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PECULIARITIES OF EXERCISING THE RIGHTS AND INTERESTS OF CHILDREN IN THE REPUBLIC OF KAZAKHSTAN IN THE FRAMEWORK OF THE COMPARATIVE ANALYSIS OF THE INTERNATIONAL STANDARDS

This article studied the specificity of the legal system on the protection of children's rights functioning in the Republic of Kazakhstan, attention is paid to the basic principles of international cooperation on problems of children. Protecting children as the national treasure, as well as the aspiration of the Republic of Kazakhstan to integrate into the world community has made this idea very relevant. The key purpose of the research is to identify the problems and gaps in the legal protection system for minors in the Republic of Kazakhstan and to provide recommendations to improve the existing practices taking into account the international best practices. It includes national legal regulations, international legal instruments, and practices of law enforcement in this area.

As an academic work, this drug a better understanding of legal processes for the protection of children rights and also to pin point existing legal gaps. The practical implications of its significance are seen in the recommendations made to amend national legislation to strengthen the protection of children's rights. The research utilizes an eclectic method when analyzing legal regulations including international and domestic legislation, statistical analysis of the number of crimes against minors, as well as a review of the academic literature.

The key findings indicate that there are still existing challenges in the development of the legal framework including the covert nature of crimes, weak cooperation between organs and inadequate legal protection of children's property and information. The cross sectional data also reveals that the government has contributed to this by decreasing the rate children of even crimes though against the rate of serious crimes is still worrisome. The theoretical and practical significance of the research is shown in the recommendations made for the enhancement of the digital child protection as well as the incorporation of the principles of juvenile justice. The significance of the research is that it has the of potential being used in the development of a strategy that can be used in enhancing the protection of children's rights and thus create a safe legal environment for children to grow and develop.

Key words: child rights, global standards, juvenile justice system, UN guidelines on child rights, children's digital security, social welfare protection.

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Халықаралық стандарттарды салыстырмалы талдау шеңберінде Қазақстан Республикасында балалардың құқықтары мен мүдделерін іске асыру ерекшеліктері

Бұл мақалада балалардың проблемалары бойынша халықаралық ынтымақтастықтың негізгі қағидаттарына назар аудара отырып, Қазақстан Республикасында жұмыс істейтін балалардың құқықтарын қорғаудың құқықтық жүйесінің ерекшелігі зерттелді. Балаларды ұлттық қазына ретінде қорғау, сондай-ақ Қазақстан Республикасының әлемдік қоғамдастыққа кірігуге деген ұмтылысы бұл идеяны өте өзекті етті. Зерттеудің негізгі мақсаты Қазақстан Республикасындағы кәмелетке толмағандарды құқықтық қорғау жүйесіндегі проблемалар мен олқылықтарды анықтау және озық халықаралық тәжірибені ескере отырып, қолданыстағы тәжірибені

йынша ұсынымдар әзірлеу болып табылады. Зерттеуге ұлттық құқықтық нормалар, халықаралық құқықтық құралдар және осы саладағы құқық қолдану практикасы кіреді.

Бұл ғылыми жұмыс балалардың құқықтарын қорғаудың құқықтық процестерін жақсы түсінуге, сондай-ақ қолданыстағы құқықтық олқылықтарды анықтауға көмектеседі. Бұл жұмыстың практикалық маңыздылығы балалардың құқықтарын қорғауды күшейту үшін ұлттық заңнамаға өзгерістер енгізу жөніндегі ұсыныстардан көрінеді. Зерттеу халықаралық және ұлттық заңнаманы, кәмелетке толмағандарға қарсы қылмыстардың санын статистикалық талдауды және ғылыми әдебиеттерге шолуды қоса алғанда, құқықтық нормаларды талдаудың эклектикалық әдісін қолданады.

Негізгі тұжырымдар құқықтық базаны дамытуда қылмыстардың жасырын сипатын, органдар арасындағы әлсіз ынтымақтастықты және балалардың меншігі мен ақпаратын құқықтық қорғаудың жеткіліксіздігін қоса алғанда, проблемалар әлі де бар екенін көрсетеді. Салыстырмалы деректер сонымен қатар мемлекеттің балалар жасаған қылмыстардың санын азайту арқылы өз үлесін қосқанын көрсетеді, дегенмен ауыр қылмыстардың деңгейі әлі де алаңдаушылық туғызады. Зерттеудің теориялық және практикалық маңыздылығы цифрлық ортада балаларды қорғауды күшейтуге, сондай-ақ ювеналды әділет принциптерін енгізуге бағытталған ұсыныстардан көрінеді. Зерттеудің маңыздылығы мынада, ол балалардың құқықтарын қорғауды күшейту және осылайша балалардың өсуі мен дамуы үшін қауіпсіз құқықтық орта құру үшін пайдаланылуы мүмкін стратегияны әзірлеуде пайдаланылуы мүмкін.

Түйін сөздер: балалардың құқықтары, халықаралық стандарттар, ювеналды әділет, БҰҰ-ның балалар құқықтары жөніндегі ұсынымдары, балалардың цифрлық қауіпсіздігі, әлеуметтік қорғау.

