



Activities for the elimination of child labour in Kazakhstan 2005-2010



International
Labour
Organization



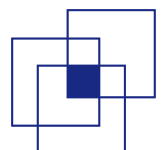
CHILD LABOUR IN KAZAKHSTAN

In 1996, the Kazakhstan Scientific Research Institute for Labour carried out an assessment¹ which was the first attempt to focus on the magnitude of child labour in Kazakhstan. The study revealed widespread incidence of child labour in various sectors of the rural and urban economy, resulting from the emerging market and collapse of the state welfare system. According to this assessment, in urban areas children were involved in begging, vending food and small consumer goods, shining shoes, washing windscreens, scavenging and rag picking, transporting loads in markets, working in car filling stations, etc. In rural areas, children engaged in cotton and tobacco picking, often not having access to quality medical care and suffering from chronic fatigue and malnutrition. In 1996, 30.2 percent of children (1.2 million) aged 7 to 14 were economically active or

economically active and studying (30.9 percent boys and 29.4 percent girls).

The second assessment of child labour was conducted in 2005-2006, when IPEC officially opened its office in Kazakhstan. By that time, the national key partners identified the southern regions of the country, i.e. agricultural fields (tobacco and cotton picking), as priority areas for combating child labour. A Rapid Assessment Survey (RAS) conducted in cotton and tobacco sectors within the IPEC project revealed a number of problems, such as the difficulty to assess the number of children involved in cotton and tobacco due to the absence of monitoring and reporting mechanisms on child labour. As per the RAS findings, children constituted up to 50-60 percent of the total workforce in tobacco and cotton fields in selected villages. Working children came mainly from low-income families with many children or migrant families from neighbouring

¹ IPEC: Bereshev S. and Windell, J.: *Child labour in Kazakhstan*, report, Almaty, ILO, 2007.



International Programme on the Elimination of Child Labour (IPEC)

poorer countries.

Working children surveyed had the following demographic characteristics: the majority of the working children in tobacco sector were 13 to 16 years of age; in the cotton sector, working children 10 to 16 years of age. The majority of the children started working in tobacco fields at the age of 9-13 years; in the cotton fields – from the ages of 7-10; the proportion of boys and girls was almost equal among the working children. In both tobacco and cotton growing, children performed different types of work. In tobacco, children were involved in tobacco sowing, irrigation, weeding, picking, sorting, stringing and pressing, while in cotton, children were usually involved in weeding, worm collection and cotton gathering.

The average length of the working day in tobacco fields for children under the age of 10 was about five hours (35 hours a week), for children aged 11-15 years – six hours (42 hours a week), while 16-17 year-old children worked for eight hours (56 hours a week). There were also seasonal fluctuations: in the summer children worked from 6-7 a.m. until 10-11 p.m., while in the autumn they worked from 9 a.m. until 8-9 p.m. Working hours for local and migrant children were different. Migrant children worked from morning until

evening – on average about ten hours a day – as they did not attend school, while local children tended to work before or after school for about five hours a day. In cotton, it was found that the length of the working day varied according to child's age: children under 10 years worked, on average, eight hours a day (56 hours a week), with a maximum of ten hours a day (70 hours a week), while children aged 11 and over worked on average up to 12 hours a day (84 hours a week). On average, children worked in the cotton fields two hours longer than children in tobacco growing because work in cotton was paid daily, giving an incentive to work more. Thus, the working hours per day was 2 or 3 times higher than the maximum working hours as defined by national labour law (reduced working hours are defined for workers under the age of fourteen to maximum 24 hours a week and for workers aged sixteen to eighteen years to maximum 36 hours a week).

