

**NATIONAL VOLUNTARY
GLOBAL COMPACT FOR SAFE, ORDERLY AND**

The Republic of Kazakhstan takes consistent measures to improve the regulation of migration

During the implementation of the Concept, much work has been done to liberalise migration policy and to counter irregular migration. The Concept defined the strategic goals, objectives and directions of migration policy and envisaged the creation of a hybrid migration management system, which included:

- introduction of a systematic approach to the use of all external and internal migration flows for the socioeconomic development of the country;
- planning and recruitment of a foreign workforce tailored to the needs of specific sectors of the economy, based on liberalised migration policies;
- reducing the illegal employment of foreign immigrant workers, including those employed by individuals in households; establishing a modern migration flow recording system in order to forecast migration processes and take effective measures to manage them, etc.

The demographic situation

The demographic situation in Kazakhstan is characterized by positive dynamics of population growth. Over the past five years, from 2017 to 2021, the population number has grown from 17,918.2 thousand people to 19,125.6 thousand people.

According to the results of January-December 2021, migration outflow increased by 20.2% compared to the previous year and amounted to 21.2 thousand people. In 2020, the negative balance of migration amounted to 17.7 thousand people.

The main reason for the decreased migration flows is related to the COVID-19 pandemic with the introduction of restrictive measures on movement of people and closure of borders in many countries around the world, including Kazakhstan.

Chart No. 1. Comparison of external migration balance for 2020 and 2021 by month (BNS data)

Most emigrants from Kazakhstan to the CIS countries move to Russia (97.6%) and Belaru96%) 0 1 379.87 4.B

Migration laws are based on the Constitution and consist of the Law “ On Migration” (22 July 2011), the Law “ On the Legal Status of Foreigners” (19 June 1995), and other regulatory legal acts.

The Government of the Republic of Kazakhstan established the Coordinating Council for Sustainable Development, which coordinates measures to nationalise SDG targets and indicators in five key areas: People (SDGs 1-5), Planet (SDGs 6,12-15), Prosperity (SDGs 7-11), Peace (SDG 16) and Partnership (SDG 17).

In 2019, the World Bank prepared a Kazakhstan Roadmap for Monitoring the Sustainable Development Goals for 2020-2022 as part of the Joint Economic Research Programme of the Government of the Republic of Kazakhstan and the World Bank Group.

The paper notes that the Inter-Agency Expert Group on

The Republic of Kazakhstan is one of 103 states that signed the Joint Statement on the Impact of COVID-19 on Migrants (of 12 June 2020), thus demonstrating its commitment to joint inter

These questions are included in the census according to the CES Recommendations for the 2020 Censuses of Population and Housing (UN New York and Geneva, 2015), as well as the Decision of the 55th meeting of the CIS Council of Heads of Statistical Services of 8 September 2016 and taking into account the GCM recommendations. The results of the census will be published and posted on the BNS website in 2022-

A well-established and effective system of preventive measures made it possible to reduce the threat of outburst of moraine lakes, the formation of mudflows and ensured the safety of settlements.

Civil protection authorities pay special attention to teaching the population, especially the younger generation, the rules of conduct in case of emergencies, the purpose of which is to instill life safety skills in children from an early age within the framework of the training hours provided for the study of life safety, as well as through extracurricular activities (classes, interactive lessons, quizzes, sports days, didactic games on fire safety, etc.).

Separately, it is necessary to note the work on interaction with non-governmental and volunteer organizations, covering 4 areas in the civil protection system: liquidation of the consequences of emergency situations; search for missing citizens; providing assistance to persons affected by accidents, natural disasters, environmental, man-made and other disasters in need of outside assistance and support; prevention of natural and man-made emergencies. Volunteers together with government officials conduct training seminars, round tables and flash mobs.

Kazakhstan provides free and open access to information on disaster risks, emergency situations, as well as the rules of behavior of the population in the event of a threat and the occurrence of disasters and accidents. All the necessary information for the population is posted on the Open Government Internet portal with regular updates, as well as on the Internet resource of the Ministry of Emergency Situations.

