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ACCESS TO EDUCATION FOR CHILDREN OF MIGRANTS IN THE AKTOBE REGION OF KAZAKHSTAN:

Recommendations for the
Evidence-Based Decision Making

Policy Brief

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Table of contents

About the author	03
About the Public Foundation «Daris-2016»	03
About IWPR	04
About the European Union	04
List of abbreviations and acronyms	05
Abstract	07
PROBLEM ANALYSIS: AT THE INTERSECTION OF FOUR POLICY AREAS — MIGRATION, LABOR, EDUCATION, AND LANGUAGE	08
RELEVANCE OF THE ISSUE: WHAT DOES THE FACTUAL DATA SAY?	14
I. Desktop research findings	15
II. Data collection analysis	17
RECOMMENDATIONS FOR THE MIGRATION SERVICE COMMITTEE OF MIA	19
I. Workshop on defining an advocacy method	19
II. Recommendations based on the selected advocacy method	19
Legislative-level recommendations	21
Recommendations for the Migration Service Committee of MIA	26
Recommendations for the Migration Service of the Aktoobe Regional Police Department	27
Recommendations for local executive bodies	27
Recommendations for regional and district education departments	27
References	30

About the Author

Dr. Zhanna Sagyndykova is an international expert in Monitoring, Evaluation, Accountability and Learning (MEAL) and an analyst of public policies and international programmes. She holds a Master's degree from Harvard University (USA) in International Education Policy and a Doctorate degree from the University of Plymouth (United Kingdom) in Public Administration. She was a Policy Leader Fellow at the School of Transnational Governance at European University Institute (Italy).



About the Public Foundation «Daris-2016»



«Daris-2016» — is a public foundation based in Aktobe, Kazakhstan. Its mission is to promote the development and improvement of the social sphere in the country, to support the most important and promising scientific research and socio-economic projects, and to foster civic engagement among vulnerable segments of the population. The Public Foundation «Daris-2016» conducts public outreach on issues of social protection, legal support, and the legally guaranteed rights of socially vulnerable groups and individuals in difficult life circumstances. The project manager is Gulnur Idigeeva; the legal expert is Natalia Iskhakova; and the interviewers-consultants are Aziya Duzbaeva and Sherkhon Maratuly.

About IWPR

IWPR (Institute for War & Peace Reporting) amplifies the voices of local communities, helping them drive change in countries experiencing conflict, crisis, and transition. Where hate speech and propaganda spread, and journalists and civil society activists are under attack, IWPR promotes credible information and fosters public discussions that truly matter. In a context where new forms of disinformation are fueling societal divisions, digital threats are growing, and attacks on journalists are increasing, IWPR's mission to support local voices is especially vital. The organization's main goal is to strengthen the flow of reliable and objective information, enabling journalists and civil society to inform, educate, and mobilize communities. IWPR helps societies find their own solutions by strengthening their capacity in journalism and civic activism, and by supporting the fight for accountability, freedom of expression, and human rights.

About the European Union

The European Union is an economic and political union of 27 European countries. It is based on the values of respect for human dignity, freedom, democracy, equality, the rule of law, and respect for human rights, including the rights of persons belonging to minorities. It acts globally to promote sustainable social, environmental, and economic development for the benefit of all.

LIST OF ABBREVIATIONS AND ACRONYMS

CS4K «Civil Society for Kazakhstan»

GCM Global Compact for Safe, Orderly and Regular Migration

EU European Union

IWPR Institute for War and Peace Reporting

MIA RK Ministry of Internal Affairs of the Republic of Kazakhstan

MMS MIA RK Migration Management Service Committee of the Ministry of Internal Affairs of the Republic of Kazakhstan

CRC UN Convention on the Rights of the Child

CLP MSHE RK Committee on Language Policy of the Ministry of Science and Higher Education of the Republic of Kazakhstan

MSHE RK Ministry of Science and Higher Education of the Republic of Kazakhstan

IOM International Organization for Migration

ME RK Ministry of Education of the Republic of Kazakhstan

MLSPP RK Ministry of Labour and Social Protection of the Population of the Republic of Kazakhstan

UN United Nations

PF «INIDI» Public Foundation «Institute of National and International Development Initiatives»

UNDP United Nations Development Programme

RK Republic of Kazakhstan

CA Central Asia



ABSTRACT

This study, conducted within the framework of the «Civil Society for Kazakhstan» project and funded by the European Union, examines access to education for migrant children in the Aktobe region of the Republic of Kazakhstan.

