



**Convention on the Elimination  
of All Forms of Discrimination  
against Women**

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**Committee on the Elimination of Discrimination  
against Women**

**List of issues and questions in relation to the combined third  
and fourth periodic reports of Kazakhstan**

**Addendum**

**Replies of Kazakhstan\***

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\* The present document is being issued without formal editing.



## **Replies of the Republic of Kazakhstan to the list of questions in relation to the combined third and fourth periodic reports**

### **Constitutional and legislative framework**

*1. The report indicates that the State party has elaborated and approved guidelines for conducting a gender analysis of domestic legislation and that at the time of the preparation of the report (2011), the gender analysis was ongoing (paras. 144-146).<sup>1</sup> Please provide information on the progress made with regard to the gender analysis of domestic legislation and its outcome.*

The guidelines for conducting a gender analysis of draft regulatory acts, specifying the principles and basic components of such analysis, were elaborated and approved in 2012. On 29 May 2013, an addendum concerning the conduct of scientific analysis was adopted to Government decision No. 598 of 30 May 2002 on measures to improve the legislative process. Gender analysis of draft legislation is conducted within the framework of scientific analysis. Consideration is currently being given to the inclusion in the law of a provision concerning compulsory gender analysis of regulatory acts, which would then become obligatory for all public bodies.

Over a nine-month period in 2013, 105 scientific legal analyses were conducted on draft legislation.

The Institute of Law has approved a plan for gender-based legal analysis of existing legislation in the period from 2011 to 2013, which provides for phased introduction of analysis of all existing legislative acts and by-laws.

The Institute has so far analyzed 53 laws, 2 codes and 514 by-laws with a view to eliminating provisions creating conditions for gender inequality under the law.

On the whole, the analysis found no indications or elements of gender inequality in these instruments.

This year a gender analysis was conducted as part of the UNDP project on gender analysis regarding the media in the Republic of Kazakhstan. As a result, training was given to staff of the Ministries of Justice, Culture and Information and the Institute of Law.

*2. Does the act on State guarantees of equal rights and opportunities for men and women, adopted in 2009, which sets the legal basis for guaranteeing equal rights for men and women in all spheres of life adequately provide for the implementation of gender equality? Please explain if it guarantees measures, inter alia, for the increased participation of women in decision-making positions or for their protection from sexual harassment and violence in public and private life? Please explain how the National Commission on Women and Socio-Demographic Affairs intends to build on the commitments made through the country development strategy "Strategy 2050" on gender equality and women's empowerment so that this area is accorded proper attention within state-sector programmes and strategies and results in increased accountability of relevant sector ministries and bodies.*

Analysis has shown that the Act on State guarantees of equal rights and opportunities for men and women ensures equal rights for men and women in all spheres of life. Public bodies are paying greater attention to these issues. In addition, it has been found in practice that women are not disadvantaged in the realization of

their rights when applying to the courts in defence of violated civil, family, labour or other rights.

The Act lays down the legal requirements for meeting the goals set by the Head of State in his latest Message to the people of Kazakhstan concerning protection of motherhood, respect for women and girls and stricter penalties for crimes against women.

This Act also guarantees greater participation by women in the decision-making process. The work done in pursuance of the Act has made Kazakhstan one of the most successful States as regards gender mainstreaming. In a rating of countries by level of gender equality published in November 2013 by a study group of the World Economic Forum, Kazakhstan ranked 32nd out of 136 countries monitored.

In the 2012 parliamentary elections, 24.3 per cent of those elected were women, which is higher than the average for members of the Organization for Security and Co-operation in Europe (OSCE).

After the replacement of outgoing deputies, female representation in Parliament now stands at 25.2 per cent.

Following the latest by-elections, held on 31 March 2013, 24.6 per cent of the members of the local representative bodies are women (compared with 18.1 per cent previously).

Under the action plan for the period up to 2016 concerning the advancement of the most qualified women to decision-making posts, the representation of women in State political posts should increase to at least 30 per cent.

The Act on State guarantees of equal rights and opportunities for men and women deals with the advancement of Kazakh women in the economic sphere. Under the Act (article 10, paragraphs 1 and 3), men and women are guaranteed equal rights and opportunities in the area of labour relations, including conclusion of labour contracts, equal access to vacancies and equal consideration for further training and promotion.

The “Damu” Entrepreneurship Development Fund has projects to encourage the development of female entrepreneurship. Over a nine-month period in 2012, 601 women benefited under the programme for conditional placement of funds with second-tier banks; in the same period this year, the figure was 652.

Over a nine-month period in 2012, 89 women participated in the Asian Development Bank’s Small and Medium Enterprise Investment Programme; in the same period this year, 119 women participated.

The number of top managers trained under the “Damu-Komek” programme increased from 88 to 141 and from 119 to 137 over the two periods.

Over a nine-month period in 2013, 186 female entrepreneurs received subsidies under the 2020 Business Road Map (compared with 164 over the same period in 2012).

Over a nine-month period in 2013, guarantees were given to 38 female entrepreneurs. This is triple the number given in the same period in 2012.

Women account for 52 per cent of entrepreneurs with small and medium-size businesses and 66 per cent of individual entrepreneurs. Women contribute almost 40 percent of the GDP.

Today the creation of prerequisites and the design of real mechanisms for further enhancement of the policy of gender equality in all areas of society is a strategic goal.

Legislation has been drafted to introduce amendments and additions to the Domestic Violence Act. A working group was established in the *Majilis* of the Parliament with the participation of members of the National Commission. On 1 November this year, a text was approved and transmitted for consideration by the Senate.

There has been broad discussion of the question of child support payments. A radical change in the situation must be effected using judicial instruments. Suitable amendments to the legislation will be introduced in order to solve these problems and provide stricter penalties.

The Act on State guarantees of equal rights and opportunities for men and women has been monitored. The findings are now being discussed with the public bodies.

The National Commission has been working with the Institute of Economics of the Academy of Sciences of the Republic of Kazakhstan on a draft of gender policy priorities in the context of the new political course for 2050. The goal is to devise a scientific basis for the priorities and principles of gender policy and make practical recommendations for its improvement, as well as to draft the corresponding document on implementation of the Kazakhstan-2050 Development Strategy.

In addition, the National Commission plans next year to issue a handbook on protection from sexual harassment.

