

**On action plan of the government of the Republic of Kazakhstan for 2012-2014 directed at combatting and preventing crimes related to trafficking in human beings**

Decree № 1347 of the government of the Republic of Kazakhstan dated 24 October 2012

With the aim of ensuring and coordinating work on combatting and preventing crimes related to trafficking in human beings as well as for the purpose of implementation of the decision of the Council of heads of states of the Commonwealth of Independent States "On program of cooperation of participating states of the Commonwealth of Independent States in the area of combatting trafficking in human beings for 2011-2013" dated 10 December 2010, the government of the Republic of Kazakhstan **rules to:**

1. Approve the attached action plan of the government of the Republic of Kazakhstan for 2012 - 2014 on combatting and preventing crimes related to trafficking in human beings (henceforth referred to as the Plan)
2. Have mayors of regions and cities of Astana and Almaty develop and approve within a month regional plans for 2012-2014 on combatting and preventing crimes related to trafficking in human beings.
3. Have central executive and state authorities directly subordinate to and reporting to the President of the Republic of Kazakhstan (upon preliminary agreement) as well as mayors of regions and cities of Astana and Almaty:
  - 1) Ensure the fulfillment of the Plan;
  - 2) Submit information on fulfillment of activities stipulated in the Plan to the Ministry of Justice of the Republic of Kazakhstan on an annual basis and no later than 20 January.
4. Have the Ministry of Justice of the Republic of Kazakhstan submit consolidated information on fulfillment of the Plan to the government of the Republic of Kazakhstan on an annual basis and no later than 10 February.
5. This decree shall be enacted from the moment of its signing.

Prime Minister of the Republic of Kazakhstan

Approved by the decree of the Government  
Of the Republic of Kazakhstan  
Dated 24 October 2012 #1347

**Action plan of the government of the Republic of Kazakhstan on combatting and preventing crimes related to trafficking in human beings, for 2012 - 2014**

№ п/ п	Action	Form of completed product	Responsible authority	Period of fulfillment	Expected expenses (thousand	Source of financing
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1	2	3	4	5	6	7
1.	Submission of information about experience of foreign countries in informational propaganda of measures for combatting trafficking in human beings including with the purpose of lowering demand for labor and sexual exploitation	Information provided to the Ministry of Justice (MoJ)	MFA	4th quarter of 2012	None	-
2.	Development of proposals on introducing legislative amendments on improving the process of criminal prosecution and punishment for crimes related to trafficking in human beings	Draft law of the Republic of Kazakhstan	MIA (session), Ministry for Labor and Social protection (MLSP), Prosecutor-General's Office (PGO) (upon agreement), Supreme Court (SC) (upon agreement), Health Ministry (MoH), Ministry for Education and Science (MES)	4th quarter of 2012	None required	-
3.	Organization of seminars and roundtables on access of victims of trafficking in	Seminars, roundtables	MoJ, MLSP, MIA, MFA, NHRC (upon agreement), MES, MCI, MoH,	4th quarter of 2012 - 2013		IOM funds

	human beings to special social services, where participation of MPs, representatives of local executive authorities, NGOs and the International Organization for Migration would be foreseen		MoF, NSC (upon agreement), PGO (upon agreement)			
4.	Organization of complex scientific research and monitoring of practice and state of the situation on combatting trafficking in human beings including development of recommendations on improving this activity, based on the results of completed work. This will be held by Karaganda academy of MIA named after B.Beysenov and Retraining Institute of the prosecutor general's office named after S.Yeskarayev. A conference will be held based on the result of this work.	Conference	MIA, PGO (upon agreement)	2012 - 2013	Within the limits of funds of UNODC project HASH44 "Strengthening Central Asian republics potential necessary for protection of victims of trafficking in human beings and illegally smuggled migrants, especially women and children, as well as provision of help to them, in cooperation with non-governmental and non-commercial and civil society"	-
5.	Raising qualification of	Training courses and	Agency for state	2012 - 2013	Within the budget	P5

	<p>judges by introducing continuous and systematic training in methods of judicial review of criminal cases related to trafficking in human beings and identification of victims of trafficking in human beings. The trainings will be held as distance courses at the Justice Institute of the Republic of Kazakhstan, Academy for State Management under the President of the Republic of Kazakhstan</p>	seminars	<p>service affairs (ASSA) (upon agreement) , Supreme Court (upon agreement)</p>		<p>allocated through program 004 “Training, retraining and raising qualification of state employees” (ASSA)</p>	
6.	<p>Development of proposals on improving the mechanism for regulating the market for household workers, as well as on Republic of Kazakhstan’s accession to ILO #189 on household workers</p>	Proposals to inter-agency committee	<p>MLSP (session), PGO (upon agreement)</p>	1st quarter of 2013	None required	-
7.	<p>Development of proposals on introduction of legislative changes on provision of state social services to victims of</p>	Proposals to the inter-agency committee on legislation-drafting activity under the government	<p>MLSP (session), MIA, MJ, PGO (upon agreement) , SC (upon agreement) , MH, MES</p>	1st half of 2013	None required	-

