



**Convention on the
Rights of the Child**

Distr.
GENERAL

CRC/C/KAZ/Q/3/Add.1
17 April 2007

ENGLISH
Original: RUSSIAN

COMMITTEE ON THE RIGHTS OF THE CHILD
Forty-fifth session
21 May-8 June 2007

**WRITTEN REPLIES BY THE GOVERNMENT OF KAZAKHSTAN
CONCERNING THE LIST OF ISSUES (CRC/C/KAZ/Q/3)
RECEIVED BY THE COMMITTEE ON THE RIGHTS OF THE
CHILD RELATING TO THE CONSIDERATION OF THE SECOND
AND THIRD COMBINED PERIODIC REPORT OF KAZAKHSTAN
(CRC/C/KAZ/3)***

[Received on 17 April 2007]

* In accordance with the information transmitted to States parties regarding the processing of their reports, the present document was not formally edited before being sent to the United Nations translation services.

Part I

A. Data and statistics, if available

Number of orphans and children without parental care placed with families (in tutorship or guardianship), by age group (2004-2006)

Location	2004			2005			2006		
	Tutorship, guardianship	Age group		Tutorship, guardianship	Age group		Tutorship, guardianship	Age group	
		0-7 years	7 years and over		0-7 years	7 years and over		0-7 years	7 years and over
	27 248	9 875	17 373	26 725	9 794	16 931	28 494	11 202	17 292
Self-governing cities	1 986	854	1 132	2 076	913	1 163	2 811	1 271	1 540
Total	29 234	10 729	18 505	28 801	10 707	18 094	31 305	12 473	18 832

Number of orphans and children without parental care placed with families (in fostering arrangements), by age group (2004-2006)

Location	2004			2005			2006		
	Fostering	Age group		Fostering	Age group		Fostering	Age group	
		0-7 years	7 years and over		0-7 years	7 years and over		0-7 years	7 years and over
Provinces	2 601	1 243	1 358	1 830	921	909	1 682	869	813
Self-governing cities	212	118	94	98	57	41	109	64	45
Total	2 813	1 361	1 452	1 928	978	950	1 791	933	858

Number of orphans and children without parental care placed in educational institutions, by age group (2004-2006)

Location	2004				2005				2006			
	Number of institutions	Number of children	Age group		Number of institutions	Number of children	Age group		Number of institutions	Number of children	Age group	
			0-7 years	7 years and over			0-7 years	7 years and over			0-7 years	7 years and over
Urban areas	91	6 493	1 699	4 794	97	6 542	1 713	4 829	93	6 501	1 739	4 762
Rural areas	113	12 347	2 101	10 246	120	11 758	2 184	9 574	111	11 697	2 075	9 622
Total	204	18 840	3 800	15 040	217	18 300	3 897	14 403	204	18 198	3 814	14 384

Number of orphans and children without parental care placed with families (in tutorship or guardianship), by ethnic group (2004-2006)

Location	2004						2005						2006					
	Ethnic Group						Ethnic group						Ethnic group					
	Tutorship, guardianship	Kazakh	Russian	Other	Tutorship, guardianship	Kazakh	Russian	Other	Tutorship, guardianship	Kazakh	Russian	Other	Tutorship, guardianship	Kazakh	Russian	Other		
Provinces	27 248	15 439	8 345	3 464	26 725	15 103	8 147	3 475	28 494	16 091	7 724	4 679	2 811	853	1 374	584		
Self-governing cities	1 986	725	905	356	2 076	791	953	332	2 811	853	1 374	584	31 305	16 944	9 098	5 263		
Total	29 234	16 164	9 250	3 820	28 801	15 894	9 100	3 807	31 305	16 944	9 098	5 263						

Number of orphans and children without parental care placed with families (in fostering arrangements), by ethnic group (2004-2006)

Location	2004						2005						2006					
	Ethnic Group						Ethnic group						Ethnic group					
	Fostering	Kazakh	Russian	Other	Fostering	Kazakh	Russian	Other	Fostering	Kazakh	Russian	Other	Fostering	Kazakh	Russian	Other		
Provinces	2 601	1 013	1 584	4	1 830	1 003	823	4	1 682	989	691	2	1 109	54	52	3		
Self-governing cities	212	85	116	11	98	54	41	3	1 791	1 043	743	5	1 791	1 043	743	5		
Total	2 813	1 098	1 700	15	1 928	1 057	864	7	1 791	1 043	743	5						

Number of orphans and children without parental care placed in educational institutions, by ethnic group (2004-2006)