### **National machinery for the advancement of women**

3. *In its previous concluding observations (CEDAW/C/KAZ/CO/2, para. 19), the Committee expressed its concern about the fact that the National Commission on Family Affairs and Gender Policy might lack sufficient authority, decision-making power and financial and human resources to effectively coordinate work on the promotion of gender equality and ensure the full implementation of the Convention. The report, in paragraph 85, states that the National Commission on Women's Affairs and Family and Demographic Policy now coordinates the activities of State bodies relating to the advancement of gender-equality issues and that its secretariat has been transferred from the Chancellery of the Prime Minister to the administration of the President in order to "strengthen the national gender-equality mechanism". Please state the specific areas where the national mechanism for the advancement of women has been strengthened following its transfer. Please explain the rationale behind the linking of women's issues with the mandate on demography.*

The transfer of the secretariat to the administration of the President has generally strengthened the national mechanism for gender development and allowed it to have input at all levels of State administration. Whereas previously the National Commission had limited ability to interact with organs under the President's

jurisdiction, following its transfer to the administration of the President it now works directly with them.

Kazakhstan is a unitary State with a presidential form of government. The Presidency is an effective mechanism for influencing all branches of authority. The administration of the President, for its part, is a public body created by the President of the Republic of Kazakhstan and directly subordinate and accountable to him.

The National Commission is chaired by the Adviser to the President of the Republic of Kazakhstan. The high rank of the Adviser to the President ensures that he has the authority to resolve issues at all levels of State government and to involve representatives of civil society.

The National Commission includes parliamentary deputies, who also have authority to coordinate the activities of public bodies relating to the promotion of gender equality.

Within the limits of its powers, the National Commission initiates and participates in the drafting of legislation and regulatory acts, strategies, concepts and State programmes, works with the heads of public bodies and asks them to verify and conduct official investigations into violations of the laws on family issues and gender equality.

The *akims* of the provinces and the cities of Almaty and Astana and the *akims* of the districts and cities have commissions on women's affairs and family/demographic policy. With a vertical structure in the provinces, the National Commission thus has both human and financial resources. In addition, designated officials in central public bodies are responsible for implementation of gender policy.

There are resource centres to defend the interests of women and children and to promote gender equality in the regions. An Expert Council, composed of representatives of scientific institutions, educational organizations and NGOs, has been appointed within the National Commission to conduct expert analytical research.

For the purpose of implementing the Gender Equality Strategy, a country-wide network of women's leadership schools has been established, involving 69 NGOs from all the provinces. Clubs for women politicians have been established and are working in 15 regions of the country.

For the first time, in 2013 a Presidential Decree proclaimed Family Day, which will be celebrated in Kazakhstan on the second Sunday of September each year. This is a clear indication of the keen interest taken by the State in the solution of issues concerning the family, demographics, moral upbringing and gender policy.

The improvement of social and economic conditions and the State's ongoing concern for the family have created propitious conditions for population growth. In addition to the provision of quality medical services, measures are being taken to protect the reproductive health of men and women and young people are receiving instruction in family planning. Whereas 2,219 initiatives were taken throughout the country in 2011 involving over 80,000 people, in 2012 there were 3,643 initiatives involving almost 96,000 people. Since 2011, the population has grown by over 870,000.

A start has been made on implementation of two projects: a joint project with UNDP on the cultural and moral revival of society as a prerequisite for social and economic modernization of Kazakhstan; and a joint project with the Kazakhstan Agency for Religious Affairs on women and religion. The goal of these projects is basically to preserve and develop national family values for transmission to future generations and to organize extensive public information activities.

Over a nine-month period this year, the National Commission organized 26 public interest meetings of scholars, eminent public figures, student leaders, and central and local executive organs with students and young people, parents' associations and rural inhabitants on how to combat religious extremism in society, spiritual and moral development, demographics, prevention of early marriage and vocational training of young people.

Following an investigation of the situation of the elderly, the Ministry of Labour and Social Protection was instructed to draw up a plan of action to improve the situation of the elderly in the Republic of Kazakhstan.

#### **Temporary special measures**

4. *The report, in paragraphs 189 and 190, states that legislation in the State party is aimed at achieving de facto equality between men and women and that the act on State guarantees of equal rights and opportunities for men and women indicates areas in which temporary special measures can be introduced. Please provide information on what kind of temporary special measures have been introduced and where and the impact that they have had on achieving women's de facto equality.*

The country's legislation does not include provisions on gender balance in the advancement of deputies or the election process and there are no rules on quota setting but there is an informal quota.

There is an action plan for the period until 2016 requiring public bodies to submit information to the National Commission every three months. Since 2002, a special programme to support female entrepreneurship and the "Damu" Entrepreneurship Development Fund have been supporting projects to develop entrepreneurship among rural women. The National Commission is working with the political parties to promote the adoption of voluntary quotas for female candidates on party lists.

In order to increase the representation of women in elective and political State posts, the National Commission drafted and submitted recommendations to political parties on the adoption of voluntary gender quotas to ensure at least 30 per cent representation of women in the 2012 elections to the *maslikhats* at all levels and to the *Majilis* of the Parliament of the Republic of Kazakhstan and in appointments of political civil servants.

The percentage of women deputies elected in 2012 was as follows: 25 per cent from the Ak Zhol Democratic Party of Kazakhstan, 14.3 per cent from the Communist People's Party of Kazakhstan and 25.3 per cent from the Nur Otan People's Democratic Party.

This work is ongoing. The results of the by-elections held in March 2013 show that the Ak Zhol and Nur Otan parties and the local representative organs heeded the recommendations when selecting their candidates.

Rural *akims* were elected for the first time this year. The National Commission also did a considerable amount of advance work. As a result, 32 female *akims* were elected, which is more than in the past.

### **Stereotypes and harmful practices**

5. *The Committee, in its previous concluding observations (CEDAW/C/KAZ/CO/2, para. 13), expressed its concern about the persistence of patriarchal attitudes and deep-rooted stereotypes regarding the roles of women and men in the family and in the society, notwithstanding the State party's efforts to introduce courses on gender-related subjects. Please provide information on the monitoring of the implementation of current measures as well as other measures aimed at eliminating the persistent patriarchal attitudes and deep-rooted stereotypes regarding the roles of women and men in the family and in the society. Please provide information on measures provided, including awareness-raising and educational campaigns directed specifically at the media, to project a positive image of women and promote gender equality.*

In order to eliminate persistent patriarchal attitudes and deep-rooted stereotypes regarding the roles of women and men in the family and in society, the National Commission regularly takes initiatives of various kinds and monitors their implementation.

In this connection, a crucial role was played by the Message of the Head of State, President Nazarbayev, on "The Kazakhstan-2050 Strategy: a new political course for the State". The urgent tasks which he enumerated include complete elimination of domestic violence and improvement of the status of women.

In 2012 and 2013, together with international organizations (UNDP, UNFPA) and NGOs, the National Commission conducted a series of sociological studies on: gender equality, the situation of the family, suicide among children and young people, early marriage, reproductive health of young people, the situation of the elderly and domestic work.