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Особенности реализации прав и интересов детей в Республике Казахстан в рамках сравнительного анализа международных стандартов

В данной статье исследовалась специфика правовой системы защиты прав детей, функционирующей в Республике Казахстан, при этом уделяя внимание основным принципам международного сотрудничества по проблемам детей. Защита детей в качестве национального достояния, а также стремление Республики Казахстан интегрироваться в мировое сообщество сделали эту идею очень актуальной. Основной целью исследования является выявление проблем и пробелов в системе правовой защиты несовершеннолетних в Республике Казахстан и выработка рекомендаций по совершенствованию существующей практики с учетом передового международного опыта. Исследование включает национальные правовые нормы, международные правовые инструменты и практику правоприменения в этой области.

Данная научная работа помогает лучше понять правовые процессы защиты прав детей, а также выявить существующие правовые пробелы. Практическое значение этой работы проявляется в рекомендациях по внесению изменений в национальное законодательство для усиления защиты прав детей. В исследовании используется эклектичный метод анализа правовых норм, включая международное и национальное законодательство, статистический анализ количества преступлений против несовершеннолетних, а также обзор научной литературы.

Основные выводы свидетельствуют о том, что в развитии правовой базы по-прежнему существуют проблемы, включая скрытый характер преступлений, слабое сотрудничество между органами и недостаточную правовую защиту собственности и информации детей. Сравнительные данные также показывают, что государство внесло свой вклад в это, снизив число преступлений, совершаемых детьми, хотя уровень серьезных преступлений по-прежнему вызывает беспокойство. Теоретическая и практическая значимость исследования проявляется в рекомендациях, направленных на усиление защиты детей в цифровой среде, а также на внедрение принципов ювенальной юстиции. Значимость исследования заключается в том, что оно потенциально может быть использовано при разработке стратегии, которая может быть использована для усиления защиты прав детей и, таким образом, создания безопасной правовой среды для роста и развития детей.

Ключевые слова: права ребенка, глобальные стандарты, система правосудия в отношении несовершеннолетних, руководящие принципы ООН по правам ребенка, цифровая безопасность детей, защита социального обеспечения.

Introduction

The current policy of protecting children and vulnerable groups of the population is that children are one of the most vulnerable groups of the population, which causes serious concerns and requires protection and support. The Convention on the rights of the child, signed by Kazakhstan in 1994, drew attention to the need to bring the country's laws in line with international standards (Malgazhdarova 2023). However, there are still some challenges that affect the protection of children's rights in some cases and Kazakhstan being among them: some cases of weak inter-agency cooperation which and include; limited access to treatment facilities (Abikenova 2019).

This research is significant due to the fact that the issue of children's rights cannot be viewed from a narrow perspective of one discipline. These include the UN, UNICEF, and ILO that work across borders to address issues such as child abuse, exploitation, discrimination and safety in the online world. However, researches that focus on Kazakhstan tend to focus on specific issues such as legal aspect, crime statistics or a particular case study (Tuyakbayeva 2020).

The study employs a logical and a systematic approach in the conduct of the research. It checks the domestic legislation with the international conventions, compiles trends and problems presented in the charts and tables, and gathers specific information about the child protection system from the experts. This approach enables a more structured analysis of the problem and to identify the most appropriate solution for child protection and the needs assessment.

The study's objective was to determine the gaps in the protection of children's rights in Kazakhstan and to propose the necessary changes. It was assumed that the system has a number of challenges which include slow reporting of cases, inefficient policing and poor coordination of different branches of the law. It had recommended the implementation of the global standards, the use of the digital technologies and the development of education on the system management.

The main importance of the study is the development of recommendations that can be implemented by government agencies, NGOs and international partners to strengthen child protection systems. The recommendations are aimed at improving the legal framework, creating new projects on the education of children and parents, increasing the competence of specialists working with children, and developing effective treatment of patients. The theoretical

significance of the work is to expand the conceptual understanding of legal and social protection of children, identify the main tasks and develop new solutions.

This research topic is justified by the need to strengthen the legal and social protection of the child in Kazakhstan, taking into account the modern challenges. Based on this, this study allows not only to identify existing problems, but also to propose solutions for the comprehensive development of children, strengthening their legal status and increasing their Social Security. The results of the study will be useful for reforms aimed at improving the framework for the protection of children's rights in Kazakhstan and other countries.

Literature review

Many research works on the universal human rights pay attention to the need of protecting children's rights and well-being, thus recognizing it as one of the foremost concerns in the modern world. This literature survey provides a critical evaluation of the key international scholarly outputs, their scholarly and practical value and points out the research gaps that this study aims to fill.

In the entire world community, the rights of the child are protected by the United Nations Convention on the rights of the child (CRC) which has been adopted by most countries including Kazakhstan. Pleiers S. and Kilkelly U. (Kilkelly 2023) observed that CRC identifies some of the fundamental principles of children's rights such as the right to life, education and protection from all forms of discrimination and oppression and the responsibilities of states in this regard. However, the integration of CRC provisions into the domestic legal systems of countries of the region is still a problematic task. In addition, the International Labour Organization (ILO) has adopted two conventions namely No. 138 (https://www.ilo.org/sites/default/files/2024-04/C138_at_a_glance_EN.pdf) and No. 182 (<https://www.ilo.org/media/322486/download>) which aims at eliminating the worst forms of child labour and defining the minimum age of employment. These conventions have been ratified on the international level and thus provide a basis for approach to the problem of economic exploitation of children. However, their application differs significantly, especially in the developing countries where poverty forces children to work under dangerous conditions. According to Sydorenko A. and Polkhovska I. (Sydorenko 2021) the above mentioned frameworks are vital but there is a need for improved institutional

support and specific socio-economic interventions to facilitate their effective implementation.