Children's working conditions did not comply with national labour law and had the following characteristics:

- ▶ absence of protective clothes, respiratory masks and other means of protection against unfavorable weather conditions, agricultural chemicals and

NATIONAL LEGAL FRAMEWORK

<p>Constitution of the Republic of Kazakhstan: 1995</p> <ul style="list-style-type: none"> ▶ Article 17, paragraph 2: provides for protection of children against any forms of torture, violence or other treatment and punishment that is cruel or humiliating to human dignity 	1995	<p>The Law of the Republic of Kazakhstan No. 321-1 "On Marriage, Family and Guardianship": 1998</p> <ul style="list-style-type: none"> ▶ Article 67-74 refers to deprivation of parental rights and seizure of a child when his/her life is threatened 	1998
<p>Criminal Code: 1997</p> <ul style="list-style-type: none"> ▶ Article 131: involvement of minors in criminal activities ▶ Articles 132, 133: involvement of minors into prostitution, vagrancy or begging, and trafficking of minors ▶ Article 139: abuse of rights as a guardian or trustee ▶ Article 148: violation of labour legislation inflicting a serious violation of the rights and legal interests of citizens, including minors ▶ Article 152: violation of occupational safety and health inflicting serious or average harms to health, or death of a person 	1997	<p>Code on Administrative Violations: 2001</p> <ul style="list-style-type: none"> ▶ Chapter 12, articles 111-117 refer to violations of the rights of minors 	2001
		<p>The Law No. 345 "On the Rights of the Child in the Republic of Kazakhstan": 2002</p> <ul style="list-style-type: none"> ▶ Article 16 sets the right of a child to freedom from labour ▶ prohibits to employ or involve a child in heavy physical work and work in hazardous and (or) harmful working conditions ▶ the work performed by a child should not prevent education 	2002
		<p>The Law No. 591-II "On Preventive measures on violations of law by minors and prevention of vagrancy and homelessness": 2004</p> <ul style="list-style-type: none"> ▶ Determines legal, economic and social bases of the government authorities for prevention of juvenile delinquency and child neglect and homelessness 	2004

hazardous components in tobacco leaves;

- ▶▶ absence of sources of drinking water;
- ▶▶ absence of toilets;
- ▶▶ absence of places to have meals and rest;
- ▶▶ absence of first aid equipment;
- ▶▶ high humidity, dirt, poor ventilation and lighting, and low temperatures in the facilities for tobacco processing;
- ▶▶ carrying heavy weights;
- ▶▶ long working hours and no time for rest;
- ▶▶ unbalanced and insufficient nutrition.

The working children's health was negatively affected by physically demanding work, inadequate rest, malnutrition, unsanitary working conditions, and exposure to chemicals and hazardous components. According to the assessment, working children suffered frequent colds, skin diseases, anemia, rheumatism (arthritis) and tooth decay.

The assessment showed that working children had limited access to education. Alternatives to child labour, such as extracurricular activities, vocational training,

career guidance, recreational events, sports, etc. were absent. Children working in tobacco had to combine work and school. Many child workers in cotton growing did not attend school during the work season. Many children from migrant families could not attend school because they did not have legal status and had to work. Moreover, some migrant children had never attended school and were illiterate.

The causes of child labour are to a large extent related to socio-economic problems in rural areas and agriculture. Additionally, sector specific issues, such as a wide use of manual unskilled work, encourage the use of child labour. The key informants listed the following factors that contribute to the use of child labour in tobacco and cotton growing:

- ▶▶ poverty of the rural population;
- ▶▶ poverty of population in neighbouring countries, which supply migrant labour to Kazakhstan (e.g. Kyrgyzstan, Uzbekistan and Tajikistan);
- ▶▶ absence of other income sources for rural families besides tobacco/cotton growing;
- ▶▶ low wages in the agricultural sector;
- ▶▶ low cost and availability of child labour;

As a result of IPEC activities in Kazakhstan, child labour has been mainstreamed into legislation, policies, national programmes, etc., as follows:

<p>Labour Code:</p> <ul style="list-style-type: none"> ▶▶ provides for the elimination of the WFCL as one of the key principles of national labour legislation, covers the issues of underage employment in a separate section and provides a higher degree of protection to workers under 18 ▶▶ contains a section that regulates labour conditions for minors ▶▶ Sets the minimum age of employment at 16 years <p>IPEC conducted a legal analysis including recommendations on compliance with the ILO Conventions Nos. 138 and 182 that was used by the national stakeholders during the drafting process of the Labour Code</p>	2007	<p>Governmental Programme "Children of Kazakhstan" contains provisions on child labour including establishment of social centres for children for prevention and elimination of WFCL and providing alternatives to child labour, as well as organizing monitoring visits by the Government, particularly the Ministry of Education and Science of Kazakhstan</p>	2007
<p>The list of hazardous works and occupations prohibited to persons under 18 includes agriculture and other sectors where child labour may be used</p>	2007	<p>General Tri-Partite Agreement by the Government, Workers' and Employers' Organisations for 2009-2011, in accordance with clause 31, the parties are obliged to implement the Joint Work Plan on the Elimination of WFCL and implement ILO Convention No. 182 in the Republic of Kazakhstan in 2010-2011</p>	2008-09
		<p>Joint Work Plan 2009-2011 on the elimination of WFCL and implementation of the ILO Convention No. 182 in the Republic of Kazakhstan</p>	2009
		<p>Decent Work Country Programme for 2010-2012. Outcome 3.4 - Social partnership in the area of the elimination of the worst forms of child labour strengthened</p>	2010

- ▶ tradition to involve children from rural areas in field work;
- ▶ shortage of labour force;
- ▶ low level of labour mechanization in agriculture, specifically in tobacco and cotton sectors;
- ▶ lack of alternatives or limited access to alternatives for children (e.g. education, informal education, vocational training, career guidance, recreational activities).

RATIFICATION OF THE RELEVANT INTERNATIONAL CONVENTIONS AND INSTRUMENTS

The Government of Kazakhstan committed itself to take the necessary measures to address child labour by ratifying the following conventions and international instruments:

INTERNATIONAL INSTRUMENT	DATE OF RATIFICATION
ILO Convention No. 138 (1973) on Minimum Age for Admission to Employment	18 May 2001
ILO Convention No. 182 (1999) on the Worst Forms of Child Labour	26 February 2003
UN Convention of the Rights of the Child CRC (1989)	11 September 1994
Optional Protocol to the CRC (2000) on the Involvement of Children in Armed Conflicts	10 May 2003
Optional Protocol to the CRC (2000) on the Sale of Children, Child Prostitution and Child Pornography	18 January 2002

INSTITUTIONAL FRAMEWORK

In order to ensure cooperation between governmental bodies, social partners and civil society organisations in addressing the WFCL, a **National Coordination Council on Combating WFCL** was established in 2006 under the Ministry of Labour and Social Protection of Citizens of the Republic of Kazakhstan. The main objectives of the Coordination Council are:

- ▶ to ensure implementation of measures and activities stipulated in the **Joint Work Plan on the Elimination of the WFCL and implementation of the ILO Convention No. 182 in the Republic of Kazakhstan**;

- ▶ coordination of the work of governmental bodies, social partners, civil society organisations and other organizations;
- ▶ drafting proposals and making recommendations on the implementation of the state policy on the elimination of WFCL.

The implementation of the Joint Work Plan is guided by the ILO Global Action Plan and Roadmap for Achieving the Elimination of the Worst Forms of Child Labour by 2016 which was adopted at the Hague Global Child Labour Conference in 2010. **Government actions concerning national legislation and enforcement, education and training, social protection, and labour market policy, as well as, social partner and non-governmental organization actions, pertaining to issues such as this, will serve as a guide for programmes in Kazakhstan.**

In 2007, as an outcome of one of the IPEC Action Programmes, the **Almaty City Coordination Council on the Elimination of the WFCL** was established, and the Almaty City Plan on the Elimination of the WFCL was adopted by the city administration.