The primary objective of the study is to assess current policy and to develop the recommendations for the evidence-based decision making.

The analysis identified the following key barriers to education and educational integration of migrant children: 1). The gaps, the inconsistencies, and the contradictions in the existing legislative framework; 2). The insufficient awareness among migrants of their children's right to education; 3). A lack of statistical data, or the absence of statistics altogether, for the key indicators; 4). The language barriers that hinder integration into the educational process and limit access to the quality education; 5). The inadequate cooperation among the administrative stakeholders involved — the relevant ministries and educational institutions.

The identified problems also result in the insufficient compliance with the UN Convention on the Rights of the Child and the Global Compact for Safe, Orderly and Regular Migration, both of which Kazakhstan has ratified.

As a result of this study, the recommendations have been developed for the government agencies, the local authorities, the educational institutions, and the migrant families. The measures taken on the basis of these recommendations will help to remove the barriers impeding the education and the educational integration of migrant children in the Aktobe region.

In accordance with the advocacy strategy and the methodology defined within the project, this analytical document will be used by the Public Foundation «Daris-2016» for targeted direct engagement with the government bodies.

PROBLEM ANALYSIS: AT THE INTERSECTION OF FOUR POLICY AREAS — MIGRATION, LABOUR, EDUCATION, LANGUAGE

This analytical study was conducted within the framework of the «Civil Society for Kazakhstan» project, funded by the European Union, with the aim of identifying the key problems and factors affecting the migrant children's access to education in the Aktobe region, as well as of developing measures to address the underlying causes and to improve the situation. The analysis was carried out jointly with IWPR and the Public Foundation «Daris-2016» — on the basis of data collected by the PF «Daris-2016», and drawing on its legal expertise and legal support.

Relevance of the Issue of Migrant Children's Access to Education in the Aktobe Region

Kazakhstan is the second most important destination country, after Russia, for the labour migrants from the countries of Central Asia. The experts estimate that more than 2 million people enter the country annually, primarily for work purposes. The adults frequently arrive with their children, drawing them into the process of unsafe migration.

Assessing the scale of this phenomenon is difficult, as there is no unified and systematic statistical data on migrant children.

On December 16, 2022, Order No. 481 of the Minister of Education of the Republic of Kazakhstan approved new Rules governing the receipt of education by foreigners and stateless persons permanently residing in Kazakhstan. The Order specifies the categories of foreigners whose children have the right to attend schools in Kazakhstan. These categories constitute only a small proportion of the foreigners actually present in Kazakhstan. Moreover, the Order contains conflicts, gaps, and inconsistencies that complicate its application.

As a result, the majority of migrant children have lost the right to receive education at school. This includes children of irregular migrants temporarily residing in Kazakhstan without the right to work legally, children of undocumented migrants, children of migrants whose citizenship is undetermined, and others.

According to the data provided by the Ministry of Internal Affairs, 10,597,719 immigrants were present in Kazakhstan over the nine months of 2023. Of these, those entitled to have their children attend school include permanently resident

foreigners, refugees, asylum seekers, consular officers, diplomatic staff, and labour migrants officially working in Kazakhstan — a figure constituting only a small fraction of the total number of immigrants. For example, more than 200,000 foreigners hold permanent residence status, and 14,300 foreign nationals are engaged in employment in Kazakhstan — no more than 2 % of the total number of foreigners. Other categories of foreigners whose children have the right to attend school represent an even smaller proportion.



It is impossible to determine the precise number of migrant children who do not have the right to attend schools in Kazakhstan.



The number of foreigners temporarily residing in Kazakhstan without the right to work legally is not captured in the official statistics.



