The legal framework on the situation of stray animals in KZ: practices and policy responses

by

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Acknowledgements

Abstract

This research study explores the situation of stray animals in Kazakhstan, emphasizing their rights and the regulatory framework. It analyzes the law "On Responsible Treatment of Animals", its effectiveness, and public perceptions. The study examines historical and social backgrounds, identifying normative gaps in legislation. It investigates Kazakhstan's regulatory framework regarding homeless animals, encompassing their rights, security, and punishment for violations. It also contemplates global practices applicable in Kazakhstan and characterizes the gap between current reality and government actions.

By applying a qualitative analysis which involves a survey and interviews, the study emphasizes public focus on safety issues over animal welfare problems. It discusses the regulatory environment, which leans toward reductionist approaches, and the financial difficulties hindering novel strategies. The study focuses on the need for a multifaceted and holistic approach, facilitating empathy and sense of responsibility towards stray animals. It invites legal reforms, public education, and evidence-based policymaking interventions to deal with the root reasons of stray animal growth.

INTRODUCTION

The issue of stray animals in Kazakhstan stands as a pressing concern due to the annual increase in the population of stray animals, posing a threat to public health and safety of citizens. Along with it, the number of animal rights abuse cases increases. More animals become a victim of physical abuse, abandonment and irresponsible treatment. The chain of interrelated issues results in a complex dilemma.

Thus on March 1 of 2022, the law "On the Responsible Treatment of Animals" came into force. The recently adopted regulations are aimed at protection of animals and encouragement of changes in societal attitudes. For the first time the law indicated animals as creatures capable of feeling physical pain. Moreover, the regulations include the clause on the prohibition of killing animals and using humane methods to decrease the population of stray animals, such as "trapping, vaccinating and releasing". This method is used worldwide to ensure humane treatment of stray animals. As a result, the government is expected to catch, sterilize and release the animals back to their environment after the medical check-up, ensuring the prevention of their further reproduction. The implementation of these regulations could become an efficient way of solving the issue of stray animals. However, it caused a negative response from the society.

After the law was passed, stray dogs and cats were caught in accordance with new regulations. Therefore, they were sterilized and returned to their environment. As a result, society became concerned about the safety of citizens, especially children. Since the adoption of the law, the number of dog attacks on citizens hasn't decreased, this led to 81 attacks on children and 3 cases of fatal cases in the first 6 months of 2023. Citizens put pressure on the government regarding their methods of dealing with stray animals. At the moment, the government is considering changes in the regulations to ensure citizens safety, while animal activists stand against cruel methods towards animals.

The ongoing discussion between the government, animal activists and citizens caused a complex dilemma, in which the main subject is stray animal rights. Thus, the given research seeks to find reasons for the insolvency of this problem through the central research question "To what extent are the rights of stray animals recognized and their welfare laws applied in public life in Kazakhstan?" This overarching inquiry will be dissected through three sub-research questions.

1. SRQ1: What is the current regulatory framework on stray animals' welfare in Kazakhstan?
2. SRQ2: How has the public perception on stray animals changed in Kazakhstan?
3. SRQ3: What would be the future strategies of addressing the rights of stray animals in Kazakhstan?

This research endeavors to fulfill three primary objectives:

(1) Analyze the legislative framework concerning homeless animals in Kazakhstan to identify existing issues and areas for improvement throughout the years; (2) Investigate and analyze public perceptions towards stray animals, considering the temporal and generational shifts in attitudes; (3) Propose future strategies for addressing the rights and welfare of stray animals in Kazakhstan. Through this comprehensive examination, we aim to contribute valuable insights that can guide policy enhancements and societal shifts towards a more compassionate coexistence with stray animals in Kazakhstan. To address the research questions, the qualitative research methods were used, including the collection and analysis of data, an interview and a survey. In the research we focused on the city of Astana to show the implementation of regulations in the capital city, which is expected to have better conditions and this factor is also taken into account. The secondary data was collected using the regional databases for the last 3 years and included the estimated number of stray animals, shelters, the rate of castration, sterilization and vaccination, annual number of culling cases, information campaigns and the government budget allocation for these purposes.

The study consists of 6 chapters: literature review, research methodology, discussion of results, discussion of findings, recommendations, conclusion and limitations. Chapter 1 of the research paper includes the relevant literature that describes the historical and social background of the protection of animal rights in the Soviet Union, which affected policies on animal rights in the independent Kazakhstan, current situation in the legislation of Kazakhstan and global best practices. Chapter 2 describes the research methods used in the study. The research was conducted using the qualitative research methods addressing the three sub-questions of the study through the collection and analysis of data, an interview and a survey. Chapter 3 includes the discussion of the collected data from the qualitative survey, statistics and interviews. Chapter 4 contains the extensive analysis of the data collected.

Chapter 5 provides recommendations based on the findings and literature review. Chapter 6 summarises the study through the conclusion and provides limitations of the research.

LITERATURE REVIEW

Chapter 1 delves into the historical and social context of animal rights in the Soviet Union, focusing on homeless animals. It outlines the shift from mass extermination to advocacy for humane treatment, including the influence of figures like Yevgeny Pashukanis. Post-Soviet Kazakhstan saw a transition to more humane policies, influenced by civil society, awareness, and economic development. Legislative changes in 2017 and 2021 aimed to improve animal welfare, but challenges persist for Kazakhstan despite considering and adapting some best practices such as strong legislation, enforcement, public education, and addressing traditional attitudes towards animals.

1) **Historical and social background of animal rights in the Soviet Union**

Throughout the period of the USSR's existence, all issues related to the protection of animals related to only one type of activity - the protection of wild animals. This is indicated by the state policy aimed at preserving wild animals, since they were a valuable natural resource. This was followed by farm animals, which were either the property of individuals or the state. In this aspect, the protection of the rights of stray animals was not regulated in any way (Borovik & Michel, 2010). Until 1990, the USSR did not have any laws regarding the ethical treatment of animals.

