

## Irregular migration in Kazakhstan: Challenges, consequences, and approaches to improving state regulation

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**Abstract.** The purpose of the study was to identify key problems and institutional challenges related to illegal migration in the Republic of Kazakhstan, and to analyse approaches to improving the state regulation of migration processes in the context of ensuring national security. The methodological basis of the study were: systematic approach, structural and functional method used to study the institutional architecture of the state regulation of migration processes; the comparative legal method allowed comparing national legislation with international standards in the field of migrants' rights protection. The study identified significant gaps in legislative regulation, including the lack of clear mechanisms for detecting illegal migrants, insufficient rules on employer liability, and limited opportunities for legalising migrants' status. Systemic shortcomings in coordination between different state bodies have been identified, which reduces the effectiveness of control over migration flows. The analysis demonstrated the lack of a comprehensive approach to the social integration of migrants and the insufficient development of infrastructure for their adaptation, especially in border regions. On the basis of the study, it was developed comprehensive recommendations for improving migration policy, including the need to ratify International Labour Organisation Convention No. 143, strengthening institutional coordination between migration services, introducing legalisation programmes for certain

### Suggested Citation

**Article's History:** Received: 27.11.2024 Revised: 25.02.2025 Accepted: 26.03.2025

Ilyassova, S., Khamzin, A., Buribayev, Ye., Khamzina, Zh., & Zhetpisov, S. (2025). Irregular migration in Kazakhstan: Challenges, consequences, and approaches to improving state regulation. *Social & Legal Studios*, 8(1), 195-210. doi: 10.32518/sals1.2025.195.

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categories of labour migrants and creating effective mechanisms for social integration. The authors proposed to create a single digital platform for recording and monitoring migration processes, as well as to introduce specialised training and adaptation programmes for migrants. The author substantiated the need to develop a differentiated approach to migration regulation, depending on regional specifics and labour market needs. Implementation of the proposed measures will reduce the risks associated with illegal migration and ensure stable development of the country's regions

**Keywords:** labour resources; legal protection; social integration; regional development; shadow employment; migration control

## Introduction

Managing irregular migration has become a critical challenge for Kazakhstan in 2024, especially as the country has transformed into an important regional migration hub. Geopolitical tensions in the region, including Russia's ongoing military actions in Ukraine, have significantly altered traditional migration routes and created new migration corridors through Central Asia. Kazakhstan's strategic geographical location, relative economic stability and visa-free regimes with many countries have turned it into a key destination for various forms of migration, including irregular movements. The growing complexity of migration processes and their impact on the country's socio-economic development require a rethinking of existing approaches to migration regulation and the development of more effective mechanisms for managing migration flows. Of particular relevance is the need to balance the security interests of the state with humanitarian aspects and the protection of migrants' rights.

Academic literature reveals a multidimensional picture of migration challenges and regulatory responses in Kazakhstan. R. Hausmann *et al.* (2023) conducted a fundamental analysis of economic development and migration processes in Kazakhstan, finding that the country has become one of the largest recipients of migrants in the Central Asian region. The authors emphasise that the preconditions for large-scale migration are economic stability, growing labour needs and the country's relatively successful development. The researchers pay special attention to the need to improve migration policy and regulatory mechanisms to effectively manage migration flows, including the fight against irregular migration. L. Delovarova (2024) conducted a comprehensive study of the external vector of Kazakhstan's migration policy in the post-pandemic period, focusing on the country's growing role in migration processes in Central Asia and the Commonwealth of Independent States. The researcher found that Kazakhstan's migration policy is developing progressively and steadily, showing a tendency to diversify in line with international realities, which is reflected in the new Migration Policy Concept for 2023-2027 (2022), which introduces innovative approaches to attract foreign investment and highly qualified specialists.

J. Matusiewicz (2024) presents an in-depth analysis of the transformation of migration realities in Central Asia, highlighting the special role of Kazakhstan as a new labour migration centre. The researcher examines in detail the changes in migration flows after Russia's invasion of Ukraine and emphasises the need to develop a modern and transparent labour migration permit system. The author also highlights the importance of international cooperation to expand seasonal labour migration schemes. A. Oshchepkov *et al.* (2024) identified two key trends in migration processes since the outbreak of the war in Ukraine: a significant increase in high-skilled migration from Russia to Central Asian countries (around 240,000 people to Kyrgyzstan, Kazakhstan,

and Uzbekistan) and an unexpected 40% increase in labour migration from Central Asia to Russia in 2021. Economic consequences include a record increase in remittances to countries in the region, especially Tajikistan (51% of Gross domestic product (GDP)) and Uzbekistan (21% of GDP), although this is more related to capital outflows from Russia. The authors emphasise the need to develop comprehensive policy measures to effectively harness the potential of highly skilled migration. A.A. Altynbek and Z.K. Karimova (2024) made a significant contribution to understanding the complexity of migration flows between China and Kazakhstan, focusing on macro-level migration theories and methods of collecting data on irregular migration. The study found that the majority of migrants from China to Kazakhstan are ethnic Kazakh repatriates and small business labour migrants. The authors concluded that despite the economic benefits of Chinese investment, the growth of irregular migration poses risks to Kazakhstan's labour market, which requires a comprehensive approach to managing migration processes. L.N. Abdrazakova (2022) studied long-term migration processes in the EU, Turkey and Kazakhstan, paying particular attention to the interaction between foreign policy elites on migration agreements and the new phenomenon of migration flows of Russians and Ukrainians. The researcher points out the need for international policy coordination to address migration-related issues.

The security aspects and mechanisms of regulating irregular migration have been thoroughly studied by a number of scholars. A. Khamzin *et al.* (2023) conducted a comprehensive analysis of the situation with human trafficking in Kazakhstan, identifying gaps in the legal and law enforcement aspects. The researchers offered comprehensive proposals for strengthening the protection of the rights of victims of human trafficking and emphasised the need to introduce special anti-trafficking legislation. D.K. Aldabergenov *et al.* (2024) conducted a comprehensive analysis of Kazakhstan's migration policy, identifying three key stages of its development: the first (1991-2000) was characterised by the deterioration of the socio-economic situation after the collapse of the Union of Soviet Socialist Republics, the second (2001-2010) by economic growth and dynamic reforms, and the third (2011-2022) by the impact of globalisation and external factors. The authors found that in order to effectively manage migration, a number of measures need to be implemented, including the expansion of educational infrastructure, the formation of an ecosystem of knowledge centres, visa support for in-demand professions, and the regulation of ethnic migration. The researchers paid special attention to the importance of a balanced approach to internal migration to ensure the even development of all regions of the country.

Y. Dandurand and J. Jahn (2020) critically analyse the limitations of the existing international legal framework for combating human trafficking and illegal migration. The

authors argue that the legal distinction between migrant smuggling and human trafficking has proved inadequate as a basis for international cooperation. They also emphasise the need to rethink the concepts of irregular migration and develop human rights-based approaches. An important contribution to understanding the mechanisms of regulating irregular migration is the study by F.X. Priyono and A.P. Sudiro (2020), which, although focused on the region of Indonesia and Malaysia, provided valuable insights into the importance of establishing specialised judicial institutions and developing international cooperation in addressing irregular migration. Their experience can be useful for improving Kazakhstan's regulatory system. In general, the researchers have created a comprehensive understanding of the transformation of migration processes in Central Asia, including the role of Kazakhstan as a new regional migration hub, and proposed different approaches to migration regulation. However, there is still a lack of systematic analysis of the interrelationships between different aspects of migration and their impact on the country's socio-economic development in the new geopolitical environment.