Perceptible and systematic abuse of children and adolescents including sexual violence against them is still a critical issue on the global level. In Hackett's A. article (Hackett 2015) highlights the need for better practices in the area of international cooperation, due to low reporting rates and lack of awareness. The same problems were identified in Kazakhstan by Abikenova G. B., Lavnichak A. (Abikenova 2019), who also stressed that such cases are investigated by the police who often lack proper experience and resources to deal with them. This is in consistent with the literature that reviewed on child abuse by emphasizing on the importance of improved specialized training and inter-agency co-operation for effective management of child abuse.

Children today are facing new and emerging threats in the form of cyber bullying, unwanted photographing and viewing of indecent material on the internet. The protection of children's data has been guided by laws such as the General Data Protection Regulation (GDPR) of the European Union which other countries have followed. However, as noted by Krylova M. S. (Krylova 2019), Malgazhdarova M. M. and Akhmetzhanova L. K. (Malgazhdarova 2023), the application of such frameworks in Kazakhstan raises numerous important issues with regard to the local legislation and culture. In addition, while the current literature is mainly focused on the issue of enacting policies, there is a increasing focus on the need for policy interventions that seek to encourage educational campaigns that help children and their parents gain better understanding of the digital world. Such initiatives are important in order to provide them with the knowledge on how to move around the internet safely and wisely.

Materials and methods

This study employs a mixed-methods approach, integrating both quantitative and qualitative data. The analysis draws on statistical reports, legal frameworks, international standards, and scholarly publications. The research relies on data from the Bureau of National Statistics of Kazakhstan for the period 2010–2022 (<https://bala.stat.gov.kz/en/prestupnost-nesovershennoletnih-po-otdelnym-vidam-prestuplenij/>) and includes legal sources such as the Law of the Republic of Kazakhstan “On the Rights of a Child in the Republic of Kazakhstan” (https://adilet.zan.kz/eng/docs/Z020000345_), the Penal Code of the 29 9 Republic of Kazakhstan (<https://adilet.zan.kz/eng/docs/K1400000226>), and

the Code of the Republic of Kazakhstan “On Administrative Infractions” (<https://adilet.zan.kz/eng/docs/K1400000235>).

The research methodology was the collection of materials, analysis of the current legislation, the analysis of crime statistics related to minors and assessment of the activities of the police. The analytical comparison was used in order to define the effectiveness of the national legislation of Kazakhstan from the perspective of the international law. This method helped to collect all the necessary information on crimes against children, to study legal texts and to check the relevance of the programs. The study has also incorporated qualitative approaches such as expert interviews and academic research. Interpretative analysis was employed in order to come up with recommendations that would be suitable to the legal system in Kazakhstan.

The findings of this study also support the initial hypothesis which showed that there are numerous weaknesses of the child rights protection system. The main problems that have been highlighted include; high rate of cases of missing crimes, this is due to poor coordination of the police. The study also recommended the integration of the digital technologies and suggested for the policy improvement while stressing on the importance of enhancing information security for children as well as their property rights. Further, the limited use of juvenile justice in Kazakhstan was highlighted as another key issue.

Results and discussion

No nation would willingly expose children to any form of risk, as they represent the most vulnerable segment of society and require special care and protection. Reflecting its international obligations and domestic social priorities, Kazakhstan has established a comprehensive child protection framework. At the core of this legislative system is the Code of the Republic of Kazakhstan “On Marriage (Matrimony) and Family” (<https://adilet.zan.kz/eng/docs/K1100000518>), which plays a fundamental role in ensuring children's rights. This legal instrument defines the principles of child upbringing within families, prioritizes the best interests of children, and guarantees their right to financial support. It places special emphasis on orphans and children deprived of parental care, outlining procedures for their placement under guardianship or foster care.

The law of the Republic of Kazakhstan “On the rights of the child in the Republic of Kazakhstan” (https://adilet.zan.kz/eng/docs/Z020000345_) fur-

ther strengthens the rights of children, especially in areas related to protection against cruelty, neglect and discrimination. This law also supports the principle of equality of children and obliges the state to support children in difficult situations.

The Criminal Code of Kazakhstan also improves the protection of minors, as it provides for legal punishments for crimes against persons under 18 years of age. Such crimes include violence, human trafficking and the involvement of children in criminal activities. In addition, the code of the Republic of Kazakhstan “on human health and the health care system (<https://www.adilet.zan.kz/eng/docs/K2000000360>) provides all children with access to free medical services, paying special attention to the provision of medical care to disabled people and orphans.

The law of the Republic of Kazakhstan “On education” (<https://adilet.zan.kz/eng/docs/Z070000319>) establishes that incomplete secondary education should be free of charge and that the education system should take measures to help children with learning disabilities. In addition, the social code of the Republic of Kazakhstan (<https://adilet.zan.kz/eng/docs/K2300000224>) establishes

a legal framework for the protection of children at risk. There is information on the number and types of 154 social services involved in the rehabilitation, adaptation and support of children at risk.