Following completion of the studies, the following initiatives were taken:

- Training and seminars for journalists on the topics "Canons and standards of gender sensitivity in the media: strategy, tactics, prospects" and "The gender policy of the Republic of Kazakhstan in the context of the social and economic modernization of society"; seminar for representatives of the Muslim spiritual leadership and officials of the Russian Orthodox Church on how to emphasize respect for the rights of women in messages to their parishioners; training for priests on the need to prevent forced early marriage and violence against women;
- An international conference on the prevention of violence against girls and adolescents and early and forced marriages in the countries of Central Asia and the Caucasus, held within the framework of the Millennium Development Goals with the participation of experts from seven countries in Central Asia and the Caucasus. The current situation with regard to the protection of girls

was evaluated and recommendations were adopted on a regional action strategy designed to create effective mechanisms for the protection of girls from violence, early marriage and gender inequality.

With the support of the National Commission, a television programme on successful women (“Hanym”) was broadcast; social videos have been posted about protection of the family and of marriage; in seven regions of the Republic, forums have been held on women and religion, organized by the Kyz Zhibek Girls’ Club. This work will continue in the future.

Each year the National Commission and the regional commissions approve a media plan on the provision of information on implementation of the Gender Equality Strategy in the Republic of Kazakhstan.

In this connection, over a nine-month period in 2013 the media organized 813 announcements: 483 newspaper articles, 174 television spots and 156 press releases. Most of these announcements were made in State media: the newspapers *Kazakhstanskaya Pravda* (68 announcements), *Liter* (48), *Aikyn* (36), *Egemen Kazakhstan* (34); the television stations Khabar (53), 24 Kazakhstan (39); and the news agencies Kazinform (57) and Bnews (55).

Coverage was also provided on talk shows: “Aityga Onai”, “Alan” (Kazakhstan), “Vykhod est” (Channel 7), “Biz”, “Bilgenge — marzhan” (Khabar), “Sagan Senemin — Moi Luchshii!” (Astana) and “Mymkin emes” (Elarna) regularly focus on the family and women.

Over a nine-month period this year, the National Commission published 32 articles in the media and gave 39 radio and television interviews. An Astana-Moscow video link was organized on the prevention of domestic violence and a Kazakhstan-Russia radio link was organized on current demographic policy.

### **Violence against women**

6. *The report acknowledges that violence against women and sexual exploitation have not been eliminated (para. 582). The report states that women often conceal that they have been victims of domestic violence (para. 69). Please provide information on the specific measures taken to address underreporting of cases of violence against women and the culture of silence so that violence against women and its sociocultural legitimization are effectively combated.*

A great deal is being done in Kazakhstan to combat domestic violence. However, because of persistent reluctance to “wash one’s dirty linen in public”, many statements and reports of incidents of violence in the family and the home do not lead to criminal proceedings, because women frequently conceal the fact that they have been the victims of domestic violence at the hands of their spouses or children. It is thus difficult to collect the material needed to bring criminal proceedings.

It is acknowledged both in society and by law enforcement agencies that in fact there are many more acts of violence than are reflected in the official statistics. And often family disputes are resolved by reconciliation between the two sides, so that women do not report acts of violence.

Active education via the media and NGOs is proving effective in combating violence in the family. Pamphlets entitled “Violence in the family? Silence is no

solution” and “Today’s beating may start again tomorrow” have been printed and distributed in public places.

Seminars are being held for young students on how the problem of violence is perceived socially and culturally. With the NGO assistance, events are being held to show people how to defend their rights. In 2012, conferences, training and seminars on protection of women against violence were attended by almost 55,000 people and totalled 1,400 (compared with 1,254 in 2011).

Psychologists attached to police units work with victims and try to persuade them to overcome their fear and not to conceal acts of violence. However, women are still reluctant to report domestic violence.

The crisis centres are the only refuge for women who hide the fact that they have been the victims of domestic violence. The role of these centres is to provide specialized help to the victims of violence, sometimes anonymously, and they have proved successful in practice.

The crisis centres provide appropriate psychological, pedagogical, medical and legal assistance to victims and, if necessary, refer them to health-care organizations where they can receive medical help and further rehabilitation.

Kazakhstan currently has 26 crisis centres, including eight shelters.

Each year, lawyers and psychologists assist over 20,000 victims of domestic violence (sometimes over telephone hotlines) and place over 1,000 of them in shelters.

Draft legislation submitted to the Senate by a group of deputies to the *Majilis* of the Parliament proposes amendments to the existing legislation on legal regulation of ongoing financing for the activities of the crisis centres for victims of domestic violence.

Measures adopted in recent years (from 2010 to 2013) have achieved a steady reduction in crimes in the family and the home. Over that period, the number of such crimes dropped from 887 to 780, or a reduction of 12 per cent. Over a nine-month period this year, there was a reduction of 2.3 per cent.

*7. According to the report, since the State party adopted, in 2009, the Domestic Violence Act, which, inter alia, provides protection orders, a total of 26,000 restraining orders have been granted (para. 66). Please provide information on the availability of follow-up data on those orders, the percentage of protection orders violated, the percentage leading to prosecution and the outcome. Also, please provide information on the number of complaints made under the Domestic Violence Act. Please also provide information on measures taken to: (a) conduct sensitization and awareness-raising campaigns on the law; (b) provide training to judges and prosecutors on the law; and (c) provide legal assistance to women and girls who are victims of domestic violence. Please also explain the distinction between offences that are amenable to administrative and criminal penalties under the Domestic Violence Act.*

The enactment of the Domestic Violence Act, and especially the introduction of the new preventive measure of restraining orders, allowed internal affairs agencies to intervene at the onset of a family dispute.

The legislation of Kazakhstan now contains an adequate enumeration of measures to prevent domestic violence and sexual exploitation. Members of the police force have provided extensive assistance (in 2012, they issued over 38,000 restraining orders against offenders).

In the period from 2010 to 2013, over 357,000 complaints and reports on family and domestic problems were received by the internal affairs agencies.

Over 800 offenders incurred administrative liability for violations of restraining orders, showing that 2.2 per cent of such orders were disregarded.

In 2.2 per cent of cases, court proceedings were instituted and administrative penalties consisting of a fine were imposed.

The Domestic Violence Act makes no distinction between defendants liable to administrative and criminal penalties. A distinction does exist regarding the seriousness of the harm to health caused by the use of violence. The seriousness is determined in accordance with the Instructions on the organization of medico-legal analysis approved by Order No. 368 of 20 May 2010 of the Ministry of Health of the Republic of Kazakhstan. The applicable regulatory act is then selected for establishing liability and classification in the case of the defendant's offence.

