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Scientific article

**Improving the legislation of the Republic of Kazakhstan in the field of prevention of domestic violence: current problems and solutions**

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**Abstract.** The article examines the national legislation of the Republic of Kazakhstan regulating the prevention of domestic violence. An analysis of its content and application practices has been carried out, key implementation problems have been identified, and possible modernization directions have been outlined. The relevance of the study is related to the growing number of reported cases of domestic violence, as well as the need to implement strategic government documents, including the Concept of Family and Gender Policy until 2030.

The special Law «On the Prevention of Domestic Violence» in force in Kazakhstan has revealed a number of shortcomings in practice: low effectiveness of interdepartmental cooperation, limited preventive measures with offenders, incomplete registration of perpetrators of violence, as well as difficulties in identifying violence against women and children.

The article also compares the experience of the Kyrgyz Republic, where recent legislative changes have increased responsibility for such offenses. Based on scientific research and practical recommendations, measures are proposed to improve Kazakhstan's legislation: strengthening the coordination of government agencies, introducing effective algorithms for early detection and response, developing a victim support system, as well as increasing the effectiveness of preventive measures against aggressors.

**Keywords:** domestic violence; international experience; interagency cooperation; violence prevention; rehabilitation; countering domestic violence, domestic crime, victim of violence.

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## Introduction

Domestic violence is a legal and social problem. According to statistics from law enforcement agencies, 74.3 thousand offenses have been registered in recent years. A considerable share of the country's most serious crimes also stems from domestic violence: according to the

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National Center for Human Rights, about 23% of all homicides occur within the family context (nearly every fourth murder), whereas only a few years ago this figure stood at 16–17%. Such troubling trends have generated significant public concern, particularly following several high-profile cases of violence against women involving well-known individuals. At the same time, the willingness of victims to seek protection has increased - the number of statements and reports of domestic violence is increasing, which indicates both an increase in confidence in law enforcement agencies and an objective aggravation of the problem. According to official data, in 2021, the number of crimes in the family and household sphere only slightly decreased (by 2.3%) compared to 2020, and in the first quarter of 2022, by 1.6% compared to the same period in 2021, zakon.kz. However, in general, over the past three years, the number of detected cases of violence has been growing, partly due to better registration of victims' complaints. These facts confirm the relevance of improving the system for the prevention of domestic violence [1].

Domestic violence is a serious and urgent social problem. Committed illegal actions in the family and household sphere cause physical, psychological, or economic harm to one of the family members or close associates. It covers both physical and psycho-emotional violence, coercion, control, and other forms of pressure [2].

To effectively combat domestic violence, the government has introduced a range of strategic frameworks and regulatory measures. The main place is occupied by the concept of «Family and gender policy» until 2030, approved by Decree of the Republic of Kazakhstan dated December 6, 2016, № 384. This concept is based on the principle of zero tolerance for domestic violence. In this regard, Kazakhstan's legal framework reflects global trends, but it still requires further improvement in order to fully comply with advanced human rights standards [3].

The objective of this article is to examine the current national legislation of the Republic of Kazakhstan in the sphere of domestic violence prevention, to highlight the principal challenges in its enforcement, and to put forward scientifically grounded recommendations for enhancing legal and organizational mechanisms to counteract domestic violence. To accomplish this aim, a review was conducted of the provisions of specialized laws and related regulations, statistical data, and practical applications, with gaps and inconsistencies identified. Furthermore, the experience of the neighboring Kyrgyz Republic was analyzed to provide a comparative perspective on potential measures. As the methodological foundation of the study, both general scientific and specialized approaches were employed: analysis and interpretation of regulatory legal acts, the comparative legal method, as well as the examination of doctrinal sources – including scholarly articles, reports, and dissertation research addressing issues of domestic violence.

International human rights standards require that domestic violence be recognized as a grave crime against individuals and society. This requires a holistic approach based on the correct differentiation of the systemic nature of violence, not limited to tougher penalties applied only to individual actions [4].

## **Materials and methods**

When reviewing and analyzing legal scientific articles, legislative acts and legal documents, and innovations, separate specific legal methods were used: comparative law, legal modeling, and legal forecasting.