Location	2004						2005						2006					
	Number of institutions			Ethnic group			Number of institutions			Ethnic group			Number of children			Ethnic group		
		Kazakh	Russian	Other	Kazakh	Russian	Other		Kazakh	Russian	Other	Kazakh	Russian	Other	Kazakh	Russian	Other	
Urban areas	91	6 493	2 988	2 251	1 254	1 254	97	6 542	2 980	2 327	1 235	93	6 501	2 953	2 332	1 216		
Rural areas	113	12 347	2 945	7 681	1 721	1 721	120	11 758	2 935	7 101	1 722	111	11 697	2 938	7 083	1 676		
Total	204	18 840	5 933	9 932	2 975	2 975	217	18 300	5 915	9 428	2 957	204	18 198	5 891	9 415	2 892		

Number of orphans and children without parental care placed with families (in tutorship or guardianship), by sex (2004-2006)

Location	2004				2005				2006			
	Tutorship, guardianship		Sex		Tutorship, guardianship		Sex		Tutorship, guardianship		Sex	
	Boys	Girls	Boys	Girls	Boys	Girls	Boys	Girls	Boys	Girls	Boys	Girls
Provinces	27 248	15 001	12 247	1 012	26 725	13 791	12 934	1 135	28 494	13 355	15 139	1 541
Self-governing cities	1 986	1 012	974	1 012	2 076	1 135	941	1 135	2 811	1 270	1 541	1 541
Total	29 234	16 013	13 221	1 013	28 801	14 926	13 875	1 4926	31 305	14 625	16 680	1 680

Number of orphans and children without parental care placed with families (in fostering arrangements), by sex (2004-2006)

Location	2004				2005				2006			
	Fostering		Sex		Fostering		Sex		Fostering		Sex	
	Boys	Girls	Boys	Girls	Boys	Girls	Boys	Girls	Boys	Girls	Boys	Girls
Provinces	2 601	1 153	1 448	97	1 830	1 682	1 113	717	981	701	701	62
Self-governing cities	212	97	115	97	98	109	39	59	47	62	62	62
Total	2 813	1 250	1 563	1 250	1 928	1 791	1 152	776	1 028	763	763	763

Number of orphans and children without parental care placed in educational institutions, by sex (2004-2006)

Location	2004				2005				2006			
	Number of institutions		Number of children		Number of institutions		Number of children		Number of institutions		Number of children	
	Boys	Girls	Boys	Girls	Boys	Girls	Boys	Girls	Boys	Girls	Boys	Girls
Urban areas	91	2 534	6 493	2 534	97	2 652	6 542	2 652	93	6 501	3 854	2 647
Rural areas	113	7 209	12 347	7 209	120	6 847	11 758	4 911	111	11 697	5 133	6 564
Total	204	9 743	18 840	9 743	217	9 499	18 300	8 801	204	18 198	8 987	9 211

Number of orphans and children without parental care adopted by Kazakh citizens, by age

Location	Total number of adoptees						
	0-3 years		4-6 years		7-18 years		
	2004	2005	2004	2005	2004	2005	
Provinces	2 235	2 219	2 421	1 291	1 429	329	375
Self-governing cities	255	230	270	135	183	39	42
Total	2 490	2 449	2 691	1 426	1 612	368	417

Number of orphans and children without parental care adopted by foreign citizens, by age

Location	Total number of adoptees			0-3 years			4-6 years			7-18 years		
	2004	2005	2006	2004	2005	2006	2004	2005	2006	2004	2005	2006
Provinces	712	713	666	481	480	491	86	109	81	145	124	94
Self-governing cities	226	137	63	222	108	61	3	16	1	1	13	1
Total	938	850	729	703	588	552	89	125	82	146	137	95

Number of orphans and children without parental care adopted by Kazakh citizens, by sex

Location	Total number of adoptees			Boys			Girls		
	2004	2005	2006	2004	2005	2006	2004	2005	2006
Provinces	2 235	2 219	2 421	1 059	1 008	1 214	1 176	1 211	1 207
Self-governing cities	255	230	270	111	81	123	144	149	147
Total	2 490	2 449	2 691	1 170	1 089	1 337	1 320	1 360	1 354

Number of orphans and children without parental care adopted by foreign citizens, by sex

Location	Total number of adoptees			Boys			Girls		
	2004	2005	2006	2004	2005	2006	2004	2005	2006
Provinces	712	713	666	335	352	317	377	361	34
Self-governing cities	226	137	63	115	67	38	111	70	25
Total	938	850	729	450	419	355	488	431	374

