



International
Labour
Organization

ILO-IPEC CONTRIBUTIONS TO **ELIMINATE** THE WORST FORMS OF **CHILD LABOUR** IN KAZAKHSTAN



2005-2013

Decent Work
Technical Support
Team and Country
Office for Eastern
Europe and Central Asia

International
Programme on
the Elimination
of Child Labour (IPEC)

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CHILD LABOUR IN KAZAKHSTAN

Kazakhstan is among the countries in Central Asia seriously affected by the worst forms of child labour (WFCL). Children work in various sectors of industry, including cotton and tobacco plantations and in the provision of various services. Although the problem of child labour exists in some form in all regions, it is especially concentrated in the southern pockets where tobacco and cotton are the main means of subsistence, as well as in informal economies of urban areas. The prevalence of these worst forms of child labour has disastrous consequences on the safety, education, health and overall well-being of children.

A rapid assessment survey (RAS) on child labour in agriculture,¹ conducted in the southern regions of Kazakhstan in 2005-2006, with the support of the ILO's International Programme on the Elimination of Child Labour (ILO-IPEC), revealed that working children came mainly from low-income families with many children or migrant families coming from neighbouring poorer countries. The majority of working children in the tobacco sector were aged from 13 to 16 years; and in the cotton sector - from 10 to 16 years, with the proportion of boys and girls being almost equal. Children's working conditions were not in compliance with the national labour law. The assessment showed that working children had limited access to education and that children working in the tobacco sector had to combine work and school.



Working children in tobacco fields in Almaty oblast.

¹ ILO-IPEC: *Child labour in tobacco and cotton growing in Kazakhstan. Rapid Assessment Report*. Geneva, ILO, 2006.

LEGAL FRAMEWORK ON CHILD LABOUR

By ratifying ILO Conventions related to child labour along with a number of international instruments, the Government of Kazakhstan has made a commitment to take all necessary measures to address child labour at the national level, including legislative and policy measures. The relevant conventions, international instruments ratified by the Republic of Kazakhstan and national legislation are presented below.

INTERNATIONAL INSTRUMENTS	DATE OF RATIFICATION
ILO Convention No. 138 on the minimum age for admission to employment, 1973	18 May 2001
ILO Convention No. 182 on the worst forms of child labour, 1999	26 February 2003
UN Convention on the Rights of the Child, 1989	11 September 1994
Optional Protocol to the UN Convention on the Rights of the Child on Involvement of Children in Armed Conflicts, 2000	10 May 2003
Optional Protocol to the UN Convention on the Rights of the Child on the Sale of Children, Child Prostitution and Child Pornography, 2000	18 January 2002

NATIONAL LEGISLATION	
1995 Constitution of the Republic of Kazakhstan	Article 17, paragraph 2 provides for the protection of children against any forms of torture, violence or other treatment and punishment that is cruel or humiliating to human dignity.
1997 Criminal Code	Article 131: involvement of minors in criminal activities. Articles 132, 133: involvement of minors in 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.
2001 Code on Administrative Violations	Chapter 12, articles 111-117 refer to violations of the rights of minors. 2002 Law No. 345 “On the Rights of the Child in the Republic of Kazakhstan” Article 16 sets out the right of a child to freedom from labour. Prohibits the employment or involvement of a child in heavy physical work, as well as work in hazardous and (or) harmful working conditions. Stipulates that the work performed by a child should not prevent education.
2007 Labour Code	Provides for the elimination of the WFCL as one of the key principles of the national labour legislation, covers the issues of underage employment in a separate section and provides a higher degree of protection to workers under the age of 18. Contains a section that regulates labour conditions for minors. Sets the minimum age of employment at 16 years. ILO-IPEC conducted a legal analysis including recommendations on compliance with ILO Conventions Nos. 138 and 182 that was used by the national stakeholders during the drafting process of the Labour Code.
2007 List of hazardous work	List of hazardous works and occupations prohibited to persons under the age of 18

INSTITUTIONAL FRAMEWORK ON CHILD LABOUR

The following institutional framework on child labour is in place in Kazakhstan:

- **National Coordination Council on Combating WFCL**, was established in 2006 under the Ministry of Labour to ensure cooperation between governmental bodies, social partners and civil society organizations in addressing the WFCL. Moreover, it ensures implementation of the Joint Work Plan on the Elimination of the WFCL and implementation of ILO Convention No. 182 in the Republic of Kazakhstan 2008-2011 and 2012-2014.
- **Almaty City Coordination Council on the Elimination of WFCL**, was established, and the Almaty City Plan on the Elimination of WFCL was adopted by the city administration.
- **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.
- **Child Protection Committee** and its territorial/regional Child Protection Departments under the Ministry of Education is the entitled government authority responsible for child protection issues.



Working group at akimat, Maktaaral District, Kazakhstan, 9 August 2013.

ILO-IPEC IN KAZAKHSTAN

The ILO's International Programme on the Elimination of Child Labour (IPEC) has been working in Kazakhstan since 2005 with the purpose of providing technical and financial assistance to eliminate the worst forms of child labour and to implement the ILO's child labour Conventions: the Minimum Age for Admission to Employment Convention, 1973 (No. 138) and the Worst Forms of Child Labour Convention, 1999 (No. 182). ILO-IPEC activities in Kazakhstan were funded by the Department of Labour of the United States (USDOL) and by the German Government according to the regional project "Combat Child Labour in Central Asia: Commitment becomes Action" (PROACT-CAR) that also includes Kyrgyzstan and Tajikistan. Over the period 2005-2012, the projects implemented or currently under implementation within this programmatic framework are:

- CAR Capacity Building Project: Regional Programme on the Worst Forms of Child Labour (2005-2007), funded by USDOL, and focused largely on awareness-raising for the key stakeholders/policy makers and the population in general and building the capacity of the governmental and non-governmental actors to develop and implement relevant actions towards the elimination of child labour.
- Combating the Worst Forms of Child Labour in Central Asia through Education and Youth Employment (EYE): An Innovative Regional Programme (2005-2007), funded by the German Government, and focused on the linkage between child labour and youth employment, and concentrated on the "older" group of children involved in, or at risk of becoming involved in the worst forms of child labour (WFCL).
- Combating Child Labour in Central Asia: Commitment becomes Action (PROACT-CAR), (2008-May 2011), Phase II, is a follow-up of the two above-mentioned projects that aims to: a/ mainstream child labour into the national policy development frameworks, b/ build the capacity and stimulate a greater involvement of the ILO constituents, c/ increase awareness of political leaders, decision makers and the general public on the causes and consequences of child labour and possible strategies to address child labour issues.
- At sub-regional level, the project aims to share knowledge of effective good practice among key stakeholders from the three participating countries.
- Sub-regional Project: Combating Child Labour in Central Asia: Commitment becomes Action (PROACTCAR), (August 2010–December 2013), Phase III, funded by the German Government. It is currently implemented in Kazakhstan, Kyrgyzstan and Tajikistan and it supports the implementation of the Global Action Plan, the on-going programmes of the Governments and builds on the progress made and lessons learned to date through a combination of upstream policy-related interventions with downstream service-oriented activities at the community level.

ILO-IPEC STRATEGY IN KAZAKHSTAN

ILO's International Programme on the Elimination of Child Labour (IPEC) has been operating in the Republic of Kazakhstan since 2005 in order to provide technical assistance on the implementation of the ILO Convention No. 138 on the minimum age for admission to employment, 1973, and the ILO Convention No. 182 on the worst forms of child labour, 1999. ILO-IPEC activities in the Republic of Kazakhstan have been funded by the Department of Labor of the United States (USDOL) and the Federal Republic of Germany, according to the regional project "Combat Child Labour in Central Asia: Commitment becomes Action" (PROACT- CAR), which also includes Kyrgyzstan and Tajikistan.

ILO-IPEC strategy has been a combination of policy-related **upstream** interventions to create a conducive environment with **downstream** service-oriented activities at the community level for working children. ILO-IPEC priorities in the country continue to be guided by the framework provided by the ILO Global Action Plan (adopted by the ILO's Governing Body in 2006) which sets the internationally agreed goal of eliminating the worst forms of child labour by 2016; the Hague Roadmap² and the Decent Work Country Programme for Kazakhstan.

