

**Statement by Ambassador Madina  
Jarbussynova at the 45<sup>th</sup> Session of the  
UN Committee on the Rights of the Child  
(May 2007, Geneva)**

Presentation of the Second and Third Periodic  
Report of the Republic of Kazakhstan on the  
implementation of the Convention on the  
Rights of the Child

Mr. Chairman

Distinguished members of the UN Committee on the Rights of the Child  
Ladies and Gentlemen,

Please allow me, on behalf of the leadership of the Republic of Kazakhstan, to greet you and to thank you for the attention paid to our country. It is a great privilege for our delegation to introduce the Second and Third Periodic Reports of the Republic of Kazakhstan on Implementation of the Convention on the Rights of the Child and concluding recommendations of the committee.

**Dear Mr. Chairman!**

Convention on the Rights of the Child was the first human rights covenant Kazakhstan acceded to in 1994. Our initial report was presented within the framework of the 33rd session of the UN Committee on the Rights of the Child on June 4th, 2003. Numerous meetings and press conferences were organized in Kazakhstan to bring the concluding observations of the UN committee to the public attention, which enabled the creation of the working plan on implementation of recommendations.

**Dear Mr. Chairman!**

**Dear Committee Members!**

Considerable changes have taken place in Kazakhstan since the time the first report was presented. These were the years of rapid economic growth. According to the World Bank's classification Kazakhstan belongs now to a group of middle income countries. Economic, social and political reforms carried out in my country resulted in considerable improvement in the well-being and quality of life of the citizens. The government has been continuously providing support to vulnerable groups of the population. Consequently, the overall environment with respect to children's rights improved greatly.

The protection of the rights and best interests of children is paramount to the national policy of the Republic of Kazakhstan. Clear evidence of this policy is the last annual Address of the President of the Republic of Kazakhstan N. Nazarbaev (February 28, 2007), which established additional goals and targets for the government, aimed at further changes with respect to the system of social support of child and mother.

Hopefully, today's discussion will aid our nation and our leaders to fulfill all of the MDG's with regard to our children.

I would like to introduce members of Kazakhstan's delegation. In order to remain within the time limits we have circulated a list of names of our delegates and booklets, containing additional data.

**Dear Mr. Chairman!**  
**Dear Committee Members!**

**Slide 2**

The Principles and the requirements of the Convention are highly respected by the Republic of Kazakhstan.

Hereby, in addition to the Second and Third Periodic Reports submitted for consideration, we would like to update you with respect to our achievements based on the Committee's recommendations.

**As far as the legislation base is concerned:**

**Slide 3**

General provisions of the UN Convention on the Rights of the Child are continuously being integrated into Kazakhstan's legislative base.

Consequently, the laws mentioned on pages 3,4,5 of the booklet were adopted in 2006.

**Laws of the Republic of Kazakhstan:**

1. "On introducing the amendments and additions into some legislative acts of the Republic of Kazakhstan on counteraction sale of people" № 131-III3PK dated March 2, 2006
2. "On public health care" № 170 dated July 7, 2006.
3. "On introducing the amendments and additions into some legislative acts of the Republic of Kazakhstan on social security" № 148 dated July 4, 2006.
4. "On ratification of World Health Organization Framework Convention on Tobacco Control" № 193 dated November 25, 2006.
5. "On introducing the amendments and additions into the Civil Code of the Republic of Kazakhstan (both into General and Specific Parts)" № 225 dated January 12, 2007.
6. "On the order of consideration of persons' and legal entities' complaints" № 221 dated January 12, 2007.
7. "On introducing the amendments and additions into Law of the Republic of Kazakhstan "On Prevention of Iodine Deficiency Diseases" № 228 dated February 15, 2007 and other.

**Slide 4, Slide 5**

Moreover, the following **new state programs** and governmental decrees were approved:

1. Strategy on Gender Equality in the Republic of Kazakhstan for the Period of 2006-2016
2. Strategy on Counteracting Drugs Abuse and Drug Industry in the Republic of Kazakhstan for 2006 – 2014.

