action plan for an information campaign to promote measures to prevent and combat crimes related to human trafficking is being drawn up together with the relevant government authorities.

59. In higher educational institutions special outreach work is being conducted among students to counteract and prevent offences related to trafficking. The theoretical and practical examination of issues related to criminal responsibility for offences against personal freedom and civil rights is a frequent topic of student projects and dissertations.

Reply to question 27

60. Kazakhstan has been a member of the International Labour Organization (ILO) since 1993 and has pledged to respect, promote and implement, in accordance with the ILO Constitution, principles concerning fundamental rights, one of which is the effective abolition of child labour. To uphold these principles, Kazakhstan acceded to the Convention on the Rights of the Child (resolution No. 77 of the Supreme Council of 8 June 1994) and on 14 December 2000 ratified ILO Convention 138 concerning the minimum age for admission to employment (resolution No. 116-11) and on 26 December 2002 ILO Convention 182 concerning the prohibition of and immediate action for the elimination of the worst forms of child labour (regulation No. 367-11). To provide technical support to countries participating in the eradication of child labour, ILO has established the International Programme on the Elimination of Child Labour (IPEC), which aims to support national initiatives at the national level and to facilitate the practical implementation of the principles of ILO conventions in national legislation. It is being implemented in Kazakhstan. "Eradicating child labour in Central Asia – real actions" (PROACT-CAR, phase II) is an ILO project currently being implemented by IPEC to combat the worst forms of child labour in four Central Asian countries. The PROACT-CAR (phase II) project aims to continue pursuing the targets set out in the first phase of the project (2005–2007), which will consolidate the progress achieved in building the capacity of key partners working on the effective abolition of child labour, and also help raise awareness among the general population in the Central Asian countries.

61. Issues relating to work by minors are reflected in the Labour Code. One principle of the Code is the prohibition of the worst forms of child labour. The Code contains the following provisions:

- "1. The permissible employment age is 16 years;
- "2. With the written consent of a parent, guardian or adoptive parent, an employment contract may be concluded:
 - "2.1 With citizens over the age of 15 years, provided they have received basic and general secondary education in institutions of secondary education;
 - "2.2 With 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;
 - "2.3 With persons under the age of 14 years to work in cinematography organizations, theatres, theatrical and concert organizations, and circuses by participating in the creation or performance of works, without compromising their health or moral development, subject to the conditions set out in article 30, paragraph 2;

- “3. Persons under the age of 18 years shall not be allowed to perform strenuous physical labour or work in harmful and (or) dangerous conditions (art. 179);
- “4. A shorter working week is established for employees aged between 14 and 16 years (not more than 24 hours per week) and between 16 and 18 years (not more than 36 hours per week) (art. 181);
- “5. Employees under the age of 18 years shall not be allowed to work overtime (art. 183).”

62. The Ministry of Labour and Social Protection has updated and expanded the document which lists occupations in which the employment of workers under 18 years of age is prohibited and limitations on the weight that workers under the age of 18 can carry and move. For example, this list prohibits the use of minors for work involving poppy, tobacco and cotton cultivation; for all kinds of work involving the use of pesticides and herbicides; for work in nightclubs, cabarets and restaurants; and in work related to the selling and storage of wines, spirits, beer and other alcoholic beverages and tobacco products. Under paragraph 31 of the General Agreement for 2009–2011 the parties undertake to ensure the implementation of the programme for the elimination of the worst forms of child labour for the period 2010–2011. The National Coordinating Council for Combating Child Labour works under the auspices of the Ministry of Labour and Social Protection. Under the Council’s statute, its sessions are held every six months under the chairship of the Deputy Minister. The Council consists of representatives of government agencies and non-governmental organizations (the Ministry of Internal Affairs, the Ministry of Education and Science, the General Prosecutor, the office of the Ombudsman, the Commission on Family Affairs and Gender Policy, the Federation of Trade Unions of Kazakhstan, the Employers Confederation of the Republic of Kazakhstan).

63. The joint workplan to eradicate child labour and implement ILO Convention 182 for 2009–2011, which was ratified by the Minister of Labour and Social Protection in December 2008, includes the following activities:

- Creation of a database on the worst forms of child labour
- Awareness-raising and dissemination of information
- Actions aimed at preventing the exploitation of children, release of children from the worst forms of child labour and their rehabilitation
- Coordination and integration efforts
- Improving policies and legislation, their implementation and monitoring of performance
- The regional component of the programme

At its sixth meeting, on 15 June 2009, the Council discussed the results of a 12-day national media campaign against the use of child labour, implementation of the joint work plan for 2009–2011, and the preparation of regular reports to ILO on the implementation of ILO Convention 182. Given the severity and urgency of the problem in 2008, the country mounted a large-scale campaign to combat child labour. Actions undertaken included systematic and comprehensive verification of the facts concerning child labour in organizations in various sectors of the economy with the participation of trade unions and other public organizations and regulatory bodies.

64. The plan made provision for:

- An international seminar on child labour issues in the context of occupational safety in Kazakhstan, to be held in Taraz

- Comprehensive audits in organizations and enterprises of various sectors (public amenities, transport services, petrol stations, car washes, agriculture — tobacco, cotton, vegetables — and wholesale markets) with the participation of trade unions and supervisory bodies
- Regional round-table discussions with the participation of stakeholders and coverage by the media
- Information campaigns and awareness-raising about the aims of large-scale actions and labour laws

Inspections conducted during raids revealed that most child labour in Kazakhstan was used:

- At car washes, in conditions of high humidity and low temperatures
- For transporting goods by handcart to town markets and loading and unloading them
- In private retail outlets
- For agricultural work (especially work related to the cultivation of tobacco and cotton)
- At petrol stations, often at night

65. On 6 and 7 November 2008 an international workshop on problems of child labour in the context of occupational safety and health in Kazakhstan was held in Taraz with the participation of ILO representatives, members of Parliament, policymakers, stakeholders and the heads of labour inspection bodies in Kazakhstan, Kyrgyzstan and Tajikistan. The workshop was organized by the Ministry of Labour and Social Protection and conducted in accordance with the action plan for the 2008 large-scale campaign to combat the worst forms of child labour in cooperation with ILO. Participants at the workshop adopted a resolution. In March 2007, as part of IPEC, a national information resource centre on the worst forms of child labour was established at the National Occupational Safety Research Institute of the Ministry of Labour and Social Protection. Every year (since 2006) from 1 to 12 June, the centre and the local monitoring and social welfare offices have participated in a national awareness-raising campaign against the use of child labour. The objectives of the campaign are:

- To encourage journalists to cover the problem of child labour in the media
- To raise awareness among the public, including adults and children, of the problem of the worst forms of child labour, its extent and characteristics, its implications for children and society, and of international and national legislation in this area
- To promote partnerships and cooperation in the national awareness-raising campaign against the worst forms of child labour with the involvement of all stakeholders (government bodies, non-governmental organizations, employers and workers) and the media

66. On 5 and 6 May 2009 ILO and its IPEC programme, the Committee on the Protection of Children's Rights of the Ministry of Education and Science, the Almaty Department for the Protection of Children's Rights and a public association of white-collar women employees held a seminar on Kazakhstan and the work of national IPEC partners in 2005–2008 in the Alatau sanatorium on the ninetieth anniversary of ILO and of the first convention on child labour. The purpose of the seminar was to review the activities of national partners and IPEC in Kazakhstan. Presentations included reports from all regions of the country about efforts to prevent the worst forms of child labour and to inform children and the public about child labour and its worst forms. On 21 and 22 May 2009 in

Almaty, ILO together with the public association Childhood without Borders held a workshop on enhancing the capacity of partners in Kazakhstan to eliminate the worst forms of child labour through the education pack known as “SCREAM: Stop child labour” in the framework of IPEC in Kazakhstan. National legislation has established limits for child labour and provides for criminal and administrative liability for the involvement of children in the worst forms of child labour. Child labour can harm children’s physical development and their opportunities to receive sound education.

67. In 2002 Kazakhstan ratified ILO Convention 182 concerning child labour. The norms of international instruments are enshrined in the Constitution, the Criminal Code, the Criminal Procedure Code and the Penal Enforcement Code. The education authorities have brought to schools’ attention the main provisions of the ILO conventions ratified by Kazakhstan. Over 20 legal instruments on occupational safety and child labour are available online on the websites of the provincial *akimats*. In the regions model schools and preschools have been identified at which administrators of urban educational institutions are being trained in safety issues related to child labour. Measures are being taken by educational institutions to improve observance of the minimum age for employment of children and young people by raising awareness among parents of the worst forms of child labour. The “No to Child Labour!” campaign and round-table discussions on topics such as “Do you know your rights?”, “My rights and responsibilities”, “Teenagers and the law” and others are being carried out together with representatives of law enforcement bodies.

68. To enhance students’ knowledge of human rights, to build their character, to inculcate in them the skills and abilities necessary to defend their rights and freedoms, and to clarify labour law, discussions and lectures about legal issues are held in educational institutions on a range of topics. Consideration is currently being given to inclusion of the education pack “SCREAM: Stop child labour” as part of the teaching material for general secondary schools. According to ILO, 16 of every 100 children in the world are employed in child labour (including children under the age of 5), including 12 in the worst forms of child labour (slavery, bondage, prostitution). In Kazakhstan in 2008 during the annual nationwide campaign in preparation for the opening of the school year 104 cases of illegal child labour were identified. At an international seminar on child labour in the context of occupational safety and health in Kazakhstan, held on 6 and 7 November 2008 in Taraz, figures compiled by the Ministry of Labour and Social Protection and tabled at the seminar revealed cases of illicit recruitment of minors from Kyrgyzstan and Uzbekistan. During night-time raids in the first half of 2009 alone 195 minors were discovered to be working at night. In response, to combat the worst forms of child labour, a national 12-day information campaign to combat the use of child labour is conducted annually with ILO. The goals of the campaign are to attract attention to and create widespread public awareness of the problems relating to the worst forms of child labour, and to secure the active cooperation of state bodies with non-governmental organizations and the media in eradicating the worst forms of child labour.

