

Effectiveness of Applying Criminal Law Norms on Animal Cruelty in the Republic of Kazakhstan

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Abstract

The purpose of the study is to analyse the effectiveness of the laws of the Republic of Kazakhstan aimed at animal protection. During the research, the method of typological grouping was used to identify penalties for animal cruelty. The paper examines the problem of inhumane treatment of animals in the Republic of Kazakhstan, analyses the current laws and regulations in the field of animal protection. Statistical data on the number of registered criminal offences related to the unlawful treatment of animals for 2021-2023 are presented. The problems associated with the low percentage of discovery and the disclosure of cases on this issue, due to the inefficient evidence base for recording criminal offences are analysed. It is indicated that the studied problem of animal cruelty requires the immediate implementation of a set of measures related not only to legal, but organisational and educational measures.

Keywords: Legislation; Humanity; Offences; Constitution; Animal Protection Organisations.

Introduction

Relationships between people and their inclinations towards pets are manifested by an important aspect of social life, influencing a wide range of people and covering ethical, spiritual, and mental aspects that correspond to the character. However, unfortunately, kindness and compassion for animals, which may be part of this relationship, are not always observed. Moreover, the study

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confirmed that more than 80% of criminals who committed serious offences against other people showed cruelty to animals in the first place (Walters, 2019).

In Kazakhstan, the topic of animal cruelty is not given enough attention, effort, and time, especially compared to other countries where animal rights are protected at the legislative level. In 1987, in Strasbourg, 21 member countries of the Council of Europe signed the European Convention for the Protection of Pet Animals (ETS No. 125) (1987), which states: “Man has a moral obligation to respect all living beings...”. The principles laid down in the convention have become the principles of coexistence with animals for Europe: “No one has the right to cause unnecessary pain, suffering or damage to animals”, “No one has the right to leave a pet to the mercy of fate”. The Council of Europe agreements in the field of animal protection are the first documents that have established the binding moral principle of respect for animals and established norms for their transportation, breeding, and humane killing, as well as their exploitation for research or home keeping (Yatsenko et al., 2021). M. DeMello (2021) notes that attention to animals is characteristic in philosophy, social sciences, and natural sciences. The situation of animals and the attitude of people towards them has also penetrated into international law. However, most people underestimate the importance of the moral factors of the problems of illegal actions against animals. The attitude towards animals manifests itself in the moral, social, and economic spheres of life and concerns the interests of most people (Getman et al., 2021; Rodriguez Ferrere, 2022).

Despite the fact that the Law of Kazakhstan No. 97-VII “On responsible handling of animals” (2021) was adopted on December 30, 2021, it has still not fully entered into force, both at the level of the main state bodies and at the regional level. Thus, there are resonant positions in society and risks of compromising both the law itself and the tasks associated with its agreement and implementation. With all its shortcomings, this is the first legislative act in the country that established the principles of responsible and humane treatment of animals, based on the fact that animals are living beings who are able to feel pain and suffering. Such humanitarian legislation in developed countries, especially European ones, has a rich history and traditions. For example, there are several such laws in England, and the first of them was adopted more than two hundred years ago (Golledge & Nielsen, 2023).

At the moment, the state of public attitudes towards animals in Kazakhstan raises serious concerns. Cases of systematic cruelty and even sadistic treatment of animals have taken root in the consciousness of society, which is a cause of serious concern. Nevertheless, attention should be paid to a larger and more significant problem for society, namely the phenomenon of “uncivilised”

treatment of animals, which is accompanied by a number of other negative consequences (Levitt et al., 2016). This is especially evident in cases involving companion pets, such as dogs and cats. The increased practice of throwing these animals out into the street is becoming a source of serious social problems associated with the appearance of stray animals. G.T. Dzhabailaeva et al. (2021) report that animal welfare laws do not protect them as they should, and propose measures that ensure significant safety for animals. Nevertheless, these efforts are not able to overcome the primary problems.