During the USSR, city services were involved in catching stray animals. The catcher received 1 ruble, 20 kopeek for a dog, and 40 kopeek for a cat. The animals were killed in a sealed truck body using gas ("gas van" principle) or by injection of dithylinum, as a result of which the dog suffocated . The corpses were cremated at special enterprises. Hunters were also brought in to shoot dogs (Kommersant, 2005). On the eve of the 1980 Olympic Games, according to animal activists, almost all stray cats and dogs in Moscow were exterminated. This demonstrates that the Soviet government attempted to address the issue of stray animals through mass extermination campaigns.

Moreover, the lack of animal shelters sponsored by the government indicates its indifference towards stray animals. Only private entities and voluntary animal activists showed their compassionate attitude towards homeless animals. Thus, in 1954, a professor

at a Moscow university, E. A. Antonova, with the support of the famous animal artist V. V. Vatagin, created the first special section on animal protection in the Soviet Union, which revived Russian traditions in animal protection and laid the foundation for the animal protection movement during the Soviet era. Later, in the 1960s- 1970 activists who aimed to protect stray animals started attracting school and university students to participate in their activities like feeding animals and raising awareness (Borovik & Michel, 2010). This indicates that public opinion began to shift towards a more compassionate approach to the problem, and animal rights activists began to advocate for the ethical treatment of homeless animals. Instead of simply eliminating stray animals, they strived towards measures that prioritized animals' welfare rights. However, this could not involve the older generation of the Soviet community leading to partial results. The reason behind this is the fact that Soviet society, which did not have an opportunity even to protect its human rights, was too distant from caring for the rights of animals.

After the dissolution of the Soviet Union, Kazakhstan's new government inherited many of the Soviet Union's policies towards animals, which were largely based on the society's utilitarian considerations rather than animal welfare. However, over the years, animal rights have become a more pressing issue in Kazakhstan due to several factors.

One of the factors contributing to the rise of animal rights in Kazakhstan is the growth of civil society and the increasing awareness of animal welfare issues. Animal rights organizations have emerged in Kazakhstan since the early 2000s, such as the Animal Protection Society of Kazakhstan. Such organizations have been instrumental in raising public awareness about animal welfare issues and advocating for the protection of animals.

Another factor contributing to the rise of animal rights in Kazakhstan is the increasing influence of Western values and ideas. Animal rights movements in the West have influenced the attitudes and values of young people in Kazakhstan, who are increasingly aware of animal welfare issues and are advocating for change.

Moreover, the rapid economic development of Kazakhstan has led to the growth of the pet industry and an increase in pet ownership. As a result, there is greater public interest in animal welfare issues, including pet care and the treatment of stray animals.

Although these changes took place, there are still major obstacles confronting animal rights in Kazakhstan. For example, there is a lack of effective legislation protecting animals

from cruelty, and law enforcement agencies often do not prioritize animal welfare issues. Furthermore, traditional attitudes towards animals in Kazakhstan can sometimes be hostile, with some people viewing animals as mere resources rather than sentient beings with rights.

2) Legislative framework in KZ regarding homeless animals

The tendency of treating animals as a thing can be pointed out in the Civil Code of the Republic of Kazakhstan, dated December 27, 1994, which develops and reveals the provisions of the Constitution on property, directly equating animals with things. Thus, "neglected animals" are given the status of "ownerless things".

In subsequent years, the treatment of animals, in particular, homeless ones, was regulated only by various articles and sub-paragraphs in related laws. For example, the Law "On Veterinary Medicine" of the Republic of Kazakhstan dated July 10, 2002, mostly defined the protection of animals, mainly agricultural, including regulations of the proper transportation, maintenance, trapping of dogs and cats on the territory of Kazakhstan.

Critical changes regarding the legislative regulation of animal treatment standards occurred only in 2017, when the Interparliamentary Assembly of the CIS member States adopted the Model Law "On Responsible Treatment of Animals", dated March 27, 2017. This law enshrines the basic principles of "humane treatment" of animals, the protection of animals from cruelty and the regulation of the treatment norms of animals in shelters. The document defines the control over compliance with legislation on animals at three levels: state, municipal and public. The importance of this document lies in the fact that it became the basis for the creation of a legislative framework on responsible treatment of animals in the Republic of Kazakhstan.

The adoption of the above-mentioned model law was the achievement of animal rights activists and the starting point for improving the legal framework regarding the situation of animals and protecting their rights in Kazakhstan (Davar & Luke, 2021). As a result, the main legislative document regulating the treatment of animals, the Law of the Republic of Kazakhstan "On Responsible treatment of Animals" dated December 30, 2021 No. 97-VII LRK was adopted. The document for the first time legally outlined the fundamental basic definition of "stray animals" as dogs and cats that do not have an owner. Along with that, animals were defined as creatures capable of experiencing pain and physical

suffering. Proceeding from this, "cruelty to an animal" as a deliberate act that led or may lead to death, injury or other harm to the health of an animal was equated to a crime. In addition, the new law also defines important concepts: "animal shelter", as housing for homeless, lost abandoned animals, "trapping service", "sterilization", etc. These concepts are important in regulating the process of handling stray animals, as they fill in early gaps in legislation.

Since the basic principle of the new legislation is the humane treatment of animals, it has defined and toughened the punishment for harsh treatment of animals. The new bill initiated amendments to the Penal Code of the Republic of Kazakhstan dated July 3, 2014. According to the latest amendments, the maximum penalty for cruelty to animals that caused their death, under other aggravating circumstances, is a fine of up to 1,000 MCI (2,917,000 tenge in 2021) or correctional labor in the same amount, or community service for up to 400 hours, or restriction of freedom for a term of up to one year, or imprisonment for the same term.