69. In cooperation with IPEC and an association of women white-collar workers, this 12-day awareness-raising campaign to combat the use of child labour was conducted in June 2009. From 1 to 12 June 2009 the campaign was conducted in all districts, with more than 2,000 young journalists participating. In addition, to assist citizens, the Committee on the Protection of Children of the Ministry of Education and Science has set up four websites, 211 telephone hotlines and 162 drop-in centres for children. To date this year a helpline run by the Committee and local branches of the children’s protection service has received about 2,000 calls on various child-related problems, and each call has been acted on. In addition, in Almaty work has begun, in cooperation with UNICEF, on an experimental pilot project to implement the national telephone hotline 150, through which all children and parents can receive free qualified legal, psychological and medical aid. To ensure effective communication with the population, the Minister of Education and Science

now operates a letter box in all districts. To foster broad awareness of the availability of these services to protect children's rights, four national television channels — Khabar, Kazakhstan, Astana and El Arna — are broadcasting public service videos.

Replies to questions 28, 29 and 30

70. Information about the network and coverage of children's homes is available on the website of the Committee for the Protection of Children (www.Bala-kkk.kz). In Kazakhstan there are currently 46,126 orphans and children deprived of parental care. The country's education system has 159 educational organizations for orphans and children deprived of parental care, whose goal is to provide suitable conditions to enable the children to be trained and educated in Kazakhstan's education system. These organizations serve 13,156 children in 21 family-type children's houses, 6 family-type children's villages and 3 SOS villages, where the living conditions and upbringing of pupils are as close as possible to a family environment. There is currently a trend in the upbringing of orphaned children towards programmes tailored to the individual characteristics of each child, with family-type living conditions (including the placement of brothers and sisters and their friends in the same "family" and the designation of individual living quarters for each "family"). Nationwide competitions are held annually for pupils of educational establishments for orphans and children deprived of parental care, to encourage them to engage in creative endeavours. To help former residents of children's homes to find accommodation while they adapt to community life, 14 districts have 25 youth residences which currently house 1,354 former inmates of children's homes aged from 16 to 23. In the framework of the "Children of Kazakhstan" programme, construction of five additional youth residences, with funds from local budgets for 2007–2009, is planned for 2007–2011 in East Kazakhstan, Zhambyl, Qaraghandy, Mangistau and Pavlodar provinces.

71. A major challenge in protecting children is the development of family structures for orphans and children deprived of parental care to prevent social alienation. Currently, 28,113 orphans and children deprived of parental care are under tutorship and guardianship, and 2,005 are in foster care. In accordance with government decision No. 306 of 11 March 2004 ratifying the rules on the payment of financial support for children transferred into the care of foster parents, the latter are paid in cash. Intensive media campaigns are conducted to aid in developing family structures for orphans and children deprived of parental care. Fourteen informational videos are being broadcast on leading national television channels. The El Arna channel is broadcasting a series entitled "Our Children". Local newspapers are running features on the problems of children in need of a family-type environment. Six provinces (South and East Kazakhstan, Qyzylorda, Qaraghandy, Qostanay and Aqtöbe) have schools for training would-be foster parents. These measures have helped to increase citizens' commitment to aiding orphaned children. As a result, in the past year 4,870 orphans were transferred into some form of care – 1,860 more than in 2006. The number of children in foster care increased by 214, to 2,005. A total of 2,773 children were placed in foster homes – 82 more than in 2006. The number of Kazakhs wishing to adopt children has risen by 33 per cent and today stands at 1,127. Thus, the number of children in orphanages has fallen by 1,478 (from more than 18,000 in 2006 to 16,000 in 2008).

Reply to question 31

72. Among the most important priorities of the country's social policy are reducing poverty, improving public welfare and providing social assistance to the poor and socially vulnerable. Kazakhstan has launched two state programmes for reducing poverty: the first to combat poverty (2000–2001) and the second to reduce poverty (2002–2005). Under the

law on targeted state social assistance, introduced in 2002, low-income families are paid, for each family member, assistance equal to the difference between the average per capita income and the poverty line. Through implementation of the law and policy instruments for reducing poverty:

- A distributed database of low-income families has been set up and an automated system instituted for the allocation of targeted social assistance
- A full range of active (job creation, vocational training and retraining, public work programmes) and passive (increases in wages, pensions and social allowances) methods to reduce poverty has been devised and applied
- The number of poor people with incomes below the poverty line has been reduced by more than 78 per cent. (The number of recipients of targeted social assistance was 244,100 on 1 January 2009 whereas on 1 January 2003 it had been 1,137,300)
- The costs of providing targeted social assistance have been reduced by 63 per cent

As was noted in 2005 in the national report on the Millennium Development Goals, in 2004 Kazakhstan, met target 1 of goal 1 (halving the number of people living below the subsistence level). Thus, the country has attained one of the key Millennium Development Goals – to eradicate extreme poverty and hunger.

73. According to the national statistics agency, as at 1 January 2009, the proportion of the population with incomes below the subsistence level was 12.1 per cent, a 60 per cent decrease from the year 2005 (and a 0.6 per cent decrease from 2007). In the first quarter of 2009 the figure was 11.1 per cent (15.5 per cent in rural areas and 6.5 per cent in urban areas). As at 1 August 2009, 208,000 people were receiving targeted social assistance, which totalled 1,932.1 million tenge. Poor families with children are especially vulnerable to poverty. Among recipients of targeted social assistance, 61 per cent are children and 12.2 per cent are caregivers. The unemployed also constitute a large group – 9.2 per cent. Over the coming years the main emphasis in eliminating poverty will be on boosting the opportunities for employment and encouraging local authorities to take decisive measures to cut unemployment. This was the purpose of the act of 16 January 2009 on introducing amendments and additions to certain legislative acts on issues of employment and social aid, aimed at aligning the social protection system with the conditions of a market economy and finding a mechanism to encourage working-age poor people receiving targeted social assistance to seek retraining and start a new career. Amendments and additions have been made to the act on employment to increase access to vocational training and retraining for such groups among recipients of targeted social assistance as the gainfully employed, the self-employed and persons caring for children under the age of 7.

74. Flexible and part-time working arrangements are envisaged for people caring for children. For the category of those who are already employed, their placement is envisaged in jobs at a salary higher than at their previous place of work. To provide social support to poor citizens, the following are paid in addition to targeted social assistance from the local budget:

- Housing assistance for families whose outlay on utilities and home maintenance exceeds the maximum allowable share of expenses (for these purposes) established by local authorities (at the end of the second quarter of 2009, 178,900 families were enrolled, an increase of 28 per cent in comparison with the same period of 2008, while payments totalled 2.4 billion tenge)
- State benefit for children under the age of 18 – for families with incomes below the cost of a food basket equivalent to one monthly nominal unit (by the seventh month of 2009 702,500 children were enrolled, an increase of 3 per cent compared to the same period in 2008, while payments totalled 4.9 billion tenge)

To ensure that local authorities fulfil their obligation to provide timely social assistance to needy constituents, each year since 2008 periodic targeted transfers have been made from the national budget to local budgets to pay:

- Targeted social assistance (in 2009 – 1.15 billion tenge)
- Allowances for children up to the age of 18 (2009 – 2.1 billion tenge)
- Housing assistance in the form of transfers (in 2009 – 3.8 billion tenge)

Additional state support to the socially vulnerable

75. Owing to the rising prices of staple foods, local authorities are taking anti-crisis measures to the extent that their budgets permit it, and drawing on sponsorship assistance, provided in the framework of the social responsibility of enterprises. Following are the totals for Kazakhstan as at 1 August 2009:

- Compensation totalling 725.1 million tenge and covering 131,400 people has been paid in connection with the increase in food prices
- To provide needy families with food and medicines 271 welfare shops, 2,481 trade points and 495 welfare pharmacies have been established at which pensioners, the disabled and other socially vulnerable people can buy food and medicines at reduced prices

In Kazakhstan the issue of poverty reduction has been receiving attention since 2000. A programme to combat poverty and unemployment for 2000–2002 was adopted, and in its implementation emphasis was placed on reducing poverty through job creation. Upon completion of this programme, the Government adopted a poverty reduction programme for 2003–2005, in which the significant factors of poverty reduction were the growth of wages and pensions based on a consistent increase in their minimum level and targeted social assistance for low-income groups. Subsequently a programme for further deepening of social reforms in Kazakhstan for 2005–2007 and a programme of employment for Kazakhstan for 2005–2007 were adopted. As a result of these programmes, the proportion of the population with incomes below the minimum subsistence level dropped from 34.5 per cent in 1999 to 12.1 per cent in 2008.

Reply to question 32

76. The situation with regard to the safety of drinking water from the piped water supply is stable, while the rates of non-compliance with health-related chemical and microbiological parameters for the past months of 2009 were 1.8 per cent and 1.6 per cent respectively. In Kazakhstan 6.8 per cent of water pipes do not work and 8.4 per cent of the working ones do not meet health safety standards. According to the act on the public health and epidemiological well-being of the population, government agencies under the public health service carry out monitoring and disease control measures to prevent the deterioration of water conditions and the adverse effects of unsafe drinking water on health. The state health supervisory bodies oversee the execution of the national drinking water programme for 2002–2010 in accordance with the Water Code and the legislation on public health. To prevent and reduce the incidence of intestinal infections, according to a decision by the government chief physician of Kazakhstan and a decision by the regional mayors (*akims*) there are annual checks of the readiness of the water delivery systems for use in Kazakhstan during the summer and month-long campaigns to clean up and improve residential areas. To improve the supply of drinking water, on the initiative of the Ministry of Health issues relating to the provision of piped drinking water have been added to the performance approval rating of local *akims*.

77. Currently, in accordance with the State programme to reform and develop public health services for 2005–2010, and with a view to improving the quality and performance of laboratory analyses of facilities and environmental factors, including drinking water, between 2006 and 2008 the Ministry of Health took measures to modernize existing laboratories of the public health service, which conduct random checks of drinking water safety. While only 81.1 per cent of the population's water needs are met from the centralized water supply, 44.6 per cent of discharged water is disposed of through the wastewater system. Of the existing two fundamentally different systems of waste disposal — reticulated drainage and sewage trucks — in rural areas the latter is prevalent. Most of the neighbourhood networks and street collectors of sewage systems are operating at a breakdown rate of 50–70 per cent.

