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# Problems of harmonising the national legislation of the Central Asian States with international standards for combating human trafficking

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## Abstract

The aim of the study was to analyse the degree to which the national legislation of the Central Asian states complies with international norms and standards on combating human trafficking. The research used systemic, formal-legal and comparative-legal methods, which ensured a comprehensive examination of international legal standards and national mechanisms for countering human trafficking. It was established that all countries have formally implemented the triad of elements “act – means – purpose of exploitation” enshrined in the Palermo Protocol, yet the level of institutional implementation of the standards differs significantly. It was found that the most comprehensive model of counteraction has been created in Kazakhstan, Kyrgyzstan and Uzbekistan, where national commissions and victim protection mechanisms operate, whereas in Tajikistan and Turkmenistan, despite the existence of basic regulatory acts, the system of measures for victim protection is characterised by fragmentation and insufficient institutional coordination, which limits the effectiveness of the practical implementation. The study established that the effectiveness of national legislation in the field of combating human trafficking in the Central Asian states differs substantially depending on the degree of institutional cohesion and the quality of victim identification procedures. In Kazakhstan, the number of officially registered victims remains at the level of about two dozen cases annually, whereas in Kyrgyzstan and Uzbekistan it increased by more than 50% in 2021-2023, which reflects heightened institutional sensitivity and improved inter-agency coordination. At the same time, the analysis revealed a low level of “conversion” of identified cases into criminal prosecution – only 10-20% of cases reach the courts, which indicates the need to strengthen the integration of the processes of identification, protection, and justice. The findings of the research can be used to optimise national mechanisms for identifying and protecting victims of human trafficking, including the development of standardised protocols for inter-agency cooperation and the integration of data into official statistics

## Keywords:

international obligations; labour exploitation; criminal prosecution; victim identification; inter-agency cooperation

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## Introduction

In the context of globalisation and intensive transnational migration, human trafficking is becoming a systemic challenge to international security, which makes the problem particularly relevant for the Central Asian states. The region, located at the crossroads of migration routes, simultaneously functions as countries of origin, transit, and destination for victims of exploitation (Office on Drugs and Crime of the United Nations, 2024). However, despite accession to the main international instruments of the United Nations, the practice of the implementation in Kazakhstan, Kyrgyzstan, Tajikistan, Uzbekistan, and Turkmenistan remains inconsistent and fragmented. The vagueness of criminal-law definitions of human trafficking, the absence of unified procedures for victim identification and protection, as well as weak inter-agency coordination, lead to a gap between international obligations and the effectiveness of national counter-trafficking mechanisms.

The analysis of contemporary academic research in the field of combating human trafficking shows that the key issues remain institutional effectiveness, normative harmonisation and international cooperation. A. Akisheva (2025) emphasised the need for deeper implementation of international standards into the national legislation of the Central Asian countries, especially regarding the protection of women and girls from violence. The author noted that, despite the formal accession of states to the main international conventions, the absence of effective mechanisms for institutional adaptation significantly limits the practical impact. This points to a structural problem – insufficient coordination between legislative and executive bodies, which directly affects the process of identifying and protecting victims of human trafficking.

A contribution to the theoretical understanding of global cooperation in the fight against human trafficking was made by A. Akanbi (2020), who showed that international cooperation remains fragmented due to the lack of unified protocols and weak coordination between regional mechanisms. The researcher concluded that, despite the existence of an extensive normative architecture created by United Nations structures and other international institutions, the real effectiveness of these mechanisms depends on the political will of national governments. The author identified a significant gap between declarative obligations and the actual capacities of states in terms of criminal prosecution of offenders and victim protection, which reflects one of the systemic problems of global governance.

The work of A. Bekmagambetov *et al.* (2024) is devoted to the analysis of the adoption of the new Law of the Republic of Kazakhstan No. 110-VIII ZRK “On Combating Human Trafficking”<sup>1</sup> as an important stage

in the development of national legal policy. The authors established that, despite the introduction of modern standards of criminal prosecution and victim protection, the mechanisms for implementing the law are still insufficiently aligned with international protocols. The need is noted for the development of clear procedural regulations, the strengthening of inter-agency cooperation and the conduct of systematic monitoring of law-enforcement practice. A critical perspective on the conceptual foundations of the problem was contributed by R. Broad & N. Turnbull (2024), who argue that interpreting human trafficking through the category of “modern slavery” distorts the legal essence of the phenomenon, reducing it to a moral-political narrative. The authors showed that such rhetoric complicates the work of international actors, who face conceptual and political constraints when forming policy. The study underlines the need for precise legal discourse and institutional clarity to enhance the effectiveness of global governance in this sphere.

In the study by S.R. Gilani *et al.* (2022), the legal mechanisms for countering trafficking in persons and women were examined. The authors found that, despite the existence of international treaties providing basic protection standards, at the national level guarantees for women victims remain inadequate. The research emphasises the importance of integrating human rights organisations into the criminal justice system, which is particularly relevant for the Central Asian states. H.D. Genç (2024) analysed the role of international organisations in the dissemination of legal norms in Central Asia. The author concluded that the process of “norm diffusion” is selective in nature and depends on the degree of political openness and administrative capacity of specific states. The results obtained show that without a stable institutional infrastructure, even the most well-designed international initiatives do not achieve practical results. The work of B.Z. Kyzdarbekova & A.K. Orazbekova (2022) focuses on the criminal-law framework for countering human trafficking in Kazakhstan. The authors revealed gaps in the criminalisation of related forms of exploitation, including forced labour and sexual exploitation, which indicates partial inconsistency between national norms and the provisions of the Palermo Protocol. In addition, the authors noted the absence of unified criteria for victim identification, which leads to a low proportion of cases reaching the courts.

A. Mehra & G. Sharif (2024) concentrate on international cooperation mechanisms, including extradition and information exchange. The researchers concluded that the effectiveness of these mechanisms increases significantly when criminal legislation is harmonised

<sup>1</sup> Law of the Republic of Kazakhstan No. 110-VIII ZRK “On Combating Human Trafficking”. (2024, July). Retrieved from <https://adilet.zan.kz/rus/docs/Z240000110>.

and joint investigation teams are created. The authors argue that only a comprehensive combination of legal, administrative and diplomatic instruments can deliver real results in combating human trafficking. In the study by R. Orlovskiy *et al.* (2023), a criminological analysis of the activities of transnational organised groups engaged in human trafficking was conducted. The authors established those traditional investigative methods do not correspond to the complexity of the organisational structures of such groups, which reduces the effectiveness of law-enforcement agencies. As a solution, the improvement of investigative techniques is proposed, including the use of digital trace analysis and the development of cross-border cooperation. Thus, the review of academic sources shows the existence of significant gaps in the practical implementation of international legal standards for combating human trafficking in the Central Asian states. Insufficient institutional coordination, the absence of unified procedures for victim identification and limited judicial mechanisms remain the most vulnerable elements of the regional system.