In order to carry out flights to prevent and eliminate emergencies, provide emergency medical care, aviation protection of forests and wildlife, as well as search and rescue operations, helicopters of Kazaviaspas JSC of the Ministry of Emergency Situations are involved. All the necessary information for the population is posted on the Open Government Internet portal with regular updates, as well as on the Internet resource of the Ministry of Emergency Situations.

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By the end of 2021, 94% of public services in Kazakhstan were accessible to nationals through a special e-government portal. The portal provides 18 different types of public services for entering the country and obtaining Kazakhstan citizenship, and 13 types for travelling abroad.

Documents are accepted through CSCs (front offices) for the provision of such public services as

cards have been abolished for all foreigners and instead of this a passport stamp is placed at border checkpoints, which is the beginning of the period of stay in the country.

The Ministry of Internal Affairs, as the authorised body to issue identity documents and citizenship of Kazakhstan, has taken consistent steps to facilitate the acceptance of Kazakh citizenship by ethnic Kazakhs – "Kandas" (implementation of GCM Objective 4 (a)).

In Kazakhstan, persons who are not citizens and do not have proof of their citizenship from another state are recognised as stateless persons in accordance with national laws. The laws of Kazakhstan provide a definition of a stateless person, which extends to persons recognised as such and documented in accordance with the law (de jure stateless persons).

Thus, as of 1 January 2022, 7,140 persons were officially stateless in the Republic of Kazakhstan. Statistics show that the number of officially recognised stateless persons remains unchanged at around 7,000.

According to the law, stateless persons legally residing in Kazakhstan may apply for naturalisation on the same grounds as foreign nationals after 5 years of residence.

It should be noted that under current laws, formally recognised stateless persons have virtually the same range of rights as nationals, with a few exceptions (implementation of GCM Objective 4 (g)).

In addition to the above-mentioned category of de jure stateless persons, undocumented stateless persons (persons with undetermined citizenship) can and do potentially reside on the territory of the state.

Undocumented stateless persons have no access to fundamental rights and freedoms, they cannot

ecosystem of digital services in the area of employment of citizens of the Union member states, which will be called "Eurasian Labour Exchange".

Plans to develop a digital ecosystem and implement services such as information support for job

The implementation of the new Concept of Migration Policy envisages a series of measures aimed at supporting outgoing Kazakhstan nationals by the state (implementation of GCM Objective 14 (d)).

As mentioned in the Concept Paper, pre-departure training of migrants, including information on the destination country, its migration and labour legislation, the risks and dangers of undocumented employment should be an important focus of governmental structures and non-governmental organisations (employment agencies abroad, human rights organisations) (implementation of GCM Objective 6 (j), (l)).

The promotion of ethical recruitment as well as the development of organised labour migration schemes that connect migrant workers directly with employers are effective forms of ensuring the rights of migrant workers.

According to the Article 21 of the Criminal Procedure Code, all persons, including migrants, are granted equal rights of access to justice in criminal proceedings.

In 2021, the procurators filed motions of appeal and cassation against eight convicted foreign nationals (four citizens of the Russian Federation, three citizens of Uzbekistan and one citizen of the Kyrgyz Republic), and their rights were protected (implementation of GCM Objective 7 (c)).

IOM's February 2021 mapping of stranded migrants in Kazakhstan found that the population of stranded migrants consisted mainly of male respondents (72%) aged 25 to 44 (68%) and natives of three countries neighbouring Kazakhstan (80%): Uzbekistan – 51%, Tajikistan – 15% and Russia – 14%; 46% of respondents indicated active marriage status and more than half of respondents (60%) have children. And 93% of them have one to four children. One third of children (32.5%) live in Kazakhstan with the respondents.

Children involved in the migration process are the most vulnerable category of migrants. Due to their age and especially in the absence of parental care, birth registration or statelessness, they are at greater, in fact double the risk of being exposed to violence, labour exploitation and detention than adults.