Progress of the sectoral drinking water programme for 2002–2010

78. As part of the sectoral drinking water programme for 2002–2010 to tackle drinking water issues over the period 2002–2008, more than 121.3 billion tenge was allocated and disbursed from all sources. These funds were used to build, refurbish and overhaul 10,874 km of the drinking water supply system, improving water supply in 2,227 villages with a combined population of over 4.2 million (table 1). During the first phase of the programme (2002–2005) 46.2 billion tenge was disbursed, including 28.3 billion tenge through the national budget, 15.1 billion tenge through local budgets and 2.8 billion tenge from business entities. With these resources new water installations were built and existing ones overhauled (to a total length of 3,389 km), thus improving the water supply to 1,151 localities with a combined population of about 2.1 million. During the second phase (2006–2010) the Ministry of Agriculture compiled a list of residential areas dependent on trucked-in water and untreated water from open sources (table 2).

79. In addition, in order to save on local budget funds earmarked for feasibility studies and cost estimates for water supply facility reconstruction projects in rural areas, at the request of the Ministry of Agriculture a list of projects not requiring feasibility studies was drawn up (government decision No. 1254 of 12 December 2007). The programme's implementation involved the introduction of modern materials and equipment, including from western countries. To date in Kazakhstan polyethylene pipes have been installed for more than 15 companies. Particularly large suppliers are Chevron Chemical K LLC in the city of Atyrau, Kazakhstan Pipe Insulation Plant LLP in the city of Astana, the fibreglass pipe plants in the city of Aqtau and Hobas Pipes Kazakhstan LLP in the city of Aqtöbe. In addition, domestic manufacturers are introducing new water treatment technologies and launching the production of the Jet, Deffer, UMO and Liquid desalination and water treatment plants. At the same time, in addition to supplying the equipment, they provide backup maintenance services. For example, in 2001–2008 Membrane Technologies SA installed and activated more than 140 local water purification stations of various capacities in rural settlements of Pavlodar, Aqmola, North Kazakhstan, Atyrau, Mangghystau, Almaty and South Kazakhstan provinces, and these are operating successfully and provide people in rural areas with high-quality drinking water.

80. To date, outdated technology and overly standardized approaches have been used to build and rebuild water supply systems. In addition, design costs do not include the cost of acquiring and operating equipment or the restocking of repair facilities. To solve this problem, the Ministry of Agriculture in cooperation with the Ministry of Industry and Trade is working to bring specifications and technical documentation into line with current requirements and the use of more advanced and cost-effective solutions developed by domestic and international institutions. Most enterprises are operating at a loss, and without State support they are unable to ensure sustainable maintenance of these systems. This is

due to their high tariffs and to the high taxes on property, the book value of which increases by one order of magnitude after construction and rebuilding. The Ministry of Agriculture worked for two years to reduce the tax on water facilities to 0.1 per cent. The new Tax Code applies the 0.1 per cent tax rate to the real estate holdings of drinking water facilities. Lowering the tax rates will make it possible to reduce the tariffs for the supply of drinking water by an average of 20–25 per cent. To ensure that the rural population has access to drinking water in accordance with applicable laws, since 2004 the supply of drinking water from a key group of water supply systems located in Aqmola, West Kazakhstan, North Kazakhstan, Pavlodar, Qaraghandy, Qyzylorda and South Kazakhstan provinces has been subsidized at rates ranging from 9.42 to 94.93 per cent. While earlier the inhabitants of 17 water supply groups received subsidies, in 2009 inhabitants of 35 groups did so, and 13 local water sources have a population of over 1,700,000 benefiting from the approved tariff. In 2010, inhabitants of 103 groups will receive subsidies (table 3).

81. The high cost of using water-supply enterprises is linked to the distance of water sources from human settlements, the high mineral content of their water and the distribution of water users in the area served. Thus, the tariff for collective pipeline services currently ranges from 44.16 tenge/m³ (Qyzylorda province) to 790 tenge/m³ (Qostanay province), while the range for urban water supply is from 29 to 41 tenge/m³. To ensure that rural and urban populations pay the same rates for drinking water, the list of critical drinking water sources and those that are sole sources needs to be amended to include local systems. In this case the service will cover more than 486 villages with a combined population of about 1,939,114, including 6 cities with a population of about 900,000. The amount of funds needed for these purposes in the whole country, year on year, is about 2.9 billion tenge. The agency regulating public utilities is conducting work on the sparing consumption of water and on improving the efficiency of water-related enterprises and upgrading and rebuilding water networks and facilities. A major challenge of water supply is providing water that meets health safety requirements. Solving water supply issues requires an integrated approach that takes into account the interests of different groups of water consumers and ensures sound use that respects environmental considerations. In order to make water and wastewater systems cost-effective, the agency's Almaty department authorized the public utilities Bastau and Holding Almaty to use differentiated rates for different consumer groups, depending on the volume of water consumed. The following differentiated tariffs for water services were introduced:

- Group 1 (individual consumers) – 17.86 tenge/m³
- Group 2 (public-sector entities, thermal power plants) – 30 tenge/m³
- Group 3 (individual consumers using water in excess of established norms, industrial enterprises and organizations) – 99 tenge/m³

The following tariffs were introduced for sanitation services:

- Individual consumers – 9 tenge/m³
- Other consumers – 43.4 tenge/m³

If water consumption falls within the established norms, water services are charged at the tariff for the first group of consumers. If water consumption exceeds the established norms, the excess volume of water used is charged at the tariff for the third group of consumers.

82. The introduction of differentiated tariffs in the first quarter decreased consumption of drinking water by 7 per cent. As a result the annual revenue of the public utility Holding Almaty will increase from 3.5 billion tenge to 11.6 billion tenge. The sum of 3.2 billion tenge — five times more than in 2008 — will be allocated to repair and construction work

(Table 4). Expected results of the application of differentiated water tariffs include a careful and frugal approach by the public to energy consumption – involving the sound use of resources and resulting in the saving of money; more investment in modernization and reconstruction of networks; lower inflation and social justice (more affluent consumers should pay more). The President approved Almaty's experiment with water tariffs differentiated according to customer subgroup. In the future such differentiation will be applied throughout the country. By the end of 2009 public utilities in Aqmola, Zhambyl, Mangghystau, Qostanay, Aqtöbe, Qaraghandy, Qyzylorda and East Kazakhstan provinces are expected to introduce differentiated tariffs for water services, depending on the volume of water consumed. In addition, the agency, together with provincial *akimats*, is holding meetings with representatives of public water utilities on the introduction of differentiated tariffs depending on the volume of water consumed. The agency's provincial offices have indicated that they are requesting information from public utilities on existing activities and timetables for implementing differentiated tariffs.

83. In addition, the local offices, in conjunction with provincial *akimats*, analyse the financial and economic activities of public utilities to determine whether such utilities can provide water services to consumers at differentiated rates depending on the volume of water consumption. Currently the agency's Almaty office is doing a comparative analysis of the differentiation of water supply rates for the first half of 2009 compared to the same period in 2008 to determine the extent to which water consumption fell and the financial condition of water-supply enterprises in Almaty improved. Projects funded by the Kuwait Fund for Arab Economic Development were launched and completed. For example, a project for the city of Aralsk involved reconstruction of 210 km of the city's water supply network and 22 km of the Aral-Sarybulak conduit and the building of wells in eight villages of Qyzylorda province. The German KFW bank funded a project for rebuilding 11.7 km of the ring-type distribution network in Novokazalinsk. Pumping stations were installed in towns of Qazaly district in Qyzylorda province. A project to improve the supply of water to rural settlements, funded by a grant from the Government of Japan, involved building local water systems in 15 rural settlements of North Kazakhstan and Aqmola provinces.

84. Recently, to tackle the issue of providing drinking water to rural settlements, loans have been obtained from the Islamic Development Bank (IDB) and the Asian Development Bank (ADB). Under the project for rural water supply in Qaraghandy province (IDB) 20 water supply facilities were built. Under the project for water supply and sanitation in rural areas (ADB) 22 projects were prepared, of which 10 have been started and 3 completed in Aqmola province, while in North Kazakhstan province 1 project has been initiated and 3 finished, and in South Kazakhstan province 1 project has been started and 6 completed. As part of this project, local drinking water supply systems will be provided to around 80 rural settlements in these areas. In the implementation of projects supported by foreign loans and grants state-of-the-art construction methods and engineering approaches are applied, such as supplying water directly to residences, and up-to-date equipment installed, along with institutional development, namely, provision of training in new water supply technologies and water accounting, financial management and accounting. The agricultural component is also included since water is used not only for drinking but for household purposes and plays a key role in supporting rural life (for example, providing drinking water to animals and maintaining gardens). During the second phase (2006–2008) 75.1 billion tenge was disbursed, including 50.4 billion tenge from the national budget and 24.7 billion tenge from the local budget.

85. At these facilities new water supply systems were constructed and existing ones rehabilitated — a total of 7,485 km — thus improving water supply services for more than 1,076 settlements with a combined population of about 2.1 million. Monitoring shows that

in general the number of rural residents who use imported water is decreasing. It fell from 445,200 in 2002 to 123,100 on 1 January 2009 – a decrease of 72.4 per cent. According to the Ministry of Health, the situation with regard to the safety of drinking water from centralized supply systems has stabilized, while the proportion of samples of potable tap water that do not meet safety standards in terms of microbiological indicators has fallen from 3.2 per cent (in 2002) to 1.7 (in 2008); chemical indicators indicate a decrease of 7.2 per cent (in 2002) to 1.8 per cent (in 2008). The number of broken water pipes and pipes not meeting safety standards is also decreasing yearly. Between 2002 and 2008 the number of non-working water pipes fell from 299 (11 per cent of the total) to 209 (7.9 per cent) and the number not meeting safety standards dropped from 363 (15.9 per cent) to 235 (10.9 per cent). In addition, as part of its “road map” the Ministry of Agriculture reviewed 357 proposals for water supply and sanitation projects, in respect of which sectoral findings were issued for onward transmission to the Ministry of Industry and Trade. According to provincial government authorities, these projects will lead to the creation of 32,047 jobs, and 1,801.9 km of water supply and sewerage systems will be rebuilt and repaired (table 5).