ILO-IPEC main pillars of intervention

1. Mainstreaming child labour into national development policy frameworks.
2. Increasing the knowledge base on the worst forms of child labour.
3. Enhancing the capacity of Government officials, employers' and workers' organizations, NGOs on child labour issues.
4. Advocacy and awareness-raising on child labour.
5. Direct services provided to working children and children at risk, including the implementation of the Child Labour Monitoring System (CLMS) and promotion of youth employment.



Seminar on Education for Trade Unions, Shymkent, Kazakhstan, 5-6 April 2013.

² The Hague Global Child Labour Conference (May 2010), adopted the Roadmap for achieving the elimination of the worst forms of child labour by 2016.

MAINSTREAMING CHILD LABOUR INTO NATIONAL POLICY DEVELOPMENT FRAMEWORKS

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

- 2007-2011 State Programme “Children of Kazakhstan”, aims at the implementation of the Convention on the Rights of the Child, in particular the protection of child’s rights. The programme stresses the need to prevent exploitation of child labour and its Plan of Action for 2007-09 includes measure #13: “To study the situation of migrant children’s access to medical and social services , as well as their involvement in child labour”. Moreover, relevant authorities are tasked to assess the situation of child labour abuse in agricultural households and farms, the involvement of children in begging and prostitution, and drug trafficking. As an effective mechanism for the elimination of WFCL, the programme refers to the cooperation of all stakeholders with mass media, international agencies and NGOs.
- 2007 List of hazardous work and occupations prohibited to persons under the age of 18.
- Three national Decent Work Country Programmes of Kazakhstan FY2007-09 and FY2010-12, FY2013-2015, include the strengthening of social partnerships in the area of the elimination of the worst forms of child labour.
- General Tripartite Agreements between the Government, the Employers’ and Workers’ Organizations 2007-2008, 2009-2011, and 2012-2014, include Section V of the Agreement, on Occupational Safety and Working Conditions, Industrial and Ecological Safety, highlighting child labour two activities: (a) Activity 48: Participation in the implementation of the Joint Workplan on WFCL and implementation of ILO Convention No. 182 for 2012-2014; and (b) Activity 49: Assistance in conducting a national child labour survey in 2013.
- 2007-2011 Programme on social development of the South Kazakhstan oblast (province) “Children of the South”. The programme pays special attention to child labour issues with emphasis in the agriculture and construction sectors as well as in private enterprises.



ILO-IPEC Kazakhstan social partners attend Workshop on Good Practices, Almaty, 18 February 2013.

INCREASING THE KNOWLEDGE BASE ON THE WORST FORMS OF CHILD LABOUR

Capacity building and awareness-raising activities were based on the following tools, publications and materials, produced by ILO-IPEC partners in the country, as well as existing ILO-IPEC materials, translated into the Russian and Kazakh languages, and adapted to local needs:

- ILO-IPEC: *Child labour in Kazakhstan: first assessment of situation*. Almaty, ILO, 1997.
- ILO-IPEC: *Child labour in tobacco and cotton growing in Kazakhstan. Rapid Assessment Report*. Almaty, ILO, 2006.
Available at: www.ilo.org/ipec/Informationresources/WCMS_IPEC_PUB_8150/lang--en/index.htm.
- ILO-IPEC: *Situation analysis of youth employment in the Republic of Kazakhstan*. Almaty, ILO, 2007.
- ILO-IPEC: *Guidance on Child Labour Monitoring in Kazakhstan*. Almaty, ILO, 2011.
Available at: www.ilo.org/ipec/Informationresources/WCMS_IPEC_PUB_24035/lang--en/index.htm.
- ILO-IPEC: *Child labour in rural Kazakhstan, Baseline survey results in Almaty and South Kazakhstan oblasts*. Almaty, ILO, 2013.
Available at: www.ilo.org/ipec/Informationresources/WCMS_IPEC_PUB_23915/lang--en/index.htm.
- Legislation of the Republic of Kazakhstan with ILO Conventions on Child Labour, Independent expert, V. Ni, 2007.