3) Best practices around the world

This section provides a critical analysis of existing approaches to the issue of stray animal rights in order to identify their effectiveness and degree of applicability in the current realities of Kazakhstan. In this context, it is necessary to refer to the best international practices by systematizing and analyzing the existing literature covering this issue. It is intended to assess the current situation of the issue in the world in this area, to identify key trends and successful strategies and methodologies that would contribute to the resolution of stray animal rights issues in the context of Kazakhstan.

Regulatory measures

The countries with comprehensive animal welfare legislation and strong enforcement mechanisms tend to have lower rates of animal cruelty and neglect (Rodriguez Ferrere, 2022). Delving deeper into the background, the great example of that appears to be the Netherlands which was the first country to no longer have stray animals. This was primarily due to the adoption of a number of laws protecting animal rights and the introduction of high taxes on

pets, which led to a sensible and responsible attitude towards animals. The number of stray animals is regulated by compulsory mass sterilization and they are kept in high-quality state shelters.

The existence of administrative and criminal liability for cruelty to animals is certainly one of the most effective ways to protect animal rights. In Holland, cruelty to animals is punishable by 3 years imprisonment and a fine of 16500 Euros (Franklin, 2023). In addition, Italy has a special chapter in its criminal code called "Crime against animals". According to this article, offenders face up to 4 years in prison and a fine of 100,000 euros (Kostyanaya, 2019). This international practice is undoubtedly effective and can be applied in the Kazakhstani context.

System of registration and identification

Mandatory registration and microchipping is common practice in countries like Germany, Great Britain and Australia. This allows tracking the movement of animals and simplifies the search of lost or abandoned animals as well as their owners who have to take responsibility for the found animals. Specifically, in the UK from 2016 all dogs must be microchipped. This has led to significant reduction in the number of stray animals (The Guardian, 2023).

Programs of sterilization, castration and TNR

Sterilization of stray animals is the key to controlling their population. In some countries, such as Mexico, and Costa Rica, large-scale sterilization programs for stray animals are being implemented (Mota-Rojas et al., 2021). This practice led to improved animal welfare and public health by reducing the overpopulation of stray animals. Moreover, in Turkey, a stray animal sterilization program implemented since 2004 has reduced the stray dog population by 80% (Salgirli, 2019). Another initiative offered by the governments of countries like the US, Canada, and Germany is sterilization subsidies to pet owners to make the procedure more affordable.

Moreover, the Trap-Neuter-Return (TNR) Program can effectively manage stray animal population by stabilizing colony size and reducing nuisance behaviors (Levy et al., 2003). For example, The Alley Cat Allies organization in the United States advocates for and supports TNR programs across the country, providing resources and guidance to communities interested in implementing such initiatives.This initiative would be relevant and helpful for managing stray cats and dogs in our areas as there is a lack of shelters as well as appropriate conditions for animals to live there in a humane way.

Development of shelter system

In a number of countries, such as Germany, Sweden, Canada, shelters for homeless animals receive significant government support unlike in Kazakhstan where shelters are mostly self funded. This allows them to provide animals with proper care, veterinary care, and assistance in finding a new home. For instance, in Sweden, the animal shelter system is financed from government taxes. This provides a high standard of care for the animals and allows them to remain in the shelter until a home is found . This significantly reduces the euthanasia rate of homeless animals (Lashina, 2020).

Raising awareness about responsible ownership

The educational programs aimed at promoting responsible pet ownership can lead to a decrease in pet relinquishment and abandonment rates. Thus, in some countries like Germany, USA, Australia, information campaigns are being implemented aimed at increasing public awareness about the problem of stray animals and the importance of responsible treatment of pets. One of such information campaigns on Responsible Pet Ownership is run by FOUR PAWS International Organization.

Not only that but also this issue is included in school curriculum in countries like the USA, Great Britain, the Netherlands in order to instill in children from a young age a sense of responsibility and compassion towards animals. Such measures have the same level of importance as legal measures because the very root of the high number of stray animals and overpopulation of shelters is social irresponsibility and ignorance.

Implementing these best practices, tailored to the specific context and needs of Kazakhstan, can contribute to the effective protection and welfare of homeless animals in the country.

4) Disconnection between existing reality and government's initiatives

The issue of animal homelessness is a complex and urgent social problem that requires addressing various challenges such as implementing humane and effective strategies to manage the number of homeless animals, minimizing potential risks to public health, and establishing a unified governmental and public approach for resolving this issue. It is a matter of both social and personal responsibility, yet it is not given enough attention in society's priorities (Panfilova&Smolina, 2021).

While the government has taken some steps to address the issue of homeless animals in Kazakhstan, there are concerns about the implementation and enforcement of animal welfare laws in the eyes of the public. A survey conducted by the polling organization ISE in 2019 found that 71% of respondents believed that the government was not doing enough to address the issue of homeless animals in Kazakhstan (The Astana Times, 2019). The survey also found that 85% of respondents believed that there should be stronger penalties for animal cruelty. However, the existing literature shows that public perception is greatly affected by speciesism, which assumes that not all species of animals are considered equally by the public. This results in a different social attitude towards animal abuse penalties. For instance, Beneitez and Maria (2022) argue that public attitudes towards penalties can be predicted based on the animal attributes.

The law was introduced to encourage humane and responsible treatment of animals a year ago. However, in reality, the implementation of the law "On the Responsible Treatment of Animals" does not show expected results. Despite the new regulations, stray dogs and cats continue to be killed, the "trap-sterilize-vaccinate-release" (TSVR) system has only been implemented in some regions, and there are many questions about the quality of the activities carried out (Davar & Luke, 2021). In addition, to implement the TSVR system in 2023 the government procurement portal conducted a tender, where more than a dozen lots for the maintenance, sterilization and vaccination of stray animals were placed by the private local organizations. However, most of the tenders were given to companies that didn't have any

relevant experience. For instance, Research and design company KazNurProject LLP and IP Raikhan are among the winners of the tender. KazNurProject LLP specializes in land management and activities in the field of education, and IP Raikhan was previously engaged in growing forage crops and their seeds, and clothing retailers, which must now trap, sterilize, vaccinate, and microchip animals. (Batyrshin & Zanina, 2023). Thus, the existing regulations are not effectively implemented, which resulted in negative dynamics of the issue.