The number of undocumented persons and/or persons whose citizenship is currently undetermined is unknown ¹

The relevance of the problem of migrant children's access to education in the Aktope region is driven by a number of factors:

1. Growing number of migrants.

The Aktope region, as one of Kazakhstan's dynamically developing and transit regions, attracts migrants, including from neighbouring countries. As a result, the number of children in need of access to educational services is increasing.

2. Unequal conditions for school enrolment.

Many migrant children encounter difficulties when enrolling in schools due to the absence of the required documents, registration, or insufficient legal awareness among their parents regarding educational rights.

¹ From the materials of speeches by Gulnur Idigeeva, Executive Director of the Public Foundation «Daris-2016», delivered in Geneva with Kazakhstan's Alternative Report (June 24, 2025) for the UN Human Rights Committee, and at the international Warsaw Human Dimension Conference (October 13–15, 2025)

3. Language of instruction.

For migrant children whose families do not speak the languages of instruction used in Kazakhstan's schools, the language of instruction may present a significant barrier. The language difficulties hinder the integration into the educational process and limit the opportunities to receive a quality education.

4. Social adaptation.

Migrant children frequently experience social isolation and discrimination in educational institutions. The absence of appropriate social support and inclusive programmes deepens the challenges of adaptation and successful learning.

5. Income level.

The low income of migrant families may also restrict children's access to education, as parents may lack the means to provide school uniforms, educational materials, and additional tuition.

6. Lack of information.

Migrant parents often lack adequate information about their children's right to education and the available services, which prevents their engagement in the educational process and their ability to support their children.

The specific and complex nature of the issue under consideration lies in the fact that it is at the intersection of four policy areas — migration, labour, education, and language — and, moreover, extends beyond the Kazakhstani level to encompass the regional Central Asian and the international dimensions. As a result, it involves a wide range of stakeholders and requires a comprehensive approach and solution.

The key relevant stakeholders include:

1. Ministries of the Republic of Kazakhstan

issuing [acts](#) (in the form of orders, instructions, and directives) within their competence, on the basis of and in execution of laws and decisions of higher-level state authorities, as well as Presidential decrees

- Ministry of Internal Affairs
- Ministry of Science and Higher Education
- Ministry of Education
- Ministry of Labour and Social Protection of Population

2. Committee for Children Rights Protection of the Ministry of Education of the RK

a body of the Ministry of Education performing regulatory, implementation, and oversight functions, and participating in the strategic functions of the central executive authority within the Committee's competence.

3. Committees of Migration Service and Language Policy

- Committee of Migration Service of the Ministry of Internal Affairs, which coordinates and implements migration policy and handles citizenship and refugee issues
- Committee on Language Policy, a body of the Ministry of Science and Higher Education responsible for implementing state language policy in Kazakhstan.

4. Regional and district education departments

- Aktobe City Education Department
- Regional Education Department
- 12 [district](#) education departments of the Aktobe region.

5. Educational institutions

- Schools
- Other educational establishments

6. Migrant families

- Parents
- Guardians of migrant children

7. International organisations

- International Organization for Migration (IOM)
- United Nations Development Programme (UNDP).

The primary objective of the research is to ensure greater social integration and equality of opportunity for all children, and ultimately to address the question of school admission for all foreign children, regardless of their parents' migration status — in line with the requirements of the UN Convention on the Rights of the Child, ratified by Kazakhstan in 1994.

The principal beneficiaries of this study are:

1

Migrant children, for whom conditions for full access to quality education will be created through the identification and removal of barriers to their educational integration.

2

Migrant families — parents and guardians — who will be able to access more information about their rights, the available services, and opportunities for their children, leading to more effective adaptation and the ability to advocate for their children's interests.

Key beneficiaries:

- Migrant children
- Migrant families
- Educational institutions
- Local authorities and government agencies



③

Educational institutions — schools, kindergartens, and other educational establishments — for which recommendations are developed to improve inclusivity and engagement with migrant children, resulting in higher quality and more effective educational process.