Residential homes for children with disabilities

Region	2004			2005			2006		
	Number of institutions	Number of residents	Level of financing, thousands of tenge	Number of institutions	Number of residents	Level of financing, thousands of tenge	Number of institutions	Number of residents	Level of financing, thousands of tenge
Aqmola	2	152	56 599.0	2	149	59 142.0	2	139	74 906.0
Aqtobe	0	0	0.0	0	0	0.0	0	0	0.0
Almaty	2	333	90 695.0	2	380	108 321.6	2	285	98 853.0
Atyrau	1	203	60 000.5	1	210	67 417.0	1	201	90 885.0
East Kazakhstan	1	109	33 140.0	1	103	17 881.0	1	107	167 580.0
Zhambyl	1	126	41 052.3	1	136	49 605.0	1	116	54 748.0
West Kazakhstan	1	114	45 559.0	1	111	60 474.0	1	104	63 273.0
Qaraghandy	1	360	98 867.0	1	360	109 186.0	1	360	118 440.0
Qostanay	2	376	65 019.0	2	374	81 967.4	2	374	105 868.1
Qyzylorda	1	126	26 217.0	1	121	59 924.0	1	129	56 398.7
Mangistau	0	0	0.0	0	0	0.0	0	0	0.0
Pavlodev	1	59	20 415.2	1	61	24 934.0	1	60	34 213.0
North Kazakhstan	1	214	56 854.0	2	195	66 015.8	2	174	98 813.2
South Kazakhstan	2	456	142 041.0	2	440	90 413.0	2	454	196 833.0
City of Astana	1	203	84 985.0	1	179	81 802.0	1	167	105 312.0
City of Almaty	1	157	50 430.0	1	145	57 912.0	1	153	87 548.0
Total	18	2 988	871 874.0	19	2 964	934 994.8	19	2 823	1 353 671.0

Number of children with special needs attending special schools

	2004		2005		2006	
Number of special needs children aged 0-18 years identified	120 665		124 216		131 465	
Number of school-age children (7-18 years)	96 703		98 517		102 427	
Proportion enrolled in special education	25.6%		24.7%		23.3%	
Total number of special schools including:	Network	Number of children	Network	Number of children	Network	Number of children
	103	18 850	102	17 861	101	17 030
In rural areas	13	1 820	20	4 035	13	1 819
Residential schools, including those for orphans and children without parental care	86	16 546	87	15 757	87	15 477
Schools (school-kindergarten complexes)	17	3 647	17	3 373	16	3 208
	17	2 304	15	2 104	14	1 553
For:						
Vision-impaired (blind) children	1	213	1	233	1	225
Partially sighted children	8	1 141	7	1 033	7	892
Hearing-impaired (deaf) children	8	1 255	8	1 154	8	1 242
Hard-of-hearing children	11	1 534	11	1 431	12	1 465
Children with speech deficiencies	5	842	6	1 162	6	1 104
Children with motor deficiencies	4	452	3	389	3	395
Children with intellectual deficiencies (slow learners), including orphans	56	11 168	56	10 611	55	10 197
	12	2 346	12	2 139	12	2 227
Children with mental retardation, including orphans	10	1 945	10	1 828	9	1 510
	5	1 301	5	1 234	4	981
Special classes in general-education schools	547	5 887	643	6 480	766	6 883

3. Child abuse

Over the past three years, there has been a steady decline in the number of criminal proceedings instituted in cases of child abuse (article 137 of the Criminal Code): 78 investigations were conducted in 2004; 76 in 2005; and 67 in 2006 (see table 1).

In practically every case, the parents were long-term alcohol abusers, were registered with addiction clinics as chronic alcoholics, led an immoral lifestyle, had no permanent employment, neglected their children's upbringing and, in addition, allowed them to be abused.

As the country's prosperity has increased, the number of problem families registered has fallen: there were 14,288 such families in 2004; 12,931 in 2005; and 12,903 in 2006.

With a view to early prevention of family problems, the internal affairs agencies prosecuted 3,269 parents or parental surrogates in 2004 under article 111 of the Code of Administrative Offences for failing to fulfil their obligations regarding the upbringing of minors, 3,184 in 2005, and 2,976 in 2006.

In cases where minors cannot continue to live with their families, the internal affairs agencies apply to the judicial agencies, through the commissions on children's affairs and protection of their rights, to strip the parents of their rights regarding the upbringing of their children. On the initiative of the internal affairs agencies, 1,377 persons were stripped of their parental rights in 2004, 1,334 in 2005, and 1,144 in 2006.

Also on the initiative of the internal affairs agencies, the courts restricted the parental rights of 221 persons in 2004, 172 in 2005, and 144 in 2006.

In 2006, in cooperation with the tutorship and guardianship agencies of the Ministry of Education and Science, 1,031 children were placed in children's homes or residential schools.

4. Right to education

Number of pupils by age group (not including pupils in special needs schools and classes) in the 2006/07 academic year

Item	Row No.	Total	Girls
A	B	26	27
(Completed years as at 1 January: 5 years	1	1 284	757
6 years	2	100 527	51 613
7 years	3	209 028	102 355
8 years	4	219 673	106 992
9 years	5	225 397	110 963
10 years	6	238 421	117 104
11 years	7	255 017	125 367
12 years	8	274 052	134 359
13 years	9	276 347	135 913
14 years	10	286 780	141 129
15 years	11	263 923	130 718
16 years	12	185 103	95 964
17 years	13	120 389	62 179
18 years and over	14	12 511	5 788
Total (sum of rows 1-14)	15	2 668 452	1 321 201

(a) Proportion of children attending preschool

According to data from the education agencies, as at 1 January 2007, 230,800 children, or 27.6 per cent of all children aged 1-6 years, were attending kindergarten. Coverage of children in rural areas is 12.4 per cent, compared with 38.7 per cent in urban areas.