Sensitization and awareness-raising campaigns on the law are conducted regularly and include such activities as round tables, seminars, lectures, briefings, on-line conferences and training courses. For instance, a campaign entitled "Women — the support of the family and the support of the State" was organized from 13 to 23 May this year. During this period, 137,000 information hand-outs were printed (booklets, leaflets, billboards, posters, pamphlets, etc.), over 8,000 events were held in educational institutions, organizations and other establishments (briefings, training courses and round tables) and over 1,000 statements were issued in the media.

An on-line conference was held on 11 and 12 September this year on the websites of the Departments of Internal Affairs of the regions on the topic "Prevention of offences involving family and domestic relations". During the conference, timed to coincide with Family Day, 35 complaints and reports were received, on which appropriate action was taken.

Over the two days, more than 350 questions from citizens were submitted to the websites, mostly concerning protection of the rights of women and children, the operations of telephone hotlines and crisis centres, and measures to prevent offences concerning family and domestic relations.

A nation-wide event entitled "Sixteen days without violence" is held in November and December each year. This year the slogan will be "From peace at home to peace on Earth — Let's end violence against women".

With the support of the National Commission, a training seminar on enforcement of the Domestic Violence Act was held in Almaty for staff of the procuratorial authorities. In 2014, ten sessions of the similar training seminars for judges and procurators will be held in Astana, Almaty, Karagandy, Kostanay and Shymkent and attended by 125 people.

*8. Although the report states that there are 28 crisis centres, including 7 with shelters, and that 20 of those shelters are funded by the State budget in the*

*framework of social service initiatives (para. 64), such support is irregular and timebound, as it is based on social tender budget procedures. Furthermore, legal and administrative standards to guide the services provided to the victims in those centres and shelters are lacking. Please provide information on what measures are being taken to ensure regular and adequate funding and to put in place operating standards at shelters for women victims of violence in the State party. Also, please provide information on measures taken to develop a State-operated national hotline for survivors of domestic violence.*

The existing legislation (article 54 of the Budget Code of the Republic of Kazakhstan) authorizes financing of the activities of the crisis centres from the local budget. As a result, nine crisis centres are funded directly from the local budget. For example, the crisis centres opened in 2012 in Atyrau and in 2013 in Uralsk were funded under programmes of the social welfare bodies and, by decision of the *akimats*, were renamed crisis centres for victims of domestic violence.

Proceedings are currently under way in Parliament for the introduction of amendments and additions to the draft Act of the Republic of Kazakhstan introducing amendments and additions to certain legislative instruments of the Republic of Kazakhstan concerning the prevention of domestic violence, including regulations and operating standards governing shelters for women victims of violence (draft Act of the Republic of Kazakhstan on special social services).

Of the 26 crisis centres operating in Kazakhstan, 22 are funded from the State budget (including one in the city of Astana funded from the State budget and nine funded directly under social service initiatives) and four are funded by grants from international organizations.

This year it was decided to open an additional crisis centre in Astana for victims of domestic violence, to be funded from the municipal budget.

The National Commission and the Ministry of Economy and Budget Planning are currently considering direct financing of the activities of the crisis centres from the existing budget-financed programmes of the social welfare authorities.

*9. Considering the special status that the State party has with the Council of Europe, please explain whether the State party is considering signing and acceding to the Council of Europe Convention on Preventing and Combating Violence against Women and Domestic Violence.*

On 9 and 10 June 2012, at the second regional seminar held in Batumi (Georgia) on the Council of Europe Convention on Preventing and Combating Violence against Women and Domestic Violence (Istanbul Convention), following a presentation on the work being done in Kazakhstan, an independent group of experts monitoring implementation of the provisions of the Istanbul Convention by States parties noted that much had been done in Kazakhstan to prevent domestic violence against women: adoption of the Domestic Violence Act; creation of a unit on violence against women (the only member of the Commonwealth of Independent States to have done so); creation of crisis centres and services for victims of domestic violence, and other measures.

The participants in the seminar from Kazakhstan expressed the country's willingness to ratify the Istanbul Convention.

In this connection, the National Commission on Women's Affairs and Family and Demographic Policy within the office of the President of the Republic of Kazakhstan is planning in the first quarter of 2014 to work with a group of deputies from the *Majilis* of the Parliament of the Republic of Kazakhstan to prepare for our country's ratification of and accession to the Istanbul Convention.

### **Trafficking and exploitation of prostitution**

*10. According to information before the Committee, a draft bill proposing amendments to legislation on combating human trafficking was introduced by the Ministry of the Interior in January 2013. Please provide information on the draft bill and the changes in the law that it seeks to introduce and how those changes would affect women victims of trafficking. Please indicate the time frame and the priority being accorded to efforts to combat trafficking in view of the Committee's previous concluding observations (CEDAW/C/KAZ/CO/2, paras. 17 and 18).*

On 4 June 2013, the Head of State signed the Act introducing amendments and additions to certain legislative instruments of the Republic of Kazakhstan on the prevention of trafficking in persons, which came into force on 21 July 2013.

The goal was to improve national legislation on trafficking in persons so as to reflect the provisions of international instruments ratified by the Republic of Kazakhstan. The Act amended four codes.

The Criminal Code punishes forcing someone to engage in soliciting or non-commercial sexual exploitation, as well as infringement of labour legislation in the case of minors.

The Code of Administrative Violations punishes: employers for infringement of labour legislation in the case of minors; health-care professionals for failure to fulfil their obligation to report to the internal affairs bodies persons treated for recent wounds, injuries or illegal abortions; and natural or juridical persons knowingly providing premises for prostitution or procuring.

The Labour Code restricts the conclusion of labour contracts with persons previously convicted of a crime against minors involving trafficking in persons.

The Code of Criminal Procedure establishes stricter penalties in a number of articles covering crimes such as: trafficking in persons; involving minors in prostitution; trafficking in minors; incitement to engage in prostitution; and organizing or maintaining premises for prostitution or procuring.

In the Republic of Kazakhstan, high priority is given to combating trafficking in persons. In his Message to the people of Kazakhstan, the Head of State gave instructions that the legislation should be improved by introducing stricter penalties for crimes against women and children, including trafficking in women and children.

*11. The report states that pursuant to amendments made to the presidential order on the legal status of foreign nationals in the State party, foreign nationals recognized as victims of trafficking are now guaranteed temporary residence (para. 225). Please provide information on the length of the period of temporary residence and the number of foreign women who have benefited from that order since its adoption.*

The national legislation of the Republic of Kazakhstan provides for protection of the victims of trafficking in persons.

In accordance with the Act on State protection of persons involved in criminal proceedings and with Chapter 12 of the Code of Criminal Procedure (Ensuring the safety of persons involved in criminal proceedings), persons who have been the victims of crimes connected with trafficking in persons and who enable such crimes to be prevented or detected are given State protection, including prior to the institution of criminal proceedings, if there is a real danger that violence or another act prohibited by criminal law will be committed against them.