Other resources

- Dictionary of terminology on child rights protection in the Kazakh and Russian languages, developed by ILO-IPEC partners jointly with UNICEF, 2007.
- Guidance for trainers “Child Labour and Exploitation of Children – Problems and Legal Issues”, pilot version, 2007.
- Collection of laws regulating child labour issue, in the Kazakh and Russian languages, 2008.
- Two books on child labour in Kazakhstan: partners’ experiences, in the Kazakh and Russian languages, 2008.
- WDACL materials translated into the Kazakh and Russian languages, 2006-2009.

ENHANCING THE CAPACITY DEVELOPMENT OF STAKEHOLDERS

Since the beginning of its work in Kazakhstan, ILO-IPEC has contributed to enhance the capacity development of national partners on child labour issues through various training workshops and other activities.

Capacity development of the Government

To date, the capacity of the Government to address child labour issues has been increased by establishing the National Coordination Council on Child Labour in 2006 under the Ministry of Labour and Social Protection and the Coordination Council on Child Labour of Almaty city in 2007. The National Information- Resource Centre on Child Labour issues ([www. stopdetrud. kz](http://www.stopdetrud.kz)) under the National Scientific Research Institute for Protection of Labour of the Ministry of Labour was also established in 2007.

Several officials from the Ministry of Labour, Education, Justice, Health have been trained on child labour monitoring topic on a regular basis.

Capacity development of Employers' Organizations

The Confederation of Employers of Kazakhstan has been conducting several trainings on child labour for the Association of Kazakhstan Markets, Forum of Kazakhstan Entrepreneurs, Association of Pension Funds, Independent Association of Kazakhstan, Association of Almaty Entrepreneurs, and the Confederation of Employers of Kazakhstan. Participants were equipped with basic knowledge on child labour (including basics in Child Labour Monitoring), the role of employers' organizations in the prevention and elimination of child labour, and drafted action plans to address child labour for Almaty city and for Almaty and South-Kazakhstan oblasts. The Confederation of Employers of Kazakhstan now has a special section on child labour on its website (www.krrk.kz). Its aim is to better disseminate information on: child labour; the role of employers in eliminating child labour; actions taken by employers to address child labour; as well as to facilitate the access of employers to relevant information related to child labour.

Capacity development of Workers' Organizations

Members of Trade Unions of various sectors, with a special focus on agro-industry and education received training on the role of trade unions in the elimination of child labour, as well as on CLMS elements. Several child labour trainings were conducted for Education Trade Unions from Astana city, Akmola and Shymkent- South Kazakhstan oblasts as well as Agro-Industrial TUs.

ADVOCACY AND AWARENESS-RAISING

Media training

Since 2006, ILO-IPEC Kazakhstan has trained a pool of journalists on the issue of child labour. These journalists have continued to raise awareness and as a result 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 and over 30 programmes were broadcast on TV and radio channels.

The ILO-IPEC Kazakhstan Newsletters were disseminated in electronic version, in the Russian and English languages to the key stakeholders, partners, media, and international organizations in Kazakhstan. The newsletters were used as an awareness-raising tool on child labour and to present ILO-IPEC's recent activities and achievements in the country.

World Day against Child Labour – 12 June

Since 2006, the World Day against Child Labour (WDACL) campaigns have been conducted every year during the first 12 days of June. Activities with children and young people include performances, art competitions, debate tournaments, concerts, exhibitions, street shows. The WDACL is regularly covered by various types of media.



"Give Girls a Chance" observing the World Day against Child Labour, Almaty, 2009.

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

- street working children, neglected children deprived of parental care, children accommodated in the Centres of Minor’s Temporary Isolation and Rehabilitation (CMTIR) under the Ministry of Internal Affairs.
- working children living in the Turksib region of Almaty city, in the Youth Centre organized by the “Zabota Crisis Centre”.
- teachers from secondary schools in the Turksib region of Almaty city.
- children from Zhandosov village attending the local secondary school and participating in the training programme organized by “Shyragym”.

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 Child Labour*”, presenting the results of mass media competition on the best publication on “WFCL: life stories”.