The highest rate of preschool coverage - 57.9 per cent - is to be found in Qostanay province, the lowest - 7.1 per cent - in Almaty province.

Some 77 per cent of all 5- to 6-year-olds undergo one year's compulsory preparation for school. A package of school-preparation materials has been introduced. Some 60 per cent of children receive these materials free of charge, with funding from local budgets.

In order to increase the number of children attending preschool, the Government adopted decision No. 83 of 5 February 2007 approving the plan of action to support preschool education and instruction in Kazakhstan for 2007-2009. This document envisages:

Construction of 55 preschools, providing 7,900 places;

Rehabilitation, through major repairs, of 131 preschools that are currently closed or being used for other purposes, providing 13,800 places;

Establishment of 150 preschool mini-centres and of rehabilitation and inclusive education offices for preschool-age children within educational organizations, with provision for 3,800 children;

Opening of seven regional preschool childhood centres;

Enhancement of supplies, equipment and facilities at 862 preschools (provision of furniture, equipping of canteens), major repairs at 375, and provision of computers to 706 existing preschools;

Creation of 44 advice points for parents and of weekend and holiday care facilities (for children not attending kindergarten) within educational organizations, providing 1,500 places;

Provision of toys and play equipment to 942 preschools;

Provision of visual aids and children's books to 1,367 preschools.

The level of national budget expenditure required to implement the plan is 20,582,775,000 tenge.

**Number of pupils in day general-education schools under the
Ministry of Education and Science**

Year	Total			Urban areas			Rural areas		
	Elementary grades	Foundation grades	Higher grades	Elementary grades	Foundation grades	Higher grades	Elementary grades	Foundation grades	Higher grades
2004	38 508	111 103	2 738 358	16 692	23 497	1 448 094	21 816	87 606	1 290 264
2005	36 934	106 171	2 634 972	16 077	23 303	1 401 257	20 857	82 868	1 233 715
2006	35 429	101 528	2 531 495	15 262	20 718	1 346 641	20 167	80 810	1 184 854

(b) Number of pupils graduating from grade 9 and 11 of day general-education schools

Year	Grade 9	Percentage of total number of pupils	Grade 11	Percentage of total number of pupils
2004	298 018	10.3	225 915	7.8
2005	291 125	10.4	216 108	7.8
2006	285 889	10.3	188 394	7.1

(c) In the 2005/06 academic year, of 2,668,452 pupils, 2,983 (0.1 per cent) were repeating a class**(d) In the 2005/06 academic year, there were 272,098 teachers and 2,668,452 pupils in day general-education schools**

The teacher-pupil ratio was 1:10.

The average class size was 18.93.

5. As at 1 March 2007, there were 7,709 registered HIV-infected persons in Kazakhstan, for an infection rate of 44.9 per 100,000 population. The highest prevalence of registered HIV-infected persons was in the city of Almaty and in Pavlodar and Qaraghandy provinces. The prevalence rate in the Republic among children aged up to 14 years was 3.4. The increase in the rate of prevalence of HIV infection among children is attributable to the situation in South Kazakhstan, where the rate has reached 12.6. There is also a high rate of prevalence of HIV infection among children aged up to 14 years in Qaraghandy province, 8.5 per 100,000 population.

**Cumulative data on registered cases of HIV infection,
shown by province as at 1 March 2007**

Province	Absolute number		Prevalence per 100,000 population	
	Total	Children aged up to 14 years	Total	Children aged up to 14 years
Aqmola	137	1	15.5	0.5
Aqtobe	135	1	18.4	0.5
Almaty	319	2	19.2	0.4
Atyrau	41	0	8.3	0
East Kazakhstan	410	1	25.2	0.3
Zhambyl	188	1	17.5	0.3
West Kazakhstan	215	0	33.0	0
Qaraghandy	1 835	30	93.5	8.5
Qostanay	465	3	44.7	1.2
Qyzylorda	28	0	3.9	0
Mangistau	49	0	13.1	0
Pavlodev	1 098	5	125.9	2.5

Province	Absolute number		Prevalence per 100,000 population	
	Total	Children aged up to 14 years	Total	Children aged up to 14 years
North Kazakhstan	138	1	17.2	0.5
South Kazakhstan	945	93	42.5	12.6
City of Almaty	1 598	6	132.7	2.3
City of Astana	108	0	24.2	0
Total	7 709	144	44.9	3.4

Prevalence of HIV infection by age group as at 1 March 2007

Age group	Absolute number	% share
0-1	94	1.2
2-5	30	0.4
6-10	3	0.0
11-14	17	0.2
15-19	566	7.3
20-29	3 853	50.0
30-39	2 185	28.3
40-49	787	10.2
50-59	115	1.5
60 and over	13	0.2
Recorded anonymously	46	0.6
Total	7 709	100

Young persons aged 20-29 predominate among HIV cases in Kazakhstan, accounting for 50 per cent of the total, while the age group 30-39 represents 28.3 per cent.