Pursuant to the above-mentioned Act, in 2012 the State allocated 28 million tenge, including about one million for the protection of victims of trafficking in persons. Assistance was given to 25 persons (21 citizens of Kazakhstan and four foreign nationals). In 2011, the figure was 21 persons, including three foreign nationals, and in 2010 it was 20 persons, including five foreign nationals.

Victims can stay in rented premises for periods ranging from one day to one year, depending on need.

They are provided with safe family living quarters, food, clothing, physical protection and special protective devices.

Foreign victims covered by article 56 of the Code on Administrative Offences may have their residence in Kazakhstan extended until the court reaches a decision on the criminal case.

The Ministry of Foreign Affairs has a special budgetary allocation that allows diplomatic representatives of the Republic of Kazakhstan to assist citizens of Kazakhstan who are victims of crimes related to trafficking in persons and other crimes abroad and those who are facing an emergency. Each year about 12 million tenge are allocated from the State budget for this purpose.

### **Participation in political and public life**

*12. The report indicates that women remain underrepresented in legislative bodies (majilis, malikhats and akims), in decision-making positions and at high levels of the civil service and the judiciary (paras. 25-30). Please provide information on the concrete measures taken to achieve 30 per cent representation of women in all decision-making bodies provided in the Gender Equality Strategy, 2006-2016, as well as the challenges faced in its implementation (para. 30).*

Each year women in the Republic of Kazakhstan are gaining greater public recognition and acquiring greater official prominence. In the 2012 elections to the lower house of Parliament, 24.3 per cent of those elected were women, which is higher than the OSCE average. Now, following the replacement of outgoing deputies, the representation of women in the highest legislative organ has risen to 25.2 per cent.

In recent by-elections to local representative organs of authority, 24.6 per cent of those elected were women (compared with 18 per cent in 2012).

In the elections held from 5 to 8 August 2013 to select *akims* of major cities and rural districts, and settlements and villages of the Republic of Kazakhstan which are not part of a rural district, 280 female *akims* were elected, or an increase of 32.

Compared with 2011, there are more women in decision-making posts: six executive secretaries; six deputy ministers; and eight deputy *akims*. Women account for 10 per cent of political civil servants and 15 per cent of Corps A. The Corps A reserve consists of 940 people, including 148 women (16 per cent) and Corps B has 54.9 per cent women.

An increasing number of women occupy leadership posts in executive and judicial organs of authority.

In addition to the women mentioned above, there are: one adviser to the President; three ministers, two deputy heads in the Chancellery of the Prime Minister, heads of large companies, 10 judges on the Supreme Court of the Republic of Kazakhstan, and two presidents of regional bar associations. President Nazarbayev has said: "The more representatives of the fair sex participate in decision-making, the better those decisions will be".

With the aim of increasing their numbers, a Plan of Action for the period up to 2016 for the advancement of women at decision-making levels from among the most qualified women working in the various branches of the vital activity of society and the State was designed at the request of the Head of State.

The Plan provides for an increase in the representation of women in political government posts to at least 30 per cent.

Today this target has been met in the Chancellery of the Prime Minister and in the Ministries of Health, Education, Agriculture, Labour and Social Welfare, Economy and Budget Planning, and Justice. Female representation is 30 per cent on the political council of the political party in power, Nur Otan, and 50 per cent on the Soyuz Atameken National Economic Board. Women account for 36.7 per cent of media executives.

*13. According to the report, the National Commission on Women's Affairs and Family and Demographic Policy has concluded a memorandum with the political party in power (Nur Otan) that resulted in the compilation of a national roster for nominating the most highly qualified women to leadership positions (para. 179). Please provide information on the number and placement of women who have been appointed to different positions as a result of this memorandum. Please also provide information on existing temporary special measures, including quotas aimed at improving the representation of women in political and public spheres of life and in decision-making positions.*

Following the conclusion of the Memorandum on cooperation between the Nur Otan National Democratic Party and the National Commission on Women's Affairs and Family and Demographic Policy in the Office of the President of the Republic of Kazakhstan, a roster was drawn up for the advancement of women.

The following appointments have been made from this roster: three women ministers, two deputy heads of the Chancellery of the Prime Minister, seven elected parliamentary deputies, one executive secretary, two deputy heads of public bodies, three deputy regional *akims*, two deputy ministers, two district *akims*, two heads of television channels, one rector of a higher educational establishment, one director of the Eurasian Institute for Integration, and one department head in the Administration of the President.

## Education

14. Please provide information on measures taken to overcome horizontal gender segregation based on stereotypical choices of subjects and courses in education (CEDAW/C/KAZ/CO/2, para. 13). Also, please provide information on rural women's access to formal and informal education to ensure their functional literacy as well as to community services, consultative services on agriculture and improvement of technical skills. Please provide information on the impact of the harmful practice of early marriage among some ethnic groups on dropout rates for girls from those communities as well as on measures taken and results achieved in this area. According to the report, a working group has been set up to coordinate the gender analysis of textbooks and teaching materials at all levels of education (para. 305). Please provide an update of the work of the working group and the progress made to remove all stereotypes prevalent in textbooks and teaching materials, as recommended by the Committee in its previous concluding observations (CEDAW/C/KAZ/CO/2, para. 14). Please provide information on measures taken to include mandatory age-appropriate education on sexual and reproductive health rights in school curricula, including responsible sexual behaviour. Please provide information on the implementation of the programme on health and life skills (para. 321).

The Constitution of the Republic of Kazakhstan guarantees free secondary education at State educational establishments. Secondary education is compulsory. Under article 30, paragraph 4, of the Constitution, the State sets binding education standards to be met by all educational establishments.

In general education schools, secondary specialized schools and institutions of higher education, boys and girls have classes together and do all the work needed to acquire the relevant knowledge. Each year the majority of recipients of scholarships to study at institutions of higher education are girls. Girls are gradually entering fields previously considered to be exclusively male preserves. For example, the only female aircraft captain in the Commonwealth of Independent States works for the company Air Astana. This year, a Decree of the Head of State promoted a woman to the rank of general for the first time.

All these examples show that the country is successfully overcoming horizontal gender segregation based on stereotypical choices of subjects and courses in education.

In technical, vocational and higher education, there is a 30 per cent quota for admission to rural schools to study specialized subjects of social and economic importance for the development of rural life.

At the direct request of persons active in the agro-industrial sector, rural information and counselling centres and regional offices of the Kazagromarketing joint stock company provided counselling to 1,821 women in 2012 and to 1,260 women in the first half of 2013.