	trafficking in human beings as to victims of cruel treatment	of the Republic of Kazakhstan				
8.	Review of the issue on creation of a mechanism for exchange of information on combatting trafficking in human beings	Information submitted to the CIS Executive Committee	MIA (session), PGO (upon agreement)	February 2013	None required	-
9.	Work on the issue of introducing of biometrical and other modern technologies for protection of documents used for crossing the State border of the Republic of Kazakhstan	Information to IAC	MIA (session), NSC (upon agreement), interested state authorities	February 2013	None required	-
10.	Выработка предложений по возмещению вреда, причиненного пострадавшим (жертвам) от преступлений по торговле людьми, а также финансированию мер государственной защиты лиц, участвующих в уголовном преследовании торговцев людьми	Submission of proposals to the government of the Republic of Kazakhstan	PGO (upon agreement), SC (upon agreement), MIA, MoF	2nd quarter of 2013	None required	-
11.	Introduction of proposal on feasibility of preparation of a statement by Prosecutor-General to the Supreme Court on	Protocol of IAC	PGO (upon agreement)	1st half of 2013	None	-

	<p>provision of clarifications and interpretations on the most complicated and disputable issues of law enforcement practice on cases of trafficking in human beings</p>					
12 .	<p>Set up of a working group under the auspices of the inter-agency committee with participation of MPs, representatives of state and local executive bodies, NGOs, International Organization for Migration. The working group will develop proposals on state standards for provision of state services to victims of cruel treatment including victims of trafficking in human beings</p>	<p>Protocol of IAC</p>	<p>MoJ (session), MLSP, MIA, MES, MoH, PGO (upon agreement)</p>	<p>1st half of 2013</p>	<p>None</p>	<p>IOM funds</p>
13 .	<p>Development of proposals on strengthening migration surveillance over activities of organizations working in the area of exporting work force out of the</p>	<p>Proposals to the Government of the Republic of Kazakhstan</p>	<p>MIA (session), PGO (upon agreement), mayor's offices of regions, cities of Astana and Almaty</p>	<p>1<sup>st</sup> half of 2013</p>	<p>None</p>	<p>-</p>

	Republic of Kazakhstan					
14 .	Submission of proposals on Republic of Kazakhstan's accession to the ILO Convention #97 on migrant workers for review to the Commission for cooperation between Republic of Kazakhstan and international organizations	Protocol of the Commission for cooperation between Republic of Kazakhstan and international organizations	MLSPP (session), MoJ, MIA, PGO (upon agreement)	1 <sup>st</sup> half of 2013	None	-
15 .	Submission of proposals on Republic of Kazakhstan's accession to ILO Convention 143 "Concerning migrations in abusive conditions and the promotion of equality of opportunity and treatment of migrant workers for review to the Commission for cooperation between Republic of Kazakhstan and international organizations	Protocol of the Commission for cooperation between Republic of Kazakhstan and international organizations	MIA (session), MoJ, MLSPP, PGO (upon agreement), MFA	1 <sup>st</sup> half of 2013	None	-
16 .	Development and adoption of measures on identifying employees in charge of issues of combatting trafficking in human beings on a continuous	Prikazes	PGO (upon agreement)	1 <sup>st</sup> half of 2013	None required	-

	basis among total personnel of prosecutor's offices					
17 .	Development and adoption of measures on priority use of investigative methods and technical means of registration of criminal actions of human traffickers in order to establish a reliable evidence base in the course of criminal prosecution of these cases	Submission of information to the inter-agency committee	MIA, PGO (upon agreement)	1 <sup>st</sup> half of 2013	None required	-
18 .	Development and submission to the IAC of proposals on ensuring efficient work of state and public labor safety inspectors in the area of preventing conditions conducive to labor exploitation	Protocol of the IAC	MLSPP	1 <sup>st</sup> half of 2013	None required	-
19 .	Conducting assessment of efficiency of activities on revealing, tracking and confiscation of criminal revenues received as a result of crimes involving	Report on efficiency assessment	PGO (upon agreement) , MIA, MoF	December 2013	None required	-