The purpose of the study was to reveal the peculiarities and problems of illegal migration in the Republic of Kazakhstan, to determine its impact on the socio-economic development of the country and to provide a legal analysis of the existing legislation in the field of state regulation of migration processes. The objectives of the study were:

- 1) to study the institutional and legal support of migration processes in Kazakhstan, identify gaps in the legislation and identify areas for its improvement to combat illegal migration;
- 2) to establish the relationship between irregular migration and the shadow economy of Kazakhstan, to determine the impact of irregular labour migration on the economic development and social stability of the country;
- 3) to reveal the socio-economic problems of irregular migrants and their impact on the regional development of Kazakhstan, to propose ways to improve the state migration policy.

### Materials and methods

The methodological basis of the study was a comprehensive combination of general scientific and special methods of scientific knowledge. The conceptual basis of the study was formed by the theory of migration security, which considers irregular migration as a multidimensional phenomenon with systemic challenges for the socio-economic and political stability of the state. Within this theory, special attention was paid to the study of the relationship between migration processes and national security, which allowed the research to be structured around three key aspects: legal regulation, economic impact and social consequences of irregular migration. The theoretical and methodological toolkit also included an institutional approach that provided an analysis of the transformation of formal and informal institutions in the field of migration regulation, and the concept of social integration to study the processes of migrants' adaptation in the host society.

The systemic approach made it possible to consider irregular migration as a holistic phenomenon in the interconnection of its components. This method was used to analyse the interaction of various state institutions in the field of migration control and to identify systemic shortcomings in the coordination of their activities. The structural-functional method was used to study the institutional architecture

of the state regulation of migration processes, in particular, when analysing the provisions of the Resolution of the Government of the Republic of Kazakhstan No. 961 "On Approval of the Concept of Migration Policy of the Republic of Kazakhstan for 2023-2027" (2022) and Resolution of the Government of the Republic of Kazakhstan No. 589 "On Approval of the Comprehensive Action Plan to Combat the Shadow Economy for 2023-2025" (2023). The use of this method was effective in determining the functional links between different elements of the migration control system and identifying institutional gaps in the mechanisms for combating illegal migration.

The statistical method was used for quantitative analysis of migration flows. It was used to process the data of the International Organisation for Migration (2021; 2023; 2024a; 2024b; 2024c) on the dynamics of border crossings, which showed an increase in migration flows from 7.5 million people in 2022 to 8.2 million in 2023. The statistics of the United Nations Population Division (2024) was also analysed, which allowed determining the structure of migration flows by country of origin: citizens of the Russian Federation (68%), Ukraine (9%), and Uzbekistan (7%). Additionally, the data of ReliefWeb (2024a; 2024b) on the dynamics of entries and exits in the first half of 2024 were processed, which showed an increase of 15-20% compared to the previous year. The comparative legal method was used to compare Kazakhstan's national legislation with international standards in the field of migrant protection (International Centre for..., 2024; United Nations Population..., 2024). It was used to compare the provisions of the laws and other legal acts with the requirements of Convention of the International Labour Organisation No. 143 "Migrant Workers (Supplementary Provisions) Convention" (1975).

The source base of the study is formed by official documents of three levels, which provided a comprehensive analysis of the problem of illegal migration in Kazakhstan. At the international level, the key sources were: regular reports of the International Organisation for Migration (2021; 2024a), which contain a detailed analysis of migration trends in Central Asia with a special focus on Kazakhstan; analytical materials of the International Centre for Migration Policy Development (2024), which cover regional aspects of migration processes. Of particular value for the study are the annual reports of United Nations Population Division (2024), which provide up-to-date statistical information on global migration trends and their impact on the socio-economic development of countries.

The national level of the source base is represented by a wide range of legal acts and policy documents of Kazakhstan. Of fundamental importance are: Law of the Republic of Kazakhstan No. 477-IV "On Migration of Population" (2011), which defines the basic principles of the state's migration policy; Criminal Code of the Republic of Kazakhstan (2014), which establishes responsibility for organising illegal migration; Resolution of the Government of the Republic of Kazakhstan No. 961 "On Approval of the Concept of Migration Policy of the Republic of Kazakhstan for 2023-2027" (2022); Resolution of the Government of the Republic of Kazakhstan No. 589 "On Approval of the Comprehensive Action Plan to Combat the Shadow Economy for 2023-2025" (2023). Resolution of the Government of the Republic of Kazakhstan No. 990 "On Approval of the State Programme for the Development of Regions for 2020-2025" (2019), and Law of the

Republic of Kazakhstan No. 216-IV “On Refugees” (2009), which reveal various aspects of state policy on migration regulation, were analysed.

The comparative analysis of national and international legislation was carried out by comparing the provisions of the main national legal acts of Kazakhstan with international standards. In particular, the author analyses the compliance of the provisions of Law of the Republic of Kazakhstan No. 477-IV “On Migration of Population” (2011) with the requirements of Convention of the International Labour Organisation No. 143 “Migrant Workers (Supplementary Provisions) Convention” (1975) concerning the Protection of the Rights of Labour Migrants and the Suppression of Illegal Migration. The article examines the implementation of the recommendations of international organisations (International Organisation for Migration, 2024b; United Nations Population..., 2024) in Resolution of the Government of the Republic of Kazakhstan No. 961 “On Approval of the Concept of Migration Policy of the Republic of Kazakhstan for 2023-2027” (2022) and the “Comprehensive Action Plan to Combat the Shadow Economy” (Government of the Republic of Kazakhstan, 2023). Particular attention was paid to the analysis of the provisions of Law of the Republic of Kazakhstan No. 216-IV “On Refugees” (2009) for compliance with international standards for the protection of the rights of refugees and asylum seekers, as defined in the analytical materials of the International Centre for Migration Policy Development (2024) study. This comprehensive approach allowed us to identify the main gaps in national legislation and suggest ways to improve it in line with international standards.

The departmental level of materials includes statistical data and analytical documents of the relevant ministries and agencies of Kazakhstan. In particular, the annual reports and operational statistics of the Ministry of Internal Affairs on detected violations of migration legislation (International Organisation for Migration, 2024c), analytical materials of the Ministry of Labour and Social Protection of the Population on the situation on the labour market and employment of foreign nationals were used (Zhakupova named the..., 2024). An important source of information was the data of the Border Guard Service of Kazakhstan on border crossings, which allowed us to track the dynamics and structure of migration flows.

## Results

**Illegal migration: Challenges and security threats.** Illegal migration in the Republic of Kazakhstan is a multidimensional phenomenon that encompasses economic, social and political aspects and at the same time poses potential threats to national security. According to the International Organisation for Migration, more than 8.2 million people crossed the border of Kazakhstan in 2023 alone, compared to approximately 7.5 million in 2022 (International Organisation for Migration, 2024a). A significant proportion of newcomers remain in the country in violation of the terms of their legal status, forming a significant contingent of irregular migrants. In most cases, they are deprived of social protection guarantees and do not have access to formal legal mechanisms. This situation increases the risks of these people falling into criminal structures involved in human trafficking, illegal border smuggling or extortion for resolving issues with documents.

Kazakhstan’s geopolitical position as a “bridge” between Asia and Europe makes it a significant transit country for global migration flows. According to ReliefWeb (2024a; 2024b), in the first half of 2024, the number of entries and exits increased by an average of 15-20% compared to the previous year. On the one hand, open borders and simplified crossing procedures are in line with the global trend of mobility and the principles of freedom of movement. At the same time, the scale of migration processes in Kazakhstan is the largest among all Central Asian countries. According to United Nations Population Division (2024), as of mid-2020, there were about 3.7 million international migrants in the country. An analysis of the structure of migration flows shows that the bulk of them are citizens of the Russian Federation (68% or 3.8 million people), Ukraine (9% or 515 thousand people) and Uzbekistan (7% or 380 thousand people). This concentration of international migrants creates additional challenges for the country’s public administration and social infrastructure. On the other hand, it increases the challenges for the border control system and law enforcement agencies, which have to balance security with respect for fundamental human rights.