Figure 1 shows the relationship between the Constitution of Kazakhstan, the law on the rights of the child and the Criminal Code. The Constitution stresses respect for the family, motherhood, fatherhood and childhood as the most valuable principles of society and guarantees the health, education and protection of children (<https://adilet.zan.kz/eng/docs/K950001000>). The children’s Rights Act expands the list of measures that can be taken to prevent or respond to physical and psychological violence and provides access to free health care and education (<https://adilet.zan.kz/eng/docs/Z020000345>). The Penal Code reinforces these measures by imposing sanctions on acts such as child trafficking, violence against children and physical violence against children (<https://adilet.zan.kz/eng/docs/K1400000226>). All these legal frameworks work together to create a child protection system, which includes social, educational and legal aspects designed to protect the welfare of children.

Venn Diagram: Legislative Frameworks in Kazakhstan

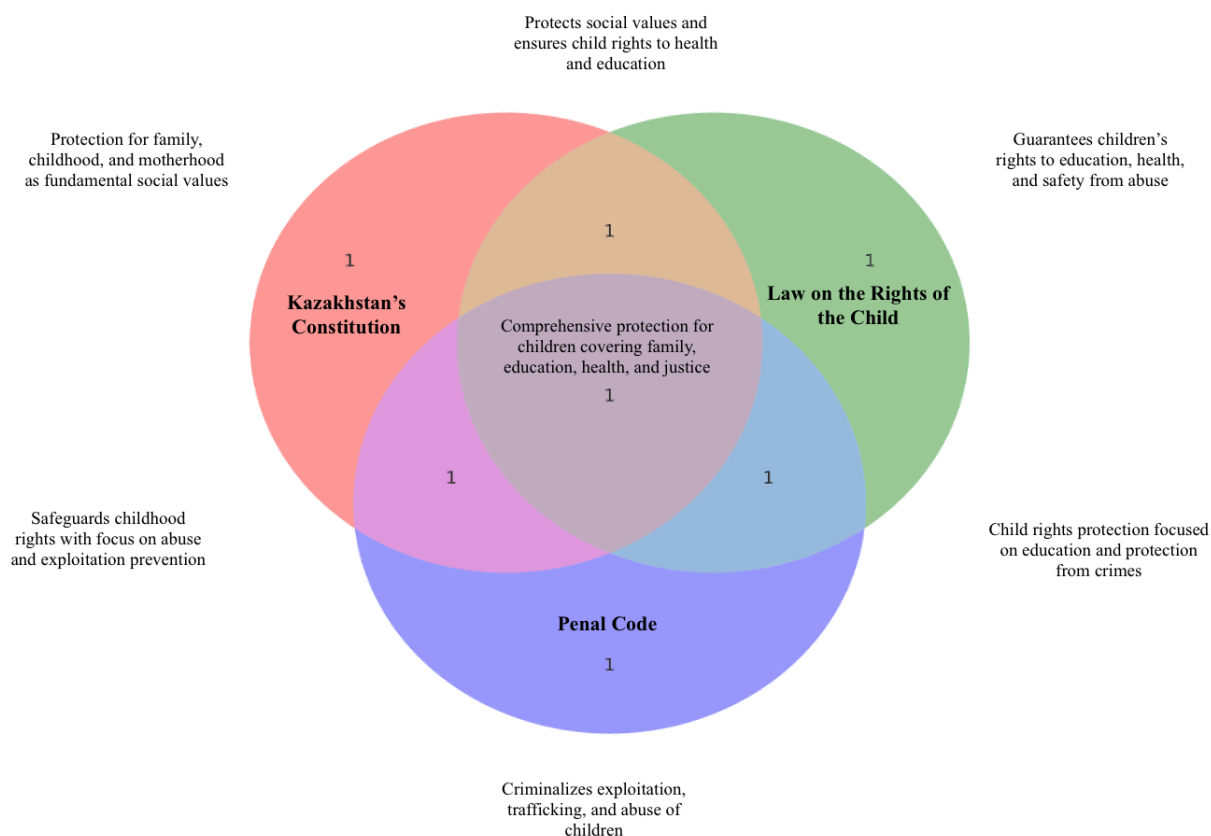


Figure 1 – Venn Diagram: Legislative Frameworks in Kazakhstan

An important aspect of the development of the legal framework of Kazakhstan is the convergence of domestic legislation with the legislation of other countries, especially developed ones. The convention on the rights of the child (CRC) [14] is the most important international treaty used in the development of child protection laws. The CPC was signed by Kazakhstan in 1994 and forms the basis of the country's international law on the rights of the child. This international treaty establishes certain general principles for the protection of children, including the right to life, growth and development and the right to protection from harm, including violence. It is important to note that CPR includes general principles such as the non-discrimination clause in

Article 2 and specific points, such as Article 40 on Juvenile Justice and Article 16 on the protection of children from abuse.

Additional protocols provide detailed guidelines on principles such as children's right to enter society and not be discriminated against, the principle of protecting the interests of the child, and the Prohibition of child abuse. Other documents establishing and developing these standards include the European Convention on the rights of the child and the recommendations of the Council of Europe (Moore 2005). The above-mentioned international documents and standards in the field of child protection, as well as the role of international organizations in their implementation, are presented in Table 1.