The programme on the protection of children's rights in migration processes is aimed at building an effective model of support for migrant children in Kazakhstan. It covers the three regions that receive the largest flow of irregular migrants from Kyrgyzstan, Uzbekistan and Tajikistan. These are the cities of Nur-Sultan, Almaty, Shymkent and the Turkestan region (implementation of GCM Objective 7 (b), (c), (e), (f)).

A key part of implementing an effective protection system for migrant children is case management. UNICEF defines it as "a process carried out by social workers that supports or regulates the provision of social assistance to vulnerable children, families and other groups in need".

Under the developed service model for the protection of the rights of migrant children, case management is entrusted to specialised regional state institutions – Centre for Adaptation of Minors (CAM) and Child Support Centre (CSC), where migrant children left without parental care are placed.

If the child is not in need of care and protection, he or she can be referred directly to an NGO for legal, social support or psychological counselling.

Providing legal aid to children with undetermined citizenship and at risk of statelessness and assisting in their documentation is one of the activities to reduce statelessness ([see also GCM Objective 4](#)).

According to figures provided by UNHCR, 7,118 persons hold stateless status in Kazakhstan at the beginning of 2021, of whom less than 2% are children under 18 years old.

In 2021, the territorial units of the Internal affairs authorities received 14 reports of foreign nationals who were missing in Kazakhstan, of whom 12 were identified. There are still 2 outstanding cases that are being investigated.

Since 2016, the Red Crescent Society of the Republic of Kazakhstan has been running a "Restoring Family Links" programme for migrant detainees in reception centres. The programme provides phone calls to relatives as well as humanitarian aid in the form of hygiene kits. The programme also supports the tracing of relatives both within Kazakhstan and abroad (implementation of GCM Objective (c)). The main incoming migrants to the reception centres are citizens of Uzbekistan and Kyrgyzstan.

exploitation, forced labour, forcing to beggary, noncommercial sexual exploitation, as well as liability for violating labour legislation with respect to minors.

The Code of Administrative Offences establishes the liability of employers for violating labour legislation with respect to minors; health care providers for violating their obligations to inform internal affairs agencies about persons who have filed a complaint with police over recent injuries, wounds, or criminal abortions; and individuals and legal entities who knowingly provide premises for prostitution or procuring.

The Labour Code restricts the conclusion of employment contracts with individuals previously convicted of crimes against minors related to human trafficking.

In addition, the legislation increases the legal liability for many articles, in particular: for human trafficking, inducing a minor into prostitution, trafficking of minors, enticing for prostitution, and organizing or maintaining the disorderly houses for prostitution and procuring.

Thus, nowadays, the crime of human trafficking is punished with imprisonment for a term of up to 18 years with confiscation of property. This punishment is sufficiently severe and corresponds to the punishment for other serious crimes.

The legislation provides an extending the period of stay in Kazakhstan and not expelling foreigners against whom a serious crime has been committed until a court decision in a criminal case is made (Article 51 Part 2 of the Code of Administrative Offences).

Also, persons who have committed offenses are exempt from administrative responsibility if they are subsequently recognized as victims of crimes related to human trafficking (Article 741 Part 1, Clause 11 of the Code of Administrative Offences). This is especially relevant for migrants who have been subjected to labour or sexual exploitation.

implemented and targeted current transfers are allocated from the republican budget for the provision of special social services to victims of human trafficking in NGOs.

The Standard provides for the provision of assistance and protection to victims of trafficking in persons, including safe living services, medical and psychological assistance, vocational guidance, legal advice and other types of assistance. Over the past five years, more than 700 victims of human trafficking have been covered by the Ministry of Labor and Social Protection with special social services.

Cooperation with international and non-governmental organizations has been intensified within the framework of bilateral memorandums. Those memoranda are effective between the Ministry of Internal Affairs and IOM since 2012, between the Ministry of Internal Affairs and the OSCE Programme Office in Nur-Sultan since 2016, and between regional police departments and 18 NGOs since 2020.

In September 2021, the Organization of Individual Entrepreneurs and Legal Entities in the form of "Association of Farmers of Kazakhstan" and the NCE "Atameken" signed memorandums to increase efforts in the prevention of forced labour.