## **Results and Discussion**

The principal legislative act governing domestic violence prevention in Kazakhstan is the Law of the Republic of Kazakhstan «On the Prevention of Domestic Violence» dated December 4, 2009, № 214-IV (hereinafter referred to as the 2009 Law). This statute provides definitions of essential concepts (such as domestic violence and its physical, psychological, sexual, and economic forms), establishes guiding principles of prevention (including prioritizing the protection of human rights and rejecting any justification of violence based on tradition), and outlines the system of preventive actors and their responsibilities. Furthermore, the 2009 Law introduced a requirement for officials to maintain confidentiality regarding any information about incidents of violence learned in the course of their duties. Breaching this confidentiality entails liability and is intended to safeguard victims from the disclosure of family conflicts.

It should be noted that the 2009 Law is largely of a framework nature and refers to other regulatory acts on a number of issues. In the development of this Law, by-laws were adopted that specify certain procedures. In particular, Order of the Ministry of Internal Affairs of the Republic of Kazakhstan № 432 of July 15, 2014, approved the Instruction on the procedure for carrying out preventive control over persons registered with internal bodies. This instruction regulates who the police take into account and how they conduct preventive work with such persons. In particular, persons in respect of whom a protective order has been issued, as well as persons limited in leisure by order of local authorities, are registered. Preventive control means regularly checking the behavior of registered individuals, holding preventive conversations, and ensuring they follow the rules. In addition, departmental acts of the Ministry of Internal Affairs settled the issues of filling out protocols on domestic violence, interaction of police duty services with crisis centers, etc. In addition to the orders of the Ministry of Internal Affairs, interdepartmental regulatory documents also contribute to the implementation of the 2009 Law. So, in 2021, a draft Interdepartmental Regulation for Responding to Domestic Violence was prepared, the purpose of which is to establish a clear algorithm for joint actions of the police, health authorities, social protection, education and other participants when a signal of violence is received. The draft regulation described in detail the stages: prevention (preventive work with families at risk), identification of facts of violence, interdepartmental identification and assessment of the situation, provision of social services to victims, and monitoring of the effectiveness of the measures taken. Document forms were developed: a signal sheet on the case of violence, a log of messages, a risk assessment method, a victim safety plan, etc. However, this regulation has not yet been officially approved as a normative act at the time of preparation of the article. Nevertheless, its development showed recognition of the problem of the lack of a unified algorithm for interaction between departments.

Beyond specialized legislation addressing domestic violence, Kazakhstan has enacted a range of related regulatory acts that influence the prevention of family-related offenses. These include the Law of the Republic of Kazakhstan «On the Prevention of Offenses» of April 29, 2010, the Law «On the Rights of the Child in the Republic of Kazakhstan» of August 8, 2002, the Law «On Special Social Services» of December 29, 2008, the Law «On Internal Affairs Bodies» (2014), among others. For instance, the Law on the Prevention of Offenses establishes general preventive measures for individuals inclined toward unlawful behavior, as well as a mechanism for interdepartmental registration of such persons. These provisions largely overlap with those contained in the domestic violence legislation. Nevertheless, certain terminological

distinctions exist between the two laws. Thus, the 2009 law limits the impact of prevention measures only on the behavior of a particular perpetrator of violence, while the 2010 law allows working with a limited number of people (for example, the entire problem family) and directly indicates the elimination of the causes and conditions of offenses. As a result, there are some inconsistencies: the third chapter of the 2009 Law, devoted to individual prevention measures, largely repeats the provisions of the general law on the prevention of offenses, instead of establishing specific measures specifically for family and household relations. For example, the Domestic Violence Act lists 10 individual prevention measures (Article 17), of which 7 literally coincide with the measures from the Crime Prevention Act. At the same time, such measures of influence as forced deprivation of parental rights, prosecution by a court verdict and some others are not mentioned at all, either directly or by reference. This indicates the fragmentation of legislation and the need to harmonize it.