86. In 2009, in accordance with the programme, 41.9 billion tenge from the national budget were allocated for reconstruction and construction of potable water systems; in 2010 the amount was 44.5 billion tenge. However, in 2009, according to Government decree No. 1184 of 18 December 2008, 39.6 billion tenge was allocated from the national budget, including:

- Under budget programme 017 for targeted transfers for development to the regional budget and the municipal budgets of Astana and Almaty, and for the development of water supply systems – 26.3 billion tenge for 329 drinking water supply facilities
- Under budget programme 029 for construction and reconstruction of water supply facilities – 9.5 billion tenge for 33 drinking water supply facilities
- In the form of loans and grants – 3.8 billion tenge for 13 drinking water supply facilities, that is, 2.2 billion tenge less than required

In addition, decision No. 2 of the national budget committee of 20 March 2009 excluded from the 2009 financing plan all projects whose implementation was scheduled to begin in 2009. As a result, 35.5 billion tenge (minus 4.1 billion tenge) were allocated for drinking water supply facilities for 2009, including:

- Under budget programme 017 for targeted transfers for development to the provincial budgets and the municipal budgets of Astana and Almaty, and for the development of water systems – 22.8 billion tenge for 175 drinking water facilities, including 166 to be completed in 2009 (minus 3.4 billion tenge and 163 new facilities)
- Under budget programme 029 for the construction and reconstruction of water supply facilities – 8.9 billion tenge for 31 drinking water facilities, including 16 projects to be completed in 2009 (minus 0.6 billion tenge and 3 new facilities)

In 2009, local budget funds for drinking water supply facilities amounted to 5.3 billion tenge, several times less than the funds from the national budget. For example, in Aqtöbe province local budget funding of 97.7 million tenge was provided, while 1,574.3 million tenge was allocated from the national budget. This pattern is typical for most provinces.

87. The list of investment projects in the national budget and projects in local budgets financed by earmarked development transfers and loans from the state budget for 2009–2011, ratified by government decision No. 1184 of 18 December 2008, provides for 2010 funds totalling 19.0 billion tenge — 25.5 billion tenge less than planned — so that the programme cannot fully achieve its goals owing to insufficient funding from local and

national budgets. At the same time, the task of supplying water to all rural areas remains difficult. The rural population lives in 7,093 settlements, with 40 per cent of people scattered in villages with fewer than 1,000 inhabitants. Although the programme originally called for the allocation of funds from central and local budgets on a parity basis, a major challenge in implementing the programme has been the insufficient allocation of funds from local budgets and businesses. Over the intervening period (2002–2008) 78.7 billion tenge was allocated from the national budget for the programme's implementation, 38.9 billion tenge from local budgets and 3.7 billion tenge from businesses. Thus the share from the national budget is 64.0 per cent, the share from local budgets 34.5 per cent and that from businesses 1.5 per cent. The local share is thus slightly more than half of the state share, despite the fact that in May 2007 at a government meeting provincial governors were requested to provide increased funding from local budgets (table 6).

88. Another obstacle to the provision of drinking water to rural populations is that utility companies do not operate in those areas or do not have the necessary logistical facilities. The companies that are equipped with the necessary physical and human resources are usually located in regional centres, whereas in rural areas maintenance of water systems is left to rural *akims*, who lack the basic resources and specialized staff needed to maintain the systems. These circumstances lead to frequent system breakdowns and failure of components and equipment, and ultimately to water stoppages. At the same time in 2007 each district in Qyzylorda province was allocated 50 million tenge from the local budget to provide logistical equipment for utility companies, although the province is one of the most subsidized. It should be noted that in accordance with articles 27 and 34 of the act on local governance, this function is assigned to provincial and district *akimats*. The above-mentioned government instruction also addresses this issue. According to presidential decree No. 827 of 18 June 2009 on state planning in Kazakhstan, in order to develop the industry and tackle important sectoral issues it is necessary to coordinate the programme with the strategic development plan of Kazakhstan to the year 2020. It is therefore necessary to develop a new sectoral programme. The major objectives of the proposed programme for 2011–2015 are as follows:

- Coverage of all villages, cities and towns where drinking water systems need improvement
- Allocation of funds from the national budget for the preparation of developing designs and planning estimates for places whose population uses trucked-in water, and the subsequent allocation of funds for implementation of the designs and plans
- Allocation of funds from the national budget for establishing and equipping operating companies
- Completion of an inventory of additions to the list of critical collective and local water supply systems which are sole sources of drinking water
- Mobilization of the second tranche of the loans from the Asian and Islamic development banks and other foreign financial institutions for construction and reconstruction of water supply systems on more favourable terms
- Prioritizing or sequencing of events in specific locations based on the actual state of systems, not just the availability of designs and planning estimates
- Prioritization of exploration work in accordance with the priorities of the programme
- Further implementation of modern technologies, equipment and materials for constructing drinking water supply, treatment and delivery systems

Table 1
Implementation of the sectoral drinking water programme: principal indicators for the period 2002–2010

<i>Years implemented</i>	<i>No. of rural settlements</i>	<i>No. of people enjoying improved water supply, in millions</i>	<i>National budget, in billions of tenge</i>	<i>Local budget, in billions of tenge</i>	<i>Funds of economic entities, in billions of tenge</i>	<i>New water supply networks, in km</i>
Stage 1 (2002–2005)	1 151	2.1	28.3	15.1	2.8	3 389
2006–2008	1 076	2.1	50.4	23.8	0.9	7 485
2009 (planned)	645	0.45	35.5	3.5		1 600
Total	2 872	4.65	114.2	42.4	3.7	12 474

Table 2
Residential areas dependent on trucked-in water and water from open wells, disaggregated by province

<i>No.</i>	<i>Province</i>	<i>No. of rural settlements</i>	<i>Population</i>	<i>Drinking water supply system</i>						
				<i>Centralized water supply</i>		<i>Decentralized water supply</i>		<i>Trucked-in water</i>		
				<i>No. of rural settlements</i>	<i>Population</i>	<i>No. of rural settlements</i>	<i>Population</i>	<i>No. of rural settlements</i>	<i>Population</i>	<i>% of total population</i>
1	Aqmola	659	420 205	309	267 968	319	144 345	30	7 892	1.9
2	Aqtöbe	411	325 804	75	147 960	326	176 540	7	1 304	0.4
3	Almaty	766	1 301 434	480	1 112 130	277	188 244	9	1 060	0.1
4	Atyrau	176	292 827	91	251 186	60	35 506	25	6 135	2.1
5	East Kazakhstan	821	644 673	217	345 271	595	295 664	8	3 738	0.6
6	Zhambyl	381	598 405	145	369 777	225	221 148	10	7 480	1.2
7	West Kazakhstan	476	377 940	119	228 674	341	142 898	13	6 368	1.7
8	Qaraghandy	418	303 616	200	233 102	216	70 112	2	402	0.1
9	Qostanay	669	435 161	145	183 014	456	227 521	61	24 626	5.7
10	Qyzylorda	263	407 707	163	348 773	92	54 135	6	4 799	1.2
11	Mangghystau	54	177 388	5	14 335	37	156 885	12	6 168	3.5
12	Pavlodar	412	275 788	67	104 781	335	169 976	8	1 031	0.4
13	North Kazakhstan	711	391 371	239	159 504	447	226 771	19	5 095	1.3
14	South Kazakhstan	876	1 465 432	430	940 440	388	478 037	57	46 955	3.2
Total		7 093	7 417 751	2 685	4 706 915	4 114	2 587 782	267	123 053	1.7
As at 1 January 2008		7 172	7 382 699	2 446	4 435 083	4 349	2 752 444	340	195 172	2.6

Table 3

National budget subsidies towards the cost of drinking water supply services from collective and local water supply systems

No.	Province	Population coverage, in thousands	Subsidized tariffs, in tenge/m ³	Ratified tariffs, in tenge/m ³	Size of subsidy, in %
1	Aqmola	222.7	from 14.2 to 48.5	from 17.9 to 54.1	from 79 to 89.6
2	Almaty	8.2	9.4	49.4	19.05
3	Atyrau	49.5	from 33 to 275.9	from 93.8 to 363.5	from 757.4 to 87.4
4	East Kazakhstan	11.6	485.4	252.4	84.2
5	West Kazakhstan	70.2	from 155 to 515.4	from 195.4 to 554.2	from 79.5 to 93
6	Qaraghandy	467.4	from 9.8	11	90
7	Qostanay	182	from 15.5 to 265.1	from 40.5 to 305.1	from 38.3 to 86.9
8	Qyzylorda	267.1	from 4.55 to 112.2	from 44.6 to 152.2	from 10.2 to 80
9	Mangghystau	9.9	from 349.6 to 688.3	from 389.6 to 728.3	from 91.2 to 94
10	Pavlodar	210	7.68	9.6	80
11	North Kazakhstan	195.9	213.2	281	75.9
12	South Kazakhstan	66.9	from 42.7 to 67.6	from 82.6 to 107.6	from 51.6 to 62.8
Total		1 761.4			

Table 4

Introduction of scaled tariffs for water supply services based on consumption volumes and taking Almaty as pilot

Effect:

- Almaty's water supply system boosts city's annual revenues from 3.5 billion tenge to 11.6 billion tenge
- 3.2 billion tenge allocated to repair and refurbishment work, five times more than in 2008
- As shown by figures from Almaty *akimat*, no outlay required from the local budget

Expected results:

- Sound use of water and savings of funds
- Additional investments in the upgrading and reconstruction of networks
- Slowing of inflation
- More affluent consumers will pay more

Table 5
Principal technical features of projects whose national budget-funded implementation is proposed under the road map