The transit aspect of migration remains equally relevant: Kazakhstan plays a key role in one of the most significant migration corridors in the world – Central Asia – Russian Federation. A detailed analysis of the legal framework reveals critical shortcomings in the regulation of transit migration. Firstly, Law of the Republic of Kazakhstan No. 477-IV “On Migration of Population” (2011) does not clearly define the concept of “transit migrant” and does not establish special procedures for their registration, which creates legal uncertainty in the exercise of migration control. Secondly, the existing regulations do not provide for an effective mechanism for verifying the stated purpose of entry and further tracking the actual route of movement of foreigners through the country. The lack of an automated data exchange system between the Border Guard Service and the Migration Police is particularly acute, making it difficult to identify individuals who violate the declared transit period. An additional challenge is the limited legal framework for readmission: as of 2024, Kazakhstan has concluded relevant agreements with only five states, while the main flows of irregular migration are directed to a much wider range of countries. The absence of comprehensive readmission agreements with the EU is particularly noticeable, which significantly reduces the effectiveness of countering illegal transit. According to the Ministry of Internal Affairs of the Russian Federation, as of 2020, this corridor covered approximately 6.6 million international migrants from Central Asia (International Organisation for Migration, 2021). At the same time, a number of irregular migrants consider Kazakhstan as an intermediate transit point on their way to the Russian Federation or the EU, avoiding official border crossing points, which creates additional challenges for the border control system. The transit nature of migration has become particularly pronounced since the start of Russia’s full-scale invasion of Ukraine on 24 February 2022. Kazakhstan became one of the main destinations for Russian citizens leaving the country due to the hostilities and mobilisation. According to official data from the Ministry of International Affairs of Kazakhstan (International Organisation for Migration, 2024c), by the end of October 2022, about half a million Russian citizens had entered the country, a significant number of whom remained in the

country. This large-scale influx of migrants has put additional pressure on the housing market, social infrastructure and administrative services, especially in large cities.

The legal regulation of migration in Kazakhstan is based on Law of the Republic of Kazakhstan No. 477-IV “On Migration of Population” (2011), which defines the procedure for obtaining entry and employment permits by foreigners, as well as the competence of state bodies in the field of migration policy. However, an analysis of this Law shows that it focuses on mechanisms of legal employment and control over foreign workers, while it lacks a clear description of procedures for detecting illegal migrants and stricter rules on employers’ liability for using unregistered labour. Criminal Code of the Republic of Kazakhstan (2014) (Article 394) provides for criminal liability for organising illegal migration, but the difficulty of proving “intent” and the lack of coordinated inspections covering all stages of shadow schemes complicate the practical application of this provision.

Additional migration policy guidelines are contained in Resolution of the Government of the Republic of Kazakhstan No. 961 “On Approval of the Concept of Migration Policy of the Republic of Kazakhstan for 2023-2027” (2022), which provides for reform of migration legislation and strengthening of cooperation with other states. The document focuses on the use of modern border control technologies (in particular, Smart Borders (European Commission, 2024)) and the development of bilateral readmission agreements. However, its provisions on social and legal protection of irregular migrants (or those in a vulnerable situation) are formulated in a rather general way and do not contain clear implementation mechanisms, including the level of funding and distribution of powers between different agencies.

The socio-economic conditions in the countries of origin of migrants, such as Uzbekistan, Tajikistan and Kyrgyzstan, contribute significantly to the formation of irregular migration flows to Kazakhstan. Economic crises, high unemployment, and limited access to quality education and healthcare force many to seek better living conditions abroad. In Tajikistan, for example, the lack of industrial enterprises and low wages means that most people depend on earnings outside the country, and climate change, such as droughts, is exacerbating the situation. Kazakhstan, with a more stable economy and better access to health and social services, is becoming an attractive destination, but the complexity of legalisation procedures often forces migrants to work illegally, increasing their vulnerability to exploitation (Babagaliyeva *et al.*, 2017). This demonstrates the need for regional cooperation to reduce socio-economic tensions in countries of origin and facilitate legal migration. According to the International Organisation for Migration (2024), approximately half of migrants who violate the migration regime do so to find work in construction, trade or agriculture, where informal employment is high. The lack of sufficient social guarantees and control by the state leads to increased marginalisation of these individuals and increases the risk of criminalisation. The available statistics demonstrate the scale of this problem: in the five border regions of Kazakhstan, every fourth case of bringing to administrative responsibility in 2023 was related to violations of migration legislation, while in 2021 this figure did not exceed 15% (Migration data in..., 2025). This indicates a rapid increase in the number of offences in the migration sphere and the need to strengthen control over compliance with migration legislation.

In addition, Kazakhstan has not yet ratified Convention of the International Labour Organisation No. 143 “Migrant Workers (Supplementary Provisions) Convention” (1975), which aims to set standards to ensure the rights of migrants in cases where they find themselves outside the legal framework. The absence of international commitments complicates the process of developing effective mechanisms for social protection and integration, which is especially noticeable in border areas where numerous people are in the “grey zone”: without official registration and without access to basic social services.

Another government document that addresses the related topic of detecting illegal economic activity is Resolution of the Government of the Republic of Kazakhstan No. 589 “On Approval of the Comprehensive Action Plan to Combat the Shadow Economy for 2023-2025” (2023). As the shadow economy and illegal migration are often interrelated, the measures in this Plan may help to identify cases of exploitation of foreigners coming to Kazakhstan in search of work. However, the legal assessment of the document shows that the emphasis is mainly on tax aspects and the problem of access to legal aid for irregular migrants, as well as sanctions against employers who systematically violate the law, remains insufficiently detailed.

Overall, the risks associated with irregular migration go beyond domestic policy and have a regional and international dimension. According to analytical data from the International Centre for Migration Policy Development (2024), Kazakhstan has been experiencing increased migration pressure from Central and South Asian countries in recent years, which requires effective border control, an extensive monitoring system, and real human rights protection mechanisms at the national level. The lack of legal certainty for migrants may lead to further criminalisation of these individuals and increased interethnic tensions in border regions that already lack social infrastructure.

Thus, the problem of irregular migration in Kazakhstan is complex and requires a multi-stage response. Strengthening border control measures, coordinating the actions of various ministries and agencies, ratification of international labour and human rights conventions, and establishing readmission mechanisms are all part of a unified approach to ensuring the safety and protection of the rights of persons who find themselves outside the legal framework. As for the ratification of Convention of the International Labour Organisation No. 143 “Migrant Workers (Supplementary Provisions) Convention” (1975), it can significantly strengthen the protection of migrants’ rights in Kazakhstan by integrating international labour and human rights standards into national legislation. It ensures equality of opportunity and non-discrimination of migrants in access to employment, working conditions, social protection and legal aid. In particular, it obliges the state to develop mechanisms to detect and combat forced labour and human trafficking, including the establishment of monitoring bodies, improvement of registration procedures for labour migrants and introduction of transparent mechanisms for obtaining work permits. In addition, the ratification helps to ensure access to legal protection, including the ability of migrants to challenge illegal actions of employers, and expands international cooperation in the field of readmission, joint monitoring of migration flows and information exchange. It creates the preconditions for the professional integration of migrants

through professional development and social adaptation programmes, which reduces the risks of social tension and facilitates the integration of migrants into the host society. It is also important to inform potential migrants about the risks of illegal stay, to improve the skills of migration authorities and to introduce new monitoring technologies. Only by combining these measures will Kazakhstan be able to strengthen its resilience to global challenges and at the same time maintain its status as a responsible member of the international migration community.