Conceptual Framework

Alina Davar and Joseph Luke are the renowned scholars in the field of animal law, who have produced noteworthy academic works in terms of understanding animal rights and welfare, specifically in the context of Kazakhstan. Alina Davar works as the Director of Experiential Learning and Assistant Professor of Practice at KIMEP School of Law. Her knowledge in practical learning brings a real-world approach to legal education, guaranteeing that students engage with actual issues such as animal cruelty. Joseph Luke, J.D., is an Associate Professor and Research Director at KIMEP School of Law. His research prioritizes some aspects of law, especially animal law, and he has published thoroughly on the subject.

In their collective work, Davar and Luke explore the complexities of animal law, focusing on the theoretical and practical effects of legislative frameworks associated with animal welfare. Their chapter in the book "Animal Law in Kazakhstan, Russia, and Worldwide: Collection of Essays" provides a comprehensive analysis of the cruel treatment of animals in Kazakhstan (Baideldinova, Chernyaeva, and Dalpane, 2020). Their findings highlight the challenges in initiating legal proceedings against animal cruelty, a significant increase in registered animal cruelty cases,ambiguous definition of "cruel treatment" and suggest room for improvement in terms of strengthening the legal framework for protecting animals (Davar&Luke, 2020). These efforts to prevent animal cruelty are hampered by weak law enforcement and low public awareness. Although laws exist, insufficient funding and resources often prevent adequate audits and prosecutions, indicating that the legislation is ineffective. Mild punishments further motivate potential offenders by demonstrating cruelty as a secondary and insignificant consequence in their perceptions. Moreover, the general

population often lacks knowledge and awareness of animal rights and their critical role in identifying and reporting abuse.Many people may not notice signs of animal distress or underestimate the importance of reporting suspected cases, resulting in a culture of silence that encourages cruelty to go unchecked (Davar & Luke, 2020). This leads to a critical gap between the legal framework and its practical implementation, putting stray animals at risk. Solving these problems requires a multifaceted approach. Increasing enforcement through increased financial resources and harsher penalties produces a more powerful disillusionment effect. At the same time, public education campaigns are vital to raising awareness of animal welfare, recognizing cases of cruelty and understanding the important role of reporting. By offering a culture of caution and proper tools for reporting suspected abuse, we can bridge the gap between current laws and their successful implementation, ultimately creating a safer environment for animals. In this way, the study promotes a comprehensive and interdisciplinary approach, emphasizing compassion and evidence-based policy development to achieve a more compassionate and sustainable future for both citizens and stray animal populations in Kazakhstan.

Summary of literature review

After examining the literature on the topic of stray animals, exploring its historical background, legal framework, and possible solutions influenced by best international practices, which include regulatory measures, system of registration and identification, levels of awareness, we can follow an evident change in public perception shifting from approval of mass extermination in the Soviet period to advocating for more humane treatment of stray animals in recent decades. This transition resonates with international tendencies, promoting an empathetic attitude towards homeless animals.

Although Kazakhstan has demonstrated substantial movement towards defending animals through implementing more robust enforcement of legislation, the reality doesn't align with intended reforms of more ethical treatment of stray animals. In other words, Kazakhstan still experiences challenges in executing animal welfare laws and transforming conventional perception of animals as resources rather than sentient beings. The trend of not recognizing animals as conscious beings is widespread even today, especially in the regional

areas of Kazakhstan where scenarios with abusive treatment of stray animals can commonly be encountered.

In our perspective, based on both the literature review and practitioner oriented reports, Kazakhstan is already adjusting successful global methods like sterilization, vaccination and humane animal control measures in some regions including Astana, but unfortunately it doesn't function properly at the national level. Consequently, more rigorous compliance with the regulatory framework, which incorporates mandatory sterilization, vaccination and government's support of shelters like in the Netherlands, the USA, Germany, Sweden etc. Overall, literature review and conceptual framework have identified issues in animal rights not only through the Soviet legacy but also the imperative for both sensitization and legislation improvements.

RESEARCH METHODOLOGY

The study is conducted based on qualitative research methods. Qualitative research methods focus on understanding the deeper aspects of people's behavior, beliefs, and opinions. The advantage of this approach is that it is suitable for studying complex phenomena that are not quantifiable. This method helps in understanding the context of complex social phenomena, cultural contexts, human behavior and motivation. Empathy and human factors are an important aspect of the study of this issue. Qualitative methods allow researchers to engage with people who are closely involved in the issue, taking into account their stories, concerns, emotions, etc. Qualitative research is more flexible and adaptive in the research process, they also serve as a basis for forming hypotheses and further research (Rayev, 2019).

However, despite all the advantages of qualitative research in the field of social and political sciences, there are certain undeniable disadvantages. Firstly, the limited representativeness of the sample, as our research is based on the example of one city, Astana. Secondly, the limited amount of quantitative information can complicate the statistical processing of data. Thirdly, qualitative research involves subjective interpretation of data and results, which may cast doubt on the objectivity of the findings (Nassaji, 2020).

Nevertheless, qualitative research appears to be most effective in the context of studying the issue of stray animal rights protection. This approach allows for the identification of unique aspects of the problem that may be missed when using statistical and standardized methods.

This study is aimed to answer three research questions regarding the current regulatory framework on stray animals' welfare, changes in public perception over time and generations and the future strategies of addressing the rights of stray animals in Kazakhstan. These questions are addressed using the collection and analysis of data, an interview and a survey, respectively. The research is conducted only in Astana in order to narrow down the scope of our research. However, we know Astana as the growing capital city of Kazakhstan, it might have a better implementation of the law than smaller regional cities, which may affect the public attitude and the statistics.