No	Province	No. of projects	Total estimated value in thousands of tenge	2009 funding limit in thousands of tenge	Total population	No. of people enjoying improved water supply and public health status	No. of jobs created	Total length of pipelines (planned), in km
1	2	3	4	5	6	7	8	9
1	Aqmola	2	543.9	194.7	29 565.0	665.0	164.0	10.0
2	Aqtöbe	22	5 000.0	5 000.0	402 000.0	300 000.0	10 350.0	71.1
3	Almaty	20	2 009.4	2 009.4	19 172.0	19 172.0	2 311.0	62.2
4	Atyrau	1	20 347.7	2 899.5	114 600.0	114 600.0	1 690.0	256.2
5	East Kazakhstan	28	1 575.7	1 359.8	696 665.0	415 124.0	1 547.0	687.6
6	Zhambyl	3	792.2	792.2	291 077.0	82 000.0	1 660.0	1.3
7	West Kazakhstan	5	364.3	329.5	6 374.0	3 492.0	362.0	41.6
8	Qaraghandy	4	1 782.4	279.9	469 721.0	223 450.0	272.0	16.5
9	Qostanay	9	517.0	517.0	80 063.0	60 573.0	378.0	55.1
10	Qyzylorda	14	1 741.6	1 741.6	260 249.0	9 300.0	1 974.0	117.1
11	Mangistau	6	1 990.5	722.4	344 076.0	30 284.0	643.0	64.4
12	Pavlodar	17	2 639.1	1 716.1	441 300.0	441 300.0	2 204.0	44.7
13	North Kazakhstan	9	1 109.7	710.0	200 000.0	131 000.0	2 698.0	14.9
14	South Kazakhstan	175	1 187.8	797.8	298 502.0	298 502.0	2 569.0	214.0
15	Astana city	17	908.5	908.5	675 000.0	106 200.0	859.0	28.7
16	Almaty city	8	1 055.9	1 055.9	192 550.0	19 320.0	1 046.0	6.3
Total		340	43 565.7	21 034.3	4 520 914.0	2 254 982.0	30 727.0	1 691.69

Table 6
Financing of drinking water supply facilities over the period 2002–2009

Source of finance	Stage I (2002–2005)				2006–2008				2009			
	Planned	%	Actual	%	Planned	%	Actual	%	Planned	%	Actual	%
Total amount, including by source	36.9	100	46.2	124	93.7	100	75.2	79	63.6	100	40.8	64
National budget	16	43	28.3	61	33.7	37	50.4	68	41.9	66	35.5	87
Local budget	17.6	48	15.1	33	26.7	28	23.9	32	16.6	26	5.3	13
Constituent entities' own funds	3.4	9	2.8	6	33.3	35	0.9	0.2	5.1	8		

Reply to questions 33 and 34

89. Conditions for the provision of housing are established under article 25 of the Constitution of the Republic of Kazakhstan. In Kazakhstan, housing issues are governed by the following statutory instruments: Housing Act; Housing Construction (Equity Participation) Act; Private Housing Construction Act; Housing Construction (Savings in the Republic of Kazakhstan) Act. Under article 11 of the Housing Act, a citizen or legal entity may have private ownership of a legally acquired dwelling, regardless of its location on the territory of the Republic of Kazakhstan, unless otherwise stipulated by statutory instruments. There is no limit on the number and size of dwellings owned by a citizen or a legal entity. Under article 67 of the Housing Act, public housing or privately owned housing leased by the local authorities shall be provided:

For use by citizens of the Republic of Kazakhstan in need of housing who are permanently resident in the residential area in question (regardless of the period of their residence) and who belong to a population group categorized as deprived and in need of social protection;

Government employees, employees of budgetary institutions, military personnel and persons holding public elective office who are in need of housing. The housing allocated to them shall, with the exception of housing rented by the local authorities, be treated as official housing;

Citizens whose sole housing was obtained through a mortgage on a housing mortgage loan and purchased by the local authorities, in accordance with the housing laws of Kazakhstan.

90. In pursuance of the country's housing policy, presidential decree No. 383 of 20 August 2007 approved the state housing construction programme for 2008–2010, primarily designed to provide a comprehensive approach to housing development and to ensure that the entire population has access to housing. The main thrusts of the state programme are: creating a genuine and balanced housing market on both the supply and the demand side; attracting private investment in housing construction and promoting public-private partnerships; promoting private housing construction; developing the technical and communications infrastructure in areas where housing is being built; developing credit facilities to enable citizens to buy housing; development and updating master plans for residential areas; upgrading the housing quality control system; stepping up the domestic production of construction materials and introducing inexpensive and environmentally friendly technologies for private housing construction. The state programme has the following advantages: it will accelerate the rate of housing construction: it will create conditions that encourage investment in housing construction; it will provide credit facilities enabling local authorities to build housing funded from the national budget, for allocation to priority categories of citizens; it will employ mortgage instruments from the system of housing construction savings, a system which guarantees mortgage loans for the purchase of housing; it will relaunch the construction of municipal housing and improve the housing conditions of some 290,000 families (estimate). Laws and regulations have been enacted by the Government to implement the state programme.

91. Conditions, including tax incentives, are being laid down for the construction of rental homes by private developers. A bill to this effect has been drafted. In his 28 February 2007 message to the people entitled "A new Kazakhstan in a new world", the President drew attention to the need to create an "effective, competitive and transparent property market in the country. The administrative and legislative requirements relating to real estate transactions should be streamlined and simplified." The bill is aimed at expanding the public housing stock and improving the terms and conditions for the allocation of housing and for the privatization of housing by making privately owned homes available for rent.

Housing built with funds allocated from the national budget on a repayable basis is allocated to citizens in accordance with the housing construction (savings in Kazakhstan) act and the regulations for the allocation of housing approved by the Government of Kazakhstan. Criteria have been identified and income thresholds set for the selection of applicants for housing built using the funds of local provincial and Astana and Almaty municipal authorities, allocated on a repayable basis from the national budget, to ensure that the procedures are transparent and that the housing units are fairly distributed. The following priority categories have been identified:

- Young families with children
- Public servants
- Employees of government agencies who are not public servants
- Employees of State-run enterprises

92. By encouraging a system of saving for housing construction, access by the population as a whole to housing has been improved. Under the housing construction (savings in Kazakhstan) act, initial housing loans are accorded on a long-term basis at easy repayment rates to citizens in the above categories. The state programme includes a number of other incentives to encourage housing construction. To attain the goals set in this area, bills have been drafted to supplement and amend some legislative acts relating to housing and amenities, and to the fair allocation of housing.

Reply to question 38

93. The protection of mothers and children is a top priority for the country's development. Although Kazakhstan has managed to reverse the negative trend of population decline, the country still has a problem of child and maternal mortality. Efforts are being made to improve the country's legal and regulatory framework, with a view to introducing international technology in the field of maternal and child health. Obstetrics centres are being fitted with modern and effective perinatal technology, conducting diagnostic prenatal screening and working to prevent congenital and hereditary diseases in children. As part of work to improve health care for children, since 2007, 265 cochlear implantation operations have been carried out on children with severe congenital and acquired hearing impairments. These operations are carried out in response to the need to treat children suffering from the above conditions, as previously in Kazakhstan only very conservative treatment was administered to children with this condition or they were sent abroad for treatment paid for from the national budget. Since 2006 a screening programme has been in place for the early detection of congenital and hereditary diseases in the foetus and newborn infants. An action plan is currently being implemented under the state health reform and development programme for the period 2009–2010, which includes a stand-alone component dealing specifically with aspects of maternal and child health. Efforts continue to strengthen the technical base of the country's maternity and child health centres. Priority is given to the acquisition of equipment for the emergency and intensive care of pregnant women, women in childbirth and post-delivery, women with gynaecological disorders, newborn infants and children. Under the action plan, annual preventive medical examinations of children under the age of 18 and women are carried out to ensure the early detection of diseases. Efforts continue to implement the programme to reduce maternal and infant mortality in Kazakhstan in the medium term, with particular attention paid to the more extensive adoption of international approaches to maternal and child health, as recommended by the World Health Organization (WHO).

94. The results recorded over the reporting period demonstrate an upward trend, with maternal and infant mortality rates on the decline (the maternal mortality rate dropped to

35.6 in the first half of 2009, from 36.9 for the same period in 2008, and the infant mortality rate to 19.3 from 21.3).

<i>Indicators</i>	<i>2005</i>	<i>2006</i>	<i>2007</i>	<i>2008</i>	<i>First half of 2009</i>
Maternal mortality per 100,000 live births	44.7	43.9	50.4	46.3	35.6
Infant mortality rate per 1,000 live births	14.1	13.6	14.8	20.9	19.3

Reply to question 39

95. Efforts to improve the quality of health care for women and children continue, with the conduct of sectoral programmes to reduce maternal and infant mortality rates for 2008–2010 which incorporate modern approaches to maternal and child health care and apply international standards. Work is under way in this programme to audit and review the regulatory framework in place to protect the health of mothers and children. Women are screened for the early detection of cancers of the reproductive organs. Work continues on building up the equipment and infrastructure of the country's mother and child health centres. Priority is given to the acquisition of equipment for the emergency and intensive care of pregnant women, women in and after childbirth, women with gynaecological disorders, newborn infants and children. Programmes are being carried out with technical and financial support from international organizations to ensure safe motherhood, neonatal care, immunization, the early growth and development of children, the prevention of micronutrient disorders, and also to implement the WHO recommended strategy on the integrated management of childhood illnesses. A register of pregnant women has been introduced and perinatal care has been devolved to the regions in a bid to ensure better tracking of the movement of pregnant women in Kazakhstan. Work is under way on the training and retraining of specialists in the field of maternal and child care, including in foreign countries which are leaders in this field.

Reply to question 40

96. A range of measures are being set in place by the Ministry of Health, with a view to raising awareness about early childhood development, breastfeeding, care for sick children and the nutrition of pregnant and lactating women. In paragraph 1 of the action plan under the State programme to cut maternal and infant mortality over the period 2008–2010, approved by government decision No. 1325 of 28 December 2007, measures are contemplated to improve the regulatory framework for the provision of health care for women and children, in due compliance with WHO recommendations. Thus, the Ministry of Health has issued the following orders with a view to implementing the provisions of that paragraph:

- Order No. 708 of 31 December 2008, on measures to protect, support and promote breastfeeding
- Order No. 656 of 19 December 2008, on promoting the integrated management of childhood illnesses and early childhood development in Kazakhstan
- Order No. 691 of 22 November 2007, on stepping up preventive measures to protect the health of young children in Kazakhstan

Awareness-raising work on early childhood development is mainly carried out by the medical staff of primary health care organizations. An important role in this work is performed by what are known as “healthy child” units.