An important step in this direction is Kazakhstan's participation in the Eurasian Economic Union, where the country is one of the founding members. The Eurasian Economic Union has created a progressive system of protection of labour migrants' rights, which provides for full social protection of workers, including medical care, mutual recognition of educational documents without additional procedures, and legal guarantees for the education of children of labour migrants on an equal footing with local residents. Of particular importance is the simplification of administrative procedures – Eurasian Economic Union citizens are exempt from the need to fill out a migration card and register in the country of employment if their stay does not exceed 30 days. Such mechanisms contribute to the legalisation of labour migration and reduce the risk of violations of migrants' rights.

**Growth of the shadow economy and problems of social protection of labour migrants.** Irregular labour migration is one of the key factors behind the expansion of the shadow sector in the economy of the Republic of Kazakhstan, as a significant number of foreigners who officially enter the country for employment end up outside the formal employment and proper legal protection. According to the Ministry of National Economy, the overall level of the shadow economy in 2021 exceeded 19% of GDP, with the construction, agriculture, trade and small business sectors being the most vulnerable to informal employment. According to the International Organisation for Migration (2024a), the share of foreign workers who initially arrive legally but then move into the irregular segment remains quite high, mainly due to a lack of information on procedures for extending permits, the lack of social protection, and the risk of penalties in case of overstaying documents. This results in so-called “unregistered labour migration”, where labour relations are actually conducted without formal contracts, no tax deductions are made, and workers do not have access to health insurance or pension contributions. The scale of migration processes is confirmed by recent statistics. According to the Border Guard Service of Kazakhstan (International Organisation for..., 2024b), 3.5 million migrants left the country in the fourth quarter of 2023 alone. Most of them went to Uzbekistan (1.5 million people), Kyrgyzstan (746,000 people) and the Russian Federation (678,302 people). Such intensity of migration flows indicates that Kazakhstan is deeply integrated into regional migration processes and highlights the need to improve mechanisms for controlling the movement of labour resources.

The legal framework governing the employment of foreigners in Kazakhstan, despite the existence of key documents such as the Labour Code of the Republic of Kazakhstan (2015) and Law of the Republic of Kazakhstan No. 477-IV “On Migration of Population” (2011), has significant gaps in terms of control and punishment for illegal employment. The Labour Code defines general conditions for concluding

an employment contract, including occupational health and safety requirements, but does not provide for mechanisms to verify the legality of foreigners' employment. For example, the document does not contain provisions on mandatory registration of foreign workers in state registers, which makes it difficult to control their status. In turn, Law of the Republic of Kazakhstan No. 477-IV “On Migration of Population” (2011) defines the procedure for obtaining work permits and quotas for the employment of foreigners, but does not contain requirements for regular reporting by employers on legal employment. This creates conditions for entrepreneurs who use illegal labour to avoid liability. Sanctions for illegal employment are enshrined in Code of the Republic of Kazakhstan on Administrative Offences (2014), where fines for individuals can reach 50 monthly calculation units and for legal entities up to 500 monthly calculation units depending on the number of illegal workers. However, these sanctions often remain on paper due to insufficient coordination between the tax authorities, migration police and labour inspectorate. The absence of automated systems for registering workers makes it difficult to detect violations, and poor enforcement of inspections contributes to employer impunity.

From a socio-economic perspective, irregular labour migration has a negative impact on the entire employment system. First, it creates a non-competitive environment for official businesses, which are forced to comply with labour and tax regulations, while “shadow” employers gain short-term benefits from lower labour costs. Secondly, it is becoming more difficult to accurately record the labour force in state statistics, which hinders labour market planning and the development of comprehensive economic development programmes. Third, there is a growing threat of exploitation of foreign workers: according to the Ministry of Labour and Social Protection, up to 40% of complaints from foreigners' concern non-payment of wages or forced termination of employment, and in most cases, they do not have any written contract (Zhakupova named the..., 2024). Accordingly, victims are practically unable to defend their rights in court or claim compensation, as their illegal status threatens them with deportation, and employers themselves usually believe that employees will not appeal to the authorities for fear of administrative punishment.

Irregular migration also has a significant impact on the health and education systems, which is manifested in increased pressure on state resources and limited access to basic services for migrants themselves (Miliienko, 2023). In the healthcare sector, migrants without official status are usually deprived of health insurance, forcing them to seek emergency care. This leads to increased costs for hospitals, which are obliged to provide basic care without payment. At the same time, migrants avoid going to doctors for fear of exposure, making them vulnerable to serious diseases that can spread among the population. Doctors also note that the lack of preventive programmes for migrants makes it difficult to fight infectious diseases such as tuberculosis or viral hepatitis (International Organisation for..., 2024a). In the field of education, children of labour migrants often do not attend school due to lack of necessary documents or fear of deportation of their parents. This contributes to social exclusion and creates obstacles for the further development of these children. Schools in the border regions where most migrants arrive face a lack of resources to integrate children into the educational process, in particular, there are no specialised

programmes for learning the state language or adaptation courses. For adult migrants, the situation is even more complicated: educational opportunities, such as vocational training or advanced training courses, are virtually non-existent,

making it impossible for them to integrate into the formal labour market. A detailed analysis of the main aspects of the shadow economy and irregular labour migration in Kazakhstan for the period 2021-2024 is presented in Table 1.

**Table 1.** Items under which non-current assets are recognised in the balance sheet

Indicator	Value/Data	Comment
Share of the shadow economy in GDP	19% (2021)	The high proportion demonstrates a significant level of informal economic relations in the country
Industries with the highest share of illegal employment	Construction, agriculture, trade, small business	These industries are characterised by a low level of control by government authorities
Number of illegal migrant workers	Estimate: 300,000-500,000 people	A significant portion of migrant workers do not have official status due to the complexity of document processing
Average time spent in illegal status	6-18 months	Many workers remain illegally due to the lengthy legalisation process or the disadvantage of official status
Level of complaints from illegal workers to authorities	Up to 40% of cases are related to non-payment of wages or forced dismissal	Illegal status limits opportunities to seek help due to fear of deportation
Main reasons for illegal employment	Lack of information, difficulty in legalisation, fear of penalties, lack of employer control	These factors contribute to the transition of workers into the “grey” zone of the economy
Budget losses due to shadow employment	≈ USD 1.5-2 billion annually	The main reason is non-payment of taxes and social contributions
Availability of social guarantees for illegal workers	Lack of access to health insurance, pension savings and compensation in case of injuries	Social guarantees are practically unavailable to illegal workers
Penalties for employers for illegal employment	USD 200-5000 depending on the scale of the violation	Actual cases of fines being imposed are rare due to weak control and the difficulty of proving violations
State initiatives for de-shadowing	Resolution of the Government of the Republic of Kazakhstan No. 589 “On Approval of the Comprehensive Action Plan to Combat the Shadow Economy for 2023-2025” (2023)	Includes modernisation of employee accounting systems, strengthening tax control and enterprise inspections
Availability of ratification of international agreements	Kazakhstan has not ratified Convention of the International Labour Organisation No. 143 “Migrant Workers (Supplementary Provisions) Convention” (1975)	The lack of ratification limits the implementation of standards for the protection of migrant workers

**Source:** created by the authors based on data analysis of B. Davé (2014), International Organisation for Migration (2024a), N.B. Kuttybayeva et al. (2024)

The data presented in the table demonstrate the complex nature of the problem of irregular labour migration in Kazakhstan, where economic, social and legal aspects are closely intertwined. Particularly noteworthy is the imbalance between significant penalties and limited enforcement capacity due to insufficient control, which creates a kind of paradox in the regulatory system. The relationship between the duration of stay in irregular status and the gradual deterioration of the socio-economic situation of migrants is important, as evidenced by the lack of access to basic social guarantees. The causal link between the complexity of legalisation procedures, high risks of sanctions and the tendency of migrants to remain in the shadow sector, which forms a vicious circle of informal employment, is also noteworthy. An analysis of financial indicators, including the amount of fines and budget losses, highlights the significant economic impact of this phenomenon on public finances. Comparison of data on the sectoral concentration of irregular migrants with the rates of appeals to the authorities reveals high-risk sectors and potential points for strengthening control. At the same time, the lack of ratification of key international agreements complicates the implementation of systemic solutions and limits opportunities for interstate cooperation in combating illegal migration.