Agreements were signed with 10,000 persons active in the agro-industrial sector for the provision of personal services on the basis of specified criteria. The signatories included 2,138 women (21.4 per cent). The regional offices of the Kazagromarketing joint stock company assist on an ongoing basis with training and drafting of business plans and provide marketing and other information. In 2012, such assistance was provided to 524 women.

Ongoing assistance is provided with computer literacy, drafting of business plans and with pricing and other information. In 2012, 6,000 services were provided, of which 456 or 7.6 per cent were for women.

Sociological research has been conducted in the city of Almaty and in the Almaty and South Kazakhstan provinces on the problem of early marriage and its impact on the level of education of young girls and adolescents. The findings show that absence of legal literacy, lack of information, weakening of the family/school bond and the school's loss of control over the lives of students outside school are the main reasons for violation of the rights of young and adolescent girls.

In this connection, the Assemblies of the people of Kazakhstan, judicial bodies (registry offices), education and health-care agencies and parents' associations have jointly organized public information and publicity campaigns with broad participation by ethnic and cultural centres. Intensive work is being done with religious leaders. This work will continue in future.

The Strategic Plan for 2011-2015 of the Ministry of Education and Science of the Republic of Kazakhstan provides for an increased number of projects, programmes and elective courses at institutions of higher education on issues of gender equality for girls under 13. There are currently 37 elective courses on gender at 31 institutions of higher education.

Special gender education courses are conducted jointly with the Academy of State Administration attached to the Office of the President for workers in the media and staff of public bodies. Teachers are being trained to give courses on gender-based budgeting.

A working group has recommended that research should be conducted at all levels of education with a view to the gradual mainstreaming of gender in the curricula at all levels of education, taking into account international practice.

As part of a plan for skills enhancement in 2012-2016, instructors at institutions of higher education are teaching courses to enhance gender education skills. In addition, professors and administrative staff at institutions of higher education are attending summer school and training seminars and engaged in grant-funded projects on gender issues.

There are currently 67 Youth Health Centres in Kazakhstan providing comprehensive medical, psychological, social and legal services, as well as treatment for socially significant diseases and risky behaviour.

Family health centres provide treatment and social and psychological assistance in all regions and 2,060 social worker posts and 462 psychologist posts have been provided for information and education activities. The social worker posts are 94.5 per cent filled and the psychologist posts are 89 per cent filled.

With the goal of preserving and developing traditional family values, the National Commission has created the Otbasym Centre for National Family Values. Working with individual education bodies, it covers issues such as the sexual rights of young men and women and responsible sexual behaviour by young people.

Reproductive health issues, life skills and responsible sexual behaviour are taught in the compulsory school programmes "Self-knowledge" and "Valueology".

Research has been conducted with UNFPA support and the findings will be used to develop sex education for young people.

### **Employment**

*15. According to the report, women earn 66 per cent of the wages earned by men and that this is attributable to women's concentration in the low-paid sectors of employment (para. 353). The report also indicates that the State party has embarked on a programme aimed at enhancing the prestige of the teaching profession by raising the average salaries to the level of those paid in the private sector by 2015 (para. 354). Please provide information on the full range of measures being taken to close the gender pay gap and to address the occupational segregation between men and women in employment. Please also provide information on any measures taken to increase women's employment in non-traditional and relatively better-paid areas of employment (para. 22).*

Women's wages are gradually increasing. Whereas in 2010 they were 66 per cent of the wages earned by men, the figure was 68 per cent in 2011 and 69.6 per cent in 2012. It should be noted that in the Republic of Kazakhstan women have the same right to work as men and are active participants in all areas of economic activity.

One quarter of all agricultural workers are women and in the services sector the figure is 64 per cent. In other words, women are still mostly employed in relatively low-paid sectors.

However, there is a noticeable increase in the number of women employed in industry and construction (the best paid sectors of the economy). For example, in two quarters of 2012 women employed in these activities numbered 479,100 and in the same period this year the number was 522,100. Women workers are in the majority (56 per cent) in the organs of State administration.

In 2011, persons providing on-the-job training in colleges and vocational schools were given a pay increase of 100 per cent of the base salary for the post and teachers at pre-schools and general education schools were given a pay increase ranging from 10 to 50 per cent (depending on their category) of the base salary for the post.

In 2012, teachers in general education schools received a pay increase ranging from 30 to 100 per cent (depending on their category) of the base salary for the post.

Women living in rural areas are given priority for enrolment in the ongoing programme "Employment road map for 2020". Since the beginning of this year, 21.4 per cent of the participants in the programme (9,000 people) have become self-employed, 4.5 per cent (1,900 people) have not been placed, and 210 people are privately employed.

In order to make women more competitive on the labour market, some women are being encouraged to move to promising sectors of production and are given the opportunity to attend free courses to improve their skills and obtain vocational training and further training, with material incentives to do so.

After completing the training, they are helped to find permanent or temporary work. Women interested in becoming entrepreneurs, including those who want to start up or expand their own business in rural areas, are given microcredit.

This year 6,200 women obtained vocational training under the Programme. Of these, 5,000 completed the training and over half of them (2,700) have been placed in permanent jobs. Microcredit was provided to 2,500 women.

In addition, subsidies are given under the Programme to encourage young families to move to places where there are jobs. The State allocates rental housing to them with the option to buy. This State support has been provided to 1,200 women.

Women's participation in activities of the Employment Road Map for 2020 is enabling more of them to be employed and is improving the income and well-being of women, including those living in rural areas.

*16. Please provide data on the percentage of women with child-care responsibilities, as well as those with disabled children or other family members, in both the public and private sectors, who use flexible working arrangements provided under article 85 of the Labour Code (para. 345). According to the report, the Pensions Act sets the retirement age at 63 years for men and at 58 years for women (para. 357). Please explain the plans to equalize the retirement age for women and men and provide information on how the plan is envisaged to protect women from poverty in old age without placing an unfair burden on them during their working lives.*

Under article 85 of the Labour Code, 4.1 per cent of women with children requiring care are employed in the State sector (part-time employment) and 2.4 per cent are employed in the private sector. Among women with disabled children or other family members, 4.8 percent are in part-time employment in the State sector and 3.1 per cent work in the private sector.

In connection with the modernization of legislation under way in Kazakhstan, the Pensions Act (hereinafter referred to as "the Act") was adopted on 21 June 2013 and provides for a unified (equalized) retirement age.

Under the Act, the retirement age for women will be raised from 58 to 63 and will be the same as the retirement age for men.

The retirement age for women will be raised gradually over the period from 2018 to 2027 i.e. by six months a year over ten years.

The retirement age is to be unified not in order to save budget resources but in order to lengthen women's participation in an accumulative pension scheme and increase their pension entitlements.