It is important to highlight the specific protective measures established by law for victims. The 2009 legislation introduced two principal instruments: the protective order and special behavioral requirements imposed on the offender. A protective order, issued by law enforcement authorities for a period of up to 30 days, prohibits the aggressor from engaging in violent acts against a designated family member, approaching them, visiting certain locations, and similar restrictions (Article 20). At the same time, a warning is issued about the inadmissibility of violating the prescription. Special requirements for behavior (Article 22) can be established by a court decision and include, for example, the obligation to undergo a special correction program, a ban on drinking alcohol, approaching certain places, communicating with certain persons, etc. Violation of special requirements or a protective order entails legal liability - at the time of the adoption of the 2009 law, this liability came under administrative law, but was subsequently strengthened. In addition, a network of victim assistance institutions is developing in Kazakhstan: crisis centers have been created, including with shelters, and helplines are operating. The Law «On Special Social Services» and by-laws of the Ministry of Labor regulate the procedure for providing victims with psychological, legal, medical assistance, and rehabilitation services. Thus, from the point of view of the formal legal framework, Kazakhstan has laid the necessary foundations for countering domestic violence. However, the existence of laws and programs in itself does not guarantee their effective implementation. As will be demonstrated below, it is the practical mechanisms for enforcing legal norms that frequently prove ineffective, resulting in the persistence of a high degree of latency of domestic violence and inadequate protection for victims.

Based on the identified problems, the improvement of the system for the prevention of domestic violence in Kazakhstan should be comprehensive. Below are the main directions and specific measures that seem promising, taking into account scientific recommendations and foreign experience:

- Strengthening interagency coordination and interaction algorithms. It is necessary to officially approve the interdepartmental protocol of interaction in cases of domestic violence. Such a document should clearly describe the steps: who reports the case, who becomes the case coordinator, how the emergency response is organized and subsequent family support. The draft regulation of 2021 has already laid the foundations of such algorithms, it should be finalized and implemented. At the same time, it is advisable to create interdepartmental groups at the level of each district/city, which will include representatives of the police, education, health care, and social protection. These groups could conduct regular reconciliations of the registration of families at risk, joint visits to disadvantaged families, etc. It is also important to

establish an electronic exchange of information: integrate databases of police, commissions, and crisis centers so that information about the issued security order, for example, automatically becomes known to the probation service or the district police officer at the place of residence.

- Improving legislation and closing gaps. The 2009 Law should be updated, taking into account changes in recent years. In particular, it is recommended to expand the list of forms of violence to include spiritual violence as a separate category. Researchers note that in interethnic or deeply religious families there is pressure on spouses through beliefs, the imposition of rites, etc., which qualifies as spiritual violence. A number of dissertations offer exactly 5 types of violence instead of four, fixed now. In addition, there is a need to bring the 2009 law in line with changes in administrative and criminal legislation. As you know, since 2021, a three-tier system of offenses has been introduced in Kazakhstan. Domestic beatings and minor harm to health are now classified as criminal offenses, so in the Administrative Code (Article 73), only acts remained without damage to health - insults, persecution, and destruction of property. In this context, the prevention of family-related offenses should be governed concurrently by the provisions of the Administrative Code and the Criminal Code concerning misconduct. It would be advisable to streamline and systematize these rules. One proposal advanced by scholars is the creation of a unified, comprehensive law on offense prevention, within which a section on domestic violence would form part of the broader prevention framework. However, a more practical and effective approach appears to be the modernization of the existing Law «On the Prevention of Domestic Violence» by removing overlaps with the general legislation and introducing targeted measures (such as mandatory participation in corrective programs for habitual family aggressors). Additionally, amendments should be made to Order of the Ministry of Internal Affairs №432, specifically to expand the list of individuals subject to preventive registration to include those prohibited by court order from approaching victims. This will allow police to monitor compliance with injunctions and respond to violations. Additionally, it should be possible to register aggressors by signals from other bodies, even if the matter has not reached the official order.

- Tightening and differentiation of responsibility for domestic violence. Taking into account the high repetition of offenses, the amendments of 2023-2024 were supported, strengthening responsibility. In the future, their use should be monitored. Perhaps it is worth returning to the question of the direct criminalization of domestic violence as a separate composition. In Russia and some other countries, there is no separate article for domestic violence, which is criticized by human rights activists. In Kyrgyzstan, on the contrary, since 2019, Article 75 of the Criminal Code «Family Violence» has been in effect, according to which any repeated use of physical or psychological violence faces criminal liability. A bill on the introduction of fines for public justification of domestic violence is already being discussed in Russia. A similar norm could have a preventive effect, restraining the spread of destructive patriarchal stereotypes. However, tougher sanctions should be combined with the ability of the court to apply alternative measures (for example, referral for behavior correction) depending on the identity of the offender [5].