A. Kuzovenko and K. Akhmedenov (2022) argue that with tactics based on rights and interests, the question of hierarchy arises: because of the wider possibilities of people, their rights or interests in the use of animals will invariably take precedence over the rights and interests of animals, even in what affects the avoidance of suffering in life. A. Lansink notes that animal laws are also the result of a convergence of interests (Lansink, 2019). Despite its registry, the laws on animal protection and on combating cruelty protect both the interests and rights of people and animals. The topic of animal welfare is that when the needs of humans and animals collide, animal welfare measures are reduced or eliminated, in order to facilitate the exploitation of animals by humans (Pashkovska, 2018). Even one of the most important animal needs is violated – the prevention of torment.

A. Akhpanov et al. (2018) argue that the legal order of the Republic of Kazakhstan violates the rule of law when it is unable to provide compliance with the law in the form in which it was created, independently of this law. Failure to comply with animal protection laws is a violation of obligations, and thus Kazakhstan destroys the rule of law. The state has obligations regarding compliance with the animal protection law. R. Ahmetov et al. (2015) note that Kazakhstan needs a holistic law on animals, and not instructions or rules for the correct attitude to animals at the regional level, which each local administration is able to formulate and interpret in its own way. This law needs to be effective and efficient, according to which any person who mistreats animals will be justly punished. Illegal treatment of animals deserves special attention and a serious attitude from the public in all areas.

In connection with the above, the purpose of the study is to analyse and evaluate the effectiveness of the application of legislative and criminal acts in connection with the unlawful treatment of animals in the Republic of Kazakhstan.

Materials and Methods

Social relations in the treatment of animals arising in the process of legal regulation served as an object of research. The subject of the study is the legislative and regulatory documentation governing the humane treatment of

animals and the extent to which international rules have been implemented into national legislation. The legal framework of the research is based on the legislative acts of Kazakhstan. First of all, this is the Constitution, namely articles 6 and 26 regulating the right of ownership. The Law of Kazakhstan No. 97-VII “On responsible handling of animals” (2021) has been considered, forming the basic postulates and principles of responsible handling of animals, including the personal responsibility of the owner for the life of the animal, its health and well-being. The law also regulates the basic rules and norms for the protection of animals from cruel treatment, and also provides for the moral education of the population of the republic of humane attitude to animals.

The Criminal Code of the Republic of Kazakhstan (1997), Article 276 of 16.07.1997, and Article 316, which provide for criminal liability for the most serious acts against animals by humans that resulted in their injury or death, are considered. Attention is paid to the Code of the Republic of Kazakhstan No. 235-V “On Administrative Infractions” (2014), in particular Article 407-1, which regulates administrative punishment for inhumane treatment of animals. In the course of the research, regulatory documents governing the issue under study were also considered. To solve the tasks set and obtain the necessary data to analyse the effectiveness of the application of criminal law norms on the unlawful treatment of animals in the Republic of Kazakhstan, a number of appropriate techniques were used.

First of all, it was necessary to determine the impact and effectiveness of the Law of Kazakhstan No. 97-VII “On responsible handling of animals” signed in December 2021, which began to be implemented in March 2022. When assessing the number of registered cases of animal cruelty in the Republic of Kazakhstan and the percentage of their disclosure for the period 2021-2023, the method of centralised data summary was used. This technique helps to bring the collected information and materials in a certain order, systematise and on this basis give a summary description of the entire studied population. The method of typological grouping was used to identify measures of punishment for animal abusers in Kazakhstan. The application of this technique helps to divide the study area into subgroups that designate various types of punishments for the unlawful treatment of animals in Kazakhstan for the period 2021-2023.

In order to record criminal offences related to unlawful treatment of animals, and to obtain information about cases in the regions of the Republic of Kazakhstan, the data analysis method was used. The initial information base for the study was statistical data papers by researchers from Kazakhstan, the European Union, Ukraine, France, and the United States of America on the effectiveness of the application of criminal law norms related to animal cruelty. Data from news

publications and reports on animal cruelty, the Portal of legal statistics and special accounts (2023), Committee on the legal statistics and special accounts of the state office of public prosecutor of Republic of Kazakhstan were also analysed (2023). During the research, the official websites of animal protection organisations operating in Kazakhstan were monitored, namely, accident statistics, cases of legal assistance, and the participation of relevant organisations in the development of laws and regulations on animal protection (Inucobo, 2023; Chamber of Legal Advisers..., 2023).