3. The Republic of Kazakhstan Government Program for the Period of 2006 - 2008.
4. Program on Rehabilitation of Disabled People in the Republic of Kazakhstan for the period of 2006-2008.
5. The Republic of Kazakhstan Government Decree № 15 as of January 6, 2006 "On Approving the Rules for Compensation of Traveling Costs to Residence Place and Carrying the Property, Allocating the Resources to Purchase Housing at the Arrival Place and Payment of Lump-sum Grants to Repatriates Which Arrived by Immigration Quota".
6. The Republic of Kazakhstan Government Decree № 162 as of March 14, 2006 "On Using the Current Transfers Stipulated by the Republican Budget for the Year 2006 to Provide Disabled People with Necessary Hygienic Means, Services of the Gesture Language Specialist, Individual Assistants in Accordance with Individual Rehabilitation Program".
7. The Republic of Kazakhstan Government Decree № 629 as of June 30, 2006 "On Approving the National Plan of Actions on Human Rights Education in the Republic of Kazakhstan for the Years 2006-2007".
8. The Republic of Kazakhstan Government Decree № 819 as of August 25, 2006 "On Approving the Procedure for Assignment and Payment of State Special Benefits in Case of Disability, Loss of Breadwinner, Age, Pension Payments by the State Center, State Basic Pension Payments, State Special Allowances".
9. The Republic of Kazakhstan Government Decree № 925 as of September 27, 2006 "On Approval of Plan of Actions for 2006-2008 on Implementation of the Branch Program on Migration Policy in the Republic of Kazakhstan for 2001-2010".
10. The Republic of Kazakhstan Government Decree № 840 as of September 5, 2006 "On Approval of the List of Diseases of Children Older than Three Years Age Requiring the Permanent Care".
11. The Republic of Kazakhstan Government Decree № 829 as of September 1, 2006 «On Signing an Agreement Between the Government of the Republic of Kazakhstan and Regional Management Team on Counteracting AIDS in Central Asia» etc.
12. The Republic of Kazakhstan Government Decree № 962 of October 6, 2006 "On Approval of Pharmaceuticals Supply Procedure for Citizens of the Republic of Kazakhstan".
13. The Republic of Kazakhstan Government Decree №83 of February 5, 2007 "On Approval of Plan of Actions to Support Pre-school Education at the Republic of Kazakhstan for the Years 2007-2009".
14. The Republic of Kazakhstan Supreme Court Decree as of December 25th, 2006 "On Making the Amendments and Additions in the Decision of Plenum of the Supreme Court of RK № 17 as of December 22, 2000 "On some issues of practical application by courts of Law on Marriage and Family when considering cases of children's adoption".

The process of development and improvement of the legislation in the sphere of protection of child rights is being continued.

For example, under the guidance of the Ministry of Justice an interagency working group charged with development of new legislature on marriage and family was established.

Last year, the Draft Law "On Ratification by the Republic of Kazakhstan of the Hague Convention on Protection of Children and Cooperation in the International Adoption" was prepared and now it is under the consideration of the deputies of the Parliament. Ratification of the Convention will provide the protection of children's rights after their adoption and will also strengthen the control over living conditions of the children adopted by foreign citizens.

It was decided to set up a working group, which by the end of 2007 will work out juvenile justice legislation. Revaluation of categories of crimes committed by minors, special training of police officers, prosecutors and judges is anticipated.

## **Slide 6**

### **2. Resources for children**

In accordance with items 7, 15, 16, 17 of the Concluding Observations special attention was given to the desegregation of duties between the central and local authorities in order to improve inter-budgetary relations during the accounting period.

Country's economic growth enables an increase of funding directed towards social services and social protection of family and children, as well as education, upbringing, health protection, culture, physical training and sports.

In 2003, social expenditures amounted to 11.18% of GDP, as compared to 11.84% in 2006.

As of October 1, 2006, the level of expenditures directed towards social services amounted 58.32% of the Republic's budget.