The Act preserves the existing benefits of women who take early retirement, if their service started prior to 1 January 1998 and if they have reached the age of:

- 53 in the case of women who have had five or more sons or daughters and have raised them to the age of 8;
- 45 in the case of women who have worked for at least 20 years and who have lived for at least five years in the areas of extraordinary and maximum radiation risk at the Semipalatinsk nuclear test site.

The calculation of the length of pensionable service continues to take into account time spent by a non-working mother caring for children but only until each child reaches the age of 3 (with a maximum of 12 years).

Participants in an accumulative pension scheme who have accumulated sufficient years of service will also retain their pension entitlement acquired at the age of 50, if they have been awarded a pension annuity.

In connection with the raising of the retirement age for women, the State has adopted additional measures to promote employment, including employment of middle-aged women.

This will allow the State to implement the 2020 Employment Road Map, designed to promote productive employment and increase earnings. The Road Map assigns women to a targeted population group to be given priority assistance.

In order to offset the risks connected with the gradual raising of the retirement age for women, a government decree approved the "50+ Initiative", which is a comprehensive plan to promote the employment of persons over 50 years of age. The plan includes measures for their placement in jobs to be created under national and regional programmes being implemented.

A number of measures are being considered to expand women's work, tele-commuting and work at home and to develop female entrepreneurship.

Raising the retirement age to 63 will therefore increase pension entitlements by increasing the length of participation in the accumulative scheme by five years. In order to protect workers over 55 years of age, a number of changes have been made in the Labour Code. For example, vacancy announcements containing requirements of a discriminatory nature are prohibited in the labour sector. The labour contracts of workers over 55 years of age may not be terminated (except by decision of a commission).

Participation in a pension scheme is necessary to ensure a comfortable old age and special attention is therefore given to broadening the coverage of the accumulative pension scheme.

During the second phase of modernization of the pension scheme, in order to ensure uninterrupted pension contributions and increase pension entitlements, starting on 1 January 2014 the State will subsidize additional compulsory pension contributions for women who are taking leave to look after children.

## **Health**

*17. Please provide detailed information and data on the prevalence of and trends in teenage pregnancies, abortions and maternal mortality/morbidity rates, including any measures that are being taken to respond to the unmet needs for family-planning services for adolescents (15-19) and disabled women, particularly in rural areas. Please state the measures in place to prevent mother-to-child transmission of HIV and provide information on any measures taken to address stigma, discrimination and violence targeted at women who are infected with HIV. Please comment on the high prevalence of sexually transmitted infections among women and on the accessibility of women to affordable treatment of such diseases. Please state whether patients who do not disclose the possible sources of sexually transmitted infections or do not agree to undergo long-term medical follow-up of such diseases are prosecuted under the Code of Administrative Violations.*

State policy in Kazakhstan is characterized by its social focus, of which an important element is the protection and strengthening of motherhood and childhood.

One of the key measures of the Salamatty Kazakhstan State programme for 2011-2015 is the design and adoption of effective approaches for improving reproductive health to meet international standards. These include the creation of an effective system for providing family planning services and ensuring safe motherhood and safe sexual behaviour by teenagers and young people. They also include family planning guidance and training of medical personnel at all levels in primary health care, family planning counselling and women's health.

Decree No. 881 of the Ministry of Health dated 25 December 2012 formulated and approved the Road Map for the improvement of the reproductive health of citizens of the Republic of Kazakhstan and the Algorithm for a survey of women of child-bearing age in the context of primary health care.

Under the Road Map, physicians and mid-level medical personnel are being trained in protection of reproductive health, family planning and pre-natal care and 35 certified regional coordinators are being trained.

Nearly 70 per cent of women of child-bearing age in Kazakhstan use contraception. Effective means of contraception are provided to all women suffering from extragenital diseases with contraindications for pregnancy, including women registered at oncology, tuberculosis, drug addiction and psychiatric clinics.

In addition, one way of reducing the number of abortions and teenage pregnancies is to provide confidential sexual and reproductive health services to teenagers and young people.

Extra posts for nurses, social workers and psychologists have been added in primary health-care clinics, with financing from the State budget. There are now over 2000 social workers and 550 psychologists working in primary health-care clinics.

All persons with limited abilities (disabled women) in both cities and rural areas receive a guaranteed amount of free medical care.

In order to improve the quality of medical care provided to persons with limited abilities, to enhance social support and to improve the quality of life of the disabled, the Ministry of Health and the Ministry of Labour and Social Welfare are working together on issues concerning the treatment of diseases and disability.

Since 2011, projects for the protection of the health of mothers and children have been implemented in the regions as part of the Government's social service initiatives: hot-line counselling on contraception and HIV/AIDS, family health, protection of the health of women with limited abilities, "The family can do anything", "Ana men bala", and development of counselling on safe motherhood.

The projects deal with the need for public information, improvement of access to reproductive health services by women with limited abilities, family planning, enhancement of people's joint responsibility for their health, improving the skills of parents and health-care workers as regards the care of persons with limited abilities and their social adaptation and self-help.

Thanks to these measures, significant positive changes have occurred: the birth rate has risen by 25 per cent; abortions have decreased by a factor of 1.4; and maternal mortality has decreased by a factor of 3.5.

Measures are being taken to prevent mother-to-child HIV transmission. In order to prevent intra-uterine transmission of HIV infections from HIV-positive mothers to children, anti-retroviral drugs are administered.

Over a nine-month period in 2013, 162 children were born in Kazakhstan of HIV-positive mothers. A full course of anti-retroviral therapy was given to 143 women (88.3 per cent), compared with 91.8 per cent in 2012.

Out of the 162 births, there were 157 live births and 154 of these children or 98.7 per cent received anti-retroviral therapy. The figure was 98.7 per cent for the same period last year.

So that anti-retroviral therapy can be prescribed at an early stage to prevent HIV mother-to-child transmission, the Rules on medical examinations of persons with clinical and epidemiological symptoms of HIV infection, adopted by government decision No. 1280 of 3 November 2011, specify that all pregnant women must be tested for HIV: when they are registered and at 28 to 30 weeks (second test); when a pregnancy is terminated; when they are admitted to a maternity facility without results from the second test for HIV infection or had one test more than three weeks prior to delivery); when their HIV status at delivery is not known; when they have been tested once for HIV infection more than three weeks prior to delivery; and when they are delivered without a prenatal record.

In addition, obstetricians/gynaecologists are tested regularly each year to prevent mother-to-child HIV transmission. This year, 2,609 persons (87.4 per cent) were tested out of 2,984 who were eligible, compared with 85.2 per cent in the first half of 2012.

The Code of the Republic of Kazakhstan on public health and the health system (hereinafter referred to as "the Code") establishes State guarantees concerning the prevention, diagnosis and treatment of HIV/AIDS and liability of women who do not reveal the source of the disease or do not agree to receive medical treatment and prophylaxis.