Results

Animals play a significant role in human life, from beloved pets that provide companionship to service dogs in law enforcement agencies, offering critical assistance. Animals are, to some extent, a part of nearly every person's life. However, lacking a voice, animals are among the most vulnerable in society. This vulnerability exposes them to a high risk of cruelty. In the United States of America alone, more than 10 million animals are abused every year. Unfortunately, animal cruelty remains a hushed-up topic: just over 0.01% of such cases are reported in the media. In addition, it is important to take into account that 110 million animals die in US laboratories every year (Mench, 2003). The statistics of animal cruelty in the world are depressing, for example, in the USA alone, animal cruelty accounts for almost a third of all violent crimes. According to the Jane Goodall Institute, 1 out of 3 dog owners treat pets harshly in one way or another. Cruelty to animals subsequently leads to aggressive human behaviour (Laybourne, 2023). People who abuse animals pose a threat to the health and safety of all members of society. Animal violence is abhorrent in itself, and the link between animal violence and human violence is well known.

According to the Hong Kong charity organisation "Animals Asia", Asia has the highest level of animal abuse (Laybourne, 2023). As for Kazakhstan, today a serious problem is the relationship between people and animals – at the same time, as in everyday life, and at the legislative level. Despite the huge number of situations of unlawful treatment of animals, bringing to justice and appropriate penalties for these crimes has a fairly small percentage of detection. The legislative base of the Republic of Kazakhstan governing the relationship between people and animals is represented by a number of laws and regulations of various levels, including criminal law. Animals as a subject of property rights are fully protected by the provisions of articles 6 and 26 of the Constitution of the Republic of Kazakhstan (1995) on property rights. At the same time, the animal world as a profitable natural resource (that is, wild animals in a state of immediate freedom)

are in state property (paragraph 3 of Article 6 of the Constitution). Other animals can be in both state and private ownership.

Constitutional norms are of high importance in resolving issues at the legislative level of acts concerning animals. Ignorance of the fact that animals as objects of property rights are protected at the level of the Constitution entails critical inconsistencies with it in a number of normative legal documents, primarily in the acts of regional authorities, which creates gross errors in solving practical situations (Chentsova & Sarsenova, 2019). Law of Kazakhstan No. 97-VII “On responsible handling of animals” (2021) entered into force in 2022. According to the Law, propaganda of unlawful treatment of animals in all mass media is banned in the Republic of Kazakhstan and any forms of such propaganda are also prohibited. The obligations of animal owners for the maintenance, registration, transportation, breeding or killing of animals were established. There are also rules for the exploitation of animals for participation in sports events of national sports, which states that such activities should be carried out in accordance with legislation in the field of physical culture and sports.