Table 1 – International documents and international initiatives for the protection of rights of minors

№	Document / International Initiative	Main Rights and Provisions	Implementation & Monitoring Entity
1	UN Convention on the Rights of the Child (1989)	Protects essential rights: education, health, life, non-discrimination, and child participation.	<i>UNICEF, UN Committee on Child Rights:</i> Provide financial and legal support to countries.
2	Optional Protocols to the UN Convention on the Rights of the Child	Prevents child trafficking, sexual exploitation, and the recruitment of children in armed conflicts.	<i>UN Human Rights Mechanism:</i> Oversees implementation and offers policy guidance.
3	Universal Declaration of Human Rights (1948)	Ensures protection for orphans and children in vulnerable situations.	<i>UN and member states:</i> Promotes child welfare as part of human rights efforts.
4	ILO Convention No. 138 (1973)	Defines the minimum employment age for children (14 or 15, depending on context).	<i>ILO Child Labor Program:</i> Offers technical assistance to align national laws with ILO standards.
5	ILO Convention No. 182 (1999)	Calls for the elimination of child slavery, prostitution, and hazardous work for minors.	<i>ILO Global Initiative:</i> Works with governments to create safer work environments for children.
6	Hague Convention (1993)	Protects children in cross-border adoptions to prevent trafficking and exploitation.	<i>Hague Conference on Private International Law:</i> Ensures and monitors cross border adoptions.

The Kazakhstan Convention on the rights of the child (CPC) provides for the protection of the rights of the child on the basis of non-discrimination, the best interests of the child and the right to comprehensive development. This support is provided financially and professionally by UNICEF, and the UN Committee on the rights of the child is the body responsible for the implementation in member states. Other additional protocols relate to child trafficking, commercial sexual exploitation of children, and the involvement of children in armed conflicts.

The International Labor Organization (ILO) fights against child labor and has adopted conven-

tions 138 and 182, which set the minimum age for employment and prohibit the worst forms of child labor. The ILO also provides technical and financial support and implements special projects in countries with a high level of child labor.

These include, among others, the European Convention on the rights and welfare of children and the CIS Convention on Human Rights, which contains proposals on how international law can be adapted to the regional context to help develop legal measures. and also important family legislation to protect children. The United Nations Sustainable Development Goals (SDGs) help define national child protection strategies, including the goals of stopping

child abuse, ensuring access to quality education, and improving child health.

The child protection system is based on conventions that determine the guiding principles of national and international law. Reliability is based on local conditions, cooperation and interdepartmental control. Kazakhstan has achieved significant success in bringing child protection systems in line with international standards, but there are problems with the introduction of the law «On the rights of the child in the Republic of Kazakhstan» and the introduction of artificial respiration into domestic legislation.

The legal status of children in Kazakhstan is a rather complex system which is based on the domestic legislation and international agreements. According to the research done by M.K. Musabayev and K.A. Sabitov (Musabaev 2022) the protection of children in Kazakhstan has its problems; the regulations are more of a symbolic value and there are no proper youth policies in place. Although the Convention has been enacted into the national law in the country, there are still some issues that have been raised concerning its application.

A challenge that exists is the variation between the Kazakh legal terminologies and the international legal terminologies. Although the UN Convention does not make a distinction between the term “minor” and “minor,” Kazakh law has different age limits for each of the terms. This inconsistency results to confusion in law enforcement and hampers the protection of the children’s rights. Also, there is no clear cut legal definition of what constitutes a child and therefore there can be no clear cut way of establishing a comprehensive juvenile justice system. It is suggested that the legal status of children should be strengthened through the establishment of age thresholds, conformity of the domestic legislation with the norms of the international law and introduction of new approaches to prevent children’s abuse and exploitation.

The protection of children through legal proceedings remains the top priority of Kazakhstan’s political agenda, in particular, in terms of the international obligations of the United Nations under the Convention on the rights of the child. The country has taken steps to align its national legislation with international standards (Malgazhdarova 2023). However, serious problems remain, including poor implementation, insufficient funding, and limited coordination among government agencies (Rakhimova 2024).

The child protection system in Kazakhstan is reflected in a number of key initiatives, such as the

Law “On the rights of the child” in the Republic of Kazakhstan, the concept of cyber security “Cyber Shield of Kazakhstan” and the roadmap for improving the protection of children’s rights. These initiatives aim to reduce the physical, psychological and informational risks to children (Hasanova 2023). Despite these efforts, gaps in legislation, inefficient enforcement, and reduced awareness of crimes against children prevented the practical implementation of these measures.

The frequency of crimes against children is a good indicator of children’s social well-being and protection within society. This metric shows the efficiency of legal, social, and preventive measures targeted at protecting the rights and interests of children. Looking at the recent statistics helps to determine trends, problems, and possible areas of policy improvement. The data used in this study were obtained from Kazakhstan’s Bureau of National Statistics for the period between 2010 and 2022 (<https://bala.stat.gov.kz/en/prestupnost-nesovershennoletnih-po-otdelnym-vidam-prestuplenij/>). This includes the rate of criminal assaults on children, the deaths and severe injuries that occurred and the rate of victims to the total population. The trend of reported criminal assaults on children showed a downward trend between 2010 and 2022. The number dropped from 6,497 in 2010 to 2,196 in 2022 (<https://bala.stat.gov.kz/en/prestupnost-nesovershennoletnih-po-otdelnym-vidam-prestuplenij/>). The greatest decline was seen between 2015 and 2016, with numbers dropping from 4,038 to 2,708. This could suggest that the preventive and the law enforcement agencies are having better results in their work. The trend of minor fatalities in crimes also shows some positive changes as has been depicted above. Sadly, the numbers of fatal cases also reduced from 84 in 2010 to 41 in 2022 (<https://bala.stat.gov.kz/en/prestupnost-nesovershennoletnih-po-otdelnym-vidam-prestuplenij/>).