Another consequence is the growing risk of criminal practices. Criminal Code of the Republic of Kazakhstan (2014) (Article 394) qualifies the organisation of illegal migration as a criminal offence, but the actual exploitation of illegal workers remains largely in the grey economy, where it is difficult to prove the employer’s intent and violation of the employee’s rights. In addition, as already mentioned, Kazakhstan has not ratified Convention of the International Labour Organisation No. 143 “Migrant Workers (Supplementary Provisions) Convention” (1975), which contains principles for the protection of migrants from abuse and calls on states to establish clear guarantees for those in vulnerable situations. Finally, the lack of international legal obligations complicates the development of national mechanisms for legalisation and social support, and reduces the ability to punish systemic exploitation.

In view of this, there are attempts to partially address these shortcomings through Resolution of the Government of the Republic of Kazakhstan No. 589 “On Approval of the Comprehensive Action Plan to Combat the Shadow Economy for 2023-2025” (2023). The Plan considers measures to de-shadow economic transactions and strengthen tax control, which may indirectly help identify employers who illegally engage foreigners. However, an analysis of the Plan’s

provisions shows that there are no specific provisions for bringing offending employers to justice or providing legal assistance to illegal migrant workers. Similarly, the issues of legalisation of those who have been undocumented for a long time but want to come out of the shadows are not sufficiently addressed. On the positive side, the introduction of electronic employee record systems and projects to modernise the mechanism for controlling the issuance of work permits can be considered as a positive development, which will theoretically simplify the exchange of information between the migration police, the State Labour Inspectorate and tax authorities. However, without detailed by-laws or new provisions in Labour Code of the Republic of Kazakhstan (2015) that would provide for direct sanctions for undocumented labour relations and protection of victims of exploitation, the effectiveness of these measures remains questionable.

Non-governmental organisations, trade unions and international institutions make a significant contribution to supporting migrants and combating irregular employment. For example, a Kazakhstani non-governmental organisation, the Migrant Support Centre, provides free legal advice and assistance with submitting documents for legalisation. The activities of such organisations often become the only source of support for migrants who face human rights violations or exploitation. Trade unions, such as the Trade Union of Construction Workers, work to develop simplified employment procedures and establish collective insurance programmes for foreign workers. International organisations, such as the International Labour Organisation, support the government of Kazakhstan in reforming legislation, in particular through recommendations to ratify the Convention of the International Labour Organisation No. 143 “Migrant Workers (Supplementary Provisions) Convention” (1975). Their efforts are aimed at establishing interstate registers of workers and concluding repatriation agreements to address irregular migration (International Organisation for Migration, 2024a).

The problem of social protection, in particular in the area of healthcare and pension savings, becomes particularly acute when it comes to the long-term stay of irregular workers in Kazakhstan. Some of them find opportunities to extend their visas or work permits only formally, but in practice remain “outside” the official market. This situation increases the risk of accidents at work without compensation, lack of sick leave and social guarantees (International Organisation for..., 2024b). In general, the state loses tax revenues, and the workers themselves, having completed their illegal activities, do not receive any pension or the opportunity to defend their rights in the event of a conflict with their employer.

In view of the above, in order to effectively combat irregular labour migration in Kazakhstan, it is necessary to involve key government agencies, including the Ministry of Labour and Social Protection, the Ministry of Internal Affairs (in particular, the Migration Police Department), the Ministry of Finance (fiscal authorities), the State Labour Inspectorate and local executive bodies (akimats). The Ministry of Labour will be responsible for developing by-laws regulating the employment of foreign nationals, including the creation of an electronic register of employment contracts. The Ministry of Internal Affairs will ensure control over compliance with migration legislation through enhanced monitoring and joint inspections with other agencies. The fiscal authorities will integrate information on tax liabilities of employers

and employers into a common digital platform, which will allow for the prompt identification of violations. Local akimats will be responsible for implementing adaptation programmes at the regional level, including language courses and vocational training for migrants.

Digitalisation is a critical component of migration policy reform. It is proposed to create a “Single Migration Portal”, which will include a database on the status of foreign workers, their employment conditions and employer registration. This platform should integrate with automated systems of border control and labour inspections, ensuring prompt data exchange between government agencies. The system should support automatic risk analysis of illegal employment based on big data and artificial intelligence. To increase the transparency of the interaction between employers and employees, an electronic register of labour contracts should be introduced, which will allow fiscal authorities to check compliance with quotas and record contributions to social funds.

To facilitate the legalisation of migrants, it is proposed to introduce training programmes that include language courses, professional retraining and legal awareness training. In particular, training in the basics of labour law and the state language should be available at state employment centres and non-governmental organisations. For those seeking to legalise their status, special adaptation courses could be organised, after which they would receive a work permit. In addition, voluntary repatriation programmes should be developed for irregular migrants, including compensation for return to their country of origin, reintegration support and training to create economic opportunities in their home countries. At the international level, readmission agreements should be concluded with the main countries of origin, such as Uzbekistan, Tajikistan and Kyrgyzstan, to facilitate return procedures. These measures will reduce the level of irregular employment, improve the social integration of migrants and increase the country’s economic transparency.

**Socio-economic problems of illegal migrants as a source of instability in Kazakhstan.** The socio-economic aspects of irregular migration in the Republic of Kazakhstan are manifested primarily in the form of a burden on the labour market, destabilisation of certain sectors of the economy and increased social tensions in the regions where migrants are most concentrated. Although Kazakhstan has demonstrated significant economic growth in recent years, it is increasingly difficult for the country to balance the attraction of skilled professionals with the prevention of uncontrolled flows of low-skilled workers, who often end up in the “shadow” employment segment. In the context of rapid urbanisation, cities and districts bordering neighbouring countries do not always have sufficient infrastructure to integrate migrants into the local labour market. As a result of the lack of access to official employment channels, a significant share of foreigners arriving legally or temporarily lose their legal status and join the ranks of unregistered workers, thus exacerbating structural imbalances and intensifying competition with the local population.

The steady increase in the number of irregular migrants in border and large industrial centres is contributing to the formation of special local communities separated from official institutions. These communities often lack basic living conditions, medical care and security, which leads to an increased risk of crime and the spread of infectious diseases.

According to S. Hasanaj (2024), such ghettos or enclaves of irregular migrants often become a source of interethnic conflict due to the clash of different traditions, customs, and mentalities. Existing state programmes of social adaptation, designed mainly for officially recognised internally displaced persons, do not cover those without formal sta-

tus. This means that the most vulnerable categories of irregular migrants are left without legal or social protection, which increases the risks of human trafficking, exploitation and criminal activity. A comprehensive analysis of the main problems, institutional gaps and their regional implications is presented in Table 2.

