



An analysis of the current status of the fight against trafficking in persons in Kazakhstan

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Summary

Trafficking in people has become a significant issue in Kazakhstan during the last ten years. Kazakhstan is a country of destination for trafficking victims from other countries in the Central Asian region, and thousands of trafficking victims are subjected to sexual exploitation and/or forced labor within its territory every year.

National legislation on trafficking in people adopted in 2006 generally provides a good basis for prosecuting and punishing trafficking-related crimes. A growing number of trafficking cases has also been investigated, prosecuted and punished in recent years. However, law enforcement practice in this area is often characterized by a non-holistic approach, which weakens the overall impact of the measures taken. In many cases, only some elements of the trafficking process are investigated and prosecuted. As a result, only individuals on the executing end of the process are held criminally accountable, while the actual organizers are given only administrative penalties or escape responsibility altogether.

There are also concerns that the authorities do not provide adequate protection to trafficking victims before, during and after the criminal processes in their cases. This applies in particular to foreign trafficking victims, who are often expelled for violations of migration legislation rather than assisted and protected as victims of crime.

Despite the increase in the number of criminal cases and prosecutions related to trafficking, most cases of trafficking are still never investigated or prosecuted in Kazakhstan. A major factor that can help explain this situation is the lack of a systematic approach to identifying trafficking victims in the country. Another important factor is the reluctance of trafficking victims to turn to or cooperate with law enforcement authorities because of mistrust toward these authorities and fear for their own safety and that of their families. In order to improve the situation, more effective measures are needed to train and equip law enforcement officials

to identify and deal with trafficking victims, to root out corrupt law enforcement practices in this area and to protect trafficking victims.

In order to enhance the fight against trafficking, it would also be essential that the authorities would cooperate more closely with civil society on assisting and helping trafficking victims, in particular with respect to providing shelters for such victims. Law enforcement cooperation between the authorities of Kazakhstan and the authorities of the countries of origin of trafficking victims in the region is currently at an unsatisfactory level and would need to be developed.