- Introduction and development of programs to correct the behavior of aggressors. International experience shows that, in addition to punishment, it is important to work on the rehabilitation of family aggressors. In some countries (Spain, Great Britain, Canada, etc.), there are mandatory programs for perpetrators of violence: psychotherapy, anger management training, and group therapy. In Kazakhstan, such programs are still rare and voluntary. It is required to normatively consolidate the mechanism for the forced referral of family brawlers to correctional programs

(for example, through a court decision in an administrative case, as a special requirement for behavior). The development and implementation of such programs can be entrusted jointly by the Ministry of Internal Affairs and the Ministry of Social Protection, involving NGOs with relevant experience. As a measure of administrative punishment or a condition of probation for a criminal offense, passing an aggression management course could reduce the likelihood of relapse. The Gender Policy Concept until 2030 highlights the continuation of efforts to establish a system of support for victims and to engage civil society organizations, including councils of fathers and mothers, as well as religious leaders, in promoting non-violence. These initiatives should also extend to offenders themselves — for instance, by creating, with the backing of local communities, peer-support groups for men inclined toward violent behavior (similar to Alcoholics Anonymous, which is particularly relevant given the frequent link between violence and alcoholism).

- Improving the system of protection and support for victims. A promising direction is the creation of a single center for assistance to victims. In a number of countries, the «one-stop center» model has been introduced, where under one roof the victim can receive medical care, apply to the police, and meet with a psychologist and lawyer. In Kazakhstan, it is worth piloting such a center in a large city. It is also necessary to increase the number of crisis centers and shelters. According to official data, in 2020, there were 46 crisis centers (state and NGOs) in the republic, but their availability remains insufficient, especially in rural areas. The state should broaden its financial support for social services: as emphasized by the Ministry of Internal Affairs of the Kyrgyz Republic, expanding the number of state-run crisis centers and diversifying their services is considered a priority measure, and even in neighboring Kyrgyzstan, additional funding has already begun to be allocated for this purpose. In Kazakhstan, one possible step would be to introduce a system of state social contracting for NGOs that provide shelters and assistance to victims — a measure explicitly outlined in the Policy Concept. Another aspect is providing victims with free legal aid and access to justice. It is necessary to ensure that duty lawyers are available around the clock in each region, and emergency statements about violence are considered by the courts as soon as possible. During the COVID-19 pandemic in 2020, there was a surge in domestic violence in Kazakhstan, as well as around the world. In emergency situations, it is important to provide special support measures: hotlines, mobile crisis services, and prompt police departure for each signal. Thus, strengthening the assistance infrastructure is an essential part of prevention, as it increases the detection of cases and prevents the most severe consequences.

- Strengthening and harmonizing protective measures. The analysis revealed that current legislation provides different instruments with varying names but essentially similar functions: police-issued protective orders, special judicial requirements, and restrictions under the Criminal Procedure Code. For clarity and efficiency, these mechanisms should be unified. It is suggested to adopt a single terminology — for example, distinguishing between two types of protective orders: a police protective order (issued immediately, valid for up to 30 days) and a judicial protective order (granted by the court, valid for up to one year, with stricter conditions). A comparable system is already functioning effectively in Kyrgyzstan, where the police issue short-term protective orders for five days, while courts can impose long-term orders lasting up to six months. Kazakhstan could establish a similar framework, with police warrants valid for 1–3 months and judicial warrants extending up to 12 months. Moreover, it is important that the issuance of a warrant is possible within the framework of a criminal case, and not just an administrative one. The provision of such orders in the Code of Criminal Procedure (as a preventive or security measure) would solve the problem noted above. The content of the orders

should also be expanded: in addition to the standard ban on approaching, other requirements can be included in them (for example, temporary seizure of weapons, if the aggressor has them; a ban on communicating with children; referral for treatment for alcoholism). Of course, the implementation of these instructions should be strictly controlled: for failure to comply - immediately bring to justice.

•Accompanying families at risk and working with children. Prevention must begin before violence becomes a crime. It is necessary to introduce the practice of social patronage of disadvantaged families. Social workers, together with district police officers, could monitor families where there were signals of conflicts. To do this, an interdepartmental prevention council can be created in each district, which monthly considers cases of families at risk and determines assistance measures: referral of a psychologist, involvement of guardianship authorities, employment, etc. Special attention is paid to families with children. Schools should become an active link: introduce regular surveys of students on the topic of home well-being, conduct lessons on non-violent communication, and teach children to use helplines. The Ministry of Education should include a course on violence detection and procedures in teacher training programs. Similarly, physicians are trained to screen for signs of domestic violence. It is important to form a zero-tolerance attitude among specialists: every suspicion should be checked, and not hushed up out of false shame or corporate solidarity [6].