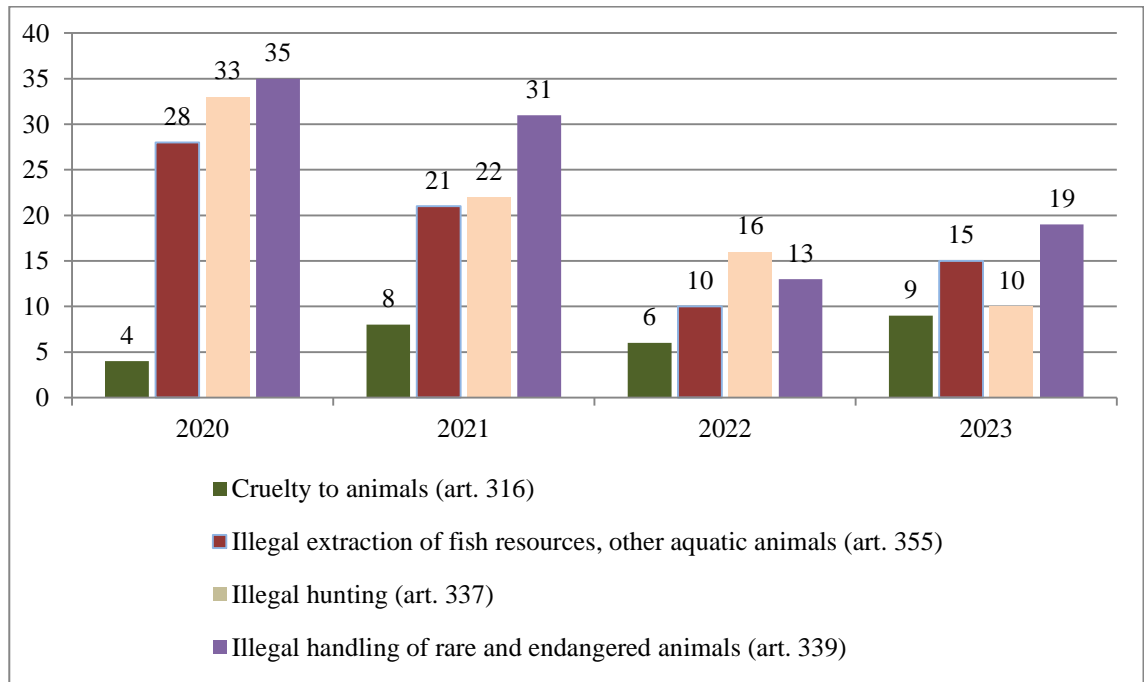
In accordance with the Criminal Code of the Republic of Kazakhstan (1997), which was adopted on 16.07.1997 No. 167-1, Article 276 states that “cruelty to animals that caused their death or injury, if this act was committed out of hooligan motives, or with the use of sadistic methods, or in the presence of minors, is punishable by a fine in the amount of from one hundred to two hundred monthly calculation indices (MCI), or correctional labour for up to one year, or restriction of liberty for up to one year”. If the same act is committed by a group of persons and repeatedly, then, in this case, the fine is in the amount of five hundred to eight hundred MCI, or correctional labour for up to two years, or restriction of freedom for up to two years. This Article of the Law had a weak force and did not help at all and did not regulate the solution to the problem of inhumane treatment of animals. As a result, the Criminal Code was revised and tightened in the issue under study. As a result, the Criminal Code of the Republic of Kazakhstan dated July 3, 2014, contains Article 316 “Animal cruelty”, which is extremely important for its purpose, but, unfortunately, completely ineffective in practice. According to the disposition of this Article, only such cruel treatment of animals that caused their death or injury, if it was committed, is punished (Chentsova & Sarsenova, 2019):

- from hooligan motives;
- using sadistic methods;
- in the presence of minors.

Thus, based on Article 316 of the Criminal Code of the Republic of Kazakhstan (1997), for cruelty to an animal that caused its injury, a criminal is punished with a fine of up to 130 MCI or correctional labour, or community service for up to one hundred and thirty hours, or arrest for up to 35 days. For cruelty to an animal, which subsequently led to its death, – a fine of up to 210 MCI or correctional labour in a similar amount, or community service for up to 210 hours, or arrest for up to 60 days, together with deprivation of the opportunity to work in certain positions or other specific activities for up to a year. In the case when such crimes were committed repeatedly, by several persons, by agreement, or by adults with the presence of minors in relation to more than one animal – a fine of up to 1.3 thousand MCI, as well as restriction of freedom for up to one year. The organisation for the Protection of Animals in the Republic of Kazakhstan “Inucobo” (2023) criticised this law, because it is too problematic, and sometimes even impossible to establish that animal abuse was intentional.

But in reality, such atrocities are left unpunished. In the absence of a crime, the police complete such criminal processes, and subsequently, they do not reach the court, due to the fact that it is difficult to prove an incident of animal cruelty. It is necessary to immediately ensure the collection of evidence (write down the names, addresses of witnesses, car numbers) and immediately contact the police. Despite the fact that the suspect has all the signs of an offence, the offender evades responsibility (Cases of cruelty to..., 2023). In January 2023, the number of registered offences related to the unlawful treatment of animals amounted to 9 cases, compared to 6 cases in 2022. The number of offences in the field of illegal extraction of fish resources and other aquatic animals has increased to 15 cases, with 10 cases in January 2022. In the field of unlawful treatment of rare and endangered, as well as prohibited animal species, 19 criminal offences were registered with 13 cases in 2022. The number of offences in the field of illegal hunting, on the contrary, decreased to 10 cases, in January 2022 it was 16 cases (Figure 1).