④

Local authorities and government agencies — local administrations and education departments — which will be better able to understand the challenges and needs of migrant communities, and consequently to develop more effective support strategies and programmes.

RELEVANCE OF THE ISSUE: WHAT DOES THE FACTUAL DATA SAY?

As an evidence base to confirm the relevance and timeliness of the issue of migrant children's access to education in the Aktope region, the Public Foundation «Daris-2016» conducted a comprehensive and detailed situational analysis from December 2024 to October 2025. This analysis comprised the following two successive phases:

- I. Desktop research: December 2024 — March 2025;
- II. Data collection: February — October 2025.

The desktop research

was carried out by the project's legal expert (Natalia Iskhakova) and represents a thorough and comprehensive analysis of the legislative framework of the Republic of Kazakhstan relating to migration in general and to the education of migrant children in particular.

The data collection

was conducted by a research team consisting of the project manager (Gulnur Idigeeva), the legal expert (Natalia Iskhakova), and the interviewers-consultants (Aziya Duzbaeva and Sherkhan Maratuly).

The data collection process consisted of:

-
- 1. A pilot study: December 2024 — March 2025;
 - 2. Surveys / focus groups / interviews: February — May 2025;
 - 3. Requests for official administrative data: December 2024 — October 2025.

This systematic approach ensured the depth and the rigour of the collected data as the foundation for the study's primary objective — development of the evidence-based policy recommendations.

I. DESKTOP RESEARCH FINDINGS

The expert desktop research, focused on assessing the legislative framework governing migration and education policy, revealed the following:

- ① The rules and standards regulating (1) school admission and (2) the receipt of pre-school, primary, basic secondary, and general secondary education contain certain gaps, conflicts, and inconsistencies with migration legislation.

— Lack of consistency and clarity in the «Rules for Obtaining Pre-primary, Primary, Basic Secondary, and General Secondary Education by Foreign Nationals and Stateless Persons Permanently Residing in the Republic of Kazakhstan»;

— Gaps, lack of consistency, and lack of clarity in the content of the «Standard Rules for Admission to Educational Institutions Implementing General Education Curricula of Primary, Basic Secondary, and General Secondary Education».

- ② The absence of the term «labour migrants» in the migration legislation of the Republic of Kazakhstan.

Lack of consistency and clarity in the «Rules for obtaining Pre-Primary, Primary, Basic Secondary and General Secondary Education by Foreign Nationals and Stateless Persons Permanently Residing in the Republic of Kazakhstan»

(hereinafter — the Rules), approved by Order No. 468 of the Minister of Education and Science of the Republic of Kazakhstan dated September 28, 2010



Contradictions between the «Rules for Obtaining Pre-primary, Primary, Basic Secondary, and General Secondary Education by Foreign Nationals and Stateless Persons Permanently Residing in the Republic of Kazakhstan»

(Order No. 468, 28 September 2010)

and

«Standard Rules for Admission to Educational Institutions Implementing General Education Curricula of Primary, Basic Secondary, and General Secondary Education»

(hereinafter — the Standard Rules, Order No. 564, 12 October 2018)

Absence of the term «labour migrants» in the migration legislation of the Republic of Kazakhstan

II. Data Collection Analysis

Data collection was conducted by the Public Foundation «Daris-2016»: (1) in the Martuk district, which is a border region with the support of Border Service officers of the National Security Committee of the Republic of Kazakhstan, who are long-standing partners of the Public Foundation «Daris-2016»; and (2) in the city of Aktobe.

The data collection involved specialists from district education departments, school principals and deputy principals, teachers and parents of migrant student children.

The data collection process comprised the following stages:

- ① Pilot study;
- ② Surveys / focus groups / interviews;
- ③ Requests for official administrative data.

The in-depth two-stage situational analysis conducted by the experts of the Public Foundation «Daris-2016» identified a number of key factors impeding the education and educational integration of migrant children. These barriers relate to the spheres of (1) migration policy, (2) labour policy, (3) education policy, and (4) language policy.

The identified barriers to access to education relate to different levels of decision-making:

- ① The political/legislative level: parliament, ministries, committees;
- ② The local government level: regional and district education departments;
- ③ The level of educational institutions;
- ④ The level of migrant families: parents and guardians of migrant children.

