

National Laws

Legislation of Interpol member states on sexual offences against children

Kazakhstan – Kazakhstan - Kazajstán

Almaty

The information on this page is up to date as of spring 2006

I. Ages for legal purposes

Age of consent for sexual activity

The age of consent for sexual activity starts from 18 years of age.

Age of consent for marriage

The age of consent for marriage is 18 years of age.

II. Rape

Article 120 of the Criminal Code

1) A rape is a sexual contact, involving the usage of violence, or a threat of using it to a suffered woman, or to other people or using an ineffectual condition of a suffered woman, is punished by depriving the liberty for the term from 3 to 5 years.

2) A rape:

- a. committed by a group of people, by a group of people with entering a preliminary collusion, or by an organized group;
- b. involving the threat of assassination, and also committed with an extraordinary cruelty for the suffered woman, or for other people;
- c. which caused infecting the suffer with sexual diseases;
- d. committed repeatedly, or by a person who has committed the violent acts of a sexual character;
- e. of a girl, who is wittingly juvenile,

is punished by depriving the liberty for the term from 5 to 10 years.

3) A rape:

- a. which caused a death of a woman by imprudence;

- b. which caused by imprudence the infliction of a grievous healthily harm of the suffered woman, infecting her with AIDS and other heavy consequences;
- c. of a suffered woman who is wittingly has not reach 14 years of age;
- d. using the circumstances of a public disaster, disorder,

is punished by depriving the liberty for the term from 8 to 15 years.

III. Other forms of child sex abuse

Article 121 - Violent actions of sexual character

1) Homosexuality, sexual contact between women and other acts of sexual character, involving the usage of violence or a threat of using it to a suffered person (woman) or to other people or using an ineffectual condition of a suffered person (woman), is punished by depriving the liberty for the term from 3 to 5 years.

2) The same act committed:

- a. by a group of people, by a group of people with entering a preliminary collusion, or by an organized group;
- b. involving a threat of assassination, and also committed with an extraordinary cruelty for the suffered person (woman) or for other people;
- c. which caused infecting the sufferer with sexual diseases;
- d. committed repeatedly or by a person who previously has committed violent acts of sexual character (rape);
- e. of a person who is wittingly juvenile,

is punished by depriving the liberty for the term from 5 to 10 years.

3) The acts stipulated by parts 1 and 2 of this article, if they:

- a. caused the death of the person by imprudence;
- b. caused by imprudence the infliction of a grievous healthily harm of the suffered person (woman), infecting him (her) with AIDS and other heavy consequences;
- c. committed in regard to a person who is wittingly has not reach 14 years of age,

is punished by depriving the liberty for the term from 8 to 15 years.

Article 122 - Sexual intercourse and other actions of sexual character with a person less than 16 years of age

1) Sexual contact, homosexuality, sexual contact between women and other acts of sexual character with a person who is wittingly has not reached 16 years of age, is punished by limiting the liberty for the term up to 3 years, or by arrest up to 6 months, or by depriving the liberty for the term up to 5 years.

Article 123 - Compulsion to sexual contact, homosexuality, sexual contact between women and to other acts of sexual character

1) Compulsion a person to sexual contact, homosexuality, sexual contact between woman and to other acts of sexual character involving the usage of blackmail, threat of destruction, breaking or seizure of a property or using material or other form of dependence of a victim, is punished by the fine in the volume from 200 to 500 of the monthly calculating indexes or in the volume of the salary or another income of the sentenced person for the period from 2 to 5 months, or by correctional works for the period up to 2 years, or by arrest for the term within 6 months, or by depriving the liberty for the term of up to 2 years.

Article 124 - Dissolute (licentious) actions with juveniles

Committing dissolute (licentious) acts without violence in regard to a person who is wittingly has not reached 14 years of age, is punished by limiting the liberty for the term up to 4 years or depriving the liberty for the same period of time.

IV. Child prostitution

Article 124 - Recruitment of people for exploitation

1) Recruiting people for sexual or other exploitation, committed using the cheat, is punished by the fine in volume from 100 to 500 of the monthly calculating indexes or in the volume of the salary, or another income of the sentenced person for the period from 2 to 5 months, or by correctional works for the period up to 2 years, or by limiting the liberty for the term up to 2 years, or by the arrest for the term within 6 months, or by depriving the liberty for the term within one year.

2) The same act committed:

- a. by a group of people with entering a preliminary collusion;
- b. for a wittingly juvenile person,

is punished by depriving the liberty for the term within 6 months.

3) The acts stipulated by parts 1 and 2 of this article, committed by an organized group or for the motive to export the recruited people abroad of the territory of the Republic of Kazakhstan, is punished by depriving the liberty for the term from 3 to 8 years with confiscation of the property or without it.

Article 270 Recruiting for the prostitution

1) Recruiting for prostitution using violence or the threat of the usage of such violence, using the dependant condition, black mailing, destroying or damaging of the property using the cheat, is punished by the fine in the volume from 200 to 500 of the monthly calculating indexes or in the volume of the salary or of other income

of the sentenced person for the period from 2 to 5 months or by depriving the liberty within 5 years.

2) The same act, committed by an organized group, and in the same way by a person, who has been sentenced for recruiting to the prostitution, or for establishing and running dens or for pandering, is punished by depriving the liberty for the term from 3 to 7 years.

V. Child pornography

There are no different offences/ categories of child pornography provided for by Kazakhstan's laws. The legislation does not divide pornography into child or adult.