Figure 1: Criminal offences related to unlawful treatment of animals and plants (January)

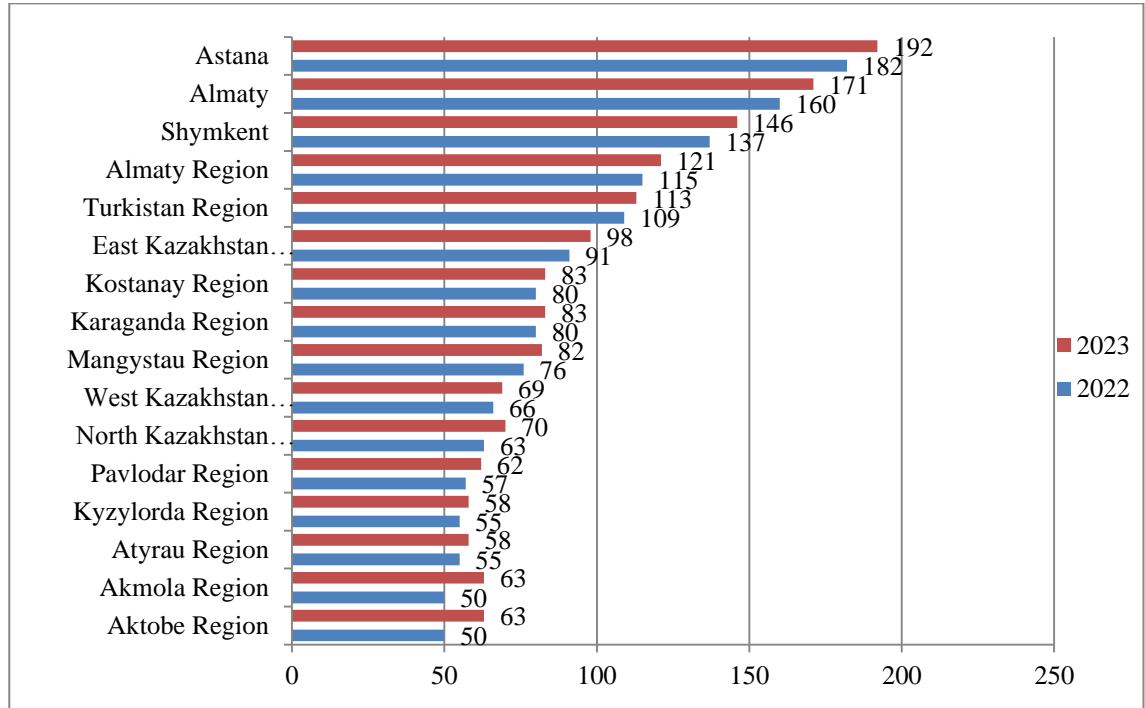


Source: developed by the authors based on (Criminal offences related to..., 2021).

In the regional segments, the largest number of criminal offences related to unlawful treatment of animals was recorded in the Pavlodar Region: 4 incidents in January 2023 (no offences were registered in January 2022). Crimes in the field of illegal fishing were mostly noted in the Karaganda Region: 6 incidents per month, against 4 incidents in January 2023. In the field of illegal hunting, the Zhetysu Region stood out: 4 offences in January 2023. The events of unlawful treatment of rare and endangered species of animals were mostly recorded in the Aktobe Region: 6 offences (in January 2022, not a single case was recorded) (Criminal offences related to..., 2021).

Almost KZT 8 billion is ready to be allocated for the capture and killing of street animals in the Republic of Kazakhstan. The budget planned for this purpose for 4 years is spoken of. According to the testimony of the department, for the period 2022-2024, it is planned to allocate about KZT 5,736,839 thousand from regional budgets every year. The study of the provided capital of the budgets of akimats of regions and cities for the capture and support of the health of street animals for 2022 and 2023 is shown in Figure 2.

Figure 2: Allocated funds to the budgets of akims of regions and cities for trapping and keeping stray and neglected animals (in million KZT)



Source: developed by the authors based on (Criminal offences related to..., 2021).

In recent years, the “doghunters” movement has intensified in Kazakhstan. Doghunters, or dogkillers, are people who hunt stray dogs in the city. Their victims are not only stray animals, but also pets. They use different methods – from simple shooting to sophisticated traps and poison baits. They motivate their actions by helping to clear the city of danger, namely attacks by stray dogs. Most often, doghunters are equated with animal abusers. But unlike animal abusers, who physically torture animals, the involvement of doghunters in crimes is more difficult to prove. As Kazakh lawyers explain, only the evidence base can help in this, namely, a photo or video recording of the fact of laying out the bait and the found dead animal; the conclusion of a veterinarian about what happened to the animal (Bruder et al., 2022).