To intensify measures to prevent forced labour, in 2021 the second phase of the pilot project of mobile groups organized by the MIA together with the General Prosecutor's Office, Ministry of Labour and Social Protection, and IOM is continued in Karaganda, Mangistau, and Turkestan regions. Mobile groups are engaged in informing the population about the problem of human trafficking, including about forced labour, criminal legislation, and legal acts assisting victims of human trafficking, general signs of human trafficking and contacts for appeal; conducting consultations and questionnaires; distributing issue-related information, materials, videos, presentations, slides, etc.; taking measures under the law in case of information about an offense.

Another successful case of cooperation is the national information campaign "Stop Human Trafficking Together!" held in support of the UN World Day Against Trafficking in Persons.

In November 2021, an informational marathon "Together against human trafficking!" was held on the Kazakh-Kyrgyz and Kazakh-Uzbek sections of the border. As part of the campaign, citizens were advised on labour law, how to avoid a situation of human trafficking, and were provided contacts for appeal.

In total, more than 5,500 materials on human trafficking were published in 2021, of which 5,000 were published by internal affairs agencies. There was arranged the national 24/7 helpline line "116 16", the operators of which provide advice on any issues related to labour migration and human trafficking. The helpline is operated by specialists of the Association of legal entities "Union of Crisis Centres in Kazakhstan"; if reports of possible criminal offenses are received, the information is immediately sent to the Ministry of Internal Affairs for verification of the fact and appropriate action.

As a result of the measures taken in 2021, according to the estimates of the US State Department, Kazakhstan moved from the "watch list" to the second category of the international ranking of countries, which indicates an improvement in the situation in the field of ensuring human rights.

In 2021, the IOM Mission in the Republic of Kazakhstan, together with the Human Rights Commissioner in the Republic of Kazakhstan, presented a report prepared by international experts as part of the IOM Project assessing the effectiveness of measures to identify (potential) victims of human trafficking and prosecute crimes related to human trafficking in the Republic of Kazakhstan.

The results of the study show that Kazakhstan has made significant efforts and progress in combating human trafficking. However, its legal framework and practice still have gaps in the identification and detection of victims, especially foreigners, and in the prosecution of human trafficking. The report provides recommendations for improving the legal and regulatory framework, its implementation, and capacity development for organizations involved in combating human trafficking. The report was sent to the relevant government agencies for review.

In 2021, IOM, together with the Ministry of Internal Affairs, developed standard operating procedures for work with victims of human trafficking (step-by-step algorithms) for patrol officers, juvenile police, local police inspectors, and investigators. The goal is to increase the professionalism of police officers in combating human trafficking, particularly in identifying victims, conducting interviews and interrogations, providing appropriate protection and assistance, and reducing the potential for legal, moral, and other mistakes while communicating with victims.

In addition, within the framework of international cooperation, seminars, conferences, round tables are held on an ongoing basis together with state and non-governmental organizations.

temporary stay at the Centre for the Support of Children in Nur-Sultan as well as facilitating their contact with established family members.

Since the programme started, more than 350 children affected by migration were provided with protection services, and a study was conducted on a comparative analysis of national legislation and international standards for the protection of children affected by migration.

Guidelines for protective services for children affected by migration were developed and tested for government agencies, the civil sector, and cross-sector cooperation. Training and evaluation of the program implementation was conducted. Other important initiatives and projects on the above-mentioned programme were also implemented.

Amendments were made to the Criminal Procedure Code and the Penal Execution Code, the laws of the Republic of Kazakhstan "On the legal status of foreigners", "On migration of the population", "On the prevention of offenses" and "On the procedure and conditions for detention of persons in special institutions, special rooms providing temporary isolation from societies" to solve the problems of introducing international standards into national legislation on human rights protection, eliminating legal gaps, removing provisions in the legislative acts that are not necessary for the protection of human rights and freedoms; as well as for implementing the proposals of the Constitutional Council of RoK on additional legislative regulation of the terms of detention when deporting persons (foreigners or stateless persons) from the Republic of Kazakhstan, regulating the procedure of their detention and subsequent placement in special facilities of internal affairs bodies (implementation of GCM Objective 13 (f), (d), (c)).