6. Crime

**Offences committed by minors (2004-2006)
(data from the Ministry of Internal Affairs)**

Province	2004	Increase + Decrease - %	2005	Increase + Decrease - %	2006	Increase + Decrease - %
Aqmola	538	+4.3	416	+22.7	400	-3.8
Aqtobe	285	-16.4	268	-5.9	195	-27.2
Almaty	269	-4.9	297	+9.5	190	-36.0
Atyrau	135	-2.9	112	-17.1	107	-4.5
East Kazakhstan	1 064	-5.5	1 156	-8	1 082	-6.4
Zhambyl	182	-22.6	159	-12.7	196	+23.3
West Kazakhstan	254	-10.6	237	-6.7	251	+5.9
Qaraghandy	903	+9.9	750	-17	669	-10.8
Qustanay	903	+6.7	875	-3.2	703	-19.7

Province	2004	Increase + Decrease - %	2005	Increase + Decrease - %	2006	Increase + Decrease - %
Qyzylorda	123	+7.0	134	+8.3	135	+0.7
Mangistau	190	-4.5	183	-3.7	124	-32.2
Pavlodev	551	-20.6	589	+6.5	570	-3.2
North Kazakhstan	280	-30.1	246	-13.1	344	+39.8
South Kazakhstan	286	-15.0	290	+1.4	388	+33.8
City of Astara	139	-34.1	120	-13.7	116	-3.3
City of Almaty	269	-6.6	294	+ 8.6	233	-20.7
On transport	158		114		88	
Special Police Office			33		23	
Total	6 529	-6.7	6 273	-4	5 814	- 7.4

As the statistics demonstrate, over the past five years there has been a gradual decline in the number of offences committed by minors in Kazakhstan. While in 2001, more than 8,000 recorded offences were committed by minors, the figure was 6,829 in 2004, 6,273 in 2005, and 5,814 in 2006.

The proportion of recorded offences committed by minors has also gone down (from 7.3 per cent in 2005 to 6.7 per cent in 2006).

The greatest reductions in juvenile delinquency occurred in Almaty province (36 per cent), the south-east transport region (34.5 per cent), the central transport region (32.7 per cent) and Mangistau province (32.2 per cent).

However, in North Kazakhstan and South Kazakhstan provinces, juvenile delinquency rose, by 39.8 and 33.8 per cent, respectively.

The number of murders committed by minors fell by 25 per cent, thefts by 11.8 per cent, robberies by 18.5 per cent, hooliganism offences by 11.1 per cent, extortion offences by 6 per cent, and cases of intentional impairment of health by 14.8 per cent.

At the same time, offences such as rape increased by 11.5 per cent, fraud by 23.9 per cent, and aggravated theft by 4.9 per cent. In addition, the number of offences committed against minors also rose, by 7.9 per cent.

We can provide the following information on the number of minors committing offences:

- In 2004, 7,948 minors were reported to have committed offences, including 2,113 persons aged 14-15 years, 4,680 persons aged 16-17 years, and 694 females; 854 were reported to have committed lesser offences, 5,062 ordinary offences, 1,830 serious offences, and 202 very serious offences; 5,226 minors were criminally prosecuted;
- In 2005, 8,608 minors were reported to have committed offences, including 2,162 persons aged 14-15 years, 5,471 persons aged 16-17 years, and 757 females; 763 were reported to have committed lesser offences, 5,990 ordinary offences, 1,704 serious offences, and 151 very serious offences; 4,959 minors were criminally prosecuted;

- In 2006, 8,799 minors were reported to have committed offences, including 2,265 persons aged 14-15 years, 5,460 persons aged 16-17 years, and 843 females; 848 were reported to have committed lesser offences, 6,132 ordinary offences, 1,661 serious offences, and 158 very serious offences; 4,316 minors were criminally prosecuted.

In 2004, 2,973 minors were convicted of offences, including 620 persons aged 14-15 years, 2,353 persons aged 16-17 years, and 242 females. Some 860 minors were sentenced to deprivation of liberty: 42 for terms of up to 1 year, 117 for between 1 and 2 years, 511 for between 2 and 5 years, 145 for between 5 and 10 years, and 45 for between 10 and 12 years. Six minors were sentenced to fines, 3 to punitive deduction of earnings and 62 to community service, while 1,673 were given suspended sentences. Some 368 minors were discharged from serving their sentences, and 1 was given a deferred sentence.