The Code contains a number of legal provisions concerning the social protection of persons who are HIV-positive or suffering from AIDS:

1. Children who are HIV-positive or suffering from AIDS are educated in schools and other educational establishments;
2. Persons who are HIV-positive or who suffer from AIDS may not be dismissed from work, barred from recruitment, denied admission to pre-school institutions or educational establishments or subjected to infringement of their other rights and lawful interests. The housing or other rights of their relatives may not be infringed.
3. Persons whose HIV-positive status was the result of failure by medical personnel or providers of consumer services correctly to perform their duties are entitled to compensation for the harm caused to their lives and health.

The statistics show a decrease in sexually transmitted diseases (STDs). Since 2007, a reduction has been recorded in all STD infections, including syphilis, gonorrhoea and chlamydia.

Syphilis declined from 45.9 cases per 100,000 inhabitants in 2007 to 36.4 in 2012. The same trend is seen for gonorrhoea, which declined from 48 cases per 100,000 inhabitants in 2007 to 30.8 in 2012. The decline in chlamydia and

trichomoniasis between 2007 and 2012 was more marked: from 37.4 to 24.2 cases per 100,000 inhabitants and from 139.2 to 70.1 cases, respectively.

All women of child-bearing age are required to be tested for STDs and all pregnant women undergo screening.

Under the Act introducing amendments and additions in the Criminal Code and the Criminal Procedure Code of the Republic of Kazakhstan, transmission of venereal disease to another person entailing serious consequences, as well as infection of two or more persons or of a person known to be under age by a person aware that he or she is infected with the disease, are punishable by a fine ranging from 500 to 1,000 times the monthly wage benchmark or by deprivation of liberty for up to two years.

### **Women in prison**

*18. Please provide information on measures taken to prevent and investigate allegations that women in prison are subjected to corporal punishment, including hooding and electric shock, by law enforcement personnel. Please describe any measures that have been taken to address the lack of adequate prisons (colonies) for women so that women prisoners are not held far from their families and friends.*

Efforts are currently being made in all correctional institutions to prevent sexual violence in prisons, including when committed by prison staff.

In this connection, women in penitentiary institutions — both when the preventive measure of placement in custody has been ordered and after a verdict imposing deprivation of liberty has acquired legal force — are detained under a secure regime and serve their sentence near their families, with whom they are allowed to remain in regular contact by telephone or visits.

The special needs of pregnant women and nursing mothers are met and children's homes are provided in female colonies (celebration of holidays, practical arrangements, catering, etc.).

In the penitentiary system, steps are taken to prevent sexual solicitation by staff. Supervisors strive to ensure that men and women are treated respectfully.

In order to provide a mechanism for confidential submission of complaints in all organs of institutions of the penal system, boxes are provided for complaints and submissions to Public Monitoring Commissions, regional branches of the Nur Otan People's Democratic Party, organs of the Prosecutor's Office, etc., and the contents are collected by representatives of those bodies. The Committee of the Ministry of Internal Affairs dealing with institutions of the penal system and all the territorial committees have secure telephone lines and Internet sites.

Every instance of infringement of the constitutional rights and freedoms of citizens is treated as an emergency and officials responsible for such infringements are severely punished.

There are currently colonies for the detention of women convicts throughout Kazakhstan. Previously there were four women's colonies in South Kazakhstan, two in East Kazakhstan and one in the centre. Colonies were opened in 2010 in West Kazakhstan in the city of Atyrau and in 2011 in North Kazakhstan in Petropavl.

**Marriage and family life**

19. *Please provide information on the impact of measures taken to increase the rate of success of applications by divorced mothers to secure alimony from their former husbands. Please also provide information on the present legal and de facto conditions of single mothers who are not supported by former partners in taking care of their children and any measures taken to address this situation.*

In his Message to the people of Kazakhstan on 14 December 2012, entitled “Kazakhstan-2050 Strategy: a new political course for the State”, President Nazarbayev stated that in the case of divorce “It is the father’s duty to pay alimony. The State should support single mothers and impose stricter penalties for non-payment of alimony”.

Today the recovery of alimony payments is a big problem. In 2012, court bailiffs processed nearly 180,000 enforcement orders in this category, of which only 75,000 were obeyed by the debtors. The balance of over 100,000 did not result in the recovery of funds.

There are a number of problems with enforcement of court orders on payment of alimony. These stem, for instance, from the debtor’s lack of income and property and also from the fact that he is under investigation for concealment of his actual income. In this situation, the rights of the parent supporting the child are violated and the child is deprived of needed material support and of the possibility of harmonious and all-round development and growth. All this is a source of growing tension in the socially vulnerable strata of society.

Section 4, paragraph 3, of the resolution of 31 May 2013 of the Republican Anti-Corruption Social Council attached to the Nur Otan People’s Democratic Party recommended that the Government of the Republic of Kazakhstan should review the existing system for recovering alimony and introduce State guarantees of material support for children with subsequent recovery of payments from delinquent parents.

In order to deal with these problems, legislation has been drafted on amendments and additions to certain legislative instruments of the Republic of Kazakhstan to improve the enforcement process. With the aim of increasing liability for failure to pay alimony and to comply with court decisions, it is suggested that article 136 of the Criminal Code of the Republic of Kazakhstan should be amended to impose a penalty of deprivation of liberty for up to two years (there is at present no such penalty).

In addition, it is suggested that article 524 of the Code of Administrative Violations should increase the fine imposed on individuals to 20 months of benchmark wages (it is currently 10 months).

However, increasing the liability for failure to pay alimony will not suffice to bring about a radical improvement in the enforcement of court decisions on this question.

In order to resolve this issue, the National Commission is working closely with all the Public bodies concerned with the protection of the rights and lawful interests of women and children. The issue was discussed at meetings of the National Commission, which was given a progress report by the Procurator-General of the Republic of Kazakhstan on the alimony issue and made appropriate recommendations.

This year the Procurator-General took certain measures to ensure the protection of women and children. The rights of over 2,725 children were protected and debts of 600 million tenge were paid for the benefit of 38,000 children. Action was taken to solve problems with the enforcement of court decisions on payment of alimony.

A total of 1,309 persons owing alimony, on the Berkut base, were temporarily forbidden to leave Kazakhstan and the property of 412 debtors was seized.

A large-scale public campaign is being conducted, the media are publishing material on the subject of non-payment of alimony by parents (103 articles published), and 36 billboards and banners have been displayed.

With the help of local administrative bodies, jobs have been found for 347 persons owing alimony. A total of 5,747 persons have been registered with employment agencies and 113 debtors have incurred administrative liability.

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