The aim of the research was to analyse the degree of harmonisation of the national legal systems of the Central Asian states with international standards for combating human trafficking. The objectives of the study were: to conduct a comparative analysis of the norms of the national legislation of Kazakhstan, Kyrgyzstan, Tajikistan, Uzbekistan, and Turkmenistan in the context of the compliance with the provisions of international instruments regulating the fight against human trafficking; to assess institutional and procedural aspects – the practice of detection, investigation, and prosecution of human trafficking cases; and to identify directions for improving legislation and mechanisms of interstate cooperation in order to ensure compliance with international standards and increase the effectiveness of countering human trafficking in the Central Asian region.

## Materials and Methods

The study of international legal standards for combating human trafficking was based on a comprehensive approach, combining the analysis of regulatory legal acts at universal and regional levels. The systemic

method made it possible to consider human trafficking as a multidimensional socio-legal phenomenon located at the intersection of criminal, labour, migration, and human rights regulation. The formal-legal method was used to analyse the content and structure of key international treaties that laid the foundations of the modern legal regime for combating human trafficking, which established universal standards for the definition of human trafficking, criminal liability and international cooperation in this sphere. In addition, attention was paid to the labour dimension of the problem, reflected in the instruments of the International Labour Organisation, such as the Forced Labour Convention No. 29<sup>1</sup> and the Protocol of 2014 to the Forced Labour Convention<sup>2</sup>, which define states' international obligations to eliminate forced labour and protect the rights of victims. Of substantial importance was also the Worst Forms of Child Labour Convention No. 182<sup>3</sup>, which expanded the legal framework for combating exploitation by enshrining the protection of children from the worst forms of labour as an element of the international system for combating human trafficking.

The comparative-legal method was used to compare the structure and content of national regulatory legal acts with universal international standards, as well as to identify differences in the approaches of the Central Asian states to the criminal-law definition of human trafficking, victim protection measures and preventive mechanisms. Within the framework of the research, the following were analysed: the Law of the Republic of Kazakhstan No. 110-VIII ZRK "On Combating Human Trafficking"<sup>4</sup>, the Law of the Republic of Tajikistan No. 1096 "On Combating Human Trafficking and Providing Assistance to Victims of Human Trafficking"<sup>5</sup>, and the Law of the Republic of Uzbekistan No. ZRU-633 "On Combating Human Trafficking"<sup>6</sup>. These regulatory acts, as well as the Law of the Kyrgyz Republic No. 55 "On the Prevention and Combating of Human Trafficking"<sup>7</sup>, form the basis of national strategies for combating human trafficking.

Furthermore, attention was given to the Law of Turkmenistan "On Combating Human Trafficking"<sup>8</sup>, as well as to the criminal codes of the republics of the

<sup>1</sup> Forced Labour Convention No. 29. (1930, June). Retrieved from <https://www.ohchr.org/en/instruments-mechanisms/instruments/forced-labour-convention-1930-no-29>.

<sup>2</sup> Protocol of 2014 to the Forced Labour Convention. (2014, November). Retrieved from [https://www.un.org/en/development/desa/population/migration/generalassembly/docs/globalcompact/ILO\\_P\\_029.pdf](https://www.un.org/en/development/desa/population/migration/generalassembly/docs/globalcompact/ILO_P_029.pdf).

<sup>3</sup> Worst Forms of Child Labour Convention No. 182. (1999, June). Retrieved from [https://normlex.ilo.org/dyn/nrmlx\\_en/f?p=NORMLEXPUB:12100:0::NO::P12100\\_INSTRUMENT\\_ID:312327](https://normlex.ilo.org/dyn/nrmlx_en/f?p=NORMLEXPUB:12100:0::NO::P12100_INSTRUMENT_ID:312327).

<sup>4</sup> Law of the Republic of Kazakhstan No. 110-VIII ZRK "On Combating Human Trafficking". (2024, July). Retrieved from <https://adilet.zan.kz/rus/docs/Z2400000110>.

<sup>5</sup> Law of the Republic of Tajikistan No. 1096 "On Combating Human Trafficking and Providing Assistance to Victims of Human Trafficking". (2014, July). Retrieved from [https://continent-online.com/Document/?doc\\_id=31598509](https://continent-online.com/Document/?doc_id=31598509).

<sup>6</sup> Law of the Republic of Uzbekistan No. ZRU-633 "On Combating Human Trafficking". (2020, August). Retrieved from <https://lex.uz/ru/docs/4953319>.

<sup>7</sup> Law of the Kyrgyz Republic No. 55 "On the Prevention and Combating of Human Trafficking". (2005, March). Retrieved from <https://cbd.minjust.gov.kg/1650/edition/1213498/ru>.

<sup>8</sup> Law of Turkmenistan "On Combating Human Trafficking". (2016, July). Retrieved from [https://continent-online.com/Document/?doc\\_id=34689902#pos=0;0](https://continent-online.com/Document/?doc_id=34689902#pos=0;0).

region – the Criminal Code of the Kyrgyz Republic<sup>1</sup> and the Criminal Code of the Republic of Kazakhstan<sup>2</sup>, which establish the elements of crimes related to human trafficking. The Criminal Code of the Republic of Uzbekistan<sup>3</sup>, the Criminal Code of the Republic of Tajikistan<sup>4</sup> and the Criminal Code of Turkmenistan<sup>5</sup> were also examined. This approach made it possible to assess the degree of harmonisation of criminal-law norms with the provisions of the Palermo Protocol<sup>6</sup>.

The comparative analysis was carried out on the basis of the following criteria: the existence and content of special articles establishing criminal liability for human trafficking (Article 128 of the Criminal Code of the Republic of Kazakhstan; Article 171 of the Criminal Code of the Kyrgyz Republic; Article 135 of the Criminal Code of the Republic of Uzbekistan; Article 130 of the Criminal Code of the Republic of Tajikistan; Article 129 of the Criminal Code of Turkmenistan); the completeness of implementation of the triad of elements provided for in Article 3 of the Palermo Protocol (“acts – means – purpose of exploitation”); the scope of forms of exploitation enshrined in national legislation (sexual, labour and child exploitation, slavery, removal of organs, etc.); and the existence of specialised institutions and secondary mechanisms ensuring the implementation of criminal-law norms.

## Results

**International legal standards for combating human trafficking.** The evolution of international legal regulation of human trafficking reflects the process by which the global community has come to recognise the complex nature of this phenomenon and the need for its legal regulation at a universal level. The first international agreements concerning human trafficking date back to the late nineteenth – early twentieth centuries, when the problem of the so-called white slave became a matter of broad public and legal concern in Europe and immigration countries. These early agreements were aimed primarily at countering the sexual exploitation of women and girls, while at the same time reflecting the moral-conservative and patriarchal attitudes of the era. The agreements did not

cover other forms of exploitation and viewed human trafficking mainly through the prism of morality and protection of public order rather than from the standpoint of human rights.

After the First World War, the regulation of human trafficking acquired an institutional character within the framework of the League of Nations. The International Convention for the Suppression of the Traffic in Women and Children<sup>7</sup> and the International Convention for the Suppression of the Traffic in Women of Full Age<sup>8</sup> for the first time enshrined international obligations to combat cross-border forms of exploitation and trafficking in women. However, these conventions still maintained a narrow focus on sexual exploitation and prostitution. The application remained limited, and the absence of a unified monitoring mechanism reduced the effectiveness of the implementation of the provisions. In this period, the foundations of international cooperation were laid and the formation of a concept began which recognised the need for criminal prosecution of acts related to the exploitation of human beings.