97. The healthy child units — which form an integral part of primary health-care centres — serve as training resource centres for preventive work among young children. They provide advisory and training services to health workers and pregnant women. The units are staffed by specially trained health workers, at a ratio of one post for every 10,000 children. One of the main functions of the healthy child units is to impart theoretical knowledge and practical skills to young mothers in the care and raising of children, and in specific aspects of the neuro-psychological and physical development of healthy infants and preschool children, to ensure their harmonious development. The healthy child units are furnished with the necessary minimum equipment, visual display stands, whiteboards, training manuals and guidance for mothers and children in such matters as the daily routine, nutrition and disease prevention. The units also organize workshops for teachers and psychologists from preschool centres on aspects of the raising of infants and preschool children, question-and-answer sessions, debates and quizzes on a range of topics, to which parents are also invited. Systematic work is being carried out in the healthy child units on how to prepare children for nursery schools and classes conducted for pregnant women under the new parents’ courses. The units have a vital role to play in the outreach campaign to promote such WHO programmes as the integrated management of childhood illnesses, and its drive to promote and support breastfeeding, safe motherhood and early childhood development, which in the long term will help boost the involvement of the general public in efforts to protect and support women’s and children’s health.

98. In addition, since 2008, with technical support from UNICEF, a pilot project on health care for development has been under way in the town of Semey in the province of East Kazakhstan. The main purpose of this project is to improve the care of young children and to safeguard and improve their health. As part of the project field studies have been carried out in health care centres and among the general public in selected areas of the country (provinces of Aqmola, South Kazakhstan and East Kazakhstan and the city of Astana) in July and August 2009, by interviewing representatives of public health agencies and organizations, medical workers, and also parents of young children. In addition, among other measures, arrangements have been made to observe family consultations conducted by medical workers. Pregnant women and nursing mothers are given free meals in public health organizations. Basic foodstuffs are also delivered to pregnant women and nursing mothers on an outpatient basis in selected areas of the country and paid for from local budgets.

Reply to question 41

99. The number of infected people continues to rise – as at 1 August 2009, 12,980 persons were registered in Kazakhstan as infected with HIV. To date, in 2009, there has been a 12 per cent drop in the number of recorded cases of HIV infection. Thus, over the first seven months of 2009 there were 1,274 recorded cases of HIV infection, 169 fewer than over the same period during the previous year, giving an incidence of 8.2 per 100,000 persons (over the same seven months of 2008 there were 1,443 cases, giving a rate of 9.2 per 100,000). The main pathway for HIV transmission is intravenous drug use, which accounted for 68.8 per cent of infections, while sexual transmission accounted for 22.9 per cent and intra uterine transmission for 1 per cent. Tables are provided below, showing the number of HIV-infected persons disaggregated by age, sex and region. According to experts from WHO, Kazakhstan is currently in a concentrated epidemic stage, with an infection rate of below 0.15 per cent, five times lower than the world average and four times lower than the average in Eastern Europe and Central Asia. Measures to stabilize the

spread of HIV are being applied under the state AIDS control programme for the period 2006–2010, approved by government decision No. 1216 of 15 December 2006. The programme's aim is to stabilize HIV infection at the concentrated epidemic stage and to prevent it rising to the generalized stage. Relevant sectoral and regional programmes have been approved and are under implementation. The country's ministries of health, justice, internal affairs, education and science, defence, labour and social welfare, and culture and information are all involved in carrying out the programme, alongside non-governmental organizations. Several components of the programme are being carried out with technical and financial support from international organizations. To ensure the availability to the public of voluntary testing and counselling services, 318 voluntary and anonymous HIV counselling centres have been set up in Kazakhstan, and 309 psychological and social counselling centres. There are 159 confidential centres operating needle exchange programmes for vulnerable groups. In addition, 31 drop-in centres have been set up, providing treatment of sexually transmitted infections for vulnerable groups on affordable terms, with the guarantee of confidentiality and anonymity. A sentinel surveillance system has been set up to monitor HIV infection on a countrywide basis, and this will make it possible to determine the prevalence of HIV infection among the various population groups.

100. Medical care for persons infected with HIV and AIDS forms part of the guaranteed package of free medical care. In the early asymptomatic stages, HIV-infected persons are treated as outpatients. When clinical symptoms appear and the HIV infection turns into full-blown AIDS patients need specialized care and treatment. Specific treatment to prevent HIV transmission from mother to child also forms part of the guaranteed package of free medical care. In all 780 HIV-infected and AIDS patients, including 133 children aged under 14, are receiving treatment with antiretroviral drugs, in accordance with the national treatment procedure. To improve the quality of antiretroviral treatment for drug addicts, a pilot project involving methadone substitution treatment was introduced in November 2008 for 50 HIV-infected intravenous drug users in Temirtau and Pavlodar. Efforts to combat the HIV/AIDS epidemic in Kazakhstan are receiving considerable assistance from 93 non-governmental organizations. The country has mobilized resources from international donors, including a grant from the Global Fund to Fight AIDS, Tuberculosis and Malaria and a World Bank project. In 2009 meetings were held by the boards of the Ministry of Health and the State Public Health Inspectorate to consider issues relating to HIV/AIDS. Over the reporting period, comprehensive teams of specialists have visited the provinces of East Kazakhstan and Zhambyl and the city of Almaty to monitor implementation of the AIDS control programme in Kazakhstan, which included epidemic control measures in the HIV/AIDS foci.

Table 13

Cumulative figures of registered cases of HIV infection disaggregated by province as at 1 August 2009

Province	Overall total		Prevalence per 100,000 members of the population, taking into account deaths among adults as at 1 July 2009	
	Total	Including children aged 14 and under	Total	Including children aged 14 and under
Aqmola	246	3	28.1	1.5
Aqtöbe	182	3	22.4	1.5
Almaty	774	11	41.7	2.4

<i>Province</i>	<i>Overall total</i>		<i>Prevalence per 100,000 members of the population, taking into account deaths among adults as at 1 July 2009</i>	
	<i>Total</i>	<i>Including children aged 14 and under</i>	<i>Total</i>	<i>Including children aged 14 and under</i>
Atyrau	81		15.2	0.0
East Kazakhstan	1 271	3	83.8	0.8
Zhambyl	383	5	33.0	1.6
West Kazakhstan	303		43.2	0.0
Qaraghandy	2 501	34	124.9	9.6
Qostanay	776	9	77.6	3.7
Qyzylorda	51	1	7.6	0.5
Mangistau	82	1	17.2	0.9
Pavlodar	1 392	7	155.1	3.5
North Kazakhstan	379	4	52.8	2.2
South Kazakhstan	1 596	208	59.2	28.3
City of Almaty	2 683	22	181.2	8.4
City of Astana	280	2	43.2	2.1
Total	12 980	313	70.3	7.3

Table 14
Distribution of AIDS infection by age groups, as at 1 August 2009

<i>Age group</i>	<i>Overall total</i>	<i>Proportion of total (%)</i>
0–1	161	1.2
2–5	109	0.8
6–10	18	0.1
11–14	25	0.2
15–19	733	5.6
20–29	5 967	46.0
30–39	4 112	31.7
40–49	1 501	11.6
50–59	244	1.9
60 and above	31	0.2
Anonymous registrations	79	0.6
Total	12 980	

Table 15

Distribution of AIDS infection by sex, as at 1 August 2009

<i>Total</i>	<i>Men</i>		<i>Women</i>	
	<i>Overall total</i>	<i>Proportion %</i>	<i>Overall total</i>	<i>Proportion %</i>
12 980	9 475	73.0	3 505	27.0

Reply to question 42

101. Women and girls in Kazakhstan enjoy equal access to health services at all levels of medical care and are eligible for the basic package of guaranteed medical services provided at health care organizations in Kazakhstan. Maternal and child health is a priority of the social policy pursued by President Nursultan Nazarbaev and by the Government. A state programme to reform and develop the health care system in Kazakhstan over the period 2005–2010 (hereinafter referred to as the “state programme”) was approved by presidential decree to create an efficient health care system and to improve the country’s basic health indicators. The state programme includes a separate component focusing on maternal and child health.

Reply to question 46

102. Pursuant to article 8 of the Education Act, the State provides free primary, secondary and general secondary education to all school-age children. Under article 6, paragraph 3 (2), of the Act, the registration of children of preschool and school-going age and their education before they enter the compulsory school system are the responsibility of the local authorities. There are 7,620 general education schools in Kazakhstan, which are attended by 2.5 million children. Of these, 1.8 million are Kazakhs, 360,000 Russians, 37,000 Ukrainians, 7,300 Belarusians, 102,000 Uzbeks, 19,000 Azeris, 23,000 Tatars, 25,000 Poles, 25,300 Germans, 41,000 Uighurs, 14,000 Turks, 4,400 Kyrgyz, 2,300 Ingush, 6,400 Chechens and 2,200 Udmurts.

Reply to question 47

103. Kazakhstan is a country of political, social and economic stability, peace and harmony among all its nationalities and faiths. Over the years since independence an outstanding model has been created of inter-ethnic and interreligious harmony underpinned by the tried and tested public policies of President Nursultan Nazarbaev. The strategy of the Peoples’ Assembly of Kazakhstan, approved by presidential decree No. 856 of 26 April 2002, set as its priorities the shaping of Kazakh patriotism and the development of the ethnic cultures, languages and traditions of the Kazakh people. There is no hostility among pupils at Kazakhstan’s government schools attributable to differences in their ethnic or national origin. From the time they enter kindergarten, children receive special guidance in this area in all schools. Particular attention is paid to inculcating in the younger generation a spirit of friendship, and an understanding that in today’s increasingly interconnected world particular value attaches to the qualities of sociability, enterprise and a constant endeavour at self-improvement.

Replies to questions 48 and 49

104. The principle of equal rights to education for all, including children with disabilities, is enshrined in the law of Kazakhstan, in accordance with fundamental international instruments in the field of education. The Constitution and the country's acts on the rights of the child, on education, on social, medical and educational support for children with disabilities, on social protection for persons with disabilities, on the prevention of juvenile delinquency and on the prevention of child neglect guarantee the right of children in this category to education. The creation of the necessary conditions to provide an education for all children of this category tailored to their mental and physical characteristics is viewed as one of the principal challenges to upholding the right to education of children with special needs and children with disabilities. Currently there are 47,297 disabled children in Kazakhstan. The necessary conditions for home-based education following the full school curriculum or individually tailored programmes are provided for disabled children who, for health reasons, are temporarily or permanently unable to attend educational institutions. Pursuant to an order promulgated by the Ministry of Education and Science with the approval of the Ministry of Health ratifying the regulations on the organization of classes for children with disabilities who are being cared for in inpatient treatment and prevention, rehabilitation and other health facilities, and on the provision of assistance by educational organizations to parents in educating children with disabilities at home, 9,433 disabled children are being taught at home on individual programmes (Order No. 974 of 26 November 2004, registered with the Ministry of Justice on 23 December 2004 under No. 3303). In addition, special education programmes in 101 special remedial educational centres organization are being attended by 16,043 students and 12,126 children with special needs are attending general education schools.