**Table 2.** Institutional gaps and regional consequences of irregular migration in the Republic of Kazakhstan

Aspect	Current problem	Institutional gap	Regional influence
Labour market structure	Rapid growth in illegal employment (e.g., day labour in construction and agriculture), which makes it difficult to account for the real size of the labour force	The lack of clear administrative procedures or digital systems for registering migrant workers, forcing many to remain illegal and work informally	Disparities in wages in industries dependent on cheap and flexible labour (in particular, construction, agriculture) cause dissatisfaction among the local population and undermine the conditions of fair competition in border and industrial areas
Infrastructure capacity	Overburdening of utility and transport systems, especially in border cities with a significant influx of migrants (e.g., crowded bus routes, schools operating at capacity)	Limited budget planning and weak coordination between local and regional authorities, leading to insufficient funding for infrastructure expansion	The growing burden on public services (transportation, schools, medical facilities) in rapidly growing industrial centres leads to service disruptions and a decline in the quality of life of local residents
Access to the healthcare system	Migrants often avoid preventive examinations and vaccinations; sometimes the only option for them to receive medical services is to go to emergency rooms	The lack of special mechanisms for health insurance or preferential services for persons without legal status, which makes it impossible for them to regularly receive the necessary assistance	There is an increased risk of the spread of infectious diseases in regions with a significant concentration of migrants, which can overload medical facilities and affect the overall state of public health
Housing market dynamics	The formation of migrant “enclaves” where several families can live in one flat or illegal settlements arise on the outskirts of cities	The lack of temporary housing programs or affordable housing loans for migrants pushes them towards expensive and often informal rental options	Sharp increases in rental prices in certain urban areas and the spread of illegal developments, which exacerbates the shortage of affordable housing for low-income local residents
Fiscal effect	Significant loss of tax revenues due to widespread informal employment of migrants, which reduces the ability to finance socially important areas	The lack of simplified mechanisms for formalising employment relationships, including quick tax registration, keeps migrants in the “shadows”	Reduction of budgets of local governments that do not receive the proper amount of taxes, which affects the quality and accessibility of medical, educational and other public services
Social integration	Migrant communities often live in isolation, have poor language proficiency, and limited contact with the local population, which creates misunderstandings and stereotypes	Lack of structured integration programs (language courses, cultural adaptation, community outreach) that would help migrants better integrate into local society	Deepening interethnic or cultural tensions in communities, where locals may view migrants as competitors for housing, jobs and social services
Regional development	Concentration of migrants in several industrial or economically developed centres (for example, near large enterprises or agricultural regions), which makes it difficult to evenly distribute the population	Lack of effective interregional coordination that would direct migrant flows to regions with real labour needs and ensure more balanced development	Some areas face labour shortages and vacant housing, while others are overcrowded, with rising unemployment and strain on resources and infrastructure
Security management	The proliferation of shadowy “middlemen” or illegal agents who exploit migrants’ vulnerabilities (e.g., offering fictitious documents or employment)	Imperfect or insufficiently implemented legislative procedures for legalising status, which forces migrants to resort to illegal schemes to obtain documents or work	Increasing risk of migrants falling into criminal networks and human trafficking, difficulty in controlling law and order, and increase in illegal intermediary structures

**Source:** created by the authors based on data B. Bokayev *et al.* (2020) and International Organisation for Migration (2021; 2024; 2024c)

The analysis presented in Table 2 reveals the multilevel nature of the impact of irregular migration on the socio-economic stability of Kazakhstan's regions. Particular attention is drawn to the interdependence between structural problems of the labour market and their manifestations at the local level, where informal employment in construction and agriculture creates significant wage disparities and exacerbates social tensions. A critical situation is observed in the infrastructure provision of border towns, where insufficient coordination between levels of government leads to systemic underfunding of basic services. Of particular concern is the situation in healthcare and housing, where the lack of access to preventive healthcare and the formation of residential enclaves poses long-term risks to public health and social cohesion. Fiscal losses from informal employment directly affect the ability of local authorities to provide adequate public services, while the lack of integration programmes exacerbates interethnic tensions in communities. Uneven regional development, manifested in the concentration of migrants in industrial centres, puts additional pressure on local resources and infrastructure, while leaving other regions without the necessary labour force. This complex interaction of problems requires a systematic approach to addressing them, with a particular focus on strengthening institutional capacity and improving interregional coordination.

Based on a comprehensive analysis of the development of Kazakhstan's legislative framework in the field of migration, the article reveals significant shortcomings in the regulatory framework for the social aspects of immigrant integration. The current legislation, represented mainly by scattered sectoral documents, does not provide a systematic solution to the issues of cultural and socio-economic adaptation of foreign citizens. An illustrative example is Resolution of the Government of the Republic of Kazakhstan No. 990 "On Approval of the State Programme for the Development of Regions for 2020-2025" (2019), which did not provide for effective mechanisms for providing housing for persons with irregular legal status. Despite attempts to update approaches, the declared Concept of Rural Development of the Republic of Kazakhstan for 2023-2027 (2022) also does not offer effective tools to address the problems of migrant integration. The declared transition from a sectoral and territorial approach to stimulating the territories' own potential has left the issue of social adaptation of foreigners unaddressed. Additionally, it should be noted that the Concept of Demographic Policy of the Republic of Kazakhstan (2006) contains only declarative provisions on the need for integration of foreigners, without defining specific funding mechanisms and criteria for assessing the effectiveness of adaptation measures. This fragmentation of regulations and the lack of a systematic approach to addressing migration issues create preconditions for growing social tensions, which in the long run could lead to destabilisation of the situation in the region.

On the economic side, mass irregular migration can cause distortions in the housing market and increase rental prices in cities with a large concentration of migrants. At the same time, since illegal workers do not pay taxes and social contributions, the state loses significant funds that could be used to build hospitals, schools or develop infrastructure. The absence of formal employment contracts makes it impossible for migrants to accumulate pension rights and access state social security programmes, which in turn increases poverty and exacerbates social inequality. Irregular employment

makes it impossible to calculate the actual labour needs of regions, and therefore complicates the formation of a rational migration policy (Ostermeier, 2020).

A separate factor is migration from regions affected by political conflicts or economic crises (for example, South Asia and some Middle East republics), where poverty, unemployment, and uncertainty about the future force people to seek asylum in Kazakhstan. The absence of a sustainable system for identifying and differentiating between migrants fleeing conflict and those who deliberately violate migration norms for economic gain creates misunderstandings among local residents. The line between refugees in need of humanitarian protection and illegal labour migrants is blurred. Thus, social tensions and the risk of xenophobia are growing. Formally, the status of refugees or persons in need of complementary protection is regulated by Law of the Republic of Kazakhstan No. 216-IV "On Refugees" (2009), but it does not cover situations where a foreigner arrives in the country for economic reasons, nor does it define operational mechanisms for interaction with countries of origin.

A legal assessment of existing state strategies shows that most programmes are designed to address the consequences of irregular migration (such as increased crime and the shadow economy) without structural integration of such migrants into local society. Resolution of the Government of the Republic of Kazakhstan No. 990 "On Approval of the State Programme for the Development of Regions for 2020-2025" (2019), despite positive developments in the area of simplifying tax procedures and electronic monitoring, does not provide clear algorithms for legalising those seeking to leave the shadow economy. Similarly, Resolution of the Government of the Republic of Kazakhstan No. 961 "On Approval of the Concept of Migration Policy of the Republic of Kazakhstan for 2023-2027" (2022), although it envisages improving border control and developing information systems to manage migration flows, does not contain a clear plan for financing social programmes aimed at improving the living standards of migrants or creating effective integration courses that could facilitate their adaptation and integration into society.