In 2009, for the celebration of the 90th anniversary of the first Child Labour Convention, the 10th anniversary of the Worst Forms of Child Labour Convention, 1999 (No. 182) and the 90th anniversary of the International Labour Organization, WDACL activities focused special attention on 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.

In 2010, Kazakhstan joined the global campaign “Red Card to Child Labour”, which is carried out by ILO-IPEC worldwide since 2002. Prominent Kazakh national artists (like Roza Rymbayeva and Ramazan Stamgazyev) and well-known politicians have joined the Red Card Campaign and added their voices to the worldwide movement against child labour.

Moreover, the country has specialized helpline - #150 - for children, which has been operational throughout the country, including in rural areas, and provides psychological and legal counselling to children.

DIRECT SERVICES PROVIDED TO WORKING CHILDREN AND CHILDREN AT RISK TO WORK

As a result of ILO-IPEC interventions implemented during 2005-2013, a considerable number of working children and children at risk to work benefited from a comprehensive package of services, including; education, counselling, extra-curricular activities, summer camps, vocational training courses, job placement in acceptable working conditions.

Child Labour Monitoring System

The first national training workshop on the introduction of the Child Labour Monitoring System (CLMS) in Kazakhstan was held in March 2008. It was attended by representatives of departments for child protection from all 16 administrative regions and labour inspectors from southern regions 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 in order to identify children involved in the WFCL, assess individual needs, refer them valuable alternatives and track children to check that all risks and hazards have been removed.

The Guidelines on Child Labour Monitoring in Kazakhstan (in the Kazakh, Russian, and English languages) were developed based on ILO-IPEC Guidelines for Developing Child Labour. It defines the steps to be taken in order to develop and pilot a Child Labour Monitoring System (CLMS) and includes a comprehensive CLM Training Toolkit for the training of the key stakeholders at national and local levels.

Youth empowerment

In 2009, the programme “Enhancing the capacity of partners in the Republic of Kazakhstan in combating the WFCL through SCREAM” (Supporting Children Rights through Education, the Arts and the Media) 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.

The NGO “Karlygash”, with support of the tobacco purchasing company Philip Morris Kazakhstan, used the SCREAM package to conduct SCREAM-based sessions for 150 Kazakh children and Kyrgyz migrant children aged 3 to 13 years from tobacco growing communities in Almaty oblast, during a one month summer camp in 2011.

ILO-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

- Federation of Trade Unions of the Republic of Kazakhstan
- Trade Unions of Agro-Industrial Workers of the Republic of Kazakhstan
- Trade Unions of Education and Science Workers of the Republic of Kazakhstan
- Confederation of Employers of the Republic of Kazakhstan

NGOs

- Ana Sezim
- Asian-American Partnership
- Union of Women of Intellectual Work
- Rodnik
- Kazakhstan Children's Fund
- Union of Crisis Centres, Zabota

WAYS FORWARD

Linkages between child labour and youth employment

While child labour is unacceptable and must be eliminated, neglecting the potential of young people is an economic and social waste that economies cannot afford. If not adequately addressed, the impact of the crisis on children and youth can jeopardize countries' human capital and generate long term consequences on economies in our region. Effective action on child labour and youth employment needs to be based on a full recognition of their linkages. An integrated perspective is therefore required in the development of adequate strategies. As a smooth transition from school to work begins with an adequate preparation for the labour market, strategies to improve young people's chances need to be complemented by efforts to eliminate child labour and to improve adults' employment prospects.

Linkages between child labour and social protection

Alongside broader economic and social development strategies, an important key to addressing poverty is the establishment or strengthening of social protection to provide support to those in need. Focusing social protection more on children's welfare has the potential to benefit not only children, but also their families, communities and national development as a whole. It is extremely important to better link social protection with policies aimed at child labour elimination, based on the recent UN Social Protection Floor Initiative which aims at ensuring access to essential services and social transfers for poor and vulnerable populations. "Building blocks" for a social protection floor could include measures such as: cash transfer programmes, services and transfers related to childcare, food security programmes, school grants, school feeding programmes, and other social assistance programmes.

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