A new stage in the evolution of international regulation began with the creation of the United Nations, which adopted the Convention for the Suppression of the Traffic in Persons and of the Exploitation of the Prostitution of Others<sup>9</sup>. This instrument became an important step towards systematising international efforts: it established the obligation of states to suppress activities related to the organisation, facilitation, and financing of human trafficking and criminalised the exploitation of the prostitution of others. However, the definition of human trafficking contained in the 1949 Convention was limited and did not include other forms of exploitation such as labour exploitation, the use of forced labour outside the sexual sphere, or the exploitation of children in production or criminal activities. As a result, the instrument became a transitional but not systemic stage in the development of international legal regulation, retaining its orientation towards moral and ethical categories rather than a comprehensive approach to the protection of victims' rights.

<sup>1</sup> Criminal Code of the Kyrgyz Republic. (2017, February). Retrieved from <https://learningpartnership.org/sites/default/files/resources/pdfs/Kyrgyzstan-Criminal-Code-2017-Kyrgyz.pdf>.

<sup>2</sup> Criminal Code of the Republic of Kazakhstan. (2014, July). Retrieved from <https://adilet.zan.kz/rus/docs/K1400000226>.

<sup>3</sup> Criminal Code of the Republic of Uzbekistan. (1994, September). Retrieved from [https://online.zakon.kz/Document/?doc\\_id=30421110&pos=4;-107#pos=4;-107](https://online.zakon.kz/Document/?doc_id=30421110&pos=4;-107#pos=4;-107).

<sup>4</sup> Criminal Code of the Republic of Tajikistan. (1998, May). Retrieved from [https://continent-online.com/Document/?doc\\_id=30397325](https://continent-online.com/Document/?doc_id=30397325).

<sup>5</sup> Criminal Code of Turkmenistan. (1997, June). Retrieved from <https://www.refworld.org/legal/legislation/natlegbod/1997/ru/150185>.

<sup>6</sup> Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children, supplementing the United Nations Convention against Transnational Organized Crime. (2000, November). Retrieved from [https://treaties.un.org/pages/ViewDetails.aspx?src=TREATY&mtdsg\\_no=XVIII-12-a&chapter=18](https://treaties.un.org/pages/ViewDetails.aspx?src=TREATY&mtdsg_no=XVIII-12-a&chapter=18).

<sup>7</sup> International Convention for the Suppression of the Traffic in Women and Children. (1921, September). Retrieved from [https://treaties.un.org/pages/ViewDetails.aspx?src=TREATY&mtdsg\\_no=VII-3&chapter=7&clang=\\_en](https://treaties.un.org/pages/ViewDetails.aspx?src=TREATY&mtdsg_no=VII-3&chapter=7&clang=_en).

<sup>8</sup> International Convention for the Suppression of the Traffic in Women of Full Age. (1933, October). Retrieved from [https://treaties.un.org/pages/ViewDetails.aspx?src=TREATY&mtdsg\\_no=VII-5&chapter=7&clang=\\_en](https://treaties.un.org/pages/ViewDetails.aspx?src=TREATY&mtdsg_no=VII-5&chapter=7&clang=_en).

<sup>9</sup> Convention for the Suppression of the Traffic in Persons and of the Exploitation of the Prostitution of Others. (1949, December). Retrieved from <https://www.ohchr.org/en/instruments-mechanisms/instruments/convention-suppression-traffic-persons-and-exploitation>.

With the adoption of the Palermo Protocol<sup>1</sup>, supplementing the United Nations Convention against Transnational Organised Crime<sup>2</sup>, a universal legal definition of human trafficking was established for the first time. According to Article 3 of the Palermo Protocol, human trafficking is defined through a combination of three elements – acts (recruitment, transportation, transfer, harbouring or receipt of persons), means (threat or use of force, coercion, abduction, fraud, deception, abuse of power or of a position of vulnerability, giving or receiving of payments or benefits) and the purpose of exploitation, which may take the form of sexual exploitation, forced labour or services, slavery or practices similar to slavery, servitude, or the removal of organs. A special rule is established for minors: the fact of consent is irrelevant,

and the use of means of influence is not required, which reflects the priority of child protection in international law.

The Palermo Protocol has become not only the source of the definition of human trafficking but also an instrument for the unification of national legal systems. It obliges States Parties to introduce changes into the national legislation aimed at criminalising human trafficking in all its forms, establishing effective sanctions and creating mechanisms for the protection and rehabilitation of victims. A distinctive feature of the instrument lies in its comprehensive logic expressed in the triad of state obligations – the “3P approach” (Prosecution, Protection, Prevention), which has become the basis of international anti-crime policy in the twenty-first century (Table 1).

**Table 1.** The triad of states’ international obligations to combat human trafficking (3P approach)

Direction	Content	Main measures and instruments
Prosecution	Criminalisation of human trafficking, criminal prosecution of offenders, effective investigation of crimes	Introduction of criminal liability for all forms of human trafficking Development of mechanisms for international cooperation (extradition, mutual legal assistance, exchange of operational information) Ensuring punishment of offenders
Protection	Ensuring the rights and security of victims, preventing re-victimisation	Creation of procedures for identifying victims Ensuring access to justice and to medical, psychological and social assistance Repatriation of victims with observance of the principle of voluntariness
Prevention	Eliminating the causes of human trafficking, reducing population vulnerability	Socio-economic programmes and awareness-raising campaigns Combating poverty, gender inequality, low levels of education and corruption Training civil servants and control over labour migration

**Sources:** Palermo Protocol<sup>3</sup>, United Nations Convention against Transnational Organised Crime<sup>4</sup>

A contribution to the formation of the modern international system for combating human trafficking has been made by the International Labour Organisation, which from its inception has paid attention to issues of forced labour and the exploitation of vulnerable categories of workers. In 1930, the Forced Labour Convention No. 29<sup>5</sup> was adopted, enshrining states’ obligation to prohibit all forms of forced or compulsory labour and to provide for criminal and administrative liability for its use. The Convention became a basic instrument for the protection of labour rights and provided a foundation for the formation of national legislation aimed at combating forced exploitation.

The modern development of the norms of the International Labour Organisation is associated with the adoption of the Protocol of 2014 to the Forced Labour Convention<sup>6</sup>, which strengthened measures to prevent and eliminate new forms of forced labour, including in the context of globalisation and labour migration. The Protocol provides for the obligation of states to identify vulnerable population groups, create systems for the protection and rehabilitation of victims, ensure access to justice and compensatory mechanisms, and to conduct monitoring and evaluation of the effectiveness of national measures. An innovation is the emphasis on a comprehensive approach: not only criminal

<sup>1</sup> Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children, supplementing the United Nations Convention against Transnational Organized Crime. (2000, November). Retrieved from [https://treaties.un.org/pages/ViewDetails.aspx?src=TREATY&mtdsg\\_no=XVIII-12-a&chapter=18](https://treaties.un.org/pages/ViewDetails.aspx?src=TREATY&mtdsg_no=XVIII-12-a&chapter=18).

<sup>2</sup> United Nations Convention against Transnational Organized Crime. (2000, November). Retrieved from [https://treaties.un.org/pages/viewdetails.aspx?src=treaty&mtdsg\\_no=xviii-12&chapter=18&clang=en](https://treaties.un.org/pages/viewdetails.aspx?src=treaty&mtdsg_no=xviii-12&chapter=18&clang=en).