Under the framework of IPEC work in Kazakhstan, a **National Information-Resource Centre on the Problems of Child Labour** under the National Scientific Research Institute for Protection of Labour of the Ministry of Labour and Social Protection of Citizens of the Republic of Kazakhstan, was established in March 2007. The Centre collects information on the issue of child labour in the country, prepares and disseminates the relevant information to specialists. In 2007, the Centre conducted four training seminars on the topic "Child Labour and Exploitation of Children – Problems and Legal Aspects". The target groups of the seminars included 75 state labour inspectors, inspectors on minors' affairs issues, social workers, specialists from regional departments of the Ministry of Labour and Social Protection of Citizens of the Republic of Kazakhstan, representatives of NGOs.

State institutions that deal with child protection issues, including child labour, as part of their mandates:

Inter-Agency Commission on Minors' Affairs and Protection of their Rights under the Government of the Republic of Kazakhstan (IAC)
Ministry of Labour and Social Protection of Citizens of the Republic of Kazakhstan:
<ul style="list-style-type: none"> ▶ National Information-Resource Centre on the Problems of Child Labour under the National Scientific Research Institute for Protection of Labour of the Ministry of Labour and Social Protection of Citizens of the Republic of Kazakhstan ▶ State Labour Inspection Office

Ministry of Education and Science of the Republic of Kazakhstan:

- ▶▶ Committee for the Protection of Child Rights and its subordinate regional Departments for the Protection of Child Rights

Ministry of Internal Affairs of the Republic of Kazakhstan:

- ▶▶ Regional Departments on Minors' Affairs

Ministry of Healthcare of the Republic of Kazakhstan

Ministry of Culture and Information of the Republic of Kazakhstan

Ombudsman's Office of the Republic of Kazakhstan

General Prosecutor's Office of the Republic of Kazakhstan

Commission on Family and Women's Affairs under the President of the Republic of Kazakhstan



A boy-loader at the market, Almaty city, 2006.



A girl at at the market, Almaty city, 2006.

STRATEGIC COMPONENTS

IPEC strategy in the country has been a combination of policy-related upstream interventions to create a conducive environment against child labour with downstream service activities at the community level to pilot models of intervention that are appropriate to the national context.

The main strategic components are:

- ▶▶ building the knowledge base on the WFCL;
- ▶▶ support direct interventions to withdraw children from child labour or prevent them from entering child labour;
- ▶▶ awareness raising and dissemination of information;
- ▶▶ creating linkages and networks among partners;
- ▶▶ formulation and enforcement of legislation and policies.

IPEC ACTIVITIES IN KAZAKHSTAN

The ILO's **International Programme on the Elimination of Child Labour (IPEC)** has been working in Kazakhstan since 2005 with the purpose to provide technical and financial assistance to eliminate the worst forms of child labour and to implement the ILO's child labour conventions: Minimum Age Convention (1973) No. 138 and Worst Forms of Child Labour Convention (1999) No. 182. IPEC activities in Kazakhstan were funded by the US Department of Labour and German Government under a common programming framework **Programme on Action against Child labour and Trafficking in children in the Central Asian Region (PROACT CAR)** that also includes Kyrgyzstan and Tajikistan.²

² Due to the international boycott of the Uzbek cotton as well as of the controversy in the position of Uzbekistan on child labour in cotton sector, IPEC suspended its activities in Uzbekistan in August 2008.

