

# Child Care Policy in Kazakhstan: A New Model

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**Abstract**—Child care policy must be a priority area of public authorities in any country. This study investigates child care policy in Kazakhstan in accordance with the current position of children and laws. The results show that Kazakhstan policy in this sphere needs more systematic model including state economic and social measures, parental involvement and role of non-government organizations.

**Keywords**—Children, Kazakhstan, policy, vulnerability.

## I. INTRODUCTION

ANY child in the world does not choose parents or the state to live in. If there were such a right choice, then surely conventionally "bad state" and "bad parents" would be without children. Social protection is critical to child well-being because children are one of the most vulnerable groups in all countries due to their age, physical and developmental fragility, societal status and dependence on others [1]. In any country, parents and government create the right conditions and mechanisms to improve the system. This is the nature of man that the present generation should take care of future ones.

The beginning of year 2013 demonstrated some politicization of "child's problem". The enactment of the so-called "law of D. Yakovlev" in the Russian Federation has shown the relevance and influence on processes in international politics. Western press even spoke about the appearance of the restrictive measures. For example, the journal *Foreign Policy's* definition of these trends is "genetic nationalism". It is obvious that the processes associated with children and implemented policies are of particular scientific interest to researchers.

## II. LEGAL BASIS

The Republic of Kazakhstan has worked out the institutional and regulatory framework of child care. According to the Law on the Rights of the Child on August 8, 2002 # 345 the objective child care policy of the Republic of Kazakhstan identify: protection of rights and legal interests of children, prevention of discrimination, consolidation of the basic guarantees of the rights and legitimate interests of the children and the restoration of their rights in cases of violations, the formation of the legal framework guarantees the rights of a child, the establishment of appropriate bodies and organizations for the protection of the rights and legitimate interests of a child, promoting the physical,

intellectual, spiritual and moral development of children, foster patriotic feelings and peace, as well as the implementation of child in the public interest, traditions of the people of the state, the achievements of national and world culture.

Child care policy is a priority area of public authorities and is based on: the legislative support of children's rights; public support for the family in order to ensure the full education of children, to protect their rights, to prepare them for a fulfilling life in society, the establishment of and compliance with state minimum social standards, aimed at improving the lives of children from a regional perspective, the responsibility of officials for violation of the rights of citizens and the legitimate interests of the child, support to non-government organizations and other organizations carrying out the functions to protect the rights and legitimate interests of the child [2]. Notified Body in the implementation of the state policy is the Committee for the Protection of Children's Rights and interested state and local agencies: Commissioner for Human Rights under the President of Kazakhstan, The General Prosecutor's Office, Ministry of Foreign Affairs of Kazakhstan, Ministry of Internal Affairs of Kazakhstan, juvenile courts, Office for the Protection of Children's Rights regions.

The legal basis for public policy is based on the Constitution, the laws "On the Rights of the Child in the Republic of Kazakhstan", "On Education", the Marriage and family, "On the social, medical and educational support for children with disabilities," the Labour Code Republic of Kazakhstan, the Code of the Republic of Kazakhstan "On people's health and the health care system" and so forth regulations, which state policy for children is recognized as a priority area of public authorities. Also noteworthy to mention the international instruments ratified by Kazakhstan: the Convention on the Civil Aspects of International Child Abduction, the Hague Conference on Private International Law, the UN Convention on the Rights of the Child, the UN Convention against Transnational Organized Crime, the Convention for the Protection of Children and Cooperation in Respect of adoption; ILO Convention # 138 on the Minimum Age for Admission to Employment, ILO Convention # 182 concerning the Prohibition and Immediate Action for the Elimination of the Worst Forms of Child Labour Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment, the International Convention on the Elimination of All Forms of Racial Discrimination, the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families and the Convention on the Elimination of All Forms of Discrimination against Women.

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### III. CHILDREN IN KAZAKHSTAN: CURRENT POSITION

Among the important sources for situational awareness of children in the country is a report on the situation of children in Kazakhstan to the President of Kazakhstan. The report publishes the main qualitative and quantitative indicators of this sector, the efforts of government agencies and NGOs, parents and the community to work with children.

The results of the national census of 2009 are gathered in a digest "Children of the Republic of Kazakhstan." It presents the number of children, their distribution by age and sex, ethnic composition, nationality, religion, educational organizations, their mother tongue and the degree of ownership of other languages, livelihoods, and also shows the characteristics of data on children and regions. 4,741,775 children live in Kazakhstan, whereas in the South Kazakhstan region, the region with 977,479 children, or about 20.6% of the entire population throughout the Republic and in the North-Kazakhstan region with the lowest birthrate was 141,735 children [3].

To determine the complex picture of children in Kazakhstan Research Center "Sange" prepared an analytical note "Socio-demographic situation of children in the Republic of Kazakhstan." This paper presents a situation analysis and monitoring of a number of indicators (population, fertility, mortality, infant mortality, health care and the quality of education), the factors of child well-being. The authors draw attention to the need of standard socio-demographic data, but also the factors of neglected families: alcohol or drug addiction of parents, division by age group, urban/ rural, material and living conditions of families with children, the proportion of children who note the indifferent attitude towards them parents, frequent conflicts in the family, lack of parental attention, the proportion of children who were subjected to violence in the family, at school and on the street, the reasons for the absence of one of the parents in the family, and other indicators [4].