•Experience of the Kyrgyz Republic and international practices. However, human rights defenders point out ongoing challenges: for example, in the first quarter of 2019, 2,701 cases of domestic violence were reported in Kyrgyzstan, yet out of 7,114 protective orders issued, only 64 were extended, and not a single violation of protective order terms reached the courts. This demonstrates difficulties in law enforcement – police often limit their actions to issuing an order without ensuring follow-up control. Nevertheless, the strengths of the Kyrgyz model include the existence of a two-tier protective order system and the fact that domestic violence cases are removed from the private legal sphere. In Kazakhstan, it is also necessary to consider the rejection of the principle of private prosecution in cases of beatings – so that reconciliation of the parties does not automatically lead to the termination of the case, especially with systematic violence. Summarizing international experience, it can be noted that the model is effective where the state takes the initiative in suppressing violence without shifting the burden of the struggle only to the victim herself. This implies, for example, the police proactively working with the community, the presence of family courts or specialized judicial procedures, mandatory training of judicial and law enforcement personnel on gender and the psychology of violence, as well as a wide information campaign. The latter is also an important preventive measure: the population should know where to go in case of a threat, understand that violence is unacceptable and punishable. In Kazakhstan, the annual action «16 days against violence» and a number of information campaigns are already held, but constant efforts are required. It is useful here to involve non-governmental organizations, religious leaders, and the media to form a public rejection of violence [7].

Summarizing, the proposed promising measures can be grouped as follows: (1) Legislative reform – addressing inconsistencies and omissions, standardizing terminology and procedures, and reinforcing accountability; (2) organizational measures - implementation of interdepartmental algorithms, creation of coordination structures in the field, improvement of accounting and monitoring; (3) preventive work - compulsory correctional programs for aggressors, social support for crisis families, educational programs in schools; (4) victim protection - expanding

the aid network, access to justice, an effective system of protective orders; (5) changing public consciousness – promoting the values of non-violence, gender equality, intolerance to any form of abuse. These directions align with the objectives of the Concept of Family Policy of the Republic of Kazakhstan as well as the recommendations of international organizations, which urge states to adopt comprehensive strategies aimed at eradicating violence against women and children. Scholarly research, including studies published by Kyrgyz experts, demonstrates that without strengthening legal frameworks and ensuring interdepartmental coordination, achieving a substantial decline in domestic violence is unattainable. In the following section, we will present general conclusions and outline recommendations for putting these measures into practice [8].

## Conclusion

The analysis showed that Kazakhstan has a basic legislative foundation for the prevention of domestic violence, but in practice, the effectiveness of its implementation is insufficient. The main problems – weak interdepartmental coordination, the formal nature of preventive work and incomplete implementation of the provided protection measures – lead to the fact that family violence remains a large-scale and largely latent phenomenon. The increase in the share of domestic murders and the continuing frequency of offenses indicate that the current response system needs great improvement.

The study revealed that law enforcement gaps directly affect violence indicators. It was also established that regulatory legal acts require updating, taking into account new realities (the introduction of criminal offenses, changes in administrative legislation). The experience of Kyrgyzstan clearly demonstrates that the adoption of even progressive laws does not immediately solve the problem – resources and political will are needed for their full implementation. Nevertheless, Kyrgyz reforms provide valuable lessons for Kazakhstan in terms of choosing a strategy.

Based on the analysis, the following recommendations can be formulated:

1. Enhancing legislation on domestic violence prevention: amend the 2009 Law by removing overlaps with the Law on the Prevention of Offenses, introducing a category of spiritual abuse, and strengthening provisions related to protective orders; revise Order of the Ministry of Internal Affairs No. 432 to ensure monitoring of individuals subject to judicial bans; and consider criminalizing systematic domestic violence as a distinct offense.

2. Adopt an interdepartmental normative act on the procedure for interaction of all subjects of prevention. Ensure its implementation through the creation of local coordination councils. Develop and implement a unified electronic system for recording cases of violence and measures of influence.

3. Strengthen preventive measures against offenders: introduce mandatory correctional programs, actively apply restrictive measures and strictly control their implementation. Provide for liability for failure to comply with the protective order. Introduce a mechanism to extend the police order by the court if the danger to the victim remains.