<sup>3</sup> Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children, supplementing the United Nations Convention against Transnational Organized Crime. (2000, November). Retrieved from [https://treaties.un.org/pages/ViewDetails.aspx?src=TREATY&mtdsg\\_no=XVIII-12-a&chapter=18](https://treaties.un.org/pages/ViewDetails.aspx?src=TREATY&mtdsg_no=XVIII-12-a&chapter=18).

<sup>4</sup> United Nations Convention against Transnational Organized Crime. (2000, November). Retrieved from [https://treaties.un.org/pages/viewdetails.aspx?src=treaty&mtdsg\\_no=xviii-12&chapter=18&clang=en](https://treaties.un.org/pages/viewdetails.aspx?src=treaty&mtdsg_no=xviii-12&chapter=18&clang=en).

<sup>5</sup> Forced Labour Convention No. 29. (1930, June). Retrieved from <https://www.ohchr.org/en/instruments-mechanisms/instruments/forced-labour-convention-1930-no-29>.

<sup>6</sup> Protocol of 2014 to the Forced Labour Convention. (2014, November). Retrieved from [https://www.un.org/en/development/desa/population/migration/generalassembly/docs/globalcompact/ILO\\_P\\_029.pdf](https://www.un.org/en/development/desa/population/migration/generalassembly/docs/globalcompact/ILO_P_029.pdf).

prosecution, but also social, economic and educational support for victims, which is consistent with the principles of the “3P approach” of the Palermo Protocol.

International instruments regulating the exploitation of children are also of importance. The Worst Forms of Child Labour Convention No. 182<sup>1</sup> enshrined the concept of child exploitation as one of the forms of human trafficking, including labour exploitation, participation in armed conflicts, sexual violence and forced criminal activities. It provides for states’ obligations to effectively eradicate the worst forms of child labour, to introduce preventive measures, and to ensure the recovery and social reintegration of affected children. The Worst Forms of Child Labour Convention No. 182 in combination with the Palermo Protocol<sup>2</sup> forms the universal normative basis of the global regime for combating human trafficking and establishes a system of state obligations for the prevention, suppression, and punishment of this crime.

Thus, the standards of the International Labour Organisation complement and reinforce the provisions of the Palermo Protocol, ensuring the integration of labour, child and socio-economic aspects into the system of international legal regulation of human trafficking. Taken together, these instruments create a legal and institutional basis for the unification of national legal systems, form a comprehensive approach to the identification and protection of victims and contribute to the establishment of mechanisms of interstate cooperation aimed at eliminating all forms of human exploitation. Effective implementation of these norms requires the harmonisation of national legislation, the development of specialised procedures and monitoring systems, which is particularly relevant for countries with high levels of migration mobility and socio-economic vulnerability of the population, such as the Central Asian states.

**Comparative analysis of the national legislation of the Central Asian states.** The conduct of a comparative analysis of the national legislation of the Central Asian states appears to be a necessary stage of the research in order to assess the degree of implementation of international legal standards in the field of combating human trafficking. Despite

the general declarative support for international initiatives, the states of the region differ in the level of institutional maturity, the availability of specialised strategies and the comprehensiveness of approaches to the protection of victims’ rights (Chu, 2025).

In the Republic of Kazakhstan, the regulation of issues related to human trafficking is carried out by the Criminal Code of the Republic of Kazakhstan<sup>3</sup>, where Article 128 (“Human trafficking”) establishes criminal liability for the recruitment, transportation, transfer, harbouring or receipt of a person for the purpose of exploitation. The notes to the Article clarify that exploitation includes the use of a person for prostitution, forced labour, slavery or other forms of servitude, as well as the removal of organs or tissues. Thus, Kazakh legislation has implemented the key elements provided for in Article 3 of the Palermo Protocol<sup>4</sup>, namely the triad of “acts – means – purpose of exploitation”. In addition, issues of prevention and victim protection are regulated by the Law of the Republic of Kazakhstan “On Combating Human Trafficking”<sup>5</sup>, which provides for the creation of a national coordination mechanism for assisting victims and measures to raise public awareness and train law-enforcement officers.

In the Kyrgyz Republic, provisions aimed at combating human trafficking are enshrined in the Criminal Code of the Kyrgyz Republic<sup>6</sup>, where Article 171 defines human trafficking as the recruitment, transportation, transfer, harbouring or receipt of a person using threats, force, fraud, abuse of power or of a position of vulnerability for the purpose of exploitation. These provisions are also enshrined in the Law of the Kyrgyz Republic No. 55<sup>7</sup>, which establishes the state system of measures for the prevention, detection, and suppression of human trafficking and for the protection and rehabilitation of victims. The Law defines the powers of state bodies, establishes the obligation to develop and implement state programmes in the field of combating human trafficking, regulates issues of interaction between public authorities and international and non-governmental organisations (NGOs), and provides for social protection, temporary shelter and assistance to victims (Imankulov, 2021).

<sup>1</sup> Worst Forms of Child Labour Convention No. 182. (1999, June). Retrieved from [https://normlex.ilo.org/dyn/nrmlx\\_en/f?p=NORMLEXPUB:12100:0::NO::P12100\\_INSTRUMENT\\_ID:312327](https://normlex.ilo.org/dyn/nrmlx_en/f?p=NORMLEXPUB:12100:0::NO::P12100_INSTRUMENT_ID:312327).

<sup>2</sup> Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children, supplementing the United Nations Convention against Transnational Organized Crime. (2000, November). Retrieved from [https://treaties.un.org/pages/ViewDetails.aspx?src=TREATY&mtdsg\\_no=XVIII-12-a&chapter=18](https://treaties.un.org/pages/ViewDetails.aspx?src=TREATY&mtdsg_no=XVIII-12-a&chapter=18).

<sup>3</sup> Criminal Code of the Republic of Kazakhstan. (2014, July). Retrieved from <https://adilet.zan.kz/rus/docs/K1400000226>.

<sup>4</sup> Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children, supplementing the United Nations Convention against Transnational Organized Crime. (2000, November). Retrieved from [https://treaties.un.org/pages/ViewDetails.aspx?src=TREATY&mtdsg\\_no=XVIII-12-a&chapter=18](https://treaties.un.org/pages/ViewDetails.aspx?src=TREATY&mtdsg_no=XVIII-12-a&chapter=18).

<sup>5</sup> Law of the Republic of Kazakhstan No. 110-VIII ZRK “On Combating Human Trafficking”. (2024, July). Retrieved from <https://adilet.zan.kz/rus/docs/Z2400000110>.

<sup>6</sup> Criminal Code of the Kyrgyz Republic. (2017, February). Retrieved from <https://learningpartnership.org/sites/default/files/resources/pdfs/Kyrgyzstan-Criminal-Code-2017-Kyrgyz.pdf>.

<sup>7</sup> Law of the Kyrgyz Republic No. 55 “On the Prevention and Combating of Human Trafficking”. (2005, March). Retrieved from <https://cbd.minjust.gov.kg/1650/edition/1213498/ru>.