The expert report of the national action plan on human rights for 2009 - 2012 analyzes the main directions of human rights implementation in Kazakhstan. It acknowledges that "despite some positive changes in the legislation, a number of problems remained unresolved. There is a need to radically review the Kazakhstani child care legislation, to toughen penalties for crimes against children" [5].

In 2011 UNICEF consultant Dr. Robin N. Haarr conducted a study on violence in 30 boarding schools in 3 regions of the country. According to the research 1 of 2 children / adolescents living in institutions has witnessed cases of violence among children, and even has been abused in a negative sense [6], [7].

Rapid assessment of the vulnerability of children to engage in risky behavior, sexual exploitation and trafficking in Kazakhstan showed that 65% of study participants are victims of internal trafficking, and 35% of victims of international human trafficking [8].

Study on violence in the schools of Kazakhstan in 2012 revealed a number of problems. Survey covered about 3 thousand students from 5 to 10 classes in 40 public schools in

the four regions of the country, as well as school staff. According to the survey, "two out of every three children (66%) experienced school violence and discrimination in 2011". 63% of the recipients witnessed violence, 44% are the victims, 24% - offenders. 36% of witnesses and 26% of victims of violence did not report to anyone on the occurrence of the facts, and only 12% of the witnesses and 8% of the victims spoke about it to the school administration. Whereas the three out of four (74%) teachers witnessed such facts. 50% of school staff reported that violent offenders have never punished. It is of concern the confession of 22% of the school staff, who admitted that "the use of violence against children, every third teacher has seen how other teachers used such methods in order to maintain discipline." R. Haarr noted that school violence is supposed psychological and physical violence, extortion, harassment, sexual harassment, cyber-bullying and discrimination [9].

The relevant problem is housing for orphans and children left without care of children. S. Urazbayeva notes that in order to solve the housing problems of orphans, it is necessary to solve the problem of child abandonment in general. Along with the provision of housing public housing should be used and alternative measures. In some regions of Kazakhstan additional forms of assistance and support are used: the provision of housing for social rent agreement (lease), the provision of social benefits for the purchase of dwellings, creation of conditions for attraction of orphaned children of their own funds, additional financial of credit and other organizations for the purchase of premises in order to improve the existing housing or the acquisition of property [10].

In general, 29,382 children need housing. According to the Ministry of education and science of the Republic of Kazakhstan 14, 376 orphans have left state-run institutions, only 832 out of them have returned to guaranteed housing for the last 7 years. However, 784 graduates have received housing, which is 11.2 percent of the needs of all graduates, indicating a non-implementation of housing rights guaranteed by the state [11].

According to the "Ulagat business groups" there are differences in the costs per child in boarding schools and children held by trustees. In particular a year of keeping a child in a boarding is 2.1 million tenge per year (13,736 USD), and by trustees - 137 thousand tenge (\$ 896 USD), i.e. the gap is almost 15 times [12]. There is also a problem of employment of teens of the boarding schools, especially when the age of orphans when they can get state care was increased from 23 up to 27 [12]. The expenses in the houses of youth and state-run institutions are the same – about 1165 dollars a month. This sum can be used for renting a 3-4 room apartment in the cities of Kazakhstan. The expert claims that for 18 years keeping a child in a state-run institution payments are 37.5 million tenge (about 245,000 USD), then for 27 years, this amount increases up to 56.8 million tenge (about 371,000 USD), whereas the amount of 130, 000 USD allows to buy an apartment in the regions of Kazakhstan [12].

2011, 2012 Analysis of the reports on the situation of children in the Republic of Kazakhstan showed that report

2012 was more detailed than the report for the previous period, but both of them indicated a number of outstanding problems:

- in the area of child health;
- the situation of children with developmental disabilities;
- related to the social abandonment and neglect of infants.

#### IV. NEW MODEL OF CHILD CARE POLICY

Community is extremely interested in clear rules and settings in planning, such as family and state support during childbirth. The government's decision to reduce the maternity benefits to women whose income is more than 180 000 tenge (about 1,177 dollars) caused a large public outcome. Demographers and experts put forward the views of fertility decline as a result of cuts in social benefits. For reference, according to the Statistics Agency the number of children born in Kazakhstan has increased by more than twice. For example, in 2012 381 005 births were registered, including the urban areas with 206 198 people, and 174 807 people in rural areas.

