

On citizen participation in peacekeeping

Unofficial translation

Law of the Republic of Kazakhstan dated July 9, 2004 No. 590.

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This Law regulates social relations arising from voluntary citizen participation of the Republic of Kazakhstan in peacekeeping.

Article 1. The legislation of the Republic of Kazakhstan on citizen participation in peacekeeping

1. The legislation of the Republic of Kazakhstan on citizen participation in peacekeeping shall be based on the Constitution of the Republic of Kazakhstan and consist of this Law and other regulatory legal acts of the Republic of Kazakhstan.

2. If an international treaty ratified by the Republic of Kazakhstan establishes other rules than those contained in this Law, the rules of the international treaty shall be apply.

3. This Law shall not apply to legal relations arising in connection with law enforcement intelligence operations, regulated by the Laws of the Republic of Kazakhstan.

Article 2. Citizen participation in peacekeeping

1. Citizens participation in peacekeeping shall be carried out through their voluntary assistance to the Internal Affairs Agencies in accordance with this Law and other regulatory legal acts of the Republic of Kazakhstan.

2. Citizens involved in peacekeeping shall conduct their activities on the basis of the principles of legality, respect for and observance of the rights and freedoms of a person and citizen.

Article 3. Competence of local representative and executive agencies on citizen participation in peacekeeping

1. Local representative agencies shall:

1) consider and approve the budget programs developed by the relevant Akimats concerning the allocation of funds for award citizens providing assistance the Internal Affairs Agencies in peacekeeping;

2) control the activities of Commissions of relevant Akimats for award citizens providing assistance in peacekeeping;

3) exercise, in accordance with the legislation of the Republic of Kazakhstan, other powers to ensure the rights and legitimate interests of citizens.

2. Local executive agencies of district (cities of regional significance) shall:

1) register and keep personal records of citizens participating in peacekeeping;

2) establish district (city in cities of regional significance) Commissions for promotion the citizens participating in peacekeeping;

3) determine the types and procedure for promotion, as well as the amount of monetary remuneration of citizens participating in peacekeeping;

3-1) take measures on engagement citizens in protection of public order;

4) carry out in the interests of local state administration other powers imposed on local executive agencies by the legislation of the Republic of Kazakhstan.

Local executive agencies of region, city of republican significance, capital:

1) keep regional records of citizens participating in peacekeeping;

2) create Commissions for promotion the citizens participating in peacekeeping of region, city of republican significance, capital;

3) determine the types and procedure of promotion, as well as the amount of monetary remuneration of citizens participating in peacekeeping;

4) carry out in the interests of local state administration other powers imposed on local executive agencies by the legislation of the Republic of Kazakhstan.

Footnote. Article 3 as amended by the Laws of RK No. 452-IV dated 05.07.2011 (shall be enforced from 13.10.2011); No. 388-V dated 02.11.2015 (shall be enforced from 01.01.2016).

Article 4. Competence of the Internal Affairs Agencies on citizen participation in peacekeeping

Internal Affairs Bodies shall:

1) in accordance with the legislation of the Republic of Kazakhstan, determine the procedure, forms and types of citizen engagement in measures on peacekeeping, not related to control and supervisory functions;

2) develop and approve a sample of certificate and emblem for citizens participating in peacekeeping;

3) cooperate with local executive agencies on activities of citizens participating in peacekeeping;

4) explain to citizens participating in peacekeeping their rights and obligations for peacekeeping;

5) organize legal training of citizens participating in peacekeeping on the basis of the local police stations;

6) exercise other powers provided by this Law, other Laws of the Republic of Kazakhstan, acts of the President of the Republic of Kazakhstan and the Government of the Republic of Kazakhstan.

Footnote. Article 4 as amended by the Laws of RK No. 452-IV dated 05.07.2011 (shall be enforced from 13.10.2011).

Article 5. The procedure for registration of citizens participating in peacekeeping

1. A citizen who has expressed a desire to participate in peacekeeping shall apply to the Internal Affairs Agency with a statement to which he attaches a copy of the identity card or

passport of the citizen of the Republic of Kazakhstan. A citizen shall have the right to attach to these documents a copy of the life and health insurance certificate.

2. The Internal Affairs Agency, within thirty calendar days from the date of receipt of application, inspect the citizen for drug, psycho-neurological and other registrations, after which he address the local executive agency of district (city of regional significance) with a corresponding petition, to which copies of the submitted documents shall be attached, or in written form refuses the applicant stating the reasons for the decision.

3. The local executive agency of district (city of regional significance) within seven working days considers the received petition, registers the citizen and puts him on the register of citizens participating in peacekeeping, to that the Internal Affairs Agency shall be informed in written form.

4. Under age citizens shall not be allowed for participation in peacekeeping, and persons in respect of whom a pre-trial investigation are being conducted or having outstanding or unexpunged conviction in the manner required by Law, as well as those registered in drug and psycho-neurological dispensaries or recognized by a court decision incapable or partially capable.