Furthermore, Resolution of the Government of the Kyrgyz Republic No. 227<sup>1</sup> approved the National Action Plan to Combat Human Trafficking for 2022-2025, which details mechanisms of inter-agency cooperation and victim protection. Overall, the criminal-law definition of human trafficking complies with international standards; however, the practical implementation of the provisions on victim protection requires institutional strengthening. First, in the Kyrgyz Republic there is no unified inter-agency mechanism for the identification of victims of human trafficking, which leads to under-reported statistics of registered cases and limited access of victims to rehabilitation services. The National Action Plan to Combat Human Trafficking for 2022-2025 envisages the creation of such mechanisms, but the process of the introduction remains fragmented. Secondly, despite the formal enshrining of the right of victims to free legal aid and temporary shelter, in practice these measures are applied to a limited extent due to insufficient funding for specialised centres and the absence of trained personnel in law-enforcement bodies (Bear Trust, 2024).

In the Republic of Uzbekistan, the fight against human trafficking is regulated by the Law of the Republic of Uzbekistan No. ZRU-633 “On Combating Human Trafficking”<sup>2</sup> and Article 135 of the Criminal Code of the Republic of Uzbekistan<sup>3</sup>. The Law provides a comprehensive definition of human trafficking, structured in line with the Palermo Protocol<sup>4</sup>: acts (recruitment, transportation, transfer), means (coercion, fraud, abuse of power) and purposes of exploitation (sexual, labour, slavery, removal of organs). Unlike other states of the region, Uzbekistan has introduced an institutional model of counteraction, providing for The National Commission for Combating Human Trafficking and Forced Labour, which coordinates the implementation of measures on suppression, protection, and

prevention. The Law also directly prohibits the use of forced labour, which is consistent with the provisions of the Forced Labour Convention No. 29<sup>5</sup> and the Protocol of 2014 to the Forced Labour Convention<sup>6</sup>, ratified by Uzbekistan in 2016.

In the Republic of Tajikistan, provisions regulating human trafficking are contained in Article 130 of the Criminal Code of the Republic of Tajikistan<sup>7</sup>, where human trafficking is defined as the recruitment, transportation, transfer, harbouring or receipt of a person for the purpose of exploitation. The definition covers the use of a person in slavery, forced labour, prostitution, armed conflicts and the removal of organs or tissues. In addition, the Law of the Republic of Tajikistan No. 1096 “On Combating Human Trafficking and Providing Assistance to Victims of Human Trafficking”<sup>8</sup> establishes the foundations of state policy in this sphere, including the creation of temporary accommodation centres and the provision of medical and legal assistance to victims.

In Turkmenistan, criminal liability for human trafficking is established in Article 129 of the Criminal Code of Turkmenistan<sup>9</sup>, where human trafficking is understood as acts of recruitment, transportation, transfer or harbouring of a person using fraud, violence, or the threat of violence for the purpose of exploitation. The statutory definition largely reproduces the provisions of the Palermo Protocol<sup>10</sup>, but its application is limited by the absence of detailed secondary legislation and mechanisms of inter-agency cooperation. Turkmenistan has also adopted the Law of Turkmenistan “On Combating Human Trafficking”<sup>11</sup>, which enshrines the principles of cooperation between state bodies and civil society; however, unlike Uzbekistan and Kazakhstan, the legislation does not contain clear provisions on the provision of social and legal assistance to victims (Table 2).

<sup>1</sup> Resolution of the Government of the Kyrgyz Republic No. 227 “On National Action Plan to Combat Human Trafficking for 2022-2025”. (2022, April). Retrieved from <https://cbd.minjust.gov.kg/159175/edition/1164358/ru>.

<sup>2</sup> Law of the Republic of Uzbekistan No. ZRU-633 “On Combating Human Trafficking”. (2020, August). Retrieved from <https://lex.uz/ru/docs/4953319>.

<sup>3</sup> Criminal Code of the Republic of Uzbekistan. (1994, September). Retrieved from [https://online.zakon.kz/Document/?doc\\_id=30421110&pos=4;-107#pos=4;-107](https://online.zakon.kz/Document/?doc_id=30421110&pos=4;-107#pos=4;-107).

<sup>4</sup> Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children, supplementing the United Nations Convention against Transnational Organized Crime. (2000, November). Retrieved from [https://treaties.un.org/pages/ViewDetails.aspx?src=TREATY&mtdsg\\_no=XVIII-12-a&chapter=18](https://treaties.un.org/pages/ViewDetails.aspx?src=TREATY&mtdsg_no=XVIII-12-a&chapter=18).

<sup>5</sup> Forced Labour Convention No. 29. (1930, June). Retrieved from <https://www.ohchr.org/en/instruments-mechanisms/instruments/forced-labour-convention-1930-no-29>.

<sup>6</sup> Protocol of 2014 to the Forced Labour Convention. (2014, November). Retrieved from [https://www.un.org/en/development/desa/population/migration/generalassembly/docs/globalcompact/ILO\\_P\\_029.pdf](https://www.un.org/en/development/desa/population/migration/generalassembly/docs/globalcompact/ILO_P_029.pdf).

<sup>7</sup> Criminal Code of the Republic of Tajikistan. (1998, May). Retrieved from [https://continent-online.com/Document/?doc\\_id=30397325](https://continent-online.com/Document/?doc_id=30397325).

<sup>8</sup> Law of the Republic of Tajikistan No. 1096 “On Combating Human Trafficking and Providing Assistance to Victims of Human Trafficking”. (2014, July). [https://continent-online.com/Document/?doc\\_id=31598509](https://continent-online.com/Document/?doc_id=31598509).

<sup>9</sup> Criminal Code of Turkmenistan. (1997, June). Retrieved from <https://www.refworld.org/legal/legislation/natlegbod/1997/ru/150185>.

<sup>10</sup> Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children, supplementing the United Nations Convention against Transnational Organized Crime. (2000, November). Retrieved from [https://treaties.un.org/pages/ViewDetails.aspx?src=TREATY&mtdsg\\_no=XVIII-12-a&chapter=18](https://treaties.un.org/pages/ViewDetails.aspx?src=TREATY&mtdsg_no=XVIII-12-a&chapter=18).

<sup>11</sup> Law of Turkmenistan “On Combating Human Trafficking”. (2016, July). Retrieved from [https://continent-online.com/Document/?doc\\_id=34689902#pos=0;0](https://continent-online.com/Document/?doc_id=34689902#pos=0;0).