## **Slide 7**

For example, \$668 million from the Republican budget and \$1,961 million from the local budget were allocated to provide children with accessibility to education.

In 2000 the share of the state budget expenses on education made 3.3 % of GDP or \$563 mln., while in 2006 it amounted 3.4% of GDP or \$2 billion 629 million that were allocated as follows:

- For preschool upbringing and education –\$103 million or 4% of all expenditures for education;
- For general secondary education –\$1 billion 549 million or 59% of all expenses on education;
- For basic professional education –\$82,5 million or 3 % of all expenses on education;

- For secondary professional education –\$80,5 million or 3% of all expenses on education;
- For high professional education–\$300 million or 11% of all expenses on education;
- For organization of extracurricular activities, text books supply, informatization, construction and reconstruction of educational facilities etc.–\$515 million or 20% of all expenses on education;

In addition more than \$16 million were allocated in 2006 from the republican budget for education of gifted children.

Thus, in 2006 state investments into education were increased 4 times as compared with the year 2000.

To further protect the rights and interests of children a Program “Children of Kazakhstan” is being developed for 2007-2011”; it will determine the basic directions of the state policy in this sphere.

To implement this program \$84 million will be allocated from the state budget in 2007-2011.

### **Slide 8**

Also, annually the Government raises the funding of MCHC programs. In 2006 nearly \$16.1 million more were allocated for mother and child health care activities as compared to 2005.

In 2006, target current transfers from the republican budget were stipulated for:

- Provision with pharmaceuticals of children and adolescents who are registered for regular medical check-up for out-patient treatment of chronic diseases –\$ 8 million;
- Provision with pharmaceuticals of children under 5-years of age –\$5 million;
- Provision of pregnant women with iron and iodine containing medications –\$5 million;
- Preventive medical examination of women of reproductive age (from 15 till 49 years age) with subsequent dynamic control and recovery –\$31 million.
- Purchase of medicines to treat HIV-infected and children with AIDS in South-Kazakhstan region in the amount of \$854 thousand.

In 2006 \$1.6 million were allocated from the republican budget for rehabilitation and health improvement, arrangement of leisure time for orphans, children from ecologically adverse regions, children from disadvantaged and large families, talented children from various regions of Kazakhstan. And \$2 million were allocated for the same purposes in 2007.

Also, \$74 million are planned to be allocated for construction of mother and child health care facilities (maternity houses, children’s hospitals, regional hospitals) in the framework of special local budget investment projects, financed by target transfers.

### Slide 9

In 2006 \$137 million were anticipated for payment of birth allowances, benefits for taking care of small children and children from disadvantaged families.

In 2006 277,7 thousand families received birth allowances, 721,3 thousands children under 18 years age out of 282,6 thousand of disadvantaged families got benefits.

The share of children living in rural areas made up 75% of total number of children assigned for allowances. In 2006 the financial support in the amount of \$2,2 million allocated from the local budgets was rendered to families with disabled children.

### Slide 10

Consequently, to this year's annual Address of the President the Government is increasing twicely the amount of birth allowance starting January 1, 2008. Besides, the monthly allowances for childcare will be increased too. Additional financing to support families with children will make up 9.5 billion KZT.

Last April the Senate of the Republic of Kazakhstan and UNICEF initiated the International Conference "Increasing Social Orientation of Budgets and Efficiency of Public Expenditures at National and Local Levels in the Best Interests of Children and Families in Kazakhstan". Its participants discussed ways of improving budget policy efficiency in Kazakhstan to promote the best interests of children and protect their rights, as well as to increase sustainability and socio-economic level of families.

## 3. Interagency cooperation

### Slide 11

Implementating the Concluding recommendations of the Committee on the establishment of an effective management and interagency cooperation system, **the Government of the Republic of Kazakhstan set up in January 2006** under the Ministry of Education and Science a special representative body – Committee on Protection of the Rights of the Child. **Its main goal is to coordinate activities and promote protection of rights and legitimate interests of children.** Recently, **the Government** established Committees structural divisions in every region of the country, thus enabling interaction of the central and local authorities in the child protection sphere.