5. The rejection of the application shall not prevent the applicant from re-applying, provided that the reasons for the refusal shall be eliminated.

6. The grounds for termination of citizen participation in peacekeeping shall be:
a citizen statement on the unwillingness of further participation in peacekeeping
criminal prosecution;

repeated (two or more times during the year) commission of intentional administrative offenses;

departure for permanent residence outside the Republic of Kazakhstan;

the occurrence of circumstances that preclude his further participation in ensuring public order (mental, behavioral disorder (disease), including those associated with the use of psychoactive substances, another disease that poses a danger to others, according to the list approved by the authorized body in the field of healthcare, or death).

7. In the event of occurrence of circumstances specified in paragraph 6 of this Article, the local executive agency of district (city of regional significance), upon representation of the relevant internal affairs agency, deregister the citizen of participating in peacekeeping.

Footnote. Article 5 as amended by the Laws of RK No. 233-V dated 04.07.2014 (shall be enforced from 01.01.2015); dated 07.07.2020 No. 361-VI (shall be enforced upon expiry of ten calendar days after the day of its first official publication); dated 19.04.2023 No. 223-VII (shall be enforced upon expiry of ten calendar days after the date of its first official publication).

Article 6. Restrictions on the activity of citizens participating in peacekeeping

Citizens participating in peacekeeping shall be prohibited to:

1) carry out procedural and other activities related in accordance with the legislation of the Republic of Kazakhstan to the exclusive competence of law enforcement and other State Agencies;

2) appropriate the powers of law enforcement officers;

3) interfere with the lawful activities of law enforcement officers;

4) act as a witness when participating in measures to peacekeeping;

5) perform actions degrading the honor and dignity of a person and a citizen or unlawfully restricting the rights and freedoms of citizens;

6) use, when participating in activities to peacekeeping, special means in service with law enforcement agencies, with the exception of the means specified in subparagraph 3) of Article 7 of this Law.

Article 7. Rights and obligations of citizens participating in peacekeeping

1. Citizens participating in measures to peacekeeping shall have the right to:

1) assist the Internal Affairs Agencies in measures to peacekeeping not related to the control and supervisory functions;

2) prevent and suppress criminal and administrative offenses;

3) use physical force and other means in order to suppress offenses and detain offenders if it shall not be possible to achieve these goals by other means. At the same time, the measures necessary for this must not be exceeded. It shall be prohibited to use physical force and other means against women, persons with obvious signs of disability, minors when their age shall be known or obvious, except when they commit an armed or group attack (violence);

4) in the cases provided by the Laws of the Republic of Kazakhstan, detain and deliver to law enforcement or other state authorities persons who have committed a criminal or administrative offense. If necessary, when there shall be reason to believe that the detainee has weapons or other dangerous objects or objects that shall be relevant to the criminal case, inspect the detainee clothes and withdraw them for transfer to the designated authorities;

5) participate in provision of medical and other assistance to citizens who have suffered from security incident, road traffic accidents, natural disasters and other emergency situations;

6) to carry out explanatory and legal work on the prevention of offenses, non-medical use of psychoactive substances;

7) demand from citizens the public tranquility.

2. Citizens participating in peacekeeping shall be obliged to:

1) observe the constitutional rights and freedoms of citizens;

2) immediately inform the Internal Affairs Agencies of the facts of criminal offenses that are being prepared or committed, which became known to them;

3) in cases required by law, present a certificate at the request of citizens confirming the legality of their participation in peacekeeping;

4) explain to citizens detained for committing a criminal or administrative offense the grounds for the enforcement measures applied to them;

5) pass legal training before participating in peacekeeping activities.

Footnote. Article 7 as amended by the Laws of RK No. 227-V dated 03.07.2014 (shall be enforced from 01.01.2015); dated 07.07.2020 No. 361-VI (shall be enforced upon expiry of ten calendar days after the day of its first official publication).

Article 8. Promotion measures

1. The promotion measures of citizens participating in peacekeeping shall be:

- 1) announcement of gratitude;
- 2) award a certificate of appreciation;
- 3) cash bonus issuance;

4) other measures determined by local representative and executive agencies within their competence.

2. Issues for promotion the citizens participating in peacekeeping, as advised by the Internal Affairs Agency, shall be considered by the Commission established by decision of the relevant local executive agency.

3. The composition of the Commission includes representatives of local representative and executive agencies, as well as the Internal Affairs Agencies that presented citizen to promotion. The Commission shall be also entitled to promote citizens that not registered with local executive agencies in the manner prescribed by this Law, if they have contributed to the prevention, suppression or disclosure of criminal offenses.

Footnote. Article 8 as amended by the Laws of RK No. 227-V dated 03.07.2014 (shall be enforced from 01.01.2015).

Article 9. Responsibility for violation of the legislation of the Republic of Kazakhstan on citizen participation in peacekeeping

Persons guilty of violating the Laws of the Republic of Kazakhstan on citizen participation in peacekeeping shall bear responsibility in accordance with the Laws of the Republic of Kazakhstan.

*The President
of the Republic of Kazakhstan*