	trafficking in human beings					
20 .	Submission of proposals on Republic of Kazakhstan's accession to the Council of Europe Convention on action against trafficking in human beings dated 16 May 2005, for review to the Commission for cooperation between Republic of Kazakhstan and international organizations; Council of Europe Convention on the protection of children against sexual exploitation and sexual abuse dated 12 July 2007	Protocol of the Commission for cooperation between Republic of Kazakhstan and international organizations	MIA (session), MoJ, MFA, PGO (upon agreement)	During 2013	None required	-
21 .	Retraining of employees of prosecutor offices by introducing ongoing and systemic training on methods of conducting surveillance and support of state prosecution in court on criminal cases related to crimes involving trafficking in	Training courses and seminars	PGO (upon agreement)	On an annual basis	Within the budget of program 001 "Conducting of supreme surveillance over precise and consistent application of laws and sublegal acts on the territory of the Republic of Kazakhstan" (PGO)	RB

	human beings as well as identification of victims of trafficking in human beings (with participation of international and NGO experts)				2012- 960,0; 2013- 960,0; 2014- 960,0	
22 .	Signing of international agreements on legal aid on criminal cases and extradition of persons between Republic of Kazakhstan and countries from which victims of trafficking in human beings are exported, to which they are imported and through the territory of which they are transited	International agreements	PGO (upon agreement) (session), MFA	On an annual basis	None required	-
23 .	Signing of international agreements on cooperation in combatting organized crime including cooperation on revealing, preventing and investigation of crimes involving trafficking in human beings as well as in readmission and labor migration for the purpose of preventing illegal labor	International agreements	MIA (session), MFA	On an annual basis	None required	-

	<p>migration and crimes involving trafficking in human beings, between Republic of Kazakhstan and countries from which victims of trafficking in human beings are exported, to which they are imported and through the territory of which they are transited</p>					
24 .	<p>Financial and organizational support for establishment and operation of crisis centers with participation of NGO for rehabilitation of victims of trafficking in human beings and other crimes against human rights and freedoms in the framework of state social commissioning</p>	<p>Activities of crisis centres in the regions, cities of Astana and Almaty</p>	<p>Mayor offices of regions, cities of Astana and Almaty</p>	<p>On an annual basis</p>	<p>Within the limits of funds of local budgets allocated for 2012 - 2014</p>	<p>LB</p>
25 .	<p>Intensification of work of diplomatic representations on provision of timely and relevant aid to victims of trafficking in human beings abroad, ensuring their safety, rights and legal</p>	<p>Submission of information to MoJ</p>	<p>MFA</p>	<p>On a annual basis</p>	<p>Within the limits of funds allocated for program 010 "Representing Republic of Kazakhstan's interests abroad"</p>	<p>RB</p>

	interests					
26 .	Adoption of continuous coordinated procedural measures in the framework of special operations on combatting trafficking in human beings and exchange of information related to detection and investigation of crimes involving trafficking in human beings with other CIS participating states	Submission of information to the IAC	MIA (session), PGO (upon agreement)	On an annual basis	None required	-
27 .	Monitoring over timeliness and legality of review of appeals of victims of trafficking in human beings as well as over observance of causes and order of fulfillment of procedures related to their voluntary and safe transfer to their countries of origin or another legal settlement of the issue of the place, time framework and conditions of stay of such persons	Reports on monitoring and inspections	PGO (upon agreement) , MIA, MFA	On an annual basis	None required	-
28 .	Improving the mechanism of	Submission of	MIA, PGO (upon	On an annual	None required	-

	cooperation between relevant authorities and international and non-governmental organizations that work in the area of combatting trafficking in human beings	information to IAC	agreement) and interested state bodies	basis		
29 .	Informational propaganda of amendments introduced to relevant legislation and measures on combatting trafficking in human beings conducted with the purpose of decreasing demand for labor and commercial sexual exploitation, among other reasons	Materials of informational propaganda	PGO (upon agreement) , MIA, MES, MCI, mayor offices of regions, cities of Astana and Almaty	On an annual basis	<p>Within the limit of the funds allocated for budget programs: --1</p> <p>“Servicing on determining and fulfilling state policy on protection of public order and ensuring of public safety” (MIA) 001</p> <p>“Conducting supreme surveillance over precise and consistent application of laws and sublegal acts on the territory of the Republic of Kazakhstan” (PGO) 021</p> <p>“Conducting state informational policy” (MCI)</p>	RB

					In the framework of the funds allocated in local budgets for 2012 - 2014	
30 .	Organization of joint inspections of activities of legal entities and individual entrepreneurs engaged in collection, receipt and processing of cotton and tobacco with the purpose of preventing illegal labor migration and exploitation of children's labor	Materials collected during inspections	MIA, MLSP, PGO (upon agreement)	On an annual basis	None required	-
31 .	Analysis of migration processes and measures taken by interior departments on preventing illegal labor migration and trafficking in human beings	Submission of information to the IAC	MIA	On an annual basis	None required	-
32 .	Summary of conclusions of analysis of detection, investigation and judicial review of criminal cases involving trafficking in human beings (articles 113, 125, 128, 133,	Summary	PGO (upon agreement)	On an annual basis	None required	-