There are currently 96 consular establishments in 70 countries around the world. Along with this, there are 106 Honorary Consuls of Kazakhstan working abroad. To expand the geographic coverage of the consular protection of citizens of Kazakhstan abroad, the Consulate General of Kazakhstan in Busan (South Korea) was established by Presidential Decree No. 642 dated 20 August 2021. Bilateral negotiations are underway to open a Consulate General in Xi'an (PRC).

Due to COVID-19 pandemic in the world, comprehensive assistance of compatriots abroad in the return to their homeland is continued. In 2021, about 100 repatriation flights were organized and about 3,000 of our citizens from countries with no direct regular flights were returned home.

To create appropriate conditions for the departure of Kazakhstani students of foreign higher educational institutions to their places of study, the activities of the Operation Headquarters of the Ministry of Foreign Affairs were aimed at resuming direct air communication, clarifying the conditions and procedure for the beginning of the academic year at foreign higher educational institutions. The relevant information is regularly updated and published on the Ministry of Foreign Affairs website. The citizens of Kazakhstan are also regularly informed about the current situation and measures taken to combat the coronavirus epidemic through the websites of the Ministry of Foreign Affairs and foreign establishments of Kazakhstan and various social networks.

About 80 citizens of Kazakhstan and ethnic Kazakhs were evacuated from unstable regions of Afghanistan and Syria due to worsening internal political situation.

To facilitate the movement of citizens of the Republic of Kazakhstan, work is underway to conclude intergovernmental agreements on the mutual exemption from visa requirements. On 6 September 2021, in Bern, a visa exemption agreement for holders of diplomatic or service passports was signed between RoK and Switzerland.

In general, to date, Kazakhstan has signed visa exemption agreements for holders of diplomatic passports with 71 countries and with the UN, for holders of service passports – with 50 countries, and for holders of national passports – with 20 countries.

In addition, negotiations are underway with other countries (Austria, Albania, Andorra, Bangladesh, Bahrain, Brunei, Grenada, Dominican Republic, Maldives, Nicaragua, Republic of South Africa, San Marino, Garden Arabia, Suriname, Fiji) to agree on draft agreements on the exemption from visa requirements for holders of various types of passports.

One of the priorities of international cooperation in the field of healthcare according to Article 72 of the Code of the Republic of Kazakhstan "On Public Health and Health Care System" is the provision of medical care to foreigners and stateless persons (implementation of GCM Objective 15 (e)).

Article 83 of the Code stipulates that Kandas, refugees, as well as foreigners and stateless persons permanently residing in the territory of the Republic of Kazakhstan, are entitled to the Guaranteed Amount of Free Medical Care (GAFMC) in the same way as citizens of the Republic of Kazakhstan. Foreigners and stateless persons temporarily staying in the Republic of Kazakhstan, as well as asylum seekers, have the right to receive the GAFMC for diseases that pose a danger to others, according to the list and in the volume defined by the Order of the Minister of Healthcare of RoK.

For foreigners from EAEU, in case of sudden acute conditions and diseases that threaten the life of the patient or the health of others, accidents, poisoning, injuries, childbirth, and emergency conditions during pregnancy, emergency medical care is provided to citizens safely, free of charge and in full in medical institutions of the state of the temporary stay, regardless of organizational and legal forms, departmental affiliation and forms of their ownership.

Foreign workers arriving for self-employment or attracted by employers, including intra-company transfer, business immigrants, and seasonal foreign workers are required to have health insurance covering PHC and inpatient care.

That is, migrant workers staying in Kazakhstan, regardless of the period of stay in the country, have the right to be participants of the Mandatory Social Health Insurance system, including the categories of persons whose contributions are paid by the state. State contributions to compulsory social medical insurance are paid for categories listed in Article 26 of the Law "On Compulsory Social Health Insurance" (15 categories).