BUILDING THE KNOWLEDGE BASE

The nature of child labour makes it difficult to obtain reliable and accurate data. In this context, IPEC took the initiative to conduct the following studies and research:

Child labour in Kazakhstan: first assessment of situation , Report for IPEC, Almaty, Bereshev S. , J.Windell	1997
Child labour in tobacco and cotton growing in Kazakhstan . Rapid Assessment Survey, Center for Studies in Public Opinion (CSPO), Almaty	2006
Multiple Indicator Cluster Survey . Monitoring the situation of children and women, Agency on Statistics of the Republic of Kazakhstan	2006

<i>Report on Compliance of National Legislation of the Republic of Kazakhstan with ILO Conventions on Child Labour</i> , Independent expert, V. Ni	2007
<i>Situation Analysis of Youth Employment in the Republic of Kazakhstan</i> , Independent experts V. Ni, S. Kunitsa, Almaty	2007

World Day Against Child Labour – 12 June

Since 2006, the World Day against Child Labour (WDACL) campaigns have been conducted during the first 12 days of June. Activities with children and young people include performances, art competitions, debate tournaments, concerts, exhibitions, street shows and other. As a result of IPEC support, the WDACL has full ownership and commitment of national partners, which equally includes governmental and non-governmental organisations. The WDACL is regularly covered by various types of media.

In 2006, the Action Programme “National awareness raising campaign against worst forms of child labour” implemented by Association of Women of Intellectual Labour and National Media Network on Children created a functional national media network that covers child labour issue on a regular basis. Activities organized included a competition for the best article on child labour, a drawing contest for children, and a contest on the best photo on child labour taken by children.

DIRECT SERVICES TO CHILDREN

As a result of IPEC interventions implemented during 2005-2009, 966 children were direct beneficiaries, out of which **935 children were withdrawn from WFCL and 31 children were prevented to enter WFCL**. A comprehensive package of services was provided to children, including education, counselling, extra-curricular activities, summer camps, and other.

AWARENESS RAISING AND DISSEMINATION OF INFORMATION

Media training

Since 2006, IPEC Kazakhstan has trained over 30 journalists on the issue of child labour issue. These journalists have continued to raise awareness and as a result of the issue of child labour is widely covered by the media on a regular basis in Kazakhstan. Over 300 articles have been written in daily newspapers, of which 35 were in Kazakh language. Media coverage has also included broadcasting over 30 programmes on TV and radio channels.



Drawing contest – June 12, World Day Against Child Labour, 2006.

ILO-IPEC PUBLICATIONS

The capacity building and awareness raising activities were based on tools, publications and materials either drafted in the country or existing IPEC materials translated into Russian and Kazakh languages, such as:

- ▶ *ILO Guidelines on Child Labour Legislation*, translated into Russian, 2006
- ▶ *Dictionary of terminology on child rights protection* in Kazakh and Russian languages, developed by IPEC partners jointly with UNICEF, 2007
- ▶ *Guidance for trainers “Child Labour and Exploitation of Children – Problems and Legal Issues”*, pilot version, 2007
- ▶ *Implementation of “Know About Business” Programme in Kazakhstan: Current Status and Perspectives of its Development Assessment*, independent experts D. Shorokhov, A. Iliyassova, 2007
- ▶ *Collection of laws regulating child labour issue*, in Kazakh and Russian languages, 2008
- ▶ *Two books on child labour in Kazakhstan: partners’ experiences*, in Kazakh and Russian languages, 2008
- ▶ *“SCREAM – Supporting Child Rights through Education, Arts and Media”*, IPEC resource kit, in Russian language, 2008-2009
- ▶ *Guidance on Organizing and Conducting Child Labour Monitoring in Kazakhstan*, independent experts A. Kulakhmetova, V. Ni, A. Tonkobayeva, 2008-2009
- ▶ *“I want to cry...”* by Michele, IPEC post card translated into Kazakh and Russian, 2008-2009
- ▶ *Eliminating Child Labour: Guides for Employers*, ACT/EMP-IOE guidelines, translated into Russian language, 2008
- ▶ *WDACL materials* translated into Kazakh and Russian languages, 2006-2009

In 2007, a movie show "All the Invisible Children" was organized during the campaign for:

- ▶ street children, neglected children deprived of parental care, who were temporarily accommodated in the Centers of Minor's Temporary Isolation and Rehabilitation (CMTIR) under the Ministry of Internal Affairs;
- ▶ children living in Turksib region of Almaty city, in the Youth Centre recently organized by "Zabota Crisis Center" within an Action Programme;
- ▶ teachers from secondary schools in Turksib region of Almaty city;
- ▶ children from Zhandosov village attending the local secondary school and participating in the training programme organized by "Shyragym" within a Mini-Programme.