105. Pursuant to the act on social, medical and correctional educational support for children with special needs and children with disabilities, 56 psychological, medical and educational consultation units, 67 correctional and inclusive education units, 15 rehabilitation centres, 119 psychological and special education units and 283 speech therapy facilities are providing comprehensive diagnostic, correctional and educational support to children from birth to 18 years of age. Currently, under the Convention on the Rights of Persons with Disabilities, which was signed on 11 December 2008 pursuant to a presidential decree, access to education has been set as a basic requirement for ensuring the social integration and independence of persons with disabilities. Accordingly, education should cover all stages of life, from pre school upbringing to vocational training: education is a lifelong process. The inclusive education system is being developed in Kazakhstan to give effect to the rights of the disabled to education. Currently, more than 11,000 pupils are studying together with their peers in general education schools under the inclusive system. Sociological studies show that 64 per cent of students, teachers and parents support this approach to the schooling of children with special needs. In 2009, children with disabilities took part in a national online contest on equal opportunities for all, which showcased the inclusive education system. Health-building sessions to develop a positive view of life have become a traditional feature of the programme of the Baldauren centre. An international conference on inclusive education and the prospects for its development is due to be held in November 2009, in Astana, with the participation of international experts.

Reply to question 50

106. Under article 30 of the Constitution, general education, at both primary and secondary levels, is free and compulsory for all citizens. Responsibility for implementing this rule of the Constitution is vested in local authorities. In accordance with article 8 of the Education Act, the State shall ensure that the citizens of Kazakhstan receive free preschool,

primary, basic secondary and general secondary education, and also, on a competitive basis and in accordance with the state educational order, free technical, vocational, post secondary, higher and postgraduate education. It should also be noted that the State fully or partially meets the maintenance costs of Kazakh citizens who are in need of social assistance during their education. The following are included in the category of citizens eligible for social assistance:

- Orphans and children deprived of parental care
- Children with developmental disabilities, persons with disabilities and persons disabled since childhood, children with disabilities
- Children from large families
- Other categories of citizens defined by the laws of Kazakhstan

The right to education is guaranteed by the State through the development of its education system, efforts to improve the legal framework for its operation and the creation of the necessary social and economic conditions for education in accordance with the Constitution. A nationwide system to assess the quality of education has been set in place to ensure state control of the quality of education.

Reply to question 51

107. In the first half of 2009, round tables on *oralmans* were held with the participation of the regional chairs at all levels of the Committee on Migration of the Ministry of Labour and Social Protection of Kazakhstan. A total of 96 round tables and 140 television and radio broadcasts were organized. Journalists were invited to the events to give them wider publicity. The local press gives extensive coverage to work by the regional migration offices to explain the country's migration policy. This is evidenced by the reports of those regional offices. recorded figures show that, over the first six months of 2009, 144 articles were published on the issue in the local and national media. A range of activities were carried out across the country to mark International Women's Day on 8 March, including a women's round table in Almaty on the issue of the integration of migrant women in Kazakh society, with the participation of *oralman* and refugee women. In celebration of Nauryz, all regional migration offices have organized cultural ceremonies and other entertainments. Thus, on 30 March 2009 in the village of Baibesik in Almaty municipality, a major event was staged, attended by over 100 *oralmans* and refugees, and also by representatives of local executive bodies, local villagers and residents from neighbouring areas. A number of active associations have been set up in Almaty to enrich the cultural life of refugees, including the Afghan Cultural Centre, the Association of Afghan Refugee Women, the Union of Afghan Refugee Women, an Afghan school and a kindergarten for Afghan children. In June 2009, the migration offices held activities to mark World Refugee Day with the participation of representatives of UNHCR.

Reply to question 52

108. The network of cultural institutions in the country comprises 38 national and more than 6,000 provincial cultural organizations, including 154 museums, 3,763 libraries, 2,320 clubs, 48 theatres, 24 concert organizations, 58 cinemas and video theatres, 458 film projection points, 4 zoos, 2 circuses, and 28 cultural and recreational parks. Across the country over the past three years 203 cultural facilities have been built and set in operation. The State funds four national theatres: the world's only Uighur theatre, the only Korean theatre in the Commonwealth of Independent States, and also a German and an Uzbek

theatre. Every year on Victory Day, charity performances are staged in the country's theatres for veterans and invalids of the Great Patriotic War and the Afghan war. In addition, throughout the year veterans whose names appear in the lists provided by the Veterans Council, are able to go to the theatre for free. Every year on 1 June, to mark International Children's Day, charitable activities for children, including those with special needs, are held in the country's cultural institutions. In addition, every year the country's theatres put on special New Year shows featuring traditional folk tales for children from orphanages and children with disabilities. Access ramps have been constructed for wheelchair access to theatres and concert halls. In Almaty there is a national library for the blind and visually impaired, which was built in response to an order of 5 February 1971 of the Council of Ministers and the Ministry of Culture of the Kazakh SSR. The library has a staff of 41 people and holdings of more than 223,000 publications of various kinds: large-print, Braille and audio books, and also embossed graphic aids, videos and CDs. All these publications are recorded in the library's electronic databases. The library has some 3,000 readers. It comprises eight separate sections, with eight outlets, operating a system of home and interlibrary loans, which serve not only the blind but also other categories of persons with disabilities. Access ramps have been fitted to give wheelchairs access to the library. In 2008, the libraries under the country's cultural system served 4,158,900 readers.

Reply to question 53

109. One of the main priorities of the state cultural policy is the implementation of its cultural heritage programme. Initiated by the head of State six years ago and still under way, the cultural heritage programme constitutes a fruitful humanitarian initiative without precedent in the country's history. This strategic document has a threefold purpose, as proclaimed by the head of State, which comprises:

- Creating favourable conditions to uphold and further develop the country's historical and cultural heritage
- Pursuing a comprehensive study of the national heritage, together with foreign scholars and leading research centres, with a view to ensuring its global visibility
- Bringing the country's historical and cultural heritage to the attention of the general public and the media and, of course, its active promotion both within the country and abroad

For this undertaking the Ministry of Culture and Information drafted an action plan for the implementation of the strategic cultural heritage project for the period 2009–2011. This document was approved by a government decision and forms the basis for the project's continued implementation. The programme's main thrusts are the following:

- Restoration of significant historical and cultural monuments
- Archaeological research
- Integrated study of the country's historical and cultural heritage, and the preparation of scientific publications
- Development and publication of new series of books on the historical and cultural heritage

Over the period 2004–2008, in the course of implementing the programme, restoration work was carried out on 44 important historical and cultural monuments.

110. In 2007, intergovernmental agreements were signed between the Governments of Kazakhstan and the Syrian Arab Republic and between Kazakhstan and Egypt, and work began on the construction of the Al-Farabi cultural centre and mausoleum in Damascus and

the restoration of the Sultan Beibars mosque in Cairo. Archaeological research expeditions have been mounted to 32 urban centres, settlements, camps, burial sites and mounds in Kazakhstan, such as Otrar, Sauran, Talgar Shirik Rabat and Bozok. Archaeological research carried out at the above-listed sites is already bearing fruit. During their excavations archaeologists have unearthed many items of considerable interest from the standpoint of history, ethnography, and decorative and applied art. Scientific expeditions were mounted to Armenia, China, Egypt, Japan, Mongolia, the Russian Federation, Turkey, the United States of America, Uzbekistan and countries in Western Europe, in the course of which some 5,000 manuscripts and published texts on history, ethnography and art previously unknown to Kazakh scholars were identified and purchased. During the expedition to China alone some three and a half thousand previously unknown sources on the history and culture of Kazakhstan were discovered. Scientific expeditions were organized to Mongolia to identify and study ancient Turkic stone carvings with runic inscriptions, during which copies were made of the “Tonykök” and “Taryat” statues with runic inscriptions. Following the necessary research work, compendiums of historical and cultural monuments have been published for a number of provinces. In addition, work has been undertaken to make back-up copies and to restore archival documents, and to restore and transfer musical recordings to modern media. Applied research has also been conducted on architectural and archaeological monuments of special importance to Kazakh national culture. Two unique monuments — the Mausoleum of Khoja Ahmed Yasawi and the Tamgaly archaeological complex — are included in the UNESCO World Heritage List.

111. Under the programme more than 300 titles have been published, including outstanding series on history, archaeology and ethnography, and new encyclopaedic dictionaries. The programme also showcases the historical and cultural heritage of Kazakhstan abroad, promoting the country’s image. Over the period 2004–2008, some 30 international exhibitions and 10 presentations were organized, more than 30 international scientific conferences were convened and other events held on the cultural heritage. Another no less important task consists in raising awareness of and publicizing the historical and cultural heritage in a manner accessible to the general public, with the help of film, the print media and television. Much has already been done to this end. Every year no fewer than 80 national and regional media outlets (20 electronic and 60 print media) are engaged in efforts under the state order to promote the country’s cultural heritage. Taken as a whole, the country’s media outlets cover more than 98 per cent of the country’s territory, effectively covering 100 per cent of the population. A media campaign is under production by the television channels, targeted at all social groups – young people, state employees, entrepreneurs, urban and rural residents. On average, over the year, the state television channels devote the following amounts of airtime to these issues: “Kazakhstan” – 480 hours; “Khabar” – 250 hours; “El Arna” – 339 hours. This means that an average of three hours of airtime is allotted every day to the issue of the country’s cultural heritage. In recent years there are increasingly wide connections in the cultural, spiritual, humanitarian and other spheres between all the ethnic groups of Kazakhstan, which share the same history, culture and national cultural values. Through their joint efforts they are making immense strides towards the protection of the country’s tangible and intangible cultural heritage, including through the restoration of historical and cultural monuments and the study of outstanding historical, cultural, architectural and archaeological monuments of special importance to Kazakh culture, folklore, traditions and customs.