The collection and analysis of primary and secondary data are used to study the periodical changes in Kazakhstan regarding the rights of homeless animals. The data is collected for the last 3 years. We collected data regarding the estimated number of stray animals, shelters, the rate of castration, sterilization and vaccination, annual number of culling cases, information campaigns and the government budget allocation for these purposes. This statistics is used to analyze how the situation changed in Kazakhstan throughout the years. Along with the statistics, changes in the law are tracked to analyze how regulations impact the statistical data and social attitude towards the issue, allowing us to see whether there are significant changes after the implementation of new regulations. To collect the relevant data we contacted the Department of Control and Quality of the Urban Environment of the city of Astana.

To collect the primary data, our team ran an interview with the animal rights activist and the government representatives responsible for the implementation of the law. The interview is semi-structured as the questions are predetermined and structurally organized, however we aim to dive into deeper discussions and to be flexible in terms of asking questions to get an extensive and informative outcome. Respondents are interviewed only after signing an agreement form that meets the requirements of the NU-IREC (Nazarbayev University - Institutional Research Ethics Committee). This procedure is driven by ethical considerations to confirm the interviewee's consent to participate in the interview, understanding of the

purpose and nature of the questions and agreement to use the information obtained in the research. All three members of the group, together with the supervisor, received an IREC certificate confirming the passage of all necessary procedures proving competence in conducting interviews. All compiled questions that are asked to respondents comply with the committee's standards and ethical considerations. In this research study, interviews with participants were conducted in Astana in the period from November 2023 to January 2024. The interviews are conducted in Kazakh or Russian language according to the respondents' preference. After the collection of data, the team translates the interviews into English.

Last, but not least we conduct a self-administered online survey among 52 participants in Astana. The reason for choosing a self-administered questionnaire is its convenience and high number of respondents' rate. The language of surveys is Kazakh and Russian for the convenience of respondents. The technique of coding is used both in interviews and surveys in order to emphasize the similarities and differences of respondents' answers. This research study conducted a survey between October 2023 and February 2024. This survey was conducted online, with the consent of the participants and maintaining anonymity. It targeted a wide range of participants of different age, gender and social categories. This approach was chosen to ensure the representativeness of the study and to accommodate a variety of perspectives that influence the results of the study.

To analyze the collected data thematic analysis in qualitative research was used. Thematic analysis includes analyzing the data set and identifying patterns in meaning across the data to derive themes. As a result of the data collection, we identified three main themes that can be observed across the interviews and survey results.

DISCUSSION OF RESULTS

Survey results

Demographic Overview

The survey among Astana residents resulted in 52 responses demonstrating a diverse demographic. The majority of respondents are females (65.4%), with a distribution across different age groups, predominantly 18-24 years old (50%), which is shown in Figure 1 below. In terms of the occupation, the respondents include individuals with full-time jobs

(53.8%), graduate students (26.9%), and undergraduate students (13.4%), reflecting a mix of professional and academic backgrounds.
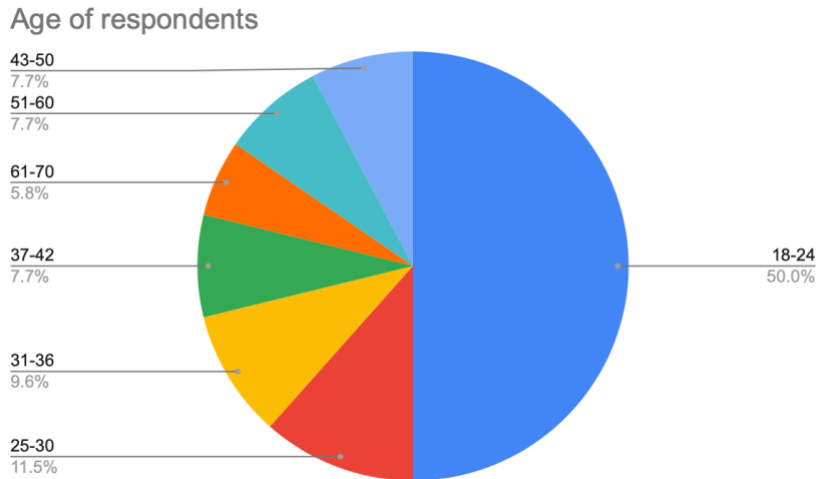

Figure 1

Awareness and Evaluation of Current Efforts

Awareness of legal protections for animals is mixed according to Figure 2, with 30.8% fully aware, 44.2% having partial knowledge, and 25% being unaware. Evaluating the city's efforts to control stray animals, opinions vary from satisfactory (50%) to lacking (19.2%).
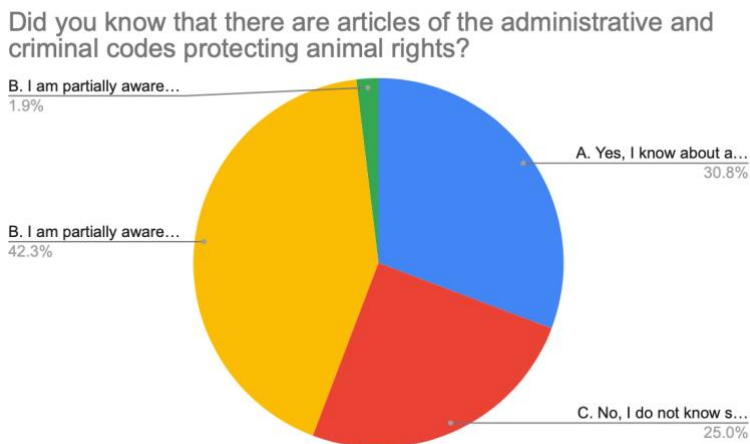