They may also be categorised according to the groups of key beneficiaries they affect:

- 1

Migrant children;
- 2

Migrant families;
- 3

Educational institutions;
- 4

Local authorities and government agencies.

Closing Round Table on Project Results



RECOMMENDATIONS FOR THE EVIDENCE-BASED DECISION MAKING

I. Workshop on Defining an Advocacy Method

Within the framework of the project, and with the aim to build the effective advocacy approach, the workshop «Planning the Advocacy Campaign Based on the developed Policy Brief and White Paper» was held on 22 July 2025 in the city of Aktobe by the Public Foundation «Daris-2016», with the support of IWPR and the Public Foundation «INIDI».

The workshop resolved to pursue the targeted direct engagement with the government bodies by the Public Foundation «Daris-2016» as the primary advocacy method, entailing the direct submission of requests to government bodies by the Public Foundation «Daris-2016». This advocacy method corresponds best to the objectives of the study.

«Targeted engagement by the Public Foundation 'Daris-2016' with state authorities has been identified as the primary method of advocacy».

Based on the results of the Workshop

II. Recommendations based on the selected advocacy method

The recommendations have been developed on the basis of the factual data:

- 1

The empirical data obtained through the comprehensive data collection conducted by the Public Foundation «Daris-2016», and consisting of 1) desktop research, 2) surveys/focus groups/interviews and 3) requests for official administrative data.
- 2

The advocacy method selected by the Public Foundation «Daris-2016»: targeted direct engagement with state authorities.

Since the subject matter under examination is at the intersection of four policy areas — migration, labour, education, and language **the effective implementation of the recommendations will require close cooperation among the bodies responsible for migration, labour, education, and language policy:**

- ☐ Ministry of Internal Affairs
- ☐ Ministry of Science and Higher Education
- ☐ Ministry of Education
- ☐ Ministry of Labour and Social Protection of the Population
- ☐ Committee on Language Policy, which is a body under the Ministry of Science and Higher Education and is responsible for implementing state language policy
- ☐ Migration Service Committee of the Ministry of Internal Affairs, which coordinates and implements migration policy
- ☐ Regional and district education departments

Legislative-level recommendations

Ministries and Committees are suggested to consider introducing the following amendments:

Amendments to the «Rules for Obtaining Pre-primary, Primary, Basic Secondary, and General Secondary Education by Foreign Nationals and Stateless Persons Permanently Residing in the Republic of Kazakhstan» with a view to eliminating contradictions and gaps, and bringing them into conformity with migration legislation.

Ensure that all children of foreign nationals are able to receive education regardless of their migration status — including children of foreign nationals temporarily residing in the Republic of Kazakhstan who are not «labour migrants».

Consider discontinuing the use of the term «labour migrants».

Bring the content of Clause 1 of Chapter 1 into conformity with the title of the document and with the content of Clause 2 of the same chapter. There is currently a discrepancy in the terminology used for the categories of permanently residing and temporarily residing foreign nationals, and the title of the document does not correspond to its content: both the title and Clause 1 of Chapter 1 state that the Rules have been developed for foreign nationals and stateless persons permanently residing in the Republic of Kazakhstan, while the text subsequently introduces certain categories of temporarily residing foreign nationals.

For each category of foreign nationals working in the Republic of Kazakhstan, specify the documents required to be submitted to the education department. At present, the Rules do not provide for or specify the documents confirming legal migration status in the Republic of Kazakhstan for all categories of foreign nationals mentioned therein. This may give rise to difficulties in enrolling their children in school.

Ensure the internal consistency of the document. A comparison of Clause 2 of Chapter 1 and Clause 3 of Chapter 2 has revealed the following: Clause 2 of Chapter 1 lists several categories of foreign nationals (consular officials, employees of diplomatic missions, labour migrants working in the Republic of Kazakhstan) that are omitted in Clause 3 of Chapter 2, while the latter introduces a new category — kandas — which is absent in Clause 2 of Chapter 1.