112. The most auspicious and effective way of enhancing mutual tolerance and respect is by building awareness among other nations of the rich historical development of the Kazakh nation and of its cultural identity and at the same time by actively promoting ethnic and cultural exchanges. One of the country’s top development priorities as a multiethnic State, however, is the formation of a unified cultural community of its ethnic groups. In this regard, the formation of cultural identity on the basis of citizenship, which is aimed at

developing the cultures and languages of ethnic groups and strengthening the spiritual commonality of all Kazakhs, and at safeguarding stability and ethnic harmony in the country, is the underlying principle in nation-building in Kazakhstan. The necessary legal and regulatory framework has been established for this purpose. Thus, the right of all citizens and the representatives of all ethnic minorities to the revival and development of their own cultures and to the free choice of their language of education and upbringing is enshrined in the Constitution and the acts on citizenship, on languages, on voluntary associations, on culture and on education. Under article 7 of the Constitution, all without exception have the right to use their native language and culture, to the free choice of their language of communication, upbringing, education and creative expression.

113. The state programme for the development and use of languages for the period 2001–2010 has had a positive impact on the development of Kazakh as the state language, and on the Russian language and the languages of other ethnic groups in Kazakhstan. Against the backdrop of a significant expansion in the areas where the state language is used and applied, Russian continues to be actively used in Kazakhstan in all social and cultural contexts and remains an integral part of intellectual life in Kazakh society. It plays a vital role in the country's educational sector. At school, Russian is an obligatory subject and is one of the subjects listed in the school certificate. Currently there are 1,673 Russian-medium and 2,082 Kazakh-medium schools. Russian remains a powerful tool of communication and plays a fundamental role in the country's higher education and scientific research system. Alongside Kazakh and Russian, the languages of various ethnic groups are still widely and being further promoted. Thus, in areas where there are large concentrations of ethnic minorities schools are still using the following languages as their medium of instruction: Uzbek – 65 schools, Uighur – 14 schools, and Tajik – 2 schools. In many schools classes are provided in the 15 following ethnic minority languages: German, Polish, Korean, Dungan, Tatar, Turkish, Azeri, Kurdish, Uighur, Chechen, Greek, Armenian, Hebrew, Belarusian and Ukrainian. In addition, optional classes and clubs are organized for the study of ethnic minority languages and cultures. The Government has also set in place the necessary facilities and made every effort to meet the needs of citizens to preserve and promote their native languages. To this end, an extensive network of Sunday schools has been established. While in 2001, there were 173 Sunday schools offering classes in 23 ethnic minority languages, in the 2008–2009 school year, that number had grown to 190, covering 30 languages. In addition, ethnic revival schools have been set up in the towns of Ust-Kamenogorsk, Semey, Petropavlovsk, Pavlodar and Shemonaikha, which have special departments for the study of the languages, culture and traditions of the diaspora in line with the ethnic make-up of the local population. These schools are funded, furthermore, from local budgets. Thus, a school for ethnocultural dialogue has been set up and is successfully operating in secondary school No. 23 in Qostanay. Under the state programme for the development and use of languages for the period 2001–2010, state support is provided for the teaching of ethnic minority native languages at Sunday schools. The funds allocated for these Sunday schools are steadily increasing. For example, while in 2001 9 million tenge was allocated for this purpose, in 2009, the financial support accorded to Sunday schools in the country's ethnic cultural centres totalled 12,932,000 tenge. Currently, representatives of ethnic communities are actively advocating the study of the Kazakh language, as this improves their prospects of being integrated into Kazakh society and the vocational prospects of their young people. Accordingly, courses in the state language — Kazakh — are also held at the Sunday schools run by ethnic cultural associations. The Wiedergeburt ("Revival") Association of the Germans of Kazakhstan is showing a particularly keen interest in teaching the country's official language: members of this particular diaspora are working hard on the study of Kazakh. Courses in Kazakh for both children and adults are run at virtually all the Association's regional branches. Alongside the study of German, the Association is also promoting the intensive study of

Kazakh, including the conduct of business in Kazakh, through the establishment of ethnic revival schools.

114. The services of highly qualified professionals proficient in intensive methods of teaching the Kazakh language, and teachers of Kazakh with experience of teaching speakers of other languages, are being enlisted in courses at non profit organizations. The teachers of these courses are trained at workshops organized by the country's Languages Committee and systematic efforts are also being made to provide methodological support for the courses. Extensive help is accorded to Kazakh courses at the Sunday schools through the provision of textbooks and dictionaries. Thus, a Russian-language manual of spoken Kazakh has been produced. The main purpose of this textbook is to encourage learners to speak Kazakh. It also contains background information about the culture of the Kazakh people. A teachers' guide on the interactive approach to teaching Kazakh has also been produced, as has an Uzbek-Kazakh dictionary. In 2009, funding for courses in Kazakh at the Sunday schools of ethnic cultural associations amounted to 9,749,000 tenge. At the same time a number of activities have been held to support and promote Russian and the languages of other ethnic groups and their cultures, such as congresses of teachers of Russian language and literature, conferences, round tables on the role of the Russian language and mother tongues spoken by members of other ethnic groups, workshops to enhance the skills of teachers of ethnic minority languages, quizzes and competitions and nationwide ethnic language festivals, such as the special days of Slavonic literature and culture. The ethnic cultural associations are closely involved in carrying out the country's language development programmes. Successful cooperation has been forged with Russian voluntary associations and a memorandum of understanding and cooperation concluded between the Kazakh Ministry of Culture and Information and the Russian community in Kazakhstan. As part of the activities contemplated under the memorandum, nationwide contests have been organized for young Russians in Kazakhstan, with the assistance of the Russian community in Kazakhstan, in proficiency in Kazakh, under the slogan: "Language is the key to understanding the soul of the people". A contest for connoisseurs of Russian literature has also been held, under the slogan: "Language is key to all knowledge".

115. One special feature of these competitions is that they represent the fruit of successful cooperation between the Languages Committee of the Ministry of Culture and Information and the Russian community in Kazakhstan to put into effect the cultural project designated the "Trinity of languages". Days of Slavonic literature and culture are extensively organized, with the participation of Slavonic ethnic cultural centres. The Ministry of Culture and Information, the Centre for Humanities Research, the Parasat ("Nobility") Kazakh Multidisciplinary Institute and the Russian Centre for Science and Culture jointly organized a cultural symposium on the theme: "Turco-Slavic in the steppes of Eurasia: from mindset to language". At the symposium representatives of the cultural intelligentsia of Kazakhstan and the Russian Federation (Oleg Dymov – member of the Majilis of Kazakhstan and author of collections of Russian poetry, Bakhyt Kairbekov – novelist, screenwriter, film director and poet, and Uldanai Bahtikireeva, Vladimir Sinyachkin and Vladimir Dronov – leading experts in the field of Slavonic studies and linguistics from the Russian Peoples' Friendship University in Moscow) discussed such topics as the linguistic and cultural situation in Kazakhstan (general characteristics, problems and prospects); the Russian language as the means of expression of another culture; the Russian-language branch of Kazakh literature as proof of the existence of the Kazakh culture in the shell of another language. The symposium took the form of dialogue and discussion. It was attended by representatives of the Embassy of Poland, academics from the L. N. Gumilev Eurasian National University, the Kazakh branch of the M. V. Lomonosov Moscow State University, the Kazakh University of the Humanities and Law, and teachers of Russian language and literature from schools and colleges in the city of Astana. A concert with performances by accomplished musicians and performing groups from the ethnic cultural

associations of Astana was held as part of festivities at the K. Baiseitova National Opera and Ballet Theatre.

116. The concert was attended by members of the Majilis, the Ambassador Extraordinary and Plenipotentiary of Bulgaria to Kazakhstan, Mr. Stoyan Rizov, First Secretary of the Embassy of Ukraine to Kazakhstan, Mr. Vyacheslav Yarenko, leaders of ethnic and cultural associations in Astana and representatives of the clergy. At the concert, the Order of Princess Olga — the state award of Ukraine — was conferred upon the director of the Ukrainian Sunday school, Ms. Lyudmila Pnevskaya. On 18 September 2009, as part of the eleventh festival of languages of the people of Kazakhstan, a contest will be held in Almaty under the slogan “Language brings us together”, in which students from the Sunday schools and from national and regional ethnic cultural associations will test their skills in Kazakh and their own language. The aim of the contest is to encourage students at these Sunday schools to raise their level of proficiency in Kazakh and their own languages, to foster their respect for different languages and cultures, and to nurture tolerance and a sense of Kazakh patriotism. Efforts to strengthen state support for the promotion of the languages of ethnic groups in Kazakhstan will continue.

Reply to question 54

117. Every year provision is made in the national budget for the funding of scientific research. Thus, while in 2003 the proportion of national budget expenditure on science — 0.11 per cent of the gross domestic product (GDP) — amounted to 5.3 billion tenge, in 2009 0.11 per cent of GDP rose to 18.5 billion tenge, in other words, over that period investment in science had increased by some 250 per cent. The national budget for the period 2009–2011 makes provision for spending to the amount of 56,292.6 million tenge on essential and applied scientific research, broken down as follows:

- For 2009 – 18,543.9 million tenge
- For 2010 – 19,508.6 million tenge
- For 2011 – 18,240.2 million tenge

Under article 26 of the science act, earmarked funding of research and scientific programmes is allocated on a competitive basis, involving the mandatory conduct by the Government of scientific and technical assessments of proposed programmes and the outcomes of scientific research. The Government has set up a science fund to provide grant-based funding from the national budget and other sources permitted by the laws of Kazakhstan for basic, innovative and cutting edge research. Pursuant to government decision No. 1057 of 7 November 2006, the Science Fund has been established in the form of a joint stock company with 100 per cent state participation in its authorized capital. Annual allocations are made from the national budget for the formation of capital: thus, in 2007, 873.8 million tenge was allocated for the formation of its share capital; and in 2008, 1,000 million tenge. The Science Fund offers funding for research and development projects, alongside their co-financing by private investors. At the same time, by government decision No. 1946 of 20 December 1999, a supreme science and technology commission was set up under the Government, with the principal objective of assessing priorities and drafting corresponding recommendations on the levels of funding required for scientific and technological programmes.