A significant role in the field of animal protection, in the development of humane and conscientious attitude towards animals in society belongs to public associations. In 2011, the public organisation “Inucobo” (2023) was founded with

the aim of protecting animals and developing responsible attitude to animals. In 2018, “Inucobo” started its own business as an Association of Animal Rights Defenders of the Republic of Kazakhstan. The work plan of the organisation is the protection of domestic and street animals, involvement in the creation of regulatory documents on animal protection, legal support, sponsorship and cultural and educational practice in the field of animal protection. There are also a number of other different unions (the Kare Association, the Good City Project, the Animal Law Council of the KazBar Law Chamber, the Good City Foundation). With the help of the work of such voluntary groups, the issue of the humane treatment of animals in society is acute, proposals are also being developed to improve regulatory documents, and legal advice is provided when disclosing incidents of unlawful treatment of animals. Nevertheless, the materials and proposals of experts are not actively implemented in the development of subordinate regulatory documents. This affects the effectiveness of the implementation of legislation on the protection of animal rights on masts.

Specialists in the field of public administration, L. Kosherbayeva et al. (2021) note that when developing a state political strategy on the regulation of the animal population in the Republic of Kazakhstan, there is a struggle not with the causes, but with the consequences. Regular capture and killing of animals is not practical, unless the primary reason for the appearance of stray animals is reckless keeping and breeding of pets. In Kazakhstan, uncontrolled breeding of cats, dogs and other pets by unorganised owners has been going on for a long time. Unnecessary offspring (with health defects, mongrels) are most often thrown out into the street and, in addition, remain without appropriate punishments. In turn, the number of unsterilized street cats and dogs is rapidly increasing.

This information suggests that the culture of keeping pets in the Republic of Kazakhstan is not fully developed. Frivolous owners perceive pets as toys and far from thinking about the fact that it is necessary to regularly walk, educate and properly socialise the animal. According to some animal laws of other countries, this entails serious and not only financial responsibility. To solve this problem, it is necessary to introduce the mandatory registration of pets. According to the Law of Kazakhstan No. 97-VII “On responsible handling of animals” (2021), mandatory registration of pets will come into force from September 1, 2023. The calculation of the number of pets will be carried out on a paid basis with the use of products (means) of registering pets, and for owners who belong to socially defenceless strata of society, it is carried out using budget funds. Starting from September 1, 2023, an administrative penalty is established for offences and non-compliance with the principles of proper maintenance of pets. Along with the strengthening of liability measures for animal owners, there is a need for their

systematic registration and identification, which is part of the recommendations of modern approaches to the humane adjustment of the number of street animals. In accordance with the Law, the work of stationary menageries, oceanariums, zoos, and animal exhibitions will be banned from January 1, 2025. And from January 1, 2029, the work of dolphinariums will be banned.

In 2023, the Ministry of Ecology and Natural Resources of the Republic of Kazakhstan announced the launch of a “hotline” on social attitude to animals. Additionally, the Ministry is working on the classification of laws on the pet keeping programme. According to the rules, it is not allowed to keep an animal without vaccination and sterilisation, and it is also not allowed to leave pets unattended for a long time, which is set according to the type and needs of the animal, namely: the need for food, water, walking, and interaction. The deadline without supervision for mature dogs is no more than 12 hours, and for cats – no more than 48 hours. Equally, there is a ban on the breeding, maintenance, exploitation of cats and dogs for their use as food, obtaining materials and raw materials from these animals, causing injury or other damage to health, and the development of separate products, not counting the extraction of cat and dog hair by combing. Uncontrolled breeding of cats and dogs is also prohibited. Owners of dogs and cats are obliged to take the necessary measures to eliminate the occurrence of unwanted offspring in domestic dogs and cats by castration or sterilisation, except for those who have the appropriate registration in felinological and cynological societies or have contraindications for animal health, which are confirmed by a veterinarian (Yatsenko, 2023a).