These socio-economic problems of irregular migrants are inextricably linked to instability in certain regions of Kazakhstan and may result in greater threats to state security. Lack of access to basic services, coupled with the inability to protect their rights due to their irregular status, contributes to exclusion and polarisation, while fuelling the illegal activities of intermediaries and criminal networks. In view of this, ensuring effective mechanisms of social integration, streamlining migration control and ratification of key international conventions regulating the rights of labour migrants seem to be urgent tasks. Only with political will and sufficient resources will the Kazakh state be able to turn migration flows into a factor of economic and social growth instead of a source of instability and conflict.

## Discussion

The results of the study show that illegal (irregular) migration in Kazakhstan is becoming increasingly complex and poses a serious challenge to national security and socio-economic development. The observed increase in migration flows from 7.5 million in 2022 to 8.2 million in 2023, as well as the dominance of migrants from the Russian Federation (68%), Ukraine (9%) and Uzbekistan (7%), confirms the

multidimensional nature of processes related to neighbourhood factors, political instability, differences in economic opportunities and new routes formed due to geopolitical tensions. An analysis of the socio-economic consequences confirms that irregular employment has a significant impact on the labour market and budget revenues, as the share of the shadow economy in Kazakhstan is reported to exceed 19% of GDP (Mukhtarova *et al.*, 2024). This aspect coincides with the idea of D. Iskakova *et al.* (2023) that growing migration flows can have a negative impact on both economic activity and the labour market: their study shows an inverse relationship between migration volumes, wages, and overall economic dynamics. At the same time, the study emphasises that the problems lie not only in the quantitative indicators of movements, but also in the quality of integration of migrants, imperfect legislation and lack of coordination between government agencies.

The identified institutional regulation problems confirm the general thesis of A.K. Amrin *et al.* (2020) that in order to effectively manage labour migration, it is necessary to improve cooperation at the international level (in particular, with strategically important countries such as China), as well as to modernise procedures for obtaining work permits. However, while scholars focus on trade and economic partnerships and the formation of a single platform for the exchange of experience, this study highlights the need to develop both mechanisms for social integration and strengthening the legal responsibility of employers to avoid systemic exploitation of migrants. This deepens the discussion, showing that cooperation should take place at several levels: not only at the interstate level (to agree on quotas and agreements), but also at the level of local authorities, which often face direct challenges of uncontrolled employment.

In the context of internal migration, the study found that many foreigners view Kazakhstan as a transit point or a temporary place of residence with the prospect of illegal further movement to other countries. This is partially consistent with the view of A. Islyami (2020), who argues that Kazakhstan is currently undergoing active urbanisation, and a significant number of migrants are concentrated in the largest cities (e.g., Astana). In turn, this study focuses on the risks posed by unregulated flows, as in the absence of clear legal mechanisms or effective border control, a certain percentage of migrants find themselves outside the legal framework. This, in turn, raises the issue of the growth of “enclaves” in megacities, where migrants live in cramped conditions and are deprived of social guarantees, which coincides with the findings of an increased crime rate and a greater burden on urban infrastructure (Kopan & Melnyk, 2024).

In terms of the impact of irregular migration on agricultural regions, the study concluded that the agricultural sector is quite attractive for low-skilled workers from neighbouring countries. At the same time, as A. Murzakulova (2020) notes in the context of Kyrgyzstan and other Central Asian countries, migration can have two effects: it can contribute to poverty reduction, but at the same time block the structural development of agriculture, when the most able-bodied population prefers to leave for seasonal work. E. Pesci and K. Dzhamangulov (2023) deepen this understanding by demonstrating how the limited capacity of public employment services and imperfect vocational training programmes exacerbate the negative effects of labour migration in rural areas. Although the study focused more on the host country

(Kazakhstan), it found that similar conflicts of interest exist here as well: on the one hand, there is a demand for cheap labour, and on the other hand, the lack of clear rules leads to social insecurity for migrants and unequal competition with local workers.

The results of the rapid increase in the number of violations of migration legislation in the border regions (from 15% in 2021 to 25% in 2023) correlate with S. Zhumashbekova *et al.* (2024) thesis that the expansion of migration processes in Central Asia contains not only potential economic benefits but also a set of threats: from social tensions to the spread of criminal practices. At the same time, the study emphasises that effective detection of such violations requires enhanced coordination between migration police, fiscal authorities and labour services, which is still lacking.

Expanding on this line, it can be noted that the assessment of the problem of labour “leaching” from Ukraine and Russia to Kazakhstan (especially highly skilled labour) is consistent with the findings of S.T. Mussina *et al.* (2020) that the state is trying to regulate internal and external flows, but does not always have time to respond to new migration challenges. The negative external migration balance described by the author is not seen as a key threat in the results obtained (as the inflows were monitored), but it was found that uncontrolled flows can still destabilise regions and stimulate the growth of the shadow economy.

The findings on the need to improve policies and programmes to support migrants are in line with G. Kappassova *et al.* (2024), who point out the special role of socio-cultural adaptation and the creation of an appropriate legal framework for immigrants. The study confirms this thesis, as the Comprehensive Action Plan to Combat the Shadow Economy and Resolution of the Government of the Republic of Kazakhstan No. 961 “On Approval of the Concept of Migration Policy of the Republic of Kazakhstan for 2023–2027” (2022) actually lack specific algorithms for legalising long-term migrants who are ready to work officially.

In terms of broader global trends, C. McMichael (2023) findings on the growing climate challenges leading to increased displacement have not yet become a dominant factor in Kazakhstan. However, the results of the study indirectly confirm that if the environmental situation worsens or water shortages in southern Central Asia increase, transit and labour flows to Kazakhstan could become even more massive. This will require Kazakhstan not only to update its migration procedures but also to build a “climate-oriented” reception infrastructure, as the scientist mentions when analysing new risks to people’s health and well-being.

Special attention should be paid to the global trend of temporary migration, as described by N. Piper (2022). The study emphasises that many people come to Kazakhstan ostensibly for a short period of time, and then, due to the difficulty of extending their legal status or the lack of guarantees of return, they get “stuck” in the illegal segment. N. Piper’s (2022) study considers the “three R’s” (recruitment, remittances, return) as the basic elements of temporary migration, which often turn into a source of exploitation. The findings confirm the reality of such “forced transit” or “forced temporary” migration, when migrants themselves find themselves in conditions where the only solution is to work in the shadows without full labour rights. This can indeed fuel “informal” recruitment schemes and corruption mechanisms.

It is equally important to correlate the findings of the study with the observations of A. Davlatbek (2024), who analyses how international law and existing conventions affect the domestic migration policies of Central Asian states. The study found that Kazakhstan has not yet ratified Convention of the International Labour Organisation No. 143 “Migrant Workers (Supplementary Provisions) Convention” (1975), which hinders the development of clear standards for the protection of labour migrants. Thus, once again, we observe a lack of harmonisation with international norms, which the author also points out – international agreements can act as an incentive to create clearer guarantees of migrants’ rights, but they are not always properly implemented.

Turning to domestic policy factors, A. Kultanova *et al.* (2023) findings on the need for comprehensive regulation and transparent solutions in the field of migration suggest that Kazakhstan needs better coordination between governmental, civil society and international structures. The study proves that migration processes are currently accompanied by insufficient control and a lack of transparent legalisation procedures that would allow for effective management of migrant flows.