Revise the wording of the provision stating that «when applying to the education authorities that issue school referrals, parents are not required to submit their children's educational documents (grade reports or a transcript of current marks), as these documents are submitted directly to the school». The authority issuing the school referral is obliged to review the pupil's available

educational documents. This is particularly important given that, under the Rules, if the absence of such documents comes to light only when parents present themselves at the school with the referral from the education department, the parents are required to reapply to the education department for an assessment of the pupil's level of knowledge. This significantly prolongs the school enrolment process and creates unnecessary bureaucratic delays and inconvenience for all participants in the educational process.

Revisit the wording in Clause 2 of Chapter 1 stating that the listed categories of foreign nationals enjoy «the same rights as citizens of Kazakhstan», since parents of foreign national children do not currently enjoy entirely equal rights with citizens of Kazakhstan when choosing a school for their children: in localities where more than one school functions, the school is determined by the district education department. However, parental preferences regarding the choice of school — including location and language of instruction — must be taken into account.

Enshrine the following condition in the Rules, in order to avoid bureaucratic delays and expedite the enrolment of foreign national children in school: where foreign nationals enrolling in school do not have educational documents, the commission tasked with determining the applicant's educational level should be formed directly at the school. At present, paragraph 2 of Clause 7 states: «In the absence of educational documents, the city (district) education department shall form a commission to determine the educational level of the applicant in accordance with sub-paragraph 1-13) of paragraph 1 of Article 27 of the Law of the Republic of Kazakhstan 'On Local State Administration and Self-Government in the Republic of Kazakhstan' (hereinafter referred to as the Law)». In this regard, it is necessary to submit a proposal to the relevant local executive body for such commissions to be formed directly within schools, with further formalization in accordance with the aforementioned article of the Law. These commissions may be composed of experienced educators, including retired teachers.

Amend the provision stating that «heads of educational institutions enrol children of foreign nationals and stateless persons into the appropriate classes based on the level of education obtained by them abroad, in accordance with educational documents», as this provision does not reflect reality. An accurate determination of a pupil's level of knowledge on the basis of documents alone is not possible; it is therefore necessary to enshrine in the Rules the requirement to conduct an interview with or testing the applicants, in order to assess whether their knowledge meets the criteria set out in the guidelines for comparing school curricula of foreign states and the Republic of Kazakhstan.

Ensure that the determination of the educational level of foreign national children is carried out directly at the school. Various problems arise at the point of enrolment that affect the determination of the appropriate class for foreign national children — for example, poor proficiency in the language of instruction, which prevents a student from assimilating the curriculum at the level corresponding to their educational document; unfamiliarity with the Cyrillic

alphabet among the immigrants from the countries using the Latin script; significant gaps in knowledge relative to the curriculum of the class as indicated in the educational document; and periods of schooling effectively missed due to the actions of the parents, which was the subject of proceedings by the commission for the protection of minors' rights and resulted in placement in a class below the level indicated in the educational documents. All such issues come to light directly at the school, and it is therefore at the school level that the question of determining the educational level of foreign national children should be resolved.

Make adjustments regarding «the successful socialisation of the child in the learning environment» as a criterion for school admission, since it is impossible to assess the prospects for a child's successful future socialisation in the learning environment at the point of initial contact with the school. The success of socialisation is assessed over a period of time in a dynamic context by psychologists and teachers working with the foreign national pupil. At a first meeting with a child, certain external indicators — such as tidiness, hygiene, attentiveness, and other observable behaviours — may suggest the possible presence of asocial tendencies, but the success of socialisation in a learning environment cannot be determined at first glance.

In paragraph 1 of Clause 7 of Chapter 2, in the provision stating that «heads of educational institutions shall enrol children of foreign nationals and stateless persons into the appropriate classes based on the level of education obtained by them abroad, in accordance with educational documents, the successful socialisation of the child in the learning environment, provided that the number of children who are citizens of the Republic of Kazakhstan constitutes no less than 85% of the total enrolment of that class» — provide clarification of the concept of «successful socialisation of the child in the learning environment» and the methods for determining, measuring, and assessing «successful socialisation» at the point of admission; and provide guidance on how school heads should proceed if, upon admitting a foreign national child, the number of children who are citizens of the Republic of Kazakhstan in the class falls below 85% of the total class enrolment.