However, despite this, the rates of such deaths in the overall crime structure have been more or less constant thus calling for more stringent measures to curb the severe consequences. There were 389 cases of severe health damage in 2010 and 2022, 170 such cases were recorded. It was noted that in 2013, there were 536 cases which may have been as a result of certain circumstances that require further study. Interestingly, the rate of incidents with no severe health impact has greatly increased. In 2010, such cases constituted 86. 3% of total cases while in 2022 the figure was 98. 2% (<https://bala.stat.gov.kz/en/prestupnost-nesovershennoletnih-po-otdelnym-vidam-prestuplenij/>).

This is evident from Figure 2 that presents the annual percentage changes for the main crime indicators from 2010 to 2022: the total crime level, minor fatality, severe health damage and crimes with no severe consequences as a

percentage of all crimes. It shows trends like decreasing of crime and death rates, serious harm increase in 2013, less serious crimes' increase which may indicate the effectiveness of the preventing efforts.

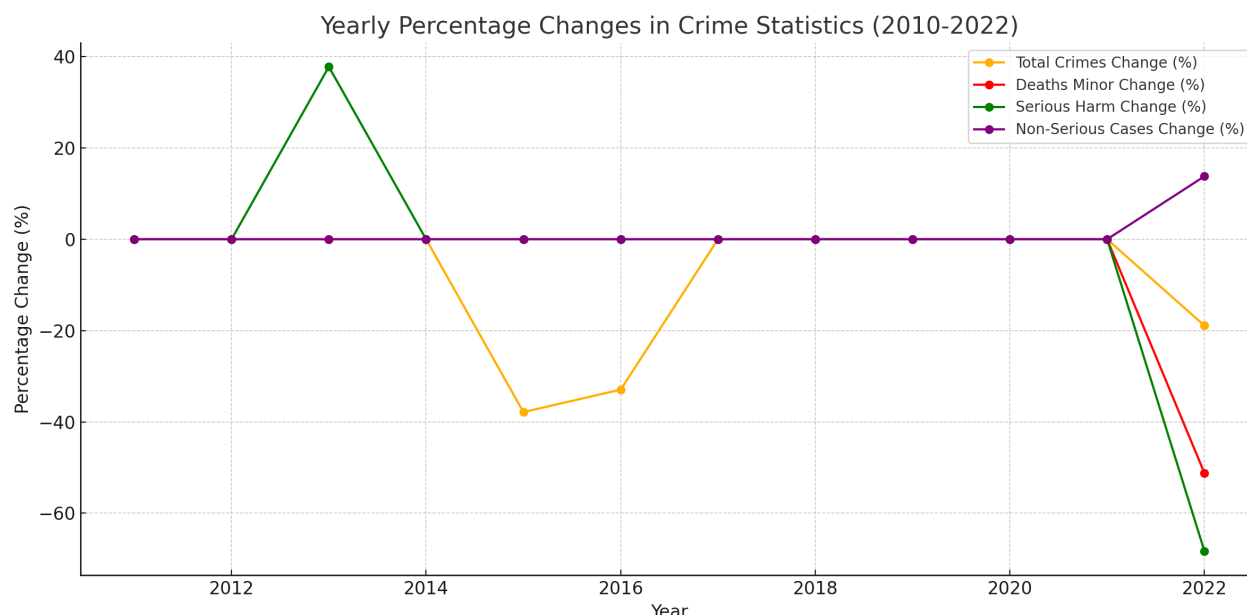


Figure 2 – Yearly Percentage Changes in Crime Statistics (2010-2022)

Kazakhstan has improved the protection of children through enhanced legal measures for instance through the Children's Rights Act and enhanced prevention and follow-up. However, there are still several challenges that exist including; unreported cases, poor investigation of cases, and inefficient inter-agency cooperation. These problems cannot be solved without a comprehensive approach that involves law enforcement, education, and early prevention to prevent the worst outcome which may include severe injuries or even death. To build on this protection of the child, there is need to especially focus on crime prevention, early threat detection and raising the awareness of the legal protection of the child. It is also important for the agencies to foster cooperation and improve on the way data is collected and analyzed in order to come up with better policies. The protection from criminal aggression is still one of the important concerns in public policy and requires further enhancement and evolution.

The issue of protection of children has also been compounded by insecurity that is endemic in the digital age. With the advancement of technology, the children are exposed to many hazards including

cyber bullying, unauthorized collection of data and exposure to unfavorable contents. To address these challenges the following strategies are needed: enhancing parents, educators and children's understanding of the nature of the risks through education and awareness programs, and enhancing legal and technological safeguards for children's safety in the new media. Information security has become one of the most important issues in the protection of children in the society today especially due to advancement in technology. Technological advancement has made children to be at high risk of getting exposed to vices such as bullies, data theft, and undesirable contents.