Thus, immigrant workers are required to be insured in order to participate in the insurance system, i.e., to have a voluntary insurance policy covering PHC services. In 2021, 2,990 foreigners and stateless persons were provided medical care under the guaranteed volume of medical care and the insurance system, including 2,858 emergency medical care (in 2020, 5,201 foreigners were provided medical care, including 4,857 emergencies medical care).

By countries, the largest number of citizens provided with medical care are from the Russian Federation - 1,063, Uz8 16/Lang (kk-KZ) - 800, G(Fed)4(erati)1wa(1)00008871 0 595.32 841.92 reW*BT/F3 11.

There are the Rules for receiving pre-school, primary, basic secondary and general secondary education by foreigners and stateless persons permanently residing in the Republic of Kazay

"Formation and functioning of public associations pursuing the goals or actions directed toward a violent change of the constitutional system, violation of the integrity of the Republic, undermining the security of the state, inciting social, racial, national, religious, and tribal enmity".

"No one shall be subject to any discrimination for reasons of origin, social, property status, occupation, sex, race, nationality, language, attitude towards religion, convictions, place of residence or any other circumstances".

"Any acts capable of violating inter-ethnic and inter-religious harmony shall be recognized as unconstitutional".

The Republic of Kazakhstan has ratified more than 180 basic international normative legal acts in the sphere of regulation of interethnic and interfaith relations.

In 2003, 2006, 2009, 2012, 2015, 2018, the Republic of Kazakhstan held I, II, III, IV, V, VI Congresses of Leaders of World and Traditional Religions, which confirms the policy of interfaith harmony, respectful, tolerant attitude to all ethnic groups and confessions. In 2022, after the recession of the pandemic, the capital of Kazakhstan will be ready to hold the VII Congress of Leaders of World and Traditional Religions not only to continue inter-religious dialogue, but also to find ways to peacefully unite communities and nations united by common interests.

To prevent and avoid interethnic tension, the interethnic situation in the country is being monitored, including for identifying facts of language discrimination in all spheres of life.

The Ministry of Information and Social Development (MISD), together with regional akimats, takes

Since 2018, the Republic of Kazakhstan has been implementing an Action Plan to support ethnic Kazakhs abroad for 2018-2022 which includes for the development, publication and placement on Internet resources of educational and methodological manuals for ethnic Kazakhs abroad, as well as the provision of Kazakh cultural centres abroad with humanitarian literature upon request.

In Kazakhstan, the cost of transfers is formed by banks independently based on the competition prevailing in the payment market.

As part of balance of payments statistics, the National Bank of Kazakhstan (NBK) forms a "personal remittances" indicator, which takes into account all current transfers made by resident households to non-resident households or reye(ad)4(o)-5(u)3(12(o)-5(ld)5(s o)-7(r)12(rtrand-12(efrTQ)14(y n-7(r)12(0.000008871 0 595

Kazakhstan has established comprehensive regional cooperation by becoming a party to a number of regional agreements, especially within the CIS, and has signed bilateral agreements with Azerbaijan, Belarus, Kyrgyzstan, Tajikistan, Uzbekistan and others.

The [redacted] is a regional consultative platform on refugee protection and international migration issues affecting Central Asia. The Almaty Process is aimed to address the multiple challenges posed by the dynamics of mixed migration and to enhance regional cooperation and coordination on mixed migration issues.

The Objectives are to facilitate dialogue on international migration and refugee protection issues;

consulates of the Republic of Kazakhstan in the host country with the involvement of consulting organizations providing legal assistance

13. Development of information materials for the preparation of citizens of the Republic of Kazakhstan traveling for employment abroad (legislation, culture, language, paperwork, etc.).
14. Information support of citizens of the Republic of Kazakhstan on migration, labour legislation, including on liability for illegal employment in the country of destination.
15. Conducting scientific research on migration processes within the framework of grant and program-targeted funding in order to form a reliable and up-to-date picture of the migration situation, assess the role of migration in the development of the Republic of Kazakhstan and build a fact-based state migration system.