Number of newborn boys was 195 570 (51.3%), girls 185 435 (48.7%), the sex ratio at birth was 105.5 boys per 100 girls. In comparison with 2002 the number of births rose by 67.7% (boys 68.5%, girls 66.9%) in urban areas, 68.5% in rural by 66.8%" [13]. From the above data it can be concluded that the birth rate is higher in urban areas than in rural areas, the development of urbanization. Additionally Kazakhstan does not include measures to support women with young children. Here it is necessary to use the examples of the world experience. In particular Russian demographer S. Zakharov fairly believes that "the experience of other countries shows that, if the birth rate is stimulated by financial methods only, the increase is not long" [14]. Expert gives the experience of France, where the conditions for working women are created. In France, they managed to build a system in which features of school education, parents' employment, security kindergartens with contradictions of our time associated with high female employment are synchronized.

The solution to further opportunities for working women is also connected with demographic challenges. After all, "to maintain the normal level of the working population it is necessary that the number of children in families is not less than two (compensation for loss of parents). Now people prefer to have one child at most. [15].

The second point is related to the development of new approaches and the effectiveness of child care policy, which is linked to the ongoing administrative reform. It is difficult not to agree with the opinion of M. Berzeley who believes that the administrative reform "is a complex of government decisions and programs based on the needs of social development, the views and interests of the population and the prospects for the consumer of public services and services with the primary objective of maximum devolution of control, redundant control bodies and civil society" [16].

One of the elements of administrative reform is the process of decentralization, that is, the transfer of authority to the regions. In accordance with the Law from 13 June 2013 "On amendments and additions to some legislative acts of the

Republic of Kazakhstan on the division of powers among public administration bodies" implementation of public policies in favor of children was functionally transferred to the regional level. It is too early to talk about any changes, but about the existence of this process. It is also worth noting that despite the existence of the institution of Commissioner for Human Rights at the President of the RK and the Committee for the Protection of Children's Rights of the RK it was speculated about the need for the introduction and the Ombudsman for Children [17].

The third point is value categories related to the spiritual and moral guidelines of society in matters of family and education of children, the role of teachers. The analysis of accounts and reports on the situation of children's rights demonstrates the ongoing work with parents in the format of seminars, competitions, meetings, both at the national and regional level and the efforts of NGOs and government agencies. In recent years, our country has changed the attitude towards marriage and children planning. According to the statistics bodies more than 20% of children are misbegotten in Kazakhstan [18], and this causes some concern for the future of the child.

Moreover, the increasing number of suicide among school children and adolescents is a fact: 211 suicides and 544 suicide attempts took place in Kazakhstan [19]. The experts agree about the importance of protection from harmful information to the child's health and the use of psychological techniques. The legislative protection, as it was accepted in the Russian Federation and the Law "on protection of children from information harmful to their health and development", is essential. According to the Child Rights Ombudsman in the Russian Federation: "in the modern world parents spend on communication with the child in average 20 minutes a day, whereas television and the internet take ten times more. Another study showed that 62% of children aged 15-17 years look normally to commit a crime, of which 30% consider themselves to certain conditions, ready to go on the offense. This is definitely the influence of media environment. And I am absolutely confident that the same situation exists in Kazakhstan" [20].

The lack of parental attention sharpens the subject of parental responsibility, as "without mother's love, without parental affection a person will not become a good one, so the children should be paid more attention in the family and at school, too, of course" [21]. There also raises questions related to changes in approaches to education in a more free style, realizing the potential of the child, since, for example, in the West "education is thus to give the child to feel something, to discover. And how have we been taught? Do not argue with the teacher in any case. If he said to do something - do it. It is also necessary to teach discipline. And when should they learn to think, to understand something?" [22]. Pavlodar teachers use experience of Russian teachers how to improve children. Now children of this school are not sitting at their desks, but stand behind them. "There is no clear timetable for each child standing there. But it worked out this scheme: one child gets

behind the desk for five minutes to seven, then the next one changes him, and this one sits down"[23].

Fourth, we agree with many experts, that largely in the "domination of the economic approach" programs over social problems [24]. As an alternative solution we consider it necessary to develop a compromise methodology to overcome the "economy of social problems."

Fifth, there is a growing need for capacity building the NGO sector in addressing children's problems. According to a study of the effectiveness of NGOs 57.6% of the participants of the expert opinion and 54% of people's opinions have noted the demand for children's and youth NGOs [25].

The problem of Kazakhstan NGOs is that they "still do not have the capacity to solve pressing social problems owing to a lack of NGOs in rural areas and experts working on a permanent basis"[26]. State developed a model of cooperation with NGOs in the format of the state social order.

According to the Committee for the Protection of Children of the RK in 2009 special social services of the NGO covered about 1.5 million children with neuropsychiatric abnormalities in the amount of 156.9 million tenge (1,026,295 million dollars, the rate of 152.88 tenge); in 2010 - more than 2.0 million children with neuropsychiatric disorders in the amount of 446.5 million tenge (2,920,591 million dollars., the rate of KZT 152.88), in 2011 - 2.1 million children in the amount of 273.6 million tenge (1,789,638 million dollars, the rate 152.88 tenge) [27]. It is necessary to raise the problem in the reorientation of the state social order procedures in the field of children's central and local governments, such as the reorientation of the format of the additional development clubs for children. This model was widely used in the Soviet period, which will not require explanatory work among the population due to the fact that many people know about the existence of such a practice.

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