In 2005, 2,793 minors were convicted of offences, including 666 persons aged 14-15 years, 2,127 persons aged 16-17 years, and 227 females. Some 816 minors were sentenced to deprivation of liberty: 49 for terms of up to 1 year, 72 for between 1 and 2 years, 483 for between 2 and 5 years, 183 for between 5 and 10 years, and 29 for between 10 and 12 years. Three minors were sentenced to fines, 2 to punitive deduction of earnings, 55 to community service and 89 to restriction of liberty, while 1,505 were given suspended sentences. Some 317 minors were discharged from serving their sentences, and 6 were given deferred sentences.

In 2006, 2,406 minors were convicted of offences, including 544 persons aged 14-15 years, 1,862 persons aged 16-17 years, and 195 females. Some 751 minors were sentenced to deprivation of liberty: 33 for terms of up to 1 year, 76 for between 1 and 2 years, 422 for between 2 and 5 years, 184 for between 5 and 10 years, and 36 for between 10 and 12 years. One minor was sentenced to a fine, 33 to community service and 38 to restriction of liberty, while 1,122 were given suspended sentences, and 4 were sentenced to short-term rigorous imprisonment. Some 453 minors were discharged from serving their sentences, and 4 were given deferred sentences.

7. Number of refugee and internally displaced children

Between 1991 and 2006, the State admitted 234,819 ethnic Kazakh children immigrating from other countries (*oralman* children), including 85,075 preschool-age children and 149,744 school-age children.

In the current period, 1,089 school-age repatriate children are attending residential schools. Some 5,225 repatriates are studying in institutes of higher education, and 5,731 in institutes of secondary vocational education in the Republic.

In the 2006/07 academic year, under the training quota, 1,590 repatriate children participated in merit testing, of whom 1,468 were admitted to preparatory courses.

Under the Migration Act, repatriates receive State support, including payment of disability and survivor benefits and special State benefits.

As at 1 January 2007, there were 213 refugee children (from Afghanistan), including 81 aged 5 years and under, and 132 aged between 6 and 15 years. Of the refugee children, 110 were boys and 103 girls.

In accordance with the Convention relating to the Status of Refugees (1951), refugee children study in educational institutions and receive guaranteed levels of medical care and targeted State social assistance on the same basis as Kazakh citizens.

8. Sexual exploitation of minors

Isolated cases of sexual exploitation of minors have been reported:

1. In April 2004, in West Kazakhstan province, S. Bakhtiyarova, using deception and force, took the female minor P. (born 1987) from the community of Zelenoe in the city of Uralsk for purposes of sexual exploitation.

2. Between September and November 2004, in the city of Petropavlovsk in North Kazakhstan province, one Lepshina, who was without gainful employment, recruited four female minors on the pretext of hiring them as nannies for her children. The girls were kept in rented apartments where, by means of violence and threats, they were induced to prostitute themselves.

3. Between October and November 2005, in the city of Satpaev in Qaraghandy province, nine female minors disappeared.

In the course of the investigation, it was established that a group of Russian nationals had taken the girls from Satpaev by means of deception. Subsequently, they had been sent to the city of Bishkek, Kyrgyzstan, where they were given forged passports, on which they went to the United Arab Emirates. On arrival, the girls' passports were taken away and they were forced through physical and psychological pressure, to provide sexual services. Now, with the assistance of the Consular Service of the Ministry of Foreign Affairs of Kazakhstan, all the girls have been returned home.

In accordance with the Minsk Convention, five criminal cases against the accused Russian national Gorskaya have been sent to the Procurator-General of the Russian Federation.

4. In 2006, it was discovered that, for several years, two members of the organized criminal group Sportsmen, Rakhimzhanov and Dudarev, had been sexually exploiting the female minor M. (b. 1988) under threat of physical force. An investigation is being conducted into the case.

Provision of assistance to minors involved in substance abuse

A total of 22,287 minors were on the internal affairs agencies' prevention register in 2004, 20,429 in 2005, and 19,981 in 2006.

Some 2,531 minors were registered as regular alcohol users in 2004, 2,121 in 2005, and 1,890 in 2006.

Some 1,313 were registered as drug users in 2004, 1,447 in 2005, and 1,430 in 2006.

With a view to preventing “alcoholism” among minors, in 2006 administrative measures were taken in 2,592 cases involving the sale of alcohol to minors.

The following categories of minor are also placed on the internal affairs agencies’ prevention register:

Minors released from places of detention (88 in 2006, 142 in 2005, and 154 in 2004);

Minors who are not remanded in custody during pretrial investigations (1,206 in 2006, 1,262 in 2005, and 1,532 in 2004);

Minors who commit socially dangerous acts before attaining the age of criminal responsibility (2,029 in 2006, 2,394 in 2005, and 2,999 in 2004).