In accordance with paragraph 2 of Article 25 of the Law of Kazakhstan No. 97-VII “On responsible handling of animals” (2021), the regulation of the number of street animals by killing is prohibited. At the same time, in Article 15, animal euthanasia is allowed in certain cases. If an animal poses a real threat to human life or health, social order and safety, among other things, when eliminating particularly serious and infectious animal diseases that pose a danger to human health, in accordance with the legal system of Kazakhstan in the field of veterinary medicine (Zhakupova et al., 2017; Bulegenova et al., 2018). According to experts, this approach corresponds to the conditions on the basis of which the highest priorities of the state are a person, namely: his rights to life, freedom, and protection (Ayanbayev et al., 2015; Dzhansarayeva et al., 2015). Consequently, the state has the necessary devices to protect the population from aggressive street animals. However, in Kazakhstan, non-humane regulation of the number of animals by killing is practiced. The head of the Animal Protection Association, L. Sarsenova, suggests that “It is a comprehensive set of measures that includes accounting and registration of stray animals; vaccination; sterilisation; changing

population control policies through humane methods; educational and awareness campaigns with the public; legislative changes, and the establishment of shelters and rehabilitation centres” (Animal protection in..., 2021).

Discussion

Despite the fact that significant progress has been made in relation to animals at the legislative level of many countries, there is still a lot of work to be done in this area if humanity wants to protect animals from cruelty.

A. Rebollada-Merino et al. (2020) analysed statistical data and current legislation related to the problem of unlawful treatment of animals in the context of Spain, and there is a need to note the existing problems. One of the main problems is the difficulty of recording testimony and evidence. Animals that are the objects of abuse are often unable to describe the abuse that has occurred, because they are deprived of the opportunity to speak and express their feelings. In order for law enforcement agencies to apply strict punishment, sufficient, objective, and reliable evidence is required. M. Cleary et al. (2021) reported that such evidence may include witness statements, video recordings made using mobile phones or video data obtained from cameras installed in entrances, or photos distributed on social networks. However, even these types of evidence cannot guarantee absolute reliability due to the fact that the only photo that can serve as evidence can be deleted, and the witness may not want to testify and go through all instances even in the event of the death of an animal. Similar trends can be observed in the study above; the fixation of readings is a problem for almost all countries of the world.

In turn, C. Suárez-Rojas et al. (2023) reported that in Argentina there is a low trend of citizens' statements to law enforcement agencies if they witnessed offences. As a result, the crime rate in the studied area is gradually increasing. Only a small number of criminal cases are opened on the fact of unlawful treatment of animals, and reach the court proceedings. Law enforcement agencies do not pay due attention to the problem of inhumane treatment of animals. But it is necessary to understand that the only way to bring to justice a person who has committed cruelty to an animal is to go to court in a criminal process. Moreover, one of the solutions to this problem is publicity through social networks, informing volunteer organisations that are directly involved in the protection of animal rights. The authors of this study agree with the opinion of colleagues from Argentina, a similar situation can be seen in Kazakhstan and the stated solutions to the problems can effectively help the society. It is necessary to work on improving and specifying the legislative framework for the protection of animal rights. A similar situation in Australia is described by R. Morton et al. (2020) in their paper,

where they point out the shortcomings of the law on the protection of animal rights. The researchers note that animal protection laws are generally the same in all jurisdictions of Australia and from a legal standpoint, undoubtedly make a great contribution to the field of animal protection. However, enforcement mechanisms related to animal welfare require much more attention, given the questionable effectiveness of using legal punishments to improve welfare and prevent cruelty (Kushaliyev et al., 2024).

A.M. Campbell (2021) stated that the malicious factor is also the appearance of such an anti-social trend as “doghunters” who create websites with dangerous content on the network, thus challenging law enforcement agencies and animal welfare organisations in Germany. Often such atrocities are revealed with the help of videos on the web, but not every one of them received sufficient publicity, and the corresponding legal opinion. The crime rate in this area is growing rapidly, besides, there is no proper opposition from the investigative authorities. It can be concluded that the state authorities have a non-initiative attitude to the suppression of offences committed by the “doghunters” movement. Instead of addressing the root causes of stray animals on the streets – implementing microchipping, sterilisation, tightening legislation against inhumane treatment of animals, and investing in shelter construction – it is easier for some individuals to turn a blind eye and allow ideologically driven individuals to kill innocent animals. The issue of “doghunters” is acute for the Republic of Kazakhstan, and its resolution should be placed as a top priority in the matter of animal protection. A similar situation was discussed by K. Horecka and S. Neal (2022). They noted the importance of creating shelters for the protection of animals and the need for cooperation between public and private shelters. They also stated that in recent decades there has been a cultural shift in which the welfare of animals attracts more and more attention and resources. Success in the shelter is measured by the coefficient of “adoption” of animals from the number of applicants. The solution of the issue of the creation and effective functioning of shelters in Kazakhstan is still at the initial level. A lot more needs to be done, while involving the public, volunteer organisations for the protection of animals, to work on tightening laws on this issue, as well as on more thorough control by local authorities.