4. Increase victim support: increase the network of crisis centres through public funding and social order. Provide round-the-clock availability of hotlines, if necessary – launch mobile assistance teams. Guarantee free legal assistance to all victims of family violence. Practice the issuance of emergency protective orders at the request of the victim herself without bureaucratic delays.

5. Educational and information measures: include the topic of combating violence in the training of social workers, teachers, doctors, police officers. Regularly conduct joint training and exercises for them. For the population – to launch a permanent information campaign, promoting the idea of intolerance to violence and informing about ways to get help. Particular emphasis is on working with young people and the formation of a culture of respect for human rights in the family.

The implementation of these recommendations would bring Kazakhstan closer to achieving the goals stated in the Concept of Family and Gender Policy – a significant reduction in the level of domestic violence by 2030. Improvements in legislation, supported by the resourcing of local measures, will lead to a more effective system of violence prevention, in which every signal of distress in the family will not be ignored, the offender will suffer inevitable punishment or correctional impact, and the victim will receive timely protection and assistance. The proposals noted in the article are based on best practices and scientific conclusions, in particular, on the works of domestic and foreign researchers. In conclusion, we emphasize: countering domestic violence is a multifaceted task, and success is possible only if the efforts of the legal system, social support institutions and civil society are combined. The presented article can serve as a basis for further discussions and practical steps to reform national legislation in order to protect every Kazakh from domestic violence.

#### **The contribution of the authors.**

**Kambarov A.K.** – Carried out the study, drafted and revised the manuscript.

**Muratkhanova M.B.** – Formulated and validated the research idea, conducted analytical assessment and revised the manuscript.

**Ashimova E.A.** – Reviewed and integrated the literature, thoroughly revised the manuscript, and examined and consolidated the research findings

#### **References**

1. Law of the Republic of Kazakhstan № 214-IV dated December 4, 2009 «On the prevention of domestic violence» <https://www.refworld.org/legal/legislation/natlegbod/2009/122800> (accessed: 05.05.2026)
2. Temirkanova Д., Smatlaev Б., & Mukanov М. (2024). Criminological characterization of domestic violence: scientific article. BULLETIN of L.N. Gumilyov Eurasian National University Law Series, 149(4), 135–148. <https://doi.org/10.32523/2616-6844-2024-149-4-135-148> (accessed: 20.05.2026)
3. Decree of the President of the Republic of Kazakhstan dated December 6, 2016 № 384 « On approval of the Concept of family and gender policy in the Republic of Kazakhstan until 2030 ». <https://ageing-policies.unecp.org/browse-policy/2735> (дата обращения: 03.05.2026)
4. Kuttygaliyeva A., Yermukhametova С., & Yessengazyeva A. (2026). Considering domestic violence as a systemic delict in the criminal law framework. BULLETIN of L.N. Gumilyov Eurasian National University Law Series, 154(1), 183–204. <https://doi.org/10.32523/2616-6844-2026-154-1-183-204> (accessed: 20.05.2026)
5. Order of the Ministry of Internal Affairs of the Republic of Kazakhstan dated July 15, 2014 № 432 « On approval of the Instruction for Preventive Control of Persons Registered with the Internal Affairs Bodies». – Registered with the Ministry of Justice of the Republic of Kazakhstan 15.08.2014 № 9695 <https://adilet.zan.kz/> (accessed: 10.03.2026)

6. Тапаев S.B., Khan V.V., Tusip T.A., Kumatova A.S. Criminalization/decriminalization of forms of domestic violence: beatings, intentional infliction of minor bodily harm. – Koshy: Law Enforcement Academy under the Prosecutor General's Office of the Republic of Kazakhstan, 2021. – 186 p.

7. Musina R.M., Sarsenova A.M. Current issues of criminal violence against women // News of Universities of Kyrgyzstan. – 2020. – № 4. – p. 73–77.

8. Askat uulu M. About protection from domestic violence. On the activities of the internal affairs bodies of the Kyrgyz Republic // Izvestia University of Kyrgyzstan. – 2019. – № 7. – p. 117–120.