In addition, constant attention is paid to identifying adults who involve minors in drinking and other antisocial activities, with a view to conducting preventive work. In 2006, administrative measures were taken against 165 adults, and 40 were criminally prosecuted.

Involvement in child labour

Kazakhstan ratified the International Labour Organization (ILO) Convention concerning the Prohibition and Immediate Action for the Elimination of the Worst Forms of Child Labour (Convention No. 182), of 1999, on 26 December 2002.

Under article 11 of the Labour Act, individual labour contracts may be concluded with persons who have attained the age of 16 years. The admission to employment of persons aged 15 years who have undergone secondary education or have left a general-education institution is permitted only with the written consent of their parents or of a guardian. Individual labour contracts may, with the consent of a parent or guardian, be concluded with pupils who have attained the age of 14 years to perform, during spare time from studying, work that is not harmful to health and does not disrupt their studies.

Article 46 of the Act establishes shorter working hours for employees aged 14-16 years and 16-18 years - not more than 24 hours per week and not more than 36 hours per week, respectively.

In addition, pursuant to article 49 of the Act, employees under age 18 may not perform overtime work.

Article 15, paragraph 1, of the Labour Safety and Labour Protection Act also prohibits the employment of persons under age 18 for heavy physical labour or in harmful (extremely harmful) or hazardous (extremely hazardous) working conditions.

State labour inspectors from the Ministry of Labour and Social Protection continuously monitor compliance with the provisions of the above-mentioned laws.

B. General measures of implementation

Kazakhstan is taking measures to prevent discrimination against children with special needs.

1. Some 56 psychological, medical and educational guidance centres ensure the early identification and diagnosis of children in this category and provide relevant advice.

In addition, new types of educational institutions have been established: 13 rehabilitation centres, 114 psychological and special education centres and 223 speech therapy units.

Today, there are 101 special education institutions in the Republic with provision for 17,030 children.

Taking into account international experience and the recommendations contained in the Salamanca Statement and Framework for Action on Special Needs Education, innovative processes for the integration of special needs children with their non-disabled peers are being more widely applied in special education.

This year, 6,888 children are studying in 766 special education classes in general-education schools.

One of the main principles of State education policy is that of equal access to free secondary education for all Kazakh citizens, irrespective of sex. All curricula, textbooks and teaching materials for all pupils are identical in content. Girls and boys (young men and women) have the same right to study the same subjects.

Currently, 1,320,167 girls are studying in the Republic's general-education schools, representing 49.5 per cent of all pupils.

In grades 1 to 4, 49 per cent of pupils are girls; in grades 5 to 9, 49.1 per cent; in grades 10 and 11, 53 per cent.

Teachers, together with experts from the health-care and judicial agencies, are carrying out activities on various themes, including respectful behaviour towards one another, separately with boys and girls.

As a result of such work, girls' participation in the community life of schools has increased. Many girls are now leaders of children's and young people's organizations and take part successfully in sports contests, academic olympiads and cultural events.

At the same time, it should be recognized that the legally enshrined right of migrant children to education is not fully realized. Tajik families present great difficulties because they often see no benefit in educating their children, particularly the girls. In Turkish, Azerbaijani and Tajik families, girls have been subjected to discrimination in respect of education and participation in community life by their own parents.

In order to address this problem, special accelerated learning programmes and methodological aids have been developed to assist migrant families, and outreach activities are being conducted with girls and their parents to inform them of the importance of education.

Over the past three years, there has been a steady decline in the number of criminal proceedings instituted in cases of child abuse (art. 137 of the Criminal Code): 78 investigations were conducted in 2004; 76 in 2005; and 67 in 2006.

As part of the efforts to make domestic legislation relating to minors more humane, it is planned to amend the current criminal legislation, laws covering criminal procedure and penal enforcement legislation.

With a view to the legal protection of minors in conflict with the law, a juvenile justice system is being introduced in two provinces of Kazakhstan under a pilot project currently in its third year. According to data from 2006, since the start of the project, the proportion of minors charged with an offence who were remanded in custody as a preventive measure had fallen from 33.3 to 16.6 per cent in the Karasai district of Almaty province, and from 41.8 to 15.6 per cent (i.e. from 18 persons to 5 persons) in the Auezov district of the city of Almaty. In cases referred to the courts, the proportion of minors remanded in custody had declined from 60 to 39 per cent.

Investigators have begun to employ special preventive measures in respect of minors: transfer of the child to the supervision of a parent or parental surrogate (39 children), and house arrest (150 children).

It has been decided to establish a working group to prepare by the end of 2007 legislation providing for the creation of a juvenile justice system; it is proposed not only to set up special courts to try cases involving minors, but also to review the categories of juvenile offences and to provide special training for police officers, prosecutors and judges.

The National Coordinating Council for the Suppression of the Worst Forms of Child Labour was set up pursuant to order No. 73-p of the Ministry of Labour and Social Protection of 31 March 2006.