For instance, regulations such as the European Union's General Data Protection Regulation (GDPR) (Krylova 2019) can be of great benefit to Kazakhstan in reducing the risks that are faced in the digital environment. It is therefore important that educational programs that are designed at teaching children and their parents on the use of the internet and other digital devices should be developed to teach on the dangers that are likely to be encountered. Another area that has close relation with child

protection is property right. In Kazakhstan, children cannot control their assets freely as the management of the finances requires the approval of a legal guardian. This limitation hinders their capacity to claim their property rights (Hasanova 2023). The following should be the focus of legal changes: expanding the responsibility of parents and guardians who control children's property as well as improving the strong arm of the law for children's property. It is also important for the improvements of the digital and property rights to be well protected so as to complete the child protection system in Kazakhstan.

The child protection aspects also correspond to the problems of juvenile justice in Kazakhstan. As specialized courts for minors are established, however, problems remain such as lack of qualified judges and attorneys and insufficient rehabilitation programmes for young offenders. Addressing these challenges would require training initiatives with professionals or developing rehabilitation strategies that contribute to a more broad approach to children rights protection (Musabaev 2022). Unpaid child support remains a significant issue in Kazakhstan, as in many other low-income countries. The total arrears exceed 12 billion KZT, adversely affecting children's well-being. Difficulties in enforcement and administrative barriers often hinder the collection of alimony. Introducing digital payment tracking systems and imposing stricter penalties for non-payment could significantly improve the situation (Temirova 2022).

The Republic of Kazakhstan has come a long way in the process of convergence of its child protection policies with the international norms most significantly by ratifying the UN CRC. But, still many challenges exist, including hidden cases, weak investigation of reported cases, and poor inter-agency cooperation. A challenge that has been identified is the lack of coordination between the government institutions and non-governmental organizations (NGOs) in the monitoring and management of child protection interventions. The development of a unified database and information exchange platform and cooperation between different services can increase transparency and improve coordination between all stakeholders (Belea 2023). Although there are some basic laws in Kazakhstan there are still some gaps. Despite the signing of the convention and protocols on the rights of the child, the refusal to provide educational and medical services to migrant children in Kazakhstan is an obvious problem (Dubovitskaya 2023). Violence and exploitation are still the major threats to children's safety. This is because there are no clear-cut procedures on how these agencies

work together and this always hampers the progress of such cases. Even with the existing legal provisions, the problem of alimony collection remains an issue due to the weakness of the enforcement mechanisms. This has to be addressed by increasing penalties and improving the legal mechanisms of enforcement (Temirova 2022).

Child protection is becoming even more important, especially in rural areas, as many cases have not been recorded. Although Kazakhstan has signed the Council of Europe Convention on the protection of children from sexual abuse and sexual exploitation, the principles of the convention are not fully reflected in national legislation. The situation is aggravated by the lack of funds for rehabilitation and the lack of awareness of police officers and other law enforcement agencies (Abikenova 2019). Thus, it outlines the areas that need to be addressed to ensure the protection of children in Kazakhstan. These include strengthening the police, increasing the availability of rehabilitation services and implementing the recommendations of international conventions. It also began to pose a serious threat, as the information security of children was violated.

New threats include cyber bullying, exposure to negative content, data loss among others due to the development of technology. The Kazakhstan Cyber Shield is an initiative that has been made to cater for these issues but needs some improvements to be made. Adopting standards similar to the GDPR would also help in enhancing data protection and make the internet a safer place for children (Hackett 2015). The establishment of the juvenile courts is another improvement that has been made in the Kazakhstani juvenile justice system. Still, there are challenges including the lack of qualified judges and lawyers, and absence of adequate rehabilitation measures for the juvenile offenders. Improving the professionalism of the professionals and developing rehabilitation measures will help to reduce the problem (Musabaev 2022). These challenges highlight the need for a comprehensive approach to child protection in Kazakhstan. This approach should thus be on increasing the numbers of police officers, improving on inter-agency cooperation and implementing the best practices from other countries. These measures are meant to enhance the capacity of the child protection system and create an environment that is favorable for children.

Despite the significant achievements of legal reform, there is still a big difference between the literal interpretation of the law and its application. One of the most important legal measures is the law on protection against information that threatens the

health and development of children, which is associated with the digital security of children. However, the effectiveness of this law depends on the specific definition of the harmful content and the establishment of proper mechanisms for controlling the online platforms. The European best practices such as parental control systems have been a clear reminder on the need for a comprehensive strategy for national information security. Implementing the same concepts in Kazakhstan could also help the country protect children from adverse digital content while making the internet a safer place (Malgazhdarova 2023). To close this gap between policy and practice, the efforts of the policymakers, technology providers, and civil society organizations are needed.

Another important area of child protection is the protection of the property rights of minors. It turned out that the Guardians and parents who manage the child's property are not always interested in the child's rights. This therefore requires strong legal precedents and high levels of accountability in the protection of property rights of children (Ablyatipova 2022: 84-90). The safety of children from violence, exploitation and neglect is a major concern. However, in 2020, 500 cases of sexual integrity were identified, which showed that preventive measures were ineffective (Tuyakbayeva 2020: 30-38). In addition, there is a need for legal improvements in the areas of employment, health and social support for children. Improper use of labor law may also be used to prevent children exploitation especially in the peripheral regions (Atakhanova 2021: 4-11). Despite signing the United Nations Convention on the Rights of the Child, the effective implementation of its provisions in Kazakhstan remains a challenge. One of the biggest challenges is child labor especially in the rural areas where the enforcement of labor laws is usually weak. Improvement of the labor laws' enforcement and the adoption of the ILO recommendations will be important in the fight against child labour in such areas (Sydorenko 2021: 179-189).