The study also confirmed the thesis of T.R. Bazarbekov *et al.* (2024), which states that Russia’s full-scale war in Ukraine and the COVID-19 pandemic have significantly affected the volume of migration flows to Kazakhstan – in particular, the arrival of Russian citizens, especially highly qualified IT specialists and entrepreneurs, has increased. The paper notes a sharp increase in migration flows after 2022, which is confirmed by the latest statistics. At the same time, according to the qualitative interviews used by T.R. Bazarbekov *et al.* (2024), even updated migration policy concepts are not able to quickly adapt to new situations when the number of entries is rapidly increasing due to military or political factors.

The issue of criminal schemes and insufficient distinction between migrant smuggling and human trafficking, as discussed by Y. Dandurand and J. Jahn (2020), also proved to be relevant for Kazakhstan, as imperfect legislation and unclear distinctions between different forms of human smuggling increase the risks of abuse and exploitation. Although the study only touched on the issue of human trafficking in passing, it was found that some migrants may be involved in various criminal “chains” (from smuggling to forced labour). These observations are in line with the global criticism expressed by scholars of an inadequate or insufficiently flexible legal framework that fails to keep pace with the dynamics of modern irregular migration.

It is also worth noting that the results confirm what A.A. Abzhapparova (2019) mentions: the migration of young people, in particular students and graduates, has a significant impact on the country’s demographic profile and its future innovation potential. Despite Kazakhstan’s efforts to invite foreign teachers, create scholarships and improve domestic higher education, some young people still prefer to go abroad, and instead, another contingent arrives in the country – migrants with lower income or qualifications, who often find themselves in the “grey zone” of the economy (Sheryazdanova *et al.*, 2024). The study shows that this mismatch between market needs and the actual structure of migration flows can lead to a loss of skilled workers and further strengthening of the shadow sector.

In general, the data obtained indicate that Kazakhstan is still in a transitional stage of formulating a coherent migration policy that can simultaneously ensure national security, respect for human rights and promote economic development. Compared to previous years, migration volumes have increased significantly, transit routes have become more active, and regional political crises have made these flows more unpredictable (Vasechko, 2023). On the one hand, as S. Zhumashbekova *et al.* (2024) show, there are obvious benefits from the inflow of new labour, which contributes to the development of the labour market. On the other hand, the lack of an effective institutional architecture, low standards of social protection, and a lack of integration mechanisms pose risks of criminalisation, the growth of the shadow sector, and interethnic tensions (Aliiev *et al.*, 2024).

Thus, the study shows the complex nature of irregular migration in Kazakhstan and the high sensitivity of this issue to global geopolitical challenges. Comparison of the results with the works of scholars indicates an urgent need for a thorough update of the regulatory framework, intensification of international cooperation and more active social policy towards labour migrants. All of this is a prerequisite for the balanced use of migration potential and, at the same time, protection of the interests of its own citizens.

## Conclusions

This study showed the complex nature of the problem of illegal migration in the Republic of Kazakhstan, in particular its challenges, consequences, and approaches to improving state regulation in the context of ensuring national security and socio-economic stability of the State. In the course of the study, a comprehensive analysis of three interrelated areas was carried out, which allowed for a holistic understanding of the issue. First, the challenges and security threats associated with illegal migration were analysed, which showed a significant increase in migration flows in 2023-2024, with citizens of the Russian Federation (68%), Ukraine (9%) and Uzbekistan (7%) dominating. Secondly, the impact of the shadow economy on the problems of social protection of labour migrants is studied, which revealed significant gaps in the system of their legal protection and access to basic social services. Thirdly, the socio-economic problems of irregular migrants as a source of regional instability were assessed, which demonstrated the formation of separate local communities and the aggravation of interethnic tensions. The research results confirmed the existence of systemic shortcomings in the current legislation, in particular in the Law “On Migration of the Population” and Resolution of the Government of the Republic of Kazakhstan No. 961 “On Approval of the Concept of Migration Policy of the Republic of Kazakhstan for 2023-2027”, which do not provide effective mechanisms to counteract illegal migration and protect migrants’ rights.

The conceptualisation of the results obtained suggests the need to introduce a comprehensive approach to the regulation of migration processes, which should cover legal, economic and social aspects at all levels of government. In the legal dimension, this implies harmonisation of national legislation with international standards, in particular through the ratification of Convention of the International Labour Organisation No. 143 “Migrant Workers (Supplementary Provisions) Convention”, as well as the development of clear mechanisms for legalising migrants and protecting their rights. In the economic aspect, it is necessary to create

transparent conditions for the employment of foreigners, introduce effective mechanisms for monitoring the labour market and increase employers' responsibility for the use of illegal labour. The social dimension requires the development of programmes for the integration of migrants, ensuring their access to basic social services and creating conditions for intercultural dialogue. Of particular importance is the interdependence between imperfect migration legislation, the growth of the shadow economy and increased social tensions in regions with a high concentration of migrants, which requires coordinated action by various government agencies and the introduction of innovative approaches to managing migration processes.

A significant limitation of this study is the lack of complete and verified statistical information on the real scale of illegal migration due to its latent nature. An additional factor that complicated the study was the limited access to data on the results of inspections of enterprises that employ illegal migrants, as well as the lack of systematic

information on the effectiveness of measures to combat illegal migration at the regional level. Promising areas for further research in this area include an in-depth study of the impact of digital transformation on the effectiveness of migration control, a comparative analysis of international experience in legalising labour migrants, research into econometric models for assessing the impact of irregular migration on regional labour markets, and the development of a methodology for assessing the effectiveness of state programmes for the social integration of migrants in the context of global geopolitical challenges.

### Acknowledgements

This research has been funded by the Science Committee of the Ministry of Science and Higher Education of the Republic of Kazakhstan (Grant No. AP23489033).

### Conflict of interest

None.

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## Нелегальна міграція в Казахстані: виклики, наслідки та підходи до вдосконалення державного регулювання

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**Анотація.** Метою дослідження було виявлення ключових проблем та інституційних викликів, пов'язаних з нелегальною міграцією в Республіці Казахстан, а також аналіз підходів до вдосконалення державного регулювання міграційних процесів в контексті забезпечення національної безпеки. Методологічною основою дослідження стали системний підхід, структурно-функціональний метод – для вивчення інституційної архітектури державного регулювання міграційних процесів; порівняльно-правовий метод дозволив порівняти національне законодавство з міжнародними стандартами у сфері захисту прав мігрантів. Дослідження виявило суттєві прогалини в законодавчому регулюванні, серед яких відсутність чітких механізмів виявлення нелегальних мігрантів, недостатність норм щодо відповідальності роботодавців, обмеженість можливостей для легалізації статусу мігрантів. Виявлено системні недоліки в координації між різними державними органами, що знижує ефективність контролю за міграційними потоками. Аналіз продемонстрував відсутність комплексного підходу до соціальної інтеграції мігрантів та недостатній розвиток інфраструктури для їх адаптації, особливо в прикордонних регіонах. На основі проведеного дослідження розроблено комплексні рекомендації щодо вдосконалення міграційної політики, які включають необхідність ратифікації Конвенції Міжнародної організації праці № 143, посилення інституційної координації між міграційними службами, запровадження програм легалізації для окремих категорій трудових мігрантів та створення ефективних механізмів соціальної інтеграції. Запропоновано створити єдину цифрову платформу для обліку та моніторингу міграційних процесів, а також запровадити спеціалізовані навчальні та адаптаційні програми для мігрантів. Обґрунтовано необхідність розробки диференційованого підходу до регулювання міграції залежно від регіональних особливостей та потреб ринку праці. Реалізація запропонованих заходів дозволить знизити ризики, пов'язані з нелегальною міграцією, та забезпечити стабільний розвиток регіонів країни

**Ключові слова:** трудові ресурси; правовий захист; соціальна інтеграція; регіональний розвиток; тіньова зайнятість; міграційний контроль