Today nine ministries and state agencies, 275 NGO/CBO are dealing with child issues in the country. Besides, **Interministerial Commission on Minors' Affairs and Protection of Their Rights** is being set up under the Government of the Republic of Kazakhstan.

During the period under consideration the Government increased its cooperation with international organizations in the sphere of child protection.

As a result the **First Child Protection Forum** was carried out together with UNICEF last December in Kazakhstan. It has developed mechanism of interagency cooperation between the Central Asia countries on child protection.

In January 2007 Annual Work Plan was signed with UNICEF streamlining development of child rights ombudsman system; establishment of family support services; communication campaign with a view to increase awareness of the population about Concluding Observations of UN Committee on the Rights of the Child, etc.

#### **4. Legal and social protection of children**

The system of legal and social protection of children remains to be the object of further development.

In 2006 the Ministry of Education and Science developed the plan for monitoring children's homes and boarding schools for orphans and children deprived of parental care. Analyses showed that in the majority of institutions, nearly all necessary conditions for education and upbringing of children have been created. As a positive experience, we can mention "Hope" groups in infants' homes for temporary placement of children, which were set up to prevent orphanage. The personnel and psychologists of these institutions address single young mothers and such work brings positive results. For example, 20 children taken back by their mothers in Kostanay Children's Home "Dolphin" and 15 children - in Astana Children's **Home. Similar examples are seen in other regions of the country.**

On the other hand Survey of children's status in special institutions once again revealed, that such institutionalization of children leads to the formation of the lowered vital standards because of absence of the family and relatives.

#### **Slide 12**

Today we account more than 51000 children-orphans and children deprived of parental care in the country. Among them, more than 18000 are institutionalized. Only 17.4 % (3 164 children) are full orphans, and the other 82.6% (15000 children) are social orphans with parents alive.

More than 31000 children are placed under kinship care and 1791 children are brought up by foster families.

#### **Slide 13**

During the last 8 years 20 thousand children were adopted by citizens of the Republic of Kazakhstan and 6014 children were adopted by foreign citizens. In 2006 2691 children were adopted by citizens of Kazakhstan and 729 children by foreign citizens.

To prevent social orphanage issues of de-institutionalization and development of alternative forms of care (such as kinship care, foster care,



adoption, family-type children's homes and villages, youth homes) still remain to be very important in the republic.

Positive experience has been gained in the development of a network of "SOS Kinderdorff", initiated and led by the First Lady of Kazakhstan Mrs. S. A. Nazarbayeva. Today there are 9 children's villages with 592 children brought up there.

Two more villages are to open their doors next year.

#### **Slide 14**

Today there are only 204 institutions for orphans and children without parental care in Kazakhstan.

To encourage trustees and guardians who bring up children in their families the Government in March 2007 made a decision to allocate nearly \$50 million from budget funds for payment of allowances to such families. This measure will allow to reduce approximately by 30% the number of institutionalized children.

The financial support for disadvantaged families with children is provided through the system of the target oriented social assistance.

As for January 1, 2007 such assistance was rendered to 333.1 thousand disadvantaged citizens in an amount of \$27 million. Children constitute the greatest share – 61.2% (207500).

The appropriate assistance is rendered to children with special needs. In 2006 - 1344 disabled children were supplied with prosthetic devices, 746 children – with audio devices, 199 children with typhlotomy devices, 474 children received armchair-carriages, 770 children were sent to resorts to improve their health status.

The National Coordination Council on Counteracting Worst Forms of Child Labor was set up with a view to legally protect children from exploitation and worst forms of labor.

Recognizing the latent character of child labor or its denial due to the low awareness of population, the Government raises awareness on worst forms of child labor, carries out researches on the scope of this phenomenon, distributes information among all concerned parties.

#### **Slide 15**

To provide social rehabilitation of children with deviant behavior, 569 minors were placed into 10 special educational institutions in 2006.