Press conference, drawing competition on the pavement
June 12, World Day against Child Labour, 2008.

In 2008, WDACL press conferences were organized in all 16 regions of the country within a nationwide awareness raising campaign on "Education is the right response to CL" presenting the results of mass media competition on the best publication on "WFCL: life stories".

In 2009, in honor of the 90th anniversary of the first Child Labour Convention, the 10th anniversary of the Child Labour Convention No. 182 and the 90th anniversary of the International Labour Organisation, WDACL activities gave special attention to girls involved in child labour. The WDACL campaign included a collection of signatures to support the WDACL campaign in Almaty, a quiz on child labour and a concert organized by children's creative groups in the Family Park, in Almaty.



Roza Rymbayeva and Ramazan Stangazyev, national artists of Kazakhstan.

In 2010, Kazakhstan joined the global campaign "Red Card to Child Labour", which is carried out by IPEC worldwide since 2002. Prominent Kazakh national artists and well-known politicians have joined the Red Card Campaign and added their voices to the worldwide movement against child labour.

Youth empowerment

In 2009, the programme "Enhancing the capacity of partners in the Republic of Kazakhstan in combating the WFCL through SCREAM" was implemented in Kazakhstan. Its main objective was to contribute to the elimination of child labour in Kazakhstan by increasing the capacity of partners and key stakeholders in combating WFCL by using SCREAM modules. Potential SCREAM trainers were selected among the students of six colleges in Almaty and senior school students of secondary schools (9-10 grades). Master-classes were attended by 180 students, out of which over 80 young people were selected as SCREAM trainers for summer-camps. Sessions for children using SCREAM modules took place in seven summer camps for 1,815 children from 6 to 17 years of age.



Sessions with children using SCREAM modules, Almaty, 2009.

CHILD LABOUR MONITORING SYSTEM

A **national training workshop** on child labour and introduction of the Child Labour Monitoring System (CLMS) in Kazakhstan was held in March 2008 for representatives of departments for child protection from all 16 administrative regions and labour inspectors from southern region of Kazakhstan. Participants were provided with information about the CLMS components, and agreed to develop a CLMS that would further lead to a full-fledged monitoring system at the national level that would identify children involved in the WFCL, assess individual their needs, refer them to rehabilitation services, reintegrate them in their communities and schools, and track children to check that all risks and hazards have been removed. A **Guidance on Organizing and Conducting Child Labour Monitoring** was drafted by national experts for local partners in 2008-2009.



CREATING LINKAGES AND NETWORKS WITHIN PARTNERS

At the beginning of 2008, the National Information-Resource Centre on Child Labour under the National Scientific Research Institute for Protection of Labour of the Ministry of Labour and Social Protection of Citizens of the Republic of Kazakhstan launched a web-site <http://www.stopdetrud.kz> with materials on child labour issue (laws, ILO publications, research on the topic, information on partners, materials from conferences).

IPEC NATIONAL STAKEHOLDERS AND PARTNERS

Government

- ▶▶ Ministry of Labour and Social Protection of Citizens (MoLSPC)
- ▶▶ Ministry of Education and Science
- ▶▶ Ministry of Culture and Information
- ▶▶ Ministry of Healthcare
- ▶▶ Ministry of Internal Affairs
- ▶▶ General Prosecutor's Office
- ▶▶ National Research Institute on Labour Protection under the MoLSPC

Social partners

- ▶▶ Trade Unions
- ▶▶ Employers' Organisations
- ▶▶ NGOs
- ▶▶ Media
- ▶▶ International Organisations



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