9. «Less patience, more sharing: How the level of domestic violence has changed in Kazakhstan». – Analytical review <https://reliefweb.int/report/kazakhstan/kazakhstans-new-domestic-violence-law-welcome-further-reforms-need-close-remaining-protection-gaps> (accessed: 12.04.2026)

10. Human Rights Watch. Kyrgyzstan: Pressure is mounting to ensure the safety of women and girls. – Report HRW, 28 may 2019 y. <https://www.hrw.org/news/2019/05/28/kyrgyzstan-pressure-builds-protect-women-and-girls> (accessed: 18.05.2026)

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### **Қазақстан Республикасының отбасылық-тұрмыстық зорлық-зомбылықтың алдын алу саласындағы заңнамасын жетілдіру: өзекті мәселелер және шешу жолдары**

**Аңдатпа.** Мақалада отбасылық-тұрмыстық зорлық-зомбылықтың алдын алу саласын реттейтін Қазақстан Республикасының ұлттық заңнамасы қарастырылады. Оның мазмұны мен қолдану практикасына талдау жүргізілді, іске асырудың негізгі проблемалары анықталды және жаңғыртудың ықтимал бағыттары белгіленді.

Зерттеудің өзектілігі отбасындағы зорлық-зомбылық оқиғаларының көбеюімен, сондай-ақ 2030 жылға дейінгі отбасылық және гендерлік саясат тұжырымдамасын қоса алғанда, стратегиялық мемлекеттік құжаттарды орындау қажеттілігімен байланысты. Қазақстанда қолданылып жүрген «Тұрмыстық зорлық-зомбылық профилактикасы туралы» арнайы Заң іс жүзінде бірқатар кемшіліктерді анықтады: ведомствоаралық өзара іс-қимылдың төмен нәтижелілігі, құқық бұзушылармен профилактикалық жұмыстың шектеулі шаралары, зорлық-зомбылық жасаған адамдарды толық есепке алмау, сондай-ақ әйелдер мен балаларға қатысты зорлық-зомбылық фактілерін анықтаудағы қиындықтар.

Мақалада сондай-ақ Қырғыз Республикасының тәжірибесімен салыстыру жүргізілді, онда соңғы заңнамалық өзгерістер осындай құқық бұзушылықтар үшін жауапкершілікті күшейтті. Ғылыми зерттеулер мен практикалық ұсынымдар негізінде қазақстандық заңнаманы жетілдіру бойынша шаралар ұсынылды: Мемлекеттік басқару органдарын үйлестіруді нығайту, ерте анықтау мен ден қоюдың тиімді алгоритмдерін енгізу, зардап шеккендерді қолдау жүйесін дамыту, сондай-ақ агрессорларға профилактикалық әсер етудің тиімділігін арттыру.

**Түйін сөздер:** тұрмыстық зорлық-зомбылық; халықаралық тәжірибе; ведомствоаралық өзара іс-қимыл; зорлық-зомбылықтың алдын алу; оңалту; отбасылық-тұрмыстық зорлық-зомбылыққа қарсы іс-қимыл, тұрмыстық қылмыс, зорлық-зомбылық құрбаны.

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## **Совершенствование законодательства Республики Казахстан в области предупреждения семейно-бытового насилия: актуальные проблемы и пути решения**

**Аннотация.** В статье рассматривается национальное законодательство Республики Казахстан, регулирующее сферу предупреждения семейно-бытового насилия. Проведен анализ его содержания и практики применения, выявлены ключевые проблемы реализации и обозначены возможные направления модернизации. Актуальность исследования связана с ростом числа зарегистрированных случаев насилия в семье, а также необходимостью выполнения стратегических государственных документов, включая Концепцию семейной и гендерной политики до 2030 года.

Специальный Закон «О профилактике бытового насилия», действующий в Казахстане, на практике выявил ряд недостатков: низкая результативность межведомственного взаимодействия, ограниченные меры профилактической работы с правонарушителями, неполный учет лиц, совершивших насилие, а также сложности в выявлении фактов насилия в отношении женщин и детей.

В статье также проведено сопоставление с опытом Кыргызской Республики, где недавние законодательные изменения усилили ответственность за подобные правонарушения. На основе научных исследований и практических рекомендаций предложены меры по совершенствованию казахстанского законодательства: укрепление координации органов государственного управления, внедрение эффективных алгоритмов раннего выявления и реагирования, развитие системы поддержки пострадавших, а также повышение действенности профилактического воздействия на агрессоров.

**Ключевые слова:** бытовое насилие; международный опыт; межведомственное взаимодействие; профилактика насилия; реабилитация; противодействие семейно-бытовому насилию, бытовая преступность, жертва насилия.

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