Figure 2

Attitudes and Perceptions Towards Stray Animals

Respondents recognize multiple sources contributing to the presence of homeless animals, emphasizing the complexity of the issue. Preferences for methods to reduce stray populations vary, with spaying/neutering programs being the most accepted (42.3%). Due to Figure 3, 82% of respondents believe that stray animals might be dangerous at all or to a certain extent. A significant portion perceives a decrease in stray animal numbers (46.2%), while others remain unsure or observe no significant change. Respondents believe in a collaborative approach to address neglect, with 53.8% emphasizing the involvement of the entire community, showcasing a collective responsibility for the welfare of animals.
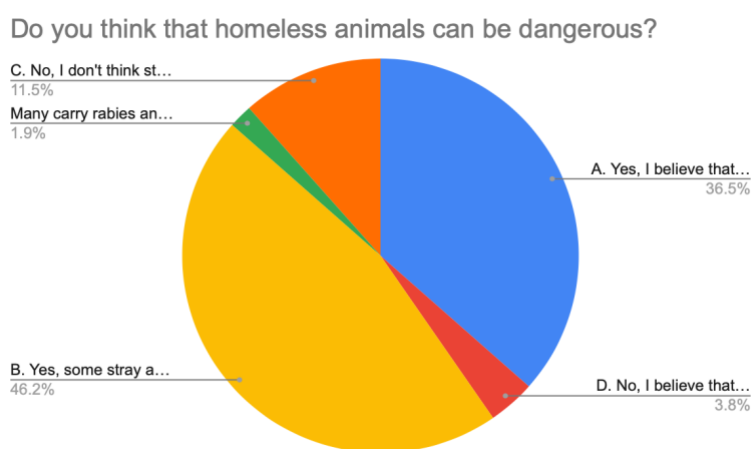

Figure 3

Discussion of statistics

Based on the statistics provided by the Department of Control and Quality of the Urban Environment of the city of Astana, the following results can be identified in various areas such as trends in animal capture, microchipping efforts, sterilization and castration programs, and public engagement**.** As there is no unified database on stray animal statistics in Kazakhstan, during the study the team made an official enquiry to the above mentioned department according to the statistics relevant to the current study. The obtained statistics reflected the results for 3 years: 2021, 2022 and 2023 in Astana. This limited sample was requested due to the fact that the main law that is the subject of the study, "On Responsible Treatment of Animals" came into force in 2022. For this reason, these three years were selected in order to track the dynamics and potential changes that occurred after the law came

into force. In addition to statistics directly related to the number of captured, sterilized, etc. animals, a request was made about the number of calls to the iKomek-109 contact center regarding stray animals, since one of the goals of the study is to assess the attitude and concern of citizens to this problem.

The annual number of trapped animals stayed stable over the three years under review, with a slight downfall in 2023. However, dogs compose the majority of trapped animals. Attempts have been recognized to enhance animal identification and traceability due to an increased number of microchipped animals. This is a positive pattern in the context of managing the stray animals population. The number of sterilized and neutered animals fell down from 2021 to 2023. This may suggest reasons such as modifications in government program priorities and decreased funding. The number of requests to iKomek-109 regarding animal capture stayed stable throughout the period under review, with a slight rise in 2023. This may showcase the awareness of the citizens regarding the instruments of communication with the authorities' feedback and people's concern about the issue of homeless animals.

Discussion of interview results

In the interview with the Akim of district #1 of Astana city, the main aspects in solving the problem of stray animals were identified. Firstly, local authorities, i.e. akimats, do not have the power to take care of stray animals. Nevertheless, together with the veterinary service, they carry out capture of animals dangerous for people, based on appeals and complaints of citizens. There is a state kennel, which was built in 2023 and can accommodate up to 5,000 dogs. At the same time, the Akim stressed the work to inform the public about the importance of responsible ownership and treatment of animals, as well as spaying and neutering of animals through various programmes and activities. The treatment of stray animals is regulated by laws and normative acts. Violators bear administrative and criminal liability. Civic engagement is of particular importance, especially with regard to cruel treatment. There is no direct interaction between the Akimat and private kennels, control is limited to the state kennel. The akim mentioned the transfer of the functions of caring for stray animals to animal welfare organizations with the participation of the akimat. Despite the fact that the state budget remains on the balance sheet, the responsibility for the care of stray animals is transferred to animal rights activists.

The interview with the Akim of district #2 of Astana city also revealed the main aspects of the stray animal problem. According to the akim, local authorities, akimats, face difficulties in solving this problem. The main problem is the financial component of the issue, associated with the high cost of keeping captured animals. In addition, it is noted that the policy is influenced by different points of view, both stakeholders and international experience. The experiences of other countries are being studied. Regarding the implementation of the policy itself, free spay and neuter campaigns are carried out annually in the city in cooperation with Astana Veterinary Services. In particular, according to Akim, 798 animals were sterilized free of charge in 2022. But despite the fact that there are regular campaigns on responsible animal treatment, the actual number of stray animals remains high. Various factors contribute to this, including construction sites and abandoned areas in the area, which is being actively developed. There is cooperation with rescue organizations and animal rights activists, and support for initiatives in line with the authorities' objectives. A catch-sterilize-return programme is practiced in the city. Ways and resources are mentioned for residents to report problems related to stray animals through Telegram bots and iKomek. However, Akim cites a cultural and social imbalance among the population, stating that the older generation is more responsible towards animals than the younger generation. Akim concludes that a comprehensive approach is needed to address the problem, taking into account legislative and cultural aspects.

On the other hand, the head of the animal protection association and the lawyer provided valuable information on the evaluation of the existing regulations, the reasons for the existing issues, the current statistical data and how the problem can be solved unlike government officials who shared only superficial information. Moreover, the lawyer shared information from personal experience regarding the opening of a shelter and volunteer movement, also hidden stones of the stray animals issue.

The lawyer has revealed some of the flaws in the terminology of the existing regulations, especially this opinion is related to the usage of broad concepts. For instance, the definition of stray and homeless animals. Another point that was highlighted is that the law is progressive in its essence as it accepts animals as living beings capable of experiencing pain, however they specify only physical pain, not psychological suffering, which also has to be included.