1890 adolescents systematically drinking alcohol and 1430 adolescents drug abusers are registered in the Ministry of Internal Affairs.

Besides, in order to prevent crimes among minors special efforts are undertaken to reveal adults that accustom children to alcoholic drinks abuse and commitment of crimes. So, in 2006 165 adults were brought to the administrative responsibility.

Dynamics of the number of crimes (maltreatment of children (article 137 of the Criminal Code of the RK)) for the last three years demonstrates its sustainable decrease: e.g. in 2004 78 cases of such category were investigated, in 2005 – 76 and in 2006 – 67 cases.

To make the national legislation on minors more humane, it is planned to introduce amendments into criminal, criminal procedure and criminal execution codes.

To legally protect minors facing conflicts with the law the pilot project on development of juvenile justice system is being carried out for three years in two districts of Kazakhstan. Since its implementation there is a steady decrease of the number of accused minors sentenced for arrest: from 33,3% down to 16,6% in Karasay district of Almaty region, from 41,8 down to 15,6% namely from 18 persons down to 5 in Auezov district of Almaty region.

The investigators started to use more often as restorative punishment – placement of a child under parents control (39 children), under house arrest - 150 minors.

## **5. Health care**

Improvement of Mother and child health care system remains to be one of the priorities of the national policy.

To provide access and up-grade a quality of medical care the National Center for Mother and Child Health Care and the Scientific Centre for Children's Rehabilitation, equipped by modern techniques will be opened this year.

### **Slide 16**

Efforts to improve child health system have resulted in the decrease of infant mortality rate from 28,0 among 1000 children born alive in 1993 down to 14,1 in 2006.

Allocation of state budget financial resources made Kazakhstan a vaccine independent country with more than 95% coverage of the population by vaccination. Due to this the number of children infected by measles decreased by 14 times, tetanus by 4 times, whooping-cough by 15 times, diphtheria by 74 times.

The Government annually takes measures on organization of leisure time, improvement of children health status during the summer period taking care of more than 80% of schoolchildren.

Still we recognize insufficiency of measures undertaken in the country to protect children's health. Data of annual medical examination of children and adolescents show that about a quarter of children suffer from different diseases, among which pathology of digestive and respiratory apparatus, bone and muscular system, nervous and endocrine systems are the most common.

Besides, 4885 adolescents were registered as drug abusers in 2006.

The prevalence of HIV - infection among children younger than 14 years made 3,4 %. The increase of HIV-infection among children occurred because of the outbreak in South-Kazakhstan region, where it reached 12,6 %. High prevalence of HIV-infection among children under 14 years is also indicated in Karagandy region – 8,5 % of 100 000 population.

Reproductive health of young women is problematic too. The number of illegitimate birth rate is not decreasing despite all the measures taken. The coefficient of illegitimate births by young women made 23.5 % in 2006, 1.6 % of the whole number of deliveries are the deliveries by young women.

Girls are rendered medical care, provided with consultations and pharmaceuticals at the account of the state budget during pregnancy, delivery and post partum period.

To protect reproductive health and prevent violence against girls lectures and consultations on negative influence of early pregnancy and abortions for reproductive health are organized in educational institutions. It became traditional to conduct together with NGO/CBO (Union of Crisis Centers of Kazakhstan, Children's Fund of Kazakhstan, etc.) different events such as "Healthy Days for Adolescent Girls", consultations on such subjects as: "Harm of Early Sexual Relations and Its Consequences", "What Is Traffic?", "Working abroad: a Reality or a Trap?", "If You Have Got in a Trouble" etc.

Significant assistance is provided by international and nongovernmental organizations in implementation of projects aimed to prevent sexual exploitation of girls, drug abuse, HIV/AIDS among children.

## **6. Education**

The Constitution of the Republic of Kazakhstan proclaims obligatory free-of-charge secondary education. This norm is also reflected in the Law "On Education" which regulations correspond to articles 28 and 29 of the Convention on the Rights of the Child.