These issues can only be resolved by government agencies, NGOs and international development partners. This field of action cannot be effectively achieved without political support and the creation of new monitoring instruments. Kazakhstan can create better conditions for children by improving cooperation between different departments and ensuring that national legislation complies with international standards. In this way, it will improve not only the protection of children at the national level, but also the country's compliance with international standards of children's rights.

Conclusion

The primary objective of this study was to examine Kazakhstan's legal and social framework for protecting the rights and interests of minors, with a focus on both international standards and the specific characteristics of the national context. The study sought to identify gaps in the current legal system, analyze the obstacles to effective implementation, assess the types of crimes committed against minors, and evaluate the role of governmental and international initiatives in child protection. To achieve these goals, the research utilized a range of methodologies, including comparative legal analysis, statistical review, examination of legislative provisions, and an assessment of law enforcement practices. The findings highlighted the need for greater alignment between Kazakhstan's legal framework and international standards to strengthen child protection measures.

The research findings showed that Kazakhstan has implemented a good part of the international conventions on child protection into the national legal and policy framework. Some of the important legislations including the Law "On the Rights of the Child", Criminal Code and the Code of Administrative Offences provide the legal basis for protecting children against violence, exploitation and neglect. All these legal provisions are in conformity to the following international conventions that have been signed and ratified by Kazakhstan namely the United Nations Convention on the Rights of the Child and the ILO Conventions No. 138 and No. 182. In totality, these laws provide for the rights of children to education and health services and the prohibition of practices that are destructive to them thus providing a legal cover for their protection.

Looking at the area of child protection in Kazakhstan, one can observe certain positive changes that have taken place between 2010 and 2022. The crimes against children fell to 2,196 in 2022 from 6,497 in 2010. Severe bodily harm was reduced from 389 to 170 and fatal cases reduced from 84 to 41. This progress is due to improvement in the legal and policy framework, prevention and early intervention and better coordination among the different agencies. But the system has some problems, for instance, high rate of reported cases of crimes against children, violation of minors' property rights and lack of co-operation between different branches of government. Thus, concerns can be raised on the coordination and prevention strategies especially in the case of sexual violence against children (Hackett 2015: 423-429).

Due to the increasing use of the digital technologies, there are new challenges to child protection. There are many online threats such as cyber bullying, harmful content and privacy violations. Kazakhstan has started the programs like “Cyber Shield of Kazakhstan” and included the EU’s GDPR but these need further development (Hasanova 2023: 23-27). In view of the fact that children are easy preys in the digital world, there is a need to develop and strengthen the protection mechanisms that will keep children safe while on the internet and their privacy protected.

This paper therefore calls for improvement of the legal architecture and improved capacities of the law enforcement agencies in addressing digital risks to children. The inadequate cooperation and coordination among the executive bodies, courts, guardianship authorities and NGOs are the major factors that prevent the effective protection of children’s rights (Belea 2023:24-36). Although the initial juvenile courts have been set up currently there is a challenge in the form of lack of experienced personnel and rehabilitation facilities for youth criminals (Musabaev 2022: 74-83). A plan for the advancement of the juvenile justice should include the professional development of the judges and lawyers and other professionals.

This study reveals the need to enhance the protective system for children in Kazakhstan. It outlines the following recommendations for altering legal capacity age limits, increasing parental and guardians’ responsibilities in protecting children’s property and improving the legal protection of children’s property: It also identifies the problem of enforcer of alimony payments and suggests that there should be more strict control mechanisms because the effects of unpaid alimony to children are devastating. To cater for the present-day challenges, the research suggests that there should be early threat identification systems and digital literacy programs aimed at teaching children, parents, and other professionals on the internet, and the threats that are on it (Malgazhdarova 2023: 59-69).

To this end, child protection cannot be overemphasized since it demands inter-agency co-opera-

tion. A possible way that has been suggested is to create a single website where cases of child violence and crime will be entered and followed fast and efficiently as well as to respond to them promptly (Belea 2023:24-36). It also recommended that Kazakhstan should emulate other countries with effective monitoring system on child support and prevention of child abuse (Hackett 2015: 423-429). Hackett A. explains how to integrate the international practices for the protection of children’s rights.

Building a proper juvenile justice system in Kazakhstan is possible only with the necessary changes that include the provision of treatment centers for young offenders as well as regular training of the judiciary (Musabaev 2022: 74-83). These rehabilitation programs are very important in minimizing on repeat offences and in the reintegration of the juvenile offenders back into the society. In order to make these efforts effective, Kazakhstan has to bring its national legislation in conformity with the UN Convention on the Rights of the Child. This would help in protecting children’s property rights and also protect the minors from the evils of the internet. The proposed digital platform would be very useful in the management and coordination of child protection cases as it would enhance the coordination and communication between the executive bodies, the courts and the guardianship authorities (Belea 2023:24-36). This system would help in the management of child protection issues to ensure that they are handled as quickly as possible.

The findings of the study are presented to the policy makers, government institutions and the international community the recommended guidelines to implement. These measures aim to strengthen and modernize Kazakhstan’s child protection framework. By aligning national legislation with international norms and fostering inter-agency cooperation, the proposed measures promote a holistic approach to child protection. Future research could explore the effectiveness of these measures and assess how well they adhere to global child protection standards, offering insights for further refinement and development of the system.

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