At the moment, there is an issue with statistical data due to the ineffectiveness of the existing data portal. Each region has its own data, which is chaotically collected. However, there is no unified data portal, where the issue can be analyzed as a whole, not by region. Moreover, in many regions this data is absent or unclear. However, the existing data shows that the population of stray animals was increasing before the law came into force. This means that killing animals is an ineffective solution. This conclusion is also supported by several research papers from international resources. Thus, there is no need to kill stray animals. The main idea is to catch and sterilize them. As a result, we will see a positive dynamic in 5 years. In the first couple of years, this project will require a lot of budget, however in the long-term perspective it's cheaper than providing a budget for killing annually.

Breeding is another major topic to discuss. It directly affects the issue of stray animals as it's becoming more popular to breed cats and dogs to sell them. However, most of the owners do not follow the standards of purebreds. There are canine clubs, where purebreds are raised, then they take part in competitions. However, the owners break these standards to make more money. As a result, there are more abandoned animals. Thus, the given issue also has to be taken under control, while at the moment there are no regulations regarding breeding.

The operation of shelters is a complex issue with the impossibility of getting direct government funding. The lawyer explained that it's possible to get funding through the participation in tenders. However, to take part in tenders there is a need to provide annual taxes that were paid by the organization. As a volunteer movement, the existing private shelters only collect donations, which are not taxed. Thus, shelters only pay taxes for their staff, that are usually 2-3 people. To win tender there is a need to have millions of taxes paid annually, but there is no possibility for shelters to pay large amounts of taxes. Thus, there is no opportunity for getting direct funding from the government at the moment.

At the moment, the lawyer is facing another issue, which is selling and using dog meat. According to the activist, there were cases in several regions where enormous amounts of dog meat and their remains. The lawyer sees a direct connection between shooting stray dogs and dog meat selling. Now these cases are under investigation and cannot be fully released. However, this is another problem that is a consequence of the issue of stray animals.

Regarding the culture in Kazakhstan and societal attitude towards animals, the lawyer shared her experience of beginning a volunteer movement. Activist's experience showed that people are mostly unaware of the problem and don't responsibly treat animals. But the tendency shows that the culture is slowly changing.

As the results of the interviews showed, the government leaders and the lawyer and activist demonstrate differing views on the problem of stray animals in the country. It is for this reason that these particular representatives of stakeholder groups were selected. The results of the interviews reflect the vision of akims who fulfil the state policy regarding the stray animal problem. At the same time, the interviews with the head of the association and the lawyer show the depth of the complexity of the problem, the shortcomings of the current state policy and specific recommendations to improve the situation.

DISCUSSION OF FINDINGS

The first theme that can be noticed across the data set is the prevalence of attitudes of danger from animals rather than the obligation to protect them. This means that society prioritizes safety issues over the protection of stray animals rights. According to the survey results, more than 80% of people think that stray animals can pose a danger, but only 40% of people have a compassionate attitude towards stray animals and believe in helping them. Not only citizens are concerned more about safety problems, government representatives in the interviews also highlighted the need to ensure safety by eliminating stray animals. At the moment, the local government doubts the effectiveness of humane methods of decreasing the stray animals population. Thus, there is an incentive to continue using "old" methods, namely, through shooting and culling, to protect citizens, which can be explained further within the second theme.

The second theme points to the fact that legislation today favors reduction of the animal population rather than cooperation with rescue and shelter organizations. Reduction of animal population using shooting and culling is still considered as an effective method because of the lack of labor force. From the interview with the local government representatives, we could observe that trapping, vaccinating and releasing methods is time and resource consuming. Thus, there is a need to increase the number of workers, which leads to additional costs. As a result, the local government prefers reduction methods rather than

cooperating with shelters. According to the lawyer, shooting is still practiced in some regions of Kazakhstan despite the new regulations. This shows that the local government prefers "old" methods of dealing with the problem rather than aligning with the new rules. Moreover, there are difficulties for private shelters in cooperating with the government due to bureaucratic processes. For instance, getting direct funding from the government is nearly impossible due to specific rules and strict regulations. Thus, the government officials are reluctant to support private organizations and shelters helping stray animals.

The last finding within the study reflects the concerns about cost implication prevail over the need for free programming of policy solutions. This means that the government's concerns about spendings limit the possibility of creating free programs that would incentivize people to behave in a more responsible and compassionate way towards stray animals. Behavioral campaigns can be effective and cost-efficient. However, such policies were not considered as a solution due to annually increasing spendings on traditional methods. Thus, there is a need to promote free programs that would affect people's behavior towards homeless animals in a positive way.

To sum up, using the thematic analysis we identified three major themes that come across the data set. Based on these themes we can state that the society is more concerned about safety issues rather than stray animals protection, similarly the government is more focused on the decrease of animal population through traditional methods than supporting shelters and following new regulations. Lastly, it is important to note that cost concerns don't allow space for creativity and behavioral programs that can be cost-efficient and incentivize people to protect stray animals.

RECOMMENDATIONS

The existing regulations contributed to the formulation of animal rights, however there is no significant change in the problem solution. Thus, based on the reviewed literature and collected data, the study came up with a number of recommendations. First, the issue of stray animals has to be promoted through the initiatives on public education and awareness. Second, there is a need to introduce legislative reforms that prioritize animal welfare and promote evidence-based interventions. Third, our suggestion is to invest in robust data collection mechanisms, which will help to analyze the situation. Finally, it's important to

monitor and evaluate the effectiveness of current regulations over time, thus, we suggest the creation of a relevant department that will be responsible for the evaluation of data and suggesting improvements. Thus, there are four recommendations that will help to improve the current situation on the stray animals issue.

As a first suggestion we considered public education. It may contribute to the societal shift towards responsible and humane treatment of animals from childhood. Thus, we recommend introducing information campaigns starting from the pre-school to teach children about responsible pet ownership and compassionate coexistence with stray animals. We believe that lessons on animal rights will cultivate a culture of empathy and social engagement in the solution of the given problem. Information campaigns among adults will also help to change the way of thinking about the root causes of the issue. At the moment, adults are concerned about their safety, however through the public education campaigns we can achieve the creation of sustainable and inclusive solutions to all members of the society.