Exploring additional options to improve animal welfare in Canada, D. Fraser et al. (2018) reported on the importance of creating an effective national approach to the law on animal protection. Greater harmonisation of animal protection legislation could support veterinarians in this role and simplify their work in cases where individuals practice in more than one province or territory. Veterinarians are also directly involved in animal welfare in some jurisdictions;

this work can be facilitated if jurisdictions adopt effective rules and compliance tools that have already proven their value in other provinces (Yatsenko, 2023b; Paliy et al., 2024). In addition, many veterinarians play a key role in the development of provincial/territorial policies and regulations; as a result, communication and cooperation between veterinary services can play an important role in harmonisation (Nikolaychuk, 2023). Similar variants of initiative activities were carried out in some regions of the Republic of Kazakhstan. However, this has produced questionable results due to insufficient involvement of society.

M. Lemma et al. (2022) noted the need for discussions with the population about problems related to the protection of animals. The authors emphasised that community engagement is a participatory and educational process in which members of society and local service providers work together to collectively identify strengths and limitations of the community, analyse community values and methods, and explore strategies for addressing livestock management issues. They encourage critical discussion and reflection between community members and local service providers on current livestock development issues, leading to the development of community actions to achieve desired improvements. Community members stated that their livelihoods depend on animals, and animals also depend on their owners. Community members also realised the benefits of improving animal welfare for public health. They noted that maintaining the health and well-being of their animals also means maintaining the good health and well-being of their family members. Similar mass events to inform the population about such crimes can help in solving the problem of animal protection in the Republic of Kazakhstan.

Conclusions

Despite the ongoing work, both at the legislative level and in the improvement of criminal law norms in the field of strengthening sanctions for animal cruelty, the facts listed in the paper indicate the presence of a number of flaws that are conditioned by the imperfection of legislative formulation and only complicate the effectiveness of prevention, punishment, and verification of the crimes noted. First of all, this includes the evidence base. To open a case and impose a strict punishment, the authorities must have sufficient, reliable evidence. As a result, in the Republic of Kazakhstan, there is a low trend of citizens' statements to law enforcement agencies if they witnessed offences. As a result, the crime rate in the studied area is gradually increasing. Only a small number of criminal cases are opened on the fact of unlawful treatment of animals, and reach the court proceedings. The governing bodies generally do not pay enough

attention to the problem of the humane treatment of animals. The problem is also caused by the fact that the Law “On Responsible Treatment of Animals” is not being implemented at local levels. In many regions, there are no temporary holding centres for trapped street cats and dogs, and there is no work with volunteers and veterinarians to find the owners or find homes for the animals. At the same time, funds are allocated for catching and keeping street and stray animals alive. This indicates the inefficiency of the management system for implementation by virtue of legislative initiative.

It is necessary to: carry out work on tightening the regulatory and legal norms for the protection of animal rights; for greater effectiveness of animal protection and for regulating relations in the field of public morality, it is necessary to adopt a separate law that would allow regulating the actions of people in relation to animals; to conduct tighter control over the implementation of laws and regulations on the ground, in particular, construction of shelters, temporary detention facilities, sterilisation of animals; involve public, volunteer organisations in the work on animal protection at the state level. To form a humane and responsible attitude towards animals. The work needs to be carried out comprehensively both to improve legislative initiatives and at the local level. This includes the implementation of the norms of the law and the development of moral foundations in society for the humane treatment of animals. Summing up, it should be noted that animal cruelty is a negative social phenomenon that needs constant counteraction.

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