Include education related documents in the list of documents to be submitted to the education authorities that issue school referrals, which will help ensure a more efficient school enrolment procedure. At present, pursuant to paragraph 2 of Clause 7 of Chapter 2, «in the absence of educational documents, the city (district) education department shall form a commission to determine the educational level of the applicant».

Revisit the procedure established by the Rules for foreign nationals to obtain a school referral, since it requires the submission to the city or district education department of documents confirming the legal migration status of the foreign national parents in the Republic of Kazakhstan, while not requiring the submission of educational documents (grade reports or a transcript of current marks) — these are submitted by the parents directly to the school together with

the referral from the education department. The education authorities issue the school referral in person within three working days of receiving the parents' application. **The use of the term «in person» raises questions:** if a family lives outside the district centre, at a considerable distance from it, who is responsible for delivering this referral to them and by what means? In practice, referrals were issued to parents directly upon application, given the limited choice of schools — for example, where a locality has only two schools, one with Russian as the language of instruction and one with the state language, a referral is issued to one of the two schools based on the parents' choice of language of instruction. All surveyed specialists expressed a unanimous view that in rural districts of the region, where the number of schools is small, distances from settlements to the district centre are vast, there is no public transport, and roads are poor, there is no need for referrals to be issued directly by the education department. In the regional centre, the city education department also takes into account parental preferences when issuing school referrals.

Revisit the conditions for determining the educational level of foreign national children — in particular, by conducting this work directly at the schools. In cases where parents do not have their children's educational documents, or other difficulties arise in determining the level of education, they are required to reapply to the education department. In the absence of educational documents, the city (district) education department forms a commission to determine the educational level of the applicant in accordance with sub-paragraph 1-13) of paragraph 1 of Article 27 of the Law of the Republic of Kazakhstan «**On Local State Administration and Self-Government in the Republic of Kazakhstan**».* However, the said article does not explicitly require such actions to be carried out, and the commission is formed from teachers working at the school rather than from education department specialists. All of this creates unnecessary bureaucratic delays in the process of enrolling children of foreign nationals in school. It would be more appropriate to conduct the assessment of the educational level of foreign national children directly at the schools, by establishing such a procedure through a relevant normative act of the regional akimat in accordance with the aforementioned article.

***Article 27. Competence of the akimat for an oblast, a city of national significance, and the capital**

1. The akimat of an oblast, a city of national significance, or the capital, in accordance with the legislation of the Republic of Kazakhstan: 1-13) adopts normative legal acts ensuring the resolution of matters of local significance and the implementation of state policy within the relevant territory.

Amendments to the «Standard Rules for Admission to Educational Institutions Implementing General Education Curricula of Primary, Basic Secondary, and General Secondary Education» with a view to eliminating contradictions and gaps, bringing them into conformity with migration legislation and with the «Rules for Obtaining Pre-primary, Primary, Basic Secondary, and General Secondary Education by Foreign Nationals and Stateless Persons Permanently Residing in the Republic of Kazakhstan»

Introduce amendments to grant parents of foreign national children the right to choose a school for their children. At present, due to an existing contradiction, parents of foreign national children do not have the right to choose a school for their children.

In order to address the existing gap, bring Clause 2 of Chapter 1 and Clause 3 of Chapter 2 into conformity with each other. At present, the following categories listed in Clause 2 of Chapter 1 are omitted in Clause 3 of Chapter 2: consular officials, employees of diplomatic missions, and labour migrants — for whom the required documents to be submitted to the education authorities listed in Clause 2 of Chapter 1 have not been specified, constituting a gap in the regulation.

Specify the documents confirming the right of temporary residence in the Republic of Kazakhstan to be submitted to the education authorities that issue school referrals, for all categories of working foreign nationals.