2. The Committee for the Protection of Children's Rights within the Ministry of Education and Science was established by Government decision No. 36 of 13 January 2006 to coordinate the implementation of the Convention. The Committee was officially registered on 27 February 2006 at the judicial agencies of the city of Astana.

The Committee has a staff of 20 and financial resources of 26,960,000 tenge.

3. The Convention has not been directly invoked in the domestic courts.

4. The Human Rights Commissioner in Kazakhstan carries out diverse activities in ensuring the observance of the rights of children. The Commissioner's office has a staff of 15.

A cross-organizational unit for the protection of the rights of women and children, the women and children's rights protection cluster, has been set up in the National Human Rights Centre. Currently, the cluster has two staff.

The main tasks of the cluster are: visiting specialized children's institutions and crisis centres, and collecting information through questionnaires and interviews; monitoring complaints and applications relating to the protection of women's and children's rights; monitoring and analysing the evolving situation with respect to the protection of women's and children's rights; monitoring the international and Kazakh media; appearing in the media on issues relating to women's and children's rights; organizing and conducting training and methodological seminars on gender and children's issues for staff of the National Human Rights Centre.

The financial resources of the Human Rights Commissioner in Kazakhstan and the National Centre totalled 30,324,000 tenge in 2006.

Part III

The laws enacted in 2006 include:

1. Act No. 131-III ZRK amending and supplementing certain legislative acts of the Republic of Kazakhstan relating to the suppression of trafficking in persons, of 2 March 2006;
2. Act No. 170 on Health Care, of 7 July 2006;
3. Act No. 148 amending and supplementing certain legislative acts of the Republic of Kazakhstan relating to social security, of 4 July 2006;
4. Act No. 193 on the Ratification of the World Health Organization Framework Convention on Tobacco Control, of 25 November 2006;
5. Act No. 225 amending and supplementing the Civil Code of the Republic of Kazakhstan (General and Special Parts), of 12 January 2007;
6. Act No. 221 on the Procedure for Considering Applications by Natural and Legal Persons, of 12 January 2007;
7. Act No. 228 amending and supplementing the Act on Preventing Iodine-Deficiency Disorders, of 15 February 2007.

The following new national and sectoral programmes were approved and the following Government decisions adopted in 2006:

1. Strategy for Gender Equality in the Republic of Kazakhstan for 2006-2016;
2. Strategy for Combating Drug Abuse and the Drug Trade in the Republic of Kazakhstan for 2006-2014;
3. Programme of the Government of the Republic of Kazakhstan for 2003-2006;
4. Programme for the rehabilitation of disabled persons for 2006-2008;

5. Government decision No. 15 of 6 January 2006 approving the Rules on the reimbursement of the costs of travel to the permanent place of residence and transportation of belongings, the allocation of funds for obtaining accommodation in the place of arrival, and the payment of lump sum allowances to ethnic Kazakh repatriates arriving under the immigration quota;

6. Government decision No. 162 of 14 March 2006 on the use of current transfers provided for in the 2006 central budget to supply low-income disabled persons with hygienic equipment and to provide sign-language interpreters and personal aides, in accordance with the individual rehabilitation programmes of disabled persons;

7. Government decision No. 629 of 30 June 2006 approving the National Plan of Action for Human Rights Education for 2006-2007;

8. Government decision No. 819 of 25 August 2006 approving the Rules on the setting and payment of basic and special State disability benefits, survivor benefits and old-age pensions, pensions from the State Pension Payment Centre, basic State pensions and special State benefits;

9. Government decision No. 925 of 27 September 2006 approving the plan of action for 2006-2008 for the implementation of the sectoral Programme of Migration Policy of the Republic of Kazakhstan for 2001-2010;

10. Government decision No. 840 of 5 September 2006 approving the list of diseases in children over 3 years of age requiring continuous care;

11. Government decision No. 829 of 1 September 2006 on the signing of the Agreement between the Government of the Republic of Kazakhstan and the Regional Management Group of the Central Asia AIDS Control Project concerning the Conditions for the Stay in the Republic of Kazakhstan of the Regional Management Group;

12. Government decision No. 962 of 6 October 2006 approving the Rules on the provision of prescription drugs to citizens;

13. Government decision No. 83 of 5 February 2007 approving the plan of action to support preschool education and instruction in the Republic of Kazakhstan for 2007-2009;

14. Supreme Court decision of 25 December 2006 amending and supplementing Government decision No. 17 of 22 December 2000 on certain issues relating to the application by the courts of the legislation on marriage and the family when cases involving the adoption of children are considered.

A working group has now been established to prepare a draft law on social services, and an outline of the draft law has been developed. In addition, a study is being made of the leading foreign experience in providing social services to citizens, including families with children, children with special needs, mothers with many children and other socially vulnerable categories of the population.