	270, 271 of the Criminal Code of the Republic of Kazakhstan) taking into account data of criminal law statistics					
33 .	Participation in the work of CIS authorities on development of the Concept of prevention of crimes involving trafficking in human beings taking into account general principles for establishment and fulfillment of social, informational, educational and licensing policy directed at combatting trafficking in human beings; development of comments to model legislation on combatting trafficking in human beings	Participation in work of CIS authorities	PGO (upon agreement) , MIA, MFA	On an annual basis	Within the limit of funds allocated for program 005 "Foreign trips" (MFA)	RB
34 .	Preparation of information for the CIS Executive Committee on fulfillment of the Program for cooperation of CIS participating states on combatting trafficking in human beings for	Submission of information to the CIS Executive Committee	PGO (upon agreement) , MIA, MoJ, MFA, SC (upon agreement) and other interested state bodies	On an annual basis	None required	-

	2011 – 2013 as well as on problems to be solved by law enforcement bodies and courts with the purpose of ensuring efficient detection and investigation of criminal cases of trafficking in human beings, and prevention of illegal migration					
35 .	Review of attendance of schools by children during the period of harvesting of cotton and tobacco	Protocols of inspections of schools	MES	On an annual basis	None required	-
36 .	Monitoring of advertisements in mass media and telecommunications networks containing offers of goods and services that may be related to trafficking in human beings or creating demand for such services	Results of monitoring of advertisement materials	MCI, MIA	On an annual basis	None required	-
37 .	Holding of coordinated procedural actions, preventive investigative activities and special operations on	Submission of information to IAC	MIA, PGO (upon agreement) MCI, MIA, PGO (upon agreement)  MTC	On an annual basis	None required	-



	<p>           combatting trafficking in human beings, first of all, on detection and termination of activity on manufacturing and sale of fake documents; detection of pornographic websites on the internet; suspension or interdiction of circulation of information on the territory of the Republic of Kazakhstan that goes against requirements of legislative acts of the Republic of Kazakhstan (of pornographic character), upon a court ruling; detection and investigation of crimes involving trafficking in human beings; interception and termination of illegal activities on transfer of children for adoption to foreign citizens; prevention and interception of procurement and prostitution including among minors         </p>		<p>           MIA, PGO (upon agreement)             MES, PGO (upon agreement)             MIA         </p>			
38 .	Elaboration and fulfillment of	Information to IAC	MIA (session),	On an annual	None required	-

	activities on interception of illegal economic activity based on the use of forced labor of victims of trafficking in human beings as well as on elimination of circumstances stimulating demand for goods and services related to sexual or labor exploitation of people		PGO (upon agreement) , ACECC (upon agreement)	basis		
39 .	Strengthening of prosecutors' surveillance over entrepreneurial activities of companies engaged in international matrimonial services, model business, recruitment of people for work abroad, recreation and tourism, education, health promotion and employment of minors, international adoption of children as well as in organization of trips of young people abroad for participation in sports and cultural	Acts of prosecutors' responses	PGO (upon agreement)	On an annual basis	None required	-

	activities					
40 .	Adoption of preventive measures directed at provision of timely social aid to children in difficult situations with the purpose of eliminating the possibility of their becoming possible victims of sexual, labor or criminal exploitation	Preventive measures	MES, MLSPP, MIA, mayor offices of regions, cities of Astana and Almaty	On an annual basis	None required	-

Footnotes: explanation of abbreviations:

SC - Supreme Court of the Republic of Kazakhstan

PGO - Prosecutor-General's Office of the Republic of Kazakhstan

ASSA - Agency of the Republic of Kazakhstan for state service affairs

ACECC - Agency of the Republic of Kazakhstan on combatting economic and corruption-related crimes

MCI - Ministry of Culture and Information of the Republic of Kazakhstan

MIA - Ministry of Internal Affairs of the Republic of Kazakhstan

MFA - Ministry of Foreign Affairs of the Republic of Kazakhstan

MLSPP - Ministry of Labor and Social Protection of Population of the Republic of Kazakhstan

MoJ - Ministry of Justice of the Republic of Kazakhstan

MoF - Ministry of Finance of the Republic of Kazakhstan

MES - Ministry of Education and Science of the Republic of Kazakhstan

MoH - Ministry of Health of the Republic of Kazakhstan

MTC - Ministry of Transport and Communication of the Republic of Kazakhstan

NGO - non-governmental organizations

RB - republican budget

LB - local budget

IAC - inter-agency commission on combatting illegal smuggling out, illegal smuggling in and trafficking in human beings under the government of the Republic of Kazakhstan

IOM - International Organization for Migration

ILO - International Labor Organization