### **Slide 17**

There are 4.6 million students and more than 400000 specialists in the system of education and science of Kazakhstan. Totally, it is about 5 million people.

Kazakhstan has achieved one of the principal Millennium Development Goals –access to primary education.

The Government is targeted by the President at expansion of a network of preschool educational institutions and increase of the level of children's coverage by preschool education.

As for January 1, 2007, more than 230 thousand children attended kindergartens making only 27.6% of all children under 6. Among them the number of rural children is 12.4% as compared to 38.7% of those from urban areas.

Due to birth rate increase, the necessity in new kindergartens and day centers is growing significantly. Today more than 130 thousand people are in waiting lists for kindergarten enrollment. However, the number of places in kindergartens is five times less than number of children of preschool age in the country.

To tackle the problem it is planned to build annually 50 kindergartens for 14 thousand children at the account of the state budget. Expenses for three years will make about \$480 mln.

Another problem is a shortage of places at schools. Today this deficiency makes more than 153 thousand places, as a result 115 schools work in three shifts.

To solve this problem the President in the Annual Address instructed the Government to construct additionally 100 schools.

To render assistance for children from large and disadvantaged families Funds for Comprehensive Education are set up in all schools.

Pupils of boarding schools, orphans, children from large and disadvantaged families are supplied with textbooks free of charge.

In 2006 local authorities allocated \$22 million to educational institutions for purchase of textbooks and educational and methodical materials.

\$374 million are allocated by the Government on introduction of Multi Service Informational and Educational System into the educational process. The implementation of the project which will provide a wider access of schools to Internet is planned for the years 2007-2009.

According to the State program of Functioning and Development of Languages for 2001 - 2010 the educational institutions provide realization of the right of ethnic groups to study their native languages.

12 native languages are being taught in the republic as an independent subject.

Special measures are taken to prevent discrimination of disabled children. In order to timely reveal, diagnose and consult disabled children the following facilities are in function:

- Psychological – medical and pedagogic consulting centers - 56
- Rehabilitation centers - 13
- Cabinets of psychological and pedagogical correction - 114
- Logopedic rooms - 223

101 special correction organizations where 17030 children were involved functioned in 2006.

Given the international experience and recommendations of the Salamanca Declaration on meeting the educational needs of disabled people and their mainstreaming into the educational process the innovative methods of disabled children integration into the educational environment of healthy children are being widely used.

6888 children with disabilities attended 766 special classes of comprehensive schools in 2006.

One of the main principles of the national policy in the sphere of education is the equal access to the free-of-charge secondary education for all citizens of the

Republic of Kazakhstan irrespective of sex. All curriculums, textbooks, teaching materials are identical in their content. Girls and boys have equal right to study the identical subjects.

1 320 167 girls that makes 49,5% of total number of pupils attend schools taking very active part in public life of schools,.

### **Slide 17**

Nowadays Kazakhstan is a destination-country for migrants, some of them especially illegal violate the right of children for education. As they often are more interested in exploiting their children, especially girls. Mainly, these are the families of Turks, Azerbaijani and Tajiks.

The explanatory work with parents and girls is regularly carried on by social workers. Besides special programs of intensive learning, methodical manuals are developed to solve the above-named problem and to help families of migrants.

**Dear Mr. Chairman!**

**Dear Committee Members!**

As I mentioned at the beginning many positive changes are taking place today in Kazakhstan. The political stability recognized by the international community, sustainable economic development allow the Government to focus more and more attention and to allocate more budget means on social needs especially those of children.

Cooperation of the state authorities with international and nongovernmental organizations becomes more significant in realization of the policy in the best interests of children.

Nevertheless, despite of significant achievements in the development of the country, the Government realizes that there are still problems, which should be solved for the welfare of children. The Government is committed to further improve the quality of children's life, provide protection of their rights and make become the most healthy, happy and educated children in the world.

We are sure that today's dialogue with members of the Committee and the subsequent Concluding Observations will be fruitful and will help in realization of our strive to promote better future to our children.