Secondly, we recommend introducing legislative reforms that will focus on evidence-based humane interventions. This means that reforms should contain interventions that proved their effectiveness in other countries. There is a need to do extensive research on global best practices to understand which interventions are suitable for the context of Kazakhstan. As a result, we will have legislative models that already have shown positive results. We believe that this will help to save time and financial resources on the implementation of reforms. Moreover, the research of global best practices and implementation of evidence-based interventions will help the government to identify innovative and humane solutions apart from the traditional methods of culling. This will lead to the allocation of budget to new humane methods rather than the traditional ones.

Third recommendation is based on the fact that currently there is no unified database in the country regarding the number of pets, stray animals and shelters. During the study, we found out that there is only data for the last three years, which prevented us from conducting a time series analysis. We believe that the data collection process is significant to analyze the situation. Through the analysis of the collected data, the government may find root causes of the issue, evaluate the effectiveness of regulations and respond to certain trends in the statistical data. Moreover, it also affects budget allocation to the solution of the problem because previously the government only allocated financial resources to killing and culling

methods, whereas providing statistical data will help to justify the effectiveness of humane methods of decreasing the population of stray animals over time.

Lastly, we recommend the government investment in the monitoring and evaluation of the current regulations efficacy across certain time periods. This means that there is a need in the creation of an analytical department and investment in the analytical tools. By using data-driven insights, the government representatives can react to emerging trends, assess the impact of implemented regulations and adapt strategies in a timely manner to effectively address the given dynamic and multifaceted problem of stray animals.

CONCLUSION AND LIMITATIONS

The given study researched a topic of legal framework on the situation of stray animals in Kazakhstan, focusing on the existing practices and policy responses. The main aim of the study was to analyze the existing regulations, social response and provide recommendations on the improvement of the situation. The constantly increasing population of stray animals concerned the local governing bodies, animal activists and the public. However, each party had their unique perspective on the issue. The society criticized the existing regulations for posing a threat on public health and safety, whereas activists demanded humane methods of decreasing the population of stray animals. The dilemma resulted in the creation of the law "On Responsible Treatment of Animals". The given research focused on the examination of the regulation's applicability and effectiveness, public reaction and criticism.

The study begins with the literature review, which is divided into four parts dedicated to different aspects of the issue. First, the historical and social background of animal rights in the Soviet Union section discusses the situation with animal rights in that period of time. This period can be characterized as a shift from mass killing of stray animals to more humane treatment. The second section of the literature review discusses the development of a legislative framework regarding stray animals in Kazakhstan, which include the transformation of the status of animals from property to a creature that is capable of feeling physical pain and legal attempts to designate animal rights. In the third section global best practices were considered that can be applied in the context of Kazakhstan. Last part of the

literature review describes the gap between the existing reality and government initiatives, which provides information on how the law is implemented and perceived by the society.

To analyze the issue of stray animals from perspectives of government, the public and animal advocates, were conducted survey among citizens, interviews with local authorities and legal expert, and was collected secondary data. As a result, the data collection process revealed three major themes regarding the issue.

Findings show that there is a prevalence of safety concerns over animal protection. The society perceives stray animals as a potential danger. Therefore, there is a prioritization of human interests and safety at the expense of animal welfare. Another prominent finding is the legislative landscape, which prefers reductionist approach to manage stray animals population over collaborative and humane strategies. Interviews with local authorities and the legal expert shed light on the use of traditional methods, such as shooting and culling, rather than relying on more progressive approaches, such as trapping, vaccinating and releasing. This fact is heavily interconnected with the third theme, which is the cost implication of following progressive strategies. Budget constraints and competing demands for limited resources result in the prioritization of short-term cheaper solutions rather than long-term investment. This preference leads to the inability to solve the problem because of the constantly breeding stray animals. Thus, the root of the problem is not being solved.

Considering the current situation, we suggest the implementation of initiatives aimed at improving public education and awareness, along with the legal reforms and investment in data collection and evaluation mechanisms. Through the enhancement of the public knowledge on the issue, the culture of responsible pet ownership and treatment will be promoted. The legal reforms can significantly affect social behavior, thus it's vital to include all terms and conditions regarding the responsible treatment of stray animals, especially focusing on the cases in which traditional methods can be used and the use of governmental financial resources by the private shelters. Another step to improve the situation is to invest in the data collection and evaluation mechanisms, which would provide an analysis regarding the effectiveness of the existing regulations.

The limitations of the study are the location, the number of interviews, the type of data collection in the survey and limited attention to demographic factors. The study was conducted only in Astana, a capital city that has stricter enforcement of law unlike other

regional areas, where the control over the implementation of new regulations is weaker. Thus, the sample can't be representative of the population. Although it shows the existing problems in the legal framework. Another significant limitation is the number of interviews. There were three interviews conducted with the government officials and the legal expert, which is insufficient to get the complete picture of the situation. We planned to conduct an interview with the animal activists and shelter owners to present their perspectives on the issue. However, due to their busyness, they could not manage to take part in the interview. As a result, the study lacks information on the existing problems of shelter owners. Thus, it's significant to continue data collection to have more accurate results. Thirdly, the survey was conducted online, which means that for some social groups it can be unavailable. This excludes certain age groups from the sample of respondents that may affect the results. Lastly, the study lacks analysis of demographic factors. The analysis of demographic factors can help to find out the target audience of certain regulations and help to influence unaffected social groups through other policy mechanisms. Therefore, for future studies on the relevant topic we would recommend to conduct an extensive study covering more regions of the country, social groups and conduct a deep analysis of demographic factors to improve the recommendations.

In conclusion, stray animal rights and their population management in Astana is a complex issue that demands evidence-based policymaking, increasing social awareness and a unified database to evaluate the law over time.

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