**Amendments to the Law of the Republic of Kazakhstan
«On Migration of the Population»**

Define the term «labour migrants». Since the category of foreign nationals described as «labour migrants working in the Republic of Kazakhstan in accordance with migration legislation» is not directly defined in migration legislation, education professionals lack information as to which foreign nationals fall within this category and what documents confirming the right of permanent residence they are required to hold.

Amendments to the Law of the Republic of Kazakhstan «On the Legal Status of Foreign Nationals» with a view to defining the term «foreign nationals temporarily residing in the Republic of Kazakhstan»

- ① Consider the proposal regarding the need to inform parents — where children hold the citizenship of a foreign state — about the legal requirements for timely documentation through the consular service of the child's state of citizenship, and to monitor compliance with the requirement to obtain a passport upon reaching a certain age — for example, at the age of 14 in the case of Russian Federation citizenship.
- ② Take into account that children of foreign nationals are entitled to obtain a temporary or permanent residence permit in the Republic of Kazakhstan together with their parents and for the same period. When a foreign nationals' residence permit is being processed, their children should automatically receive one together with their parents. ²

Recommendations for the Migration Service Committee of the MIA of the RK

- ① Maintain statistical records in respect of foreign nationals of pre-school age who have received legal assistance, who speak the state and official languages, who are relocants, and who are in need of access to educational services.
- ② Consider introducing amendments and additions to the existing migration legislation on the basis of which children of foreign nationals will be entitled to obtain a temporary or permanent residence permit in the Republic of Kazakhstan together with their parents and for the same period. When a foreign nationals' residence permit is being processed, their children should automatically receive one together with their parents. ³

² In accordance with the International Convention on the Rights of the Child of 20 November 1989 and the Law of the Republic of Kazakhstan «On the Rights of the Child in the Republic of Kazakhstan» dated 8 August 2002, No. 345; Article 25:

1. A child has the right to live together with his or her parents or other legal representatives.

2. It is prohibited to separate a child from his or her parents or other legal representatives against the will of the child, the parents, or the legal representatives. A decision on separation shall be made only by a court in exceptional circumstances and only to the extent necessary for the protection of the child.

³ Ibid.

Recommendations for the Migration Service of the Aktoke Regional Police Department

- Retain with the parents, rather than with educational institutions, the right for obtaining a temporary residence permit in the Republic of Kazakhstan for foreign national children enrolled in school — by providing clarification for the requirements of sub-paragraph 3) of Article 6-1 of the Law of the Republic of Kazakhstan «On Migration of the Population»:

«A temporary residence permit shall be issued on the basis of applications from: 3) educational institutions implementing educational programmes of general secondary, technical and vocational, post-secondary, higher, and postgraduate education, including through organised student exchange programmes and preparatory courses, that have enrolled immigrants in a full-time form of study».

Recommendations for local executive bodies

- Organise consultancy activities for teachers aimed at informing them about the procedures for enrolling children of foreign nationals in schools in the Republic of Kazakhstan.

Recommendations for regional and district education departments

- ① Ensure the timely communication to education department specialists of changes in by-laws relating to migrant children. For example, despite the Rules having entered into force at the end of 2022, district education departments began issuing school referrals only in 2025, as education department specialists had not previously been informed of this requirement.
- ② Ensure adequate legal awareness among parents/guardians of migrant children regarding their children's right to education — through consultations and awareness-raising activities for migrant families (parents/guardians).
- ③ Develop measures to support migrant children in their adaptation, as well as methods for monitoring and evaluating the effectiveness of such measures.
- ④ Conduct awareness-raising activities for parents/guardians regarding the selection of schools for their children.
- ⑤ Provide Russian language courses.



- ⑥ Ensure the active engagement of private school principals of Aktobe/Aktobe region in the ongoing research on migrant children's access to education — by communicating the importance of such research and its goals and objectives.
- ⑦ Create favourable conditions for the socialisation of foreign nationals in the learning environment by providing optional supplementary classes to improve proficiency in the language of instruction — in cases where children not speaking the language of instruction or unfamiliar with the Cyrillic alphabet are admitted to school.



Policy Brief



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