**Table 2.** Adaptation of international standards for combating human trafficking (3P approach) in the national legislation of the Central Asian states

State	Prosecution	Protection	Prevention
Kazakhstan	Criminal liability is enshrined in Article 128 of the Criminal Code; the definition corresponds to the structure "act – means – purpose of exploitation"; sanctions are introduced for trafficking in organs and forced labour	The Law of the Republic of Kazakhstan No. 110-VIII ZRK establishes the creation of a national coordination mechanism for assisting victims and guarantees access to shelters and free legal aid	Educational and media campaigns are envisaged, staff training is conducted; measures to reduce the vulnerability of migrants are included
Kyrgyzstan	Article 171 of the Criminal Code fully reflects the triad of elements; punishment covers labour, sexual and child exploitation and the removal of organs	Protection mechanisms are provided for in the National Action Plan to Combat Human Trafficking for 2022-2025, but there is no unified inter-agency identification mechanism or adequate funding for assistance centres	Preventive measures are described in a declarative manner; these measures are implemented selectively with the support of international organisations
Uzbekistan	Article 135 of the Criminal Code and the Law of the Republic of Uzbekistan, No. ZRU-633 implement the provisions of the Palermo Protocol; The National Commission for Combating Human Trafficking and Forced Labour has been established	Temporary accommodation centres and rehabilitation programmes have been introduced; access to legal and medical assistance is ensured	Educational programmes and campaigns to prevent forced labour, especially in the agricultural sector, are actively implemented
Tajikistan	Article 130 of the Criminal Code and the Law of the Republic of Tajikistan No. 1096 provide for criminal liability and define forms of exploitation, including participation in armed conflicts	The Law establishes guarantees of victim protection, including temporary accommodation, medical and legal assistance	National programmes focus on informing the population and preventing labour exploitation of migrants
Turkmenistan	Article 129 of the Criminal Code and the Law of Turkmenistan "On Combating Human Trafficking" enshrine the main elements of the definition of human trafficking in accordance with the Palermo Protocol	General principles of assistance are provided, but detailed procedures and secondary legislation are lacking	Preventive measures are mainly normative and declarative, without systemic implementation

**Source:** compiled by the author based on the Law of the Republic of Kazakhstan No. 110-VIII ZRK<sup>1</sup>, Law of the Republic of Tajikistan No. 1096<sup>2</sup>, Law of the Republic of Uzbekistan No. ZRU-633<sup>3</sup>, Law of Turkmenistan "On Combating Human Trafficking"<sup>4</sup>, Criminal Code of the Kyrgyz Republic<sup>5</sup>, Criminal Code of the Republic of Kazakhstan<sup>6</sup>, Criminal Code of the Republic of Uzbekistan<sup>7</sup>, Criminal Code of the Republic of Tajikistan<sup>8</sup>, Criminal Code of Turkmenistan<sup>9</sup>

Overall, the comparative analysis shows that in all Central Asian states the definition of human trafficking in national criminal law is consistent with the universal definition laid down in the Palermo Protocol<sup>10</sup>, including the triad of elements "acts – means – purpose of exploitation".

Differences in the scope of forms of exploitation covered become apparent when comparing the content of the special articles of the criminal codes of the states of the region. Thus, in Kazakhstan Article 128

of the Criminal Code of the Republic of Kazakhstan, in Uzbekistan Article 135 of the Criminal Code of the Republic of Uzbekistan, and in Tajikistan Article 130 of the Criminal Code of the Republic of Tajikistan enshrine a wide range of forms of exploitation. These include sexual and labour exploitation, use in slavery and servitude, involvement of children in criminal activity and the removal of organs or tissues. Such extended regulation makes it possible to implement the key elements of

<sup>1</sup> Law of the Republic of Kazakhstan No. 110-VIII ZRK "On Combating Human Trafficking". (2024, July). <https://adilet.zan.kz/rus/docs/Z2400000110>.

<sup>2</sup> Law of the Republic of Tajikistan No. 1096 "On Combating Human Trafficking and Providing Assistance to Victims of Human Trafficking". (2014, July). [https://continent-online.com/Document/?doc\\_id=31598509](https://continent-online.com/Document/?doc_id=31598509).

<sup>3</sup> Law of the Republic of Uzbekistan No. ZRU-633 "On Combating Human Trafficking". (2020, August). Retrieved from <https://lex.uz/ru/docs/4953319>.

<sup>4</sup> Law of Turkmenistan "On Combating Human Trafficking". (2016, July). Retrieved from [https://continent-online.com/Document/?doc\\_id=34689902#pos=0;0](https://continent-online.com/Document/?doc_id=34689902#pos=0;0).

<sup>5</sup> Criminal Code of the Kyrgyz Republic. (2017, February). Retrieved from <https://learningpartnership.org/sites/default/files/resources/pdfs/Kyrgyzstan-Criminal-Code-2017-Kyrgyz.pdf>.

<sup>6</sup> Criminal Code of the Republic of Kazakhstan. (2014, July). Retrieved from <https://adilet.zan.kz/rus/docs/K1400000226>.

<sup>7</sup> Criminal Code of the Republic of Uzbekistan. (1994, September). Retrieved from [https://online.zakon.kz/Document/?doc\\_id=30421110&pos=4;-107#pos=4;-107](https://online.zakon.kz/Document/?doc_id=30421110&pos=4;-107#pos=4;-107).

<sup>8</sup> Criminal Code of the Republic of Tajikistan. (1998, May). Retrieved from [https://continent-online.com/Document/?doc\\_id=30397325](https://continent-online.com/Document/?doc_id=30397325)

<sup>9</sup> Criminal Code of Turkmenistan. (1997, June). Retrieved from <https://www.refworld.org/legal/legislation/natlegbod/1997/ru/150185>.

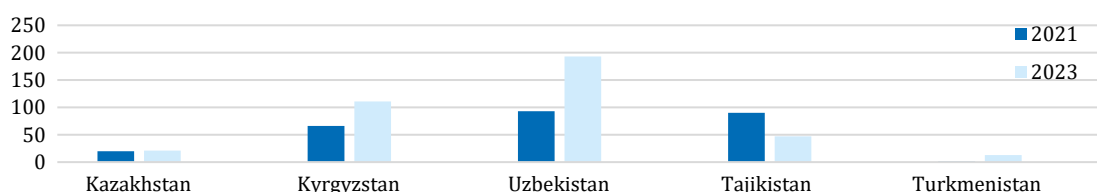
<sup>10</sup> Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children, supplementing the United Nations Convention against Transnational Organized Crime. (2000, November). Retrieved from [https://treaties.un.org/pages/ViewDetails.aspx?src=TREATY&mtdsg\\_no=XVIII-12-a&chapter=18](https://treaties.un.org/pages/ViewDetails.aspx?src=TREATY&mtdsg_no=XVIII-12-a&chapter=18).

Article 3 of the Palermo Protocol<sup>1</sup>, including the structure “acts – means – purpose of exploitation”.

By contrast, the legislation of Kyrgyzstan and Turkmenistan is characterised by a narrower scope. Article 171 of the Criminal Code of the Kyrgyz Republic formally reproduces the triad of elements but covers a limited list of forms of exploitation, focusing mainly on sexual and labour exploitation. Similarly, Article 129 of the Criminal Code of Turkmenistan includes the basic elements of the definition of human trafficking but does not contain detailed references to such forms as the involvement of minors, the removal of organs or exploitation in armed conflicts. This indicates the need for further clarification and expansion of the normative content in order to ensure compliance with international standards. It creates a gap between the formal existence of criminal liability and the actual capacity of state bodies to identify victims, ensure the protection and prevent re-exploitation.

**Institutional and procedural aspects of the implementation of legislation.** The effectiveness of national legislation in the field of combating human

trafficking is determined not only by the degree of its compliance with international standards but also by the specific features of its institutional and procedural implementation. The existence of formally progressive norms does not guarantee the effective application without sustainable mechanisms of inter-agency cooperation, professional training of personnel and adequate resource support. In the Central Asian states, there are significant differences in the level of development of the institutional infrastructure responsible for identifying, protecting and rehabilitating victims of human trafficking and in the effectiveness of procedures ensuring the criminal prosecution of offenders and the prevention of this phenomenon (Izbasova *et al.*, 2021). The effectiveness of national mechanisms for the identification of victims is one of the key indicators of the practical implementation of international legal standards in the field of combating human trafficking. Figure 1 presents the dynamics of the number of officially identified victims of human trafficking in the Central Asian countries for 2021 and 2023.



**Figure 1.** Number of identified victims of human trafficking (officially registered), 2021 and 2023

**Source:** compiled by the author based on Office on Drugs and Crime of the United Nations (2024)

The analysis of the data presented shows three main trends. First, in Kazakhstan there is a stable but low level of victim identification – about two dozen cases annually. Such statistical stagnation indicates limited institutional capacity in the field of primary identification and insufficient inter-agency coordination. Formally, Kazakhstan has an extensive regulatory framework and specialised structures, but the effectiveness of the work remains limited due to resource shortages, fragmented databases and weak integration of NGO efforts into state mechanisms.

Secondly, the dynamics in Kyrgyzstan and Uzbekistan demonstrate an increase in institutional sensitivity to the problem. In Kyrgyzstan, the number of identified victims has doubled, which is associated with active support from international organisations, the introduction of mobile teams and the operation of hotlines. This growth indicates an improvement in the system’s capacity to detect and record previously invisible forms of exploitation, especially internal and labour

exploitation. A similar trend is observed in Uzbekistan, where the number of identified victims more than doubled between 2021 and 2023. This result reflects institutional reforms in the previous years, including the creation of The National Commission for Combating Human Trafficking and Forced Labour, the standardisation of investigation procedures and the expansion of training programmes for social service workers. The increase in statistics in this case should be considered a sign of institutional consolidation rather than an increase in actual criminality. Classic criminological studies emphasise that an increase in the number of registered crimes is often a consequence of improved detection, expansion of the powers of law-enforcement bodies and greater effectiveness of registration procedures. In particular, W.G. Skogan (1977) and D.H. Bayley (1994) stressed that the intensification of law-enforcement activity leads to higher official figures regardless of changes in the real level of crime. At the same time, Tajikistan shows the opposite trend – a significant decrease in the

<sup>1</sup> Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children, supplementing the United Nations Convention against Transnational Organized Crime. (2000, November). Retrieved from [https://treaties.un.org/pages/ViewDetails.aspx?src=TREATY&mtdsg\\_no=XVIII-12-a&chapter=18](https://treaties.un.org/pages/ViewDetails.aspx?src=TREATY&mtdsg_no=XVIII-12-a&chapter=18).

number of officially identified victims. Possible reasons include limited access to vulnerable groups, a reduction in international projects that previously ensured primary identification, and differences in recording methodology (Khamzin *et al.*, 2022). In conditions of resource scarcity and weak coordination between state and non-governmental structures, the real number of victims significantly exceeds the official data. Particular attention should be paid to Turkmenistan, for which reliable and publicly available statistics are lacking. The absence of transparent data does not allow an objective assessment of the effectiveness of national measures and is an indicator of institutional closedness.

Thus, the number of identified victims of human trafficking reflects not so much the prevalence of trafficking as the institutional activity and capacity of the state to recognise and record cases of exploitation. In countries where inter-agency information exchange has been established and standardised identification protocols have been introduced (Uzbekistan, partially Kyrgyzstan), the indicators are higher; where procedures are fragmented or purely formal (Kazakhstan, Tajikistan), statistics remain low or decline. On average in the region, only 10-20% of identified cases progress to the stage of criminal prosecution (Office on Drugs and Crime of the United Nations, 2024). The reasons remain the shortage of trained investigators, the absence of unified protocols of interaction between the police and social services, and the lack of funds for supporting victims during the investigation process.

Consequently, achieving sustainable results requires not only improved detection but also the strengthening of links between identification, protection, and justice. Optimisation of national referral mechanisms, integration of NGO data into official statistics and the development of regional standards for recording victims will make monitoring more comparable and transparent. A scientifically grounded assessment of progress in combating human trafficking is possible only when normative harmonisation is combined with institutional accountability and the regular publication of reliable statistical data, which should become a priority of regional policy and international cooperation.

## Discussion

The results of the conducted research are consistent with the conclusions of A. Akanbi (2020), who emphasised that the effectiveness of international mechanisms to counter human trafficking depends primarily on the degree of legal harmonisation and coordination of actions between states. The author's study notes that despite the existence of universal instruments such as the Palermo Protocol and the United Nations Convention against Transnational Organised Crime, there remains a significant disparity in the level of the implementation. The analysis by A. Akanbi demonstrates that countries with a developed legal system and stable law

enforcement institutions show a higher level of compliance with obligations, whereas states with transition economies face difficulties in implementing provisions on victim protection and international cooperation. The results obtained in this research confirm this conclusion: universal standards create a basis for the unification of legislation, yet the effectiveness is directly linked to the institutional capacity of participating states.

Similar observations are contained in the work of K. Tanwar & S. Mishra (2025), who examined international legal mechanisms for combating the trafficking of women and children. The authors noted that a key weakness of modern anti-crime strategies lies in the imbalance between criminal prosecution and victim protection, particularly in developing countries. The analysis highlights that most states concentrate on suppression, while paying insufficient attention to prevention and rehabilitation of victims, which contradicts the holistic logic of the "3P approach". The findings of the present research confirm these conclusions, demonstrating that international instruments have significantly strengthened the humanitarian component of the anti-trafficking system, thereby balancing the priorities of criminal and social response.

Y. Dandurand (2024) concluded that the international legal effectiveness of combating human trafficking is determined not only by the existence of treaty provisions but also by the quality of international cooperation in the areas of information exchange, extradition and joint investigations. The author's study notes that the Palermo Protocol has become not only a codification instrument but also a political and legal benchmark for the formation of a unified global cooperation architecture. At the same time, the authors point out that cooperation mechanisms often remain declarative due to differences in national procedural standards and limited resources of transnational institutions. This research confirms the conclusion of Y. Dandurand, revealing that the practical implementation of the provisions of international conventions requires not only legal adaptation but also institutional strengthening of competent bodies, which is especially important for the Central Asian states where human trafficking is closely linked to labour migration.

The results of the comparative analysis of the national legislation of the Central Asian states confirm that all the countries studied have formally implemented the key elements of the Palermo Protocol, including the triad "acts – means – purpose of exploitation". These conclusions are supported by the work of D. Esson *et al.* (2023), who noted that the states of the region demonstrate formal compliance with international standards in criminal law provisions, although the level of institutional maturity and effectiveness of victim protection mechanisms varies. At the same time, convergence with the obtained results is observed in relation to Kazakhstan and Uzbekistan, where a more

developed institutional infrastructure and the presence of specialised bodies coordinating measures to prevent and suppress human trafficking can be seen. Meanwhile, the results of the analysis show that in Kyrgyzstan, Tajikistan, and Turkmenistan the practical implementation of victim protection and prevention measures remains limited. This observation is consistent with the findings of J. Kaye *et al.* (2019), who emphasised that in countries with less developed institutional structures, the introduction of effective inter-agency mechanisms and ensuring victims' access to rehabilitation services face systemic difficulties. In particular, Kyrgyzstan lacks a unified victim identification mechanism, which coincides with the conclusions of the authors.

In Uzbekistan, an institutional model for combating human trafficking has been implemented through the creation of the National Commission for Combating Trafficking in Persons and Forced Labour. This model ensures coordination of the activities of state bodies and international partners, which is confirmed by the findings of N. Mai *et al.* (2021). At the same time, the authors note the need to strengthen the integration of social and legal support for victims, especially in cases of labour and sexual exploitation of migrants, which corresponds with the observations concerning the wide coverage of forms of exploitation in the legislation of Uzbekistan and Kazakhstan.

The analysis of the findings of the study of institutional and procedural aspects of the implementation of national legislation in the field of combating human trafficking shows that the existence of formally progressive norms does not guarantee the effective application without sustainable mechanisms of inter-agency interaction and adequate resource support. The data obtained on the dynamics of victim identification in the Central Asian countries confirm the conclusions of K. Bryant & T. Landman (2020), who note that the effectiveness of anti-trafficking measures depends primarily on the organisational cohesion of state bodies and the integration of efforts with the civil sector. The research demonstrates that growth in the number of identified cases often reflects improved institutional coordination rather than an increase in crime, which coincides with the observed trends in Uzbekistan and Kyrgyzstan.

The findings of the research in Kazakhstan, characterised by a stable but low level of victim identification, are consistent with the conclusions of Y. Buribayev & Zh. Khamzina (2023), who point to limited institutional capacity, fragmented databases and weak integration of NGOs into state mechanisms. At the same time, a discrepancy is revealed between the number of registered cases and the number of criminal prosecutions, which reflects insufficient conversion of institutional activity into practical results, which is also confirmed by the authors' data on gaps in inter-agency cooperation and staff training. Comparison with the research by F. Farhana (2021) shows that international

recommendations and law enforcement standards, including investigation procedures and victim protection, require adaptation to national conditions in order to improve effectiveness.

In particular, a high level of formal regulatory framework without proper integration with local social services and the police does not ensure sufficient protection for victims, which is confirmed by the observed trends in Tajikistan and Kazakhstan. Thus, the results of the research demonstrate agreement with the authors' conclusions regarding the key role of institutional cohesion, procedural standards and NGO participation, while indicating specific regional differences in the implementation of legislation.

## Conclusions

The conducted analysis of the evolution of international legal regulation of human trafficking has shown that the formation of the modern system of countering this phenomenon represents the result of a long historical process, during which humanity has moved from the moral-ethical and fragmentary regulation of the nineteenth-twentieth centuries to the creation of a universal legal regime based on human rights protection norms. The adoption of the Palermo Protocol became a key stage in institutionalising states' international obligations, defining the legal content of the concept of "human trafficking" and introducing a comprehensive "3P approach" aimed at criminalisation, victim protection and the elimination of the causes of exploitation.

The analysis demonstrated that all Central Asian states have formally implemented the triad of elements "act – means – purpose of exploitation" in the criminal codes, which indicates legal harmonisation with international norms. At the same time, institutional indicators of the implementation of these norms differ. Kazakhstan, Kyrgyzstan, and Uzbekistan demonstrate the highest degree of systematisation: in those states, specialised laws on combating human trafficking are in force, national commissions and coordination mechanisms for assisting victims have been created, temporary shelter centres and rehabilitation programmes are functioning. This confirms the transition from a declarative level to an institutionalised response model. In Tajikistan and Turkmenistan, legal regulation of combating human trafficking remains predominantly criminal-law-oriented, with insufficient development of prevention and victim protection mechanisms. In Turkmenistan, the specialised law reproduces the provisions of the Palermo Protocol but does not contain detailed procedures for assistance, while Tajikistan, despite having a sector-specific law, faces problems with resource provision for support centres.

The analysis of institutional and procedural aspects of the implementation of national legislation in the field of combating human trafficking allows a number of academic and practical conclusions to be drawn. The

effectiveness of national mechanisms is determined not only by formal compliance with international standards, but also by the ability of state bodies to ensure timely and comprehensive victim identification, inter-agency coordination and adequate resource provision. The dynamics of the number of officially identified victims in the Central Asian countries show significant variation: from a stable but low level in Kazakhstan to a more than two-fold increase in Uzbekistan and Kyrgyzstan, which reflects differing levels of institutional cohesion and interaction between governmental and non-governmental structures.

Comparison of the data on the number of identified cases with indicators of criminal case initiation shows a low level of conversion of institutional activity into real law enforcement outcomes – only 10-20% of cases reach the stage of criminal prosecution. The main reasons remain the shortage of qualified personnel, the

absence of unified protocols of interaction between law enforcement and social services, as well as insufficient funding for victim support processes. The results obtained confirm the need for a comprehensive approach to improving the effectiveness of national legislation in the field of combating human trafficking, combining regulatory harmonisation, development of institutional infrastructure, integration of NGO data and ensuring inter-agency cooperation.

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### Conflict of Interest

None.

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# Проблеми гармонізації національного законодавства держав Центральної Азії з міжнародними стандартами протидії торгівлі людьми

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## **Анотація**

Метою дослідження був аналіз ступеня відповідності національного законодавства держав Центральної Азії міжнародним нормам і стандартам щодо протидії торгівлі людьми. У дослідженні застосовано системний, формально-юридичний та порівняльно-правовий методи, що забезпечило комплексне вивчення міжнародно-правових стандартів і національних механізмів протидії торгівлі людьми. Встановлено, що всі країни формально імплементували тріаду елементів «дія – засіб – мета експлуатації», закріплену в Палермському протоколі, проте рівень інституційної реалізації стандартів істотно відрізняється. Було виявлено, що найповнішу модель протидії створено в Казахстані, Киргизстані й Узбекистані, де діють національні комісії та механізми захисту жертв, натомість у Таджикистані й Туркменістані, попри наявність базових нормативно-правових актів, система заходів захисту жертв є фрагментарною, вирізняється недостатньою інституційною координацією, що обмежує ефективність практичної реалізації. У межах дослідження з'ясовано, що ефективність національного законодавства у сфері протидії торгівлі людьми в країнах Центральної Азії різниться залежно від ступеня інституційної згуртованості та якості процедур ідентифікації жертв. У Казахстані кількість офіційно зареєстрованих жертв залишається на рівні близько двох десятків випадків щорічно, водночас у Киргизстані й Узбекистані вона збільшилася на понад 50 % за 2021-2023 роки, що відображає підвищення інституційної чутливості та поліпшення міжвідомчої координації. Здійснений аналіз засвідчив низький рівень «конверсії» виявлених випадків у кримінальне переслідування – лише 10-20 % випадків доходять до суду, що вказує на необхідність посилення інтеграції процесів ідентифікації, захисту та правосуддя. Результати дослідження може бути використано для оптимізації національних механізмів виявлення та захисту жертв торгівлі людьми, зокрема розроблення стандартизованих протоколів міжвідомчої взаємодії та інтеграції даних в офіційну статистику

## **Ключові слова:**

міжнародні зобов'язання; трудова експлуатація; кримінальне переслідування; ідентифікація жертв; міжвідомча взаємодія