

On Internal Troops of the Ministry of Internal Affairs of the Republic of Kazakhstan

Invalidated Unofficial translation

Law of the Republic of Kazakhstan dated 23 June, 1992 No. 1407 -XII

Unofficial translation

Footnote. Title of the Law is in the wording of the Decree of the President of the Republic of Kazakhstan, having the force of the Law dated 22 December 1995 No. 2708;

Footnote. The words “internal troops” in the title of the Law are replaced by the words “Internal Troops” - by the Law of the Republic of Kazakhstan dated 6 July, 2 0 0 7 N o . 2 7 7 ;

the words “Ministry of Internal Affairs” and “Ministry of Internal Affairs of the Republic of Kazakhstan” are excluded in the text of the Law – by the Law of the Republic of Kazakhstan dated 24 December 2001, No. 274;

in the text after the word “Section” the numbers “I – VIII” are replaced by the numbers “1 – 8” – by the Law of the Republic of Kazakhstan dated 20 December, 2004 No. 13 (shall be enforced from 1 January 2005).

Throughout the text, the words “cases of emergency”, “cases of emergency”, “re-enlistees” and “re-enlistees” are replaced by the words “emergency situations”, “emergency situations”, “military servicemen, performing military service under the contract” and “military servicemen, performing military service under the contract” – by the Law of the Republic of Kazakhstan dated 29 December, 2004 No. 26;

2) throughout the text the words “internal troops”, “internal troops”, “internal troops”, “internal troops”, “internal troops”, “internal troops”, “Internal troops”, “Internal troops”, “Internal troops”, “Internal troops”, “Internal troops”; and the words “military service”, “military service”, “military service” shall be replaced by the words “military service”, “military service”, “military service”; and the words “military school”, “military schools” shall be replaced by the words “military training school”, “military training schools”;

the words “warrant officers”, “warrant officers”, “warrant officers” are excluded in the text of the Law - by the Law of the Republic of Kazakhstan dated 6 July, 2007 No. 277

Section 1. General Provisions

Article 1. Internal Troops of the Ministry of Internal Affairs of the Republic of Kazakhstan

Internal Troops of the Ministry of Internal Affairs of the Republic of Kazakhstan (hereinafter - the Internal Troops) are included in a single system of the internal affairs authorities of the Republic of Kazakhstan and are designed to ensure the safety of the individual, society and the state, to protect the rights and freedoms of man and citizen from criminal and other unlawful acts.

Internal troops have their own flag and symbol. Regional command, formations and military units of the Internal troops have the battle flags of the established form.

Footnote. Article 1 is in the wording of the Law of the Republic of Kazakhstan dated 09.12.98 No. 307, as amended by the Laws of the Republic of Kazakhstan dated 24.12.2001 No. 274, dated 15.01.2013 No. 69 -V (shall be enforced upon expiry of ten calendar days after its first official publication).

Article 2. Objectives of the Internal Troops

The objectives of the Internal Troops shall be:

- 1) protection of important state objects and special cargo in transit;
- 2) control and supervision of the behavior of the persons, detained in correctional institutions, except for those intended to serve the sentenced women, minors, prisons and detention centers, as well as the citizens in their territory;
- 3) protection of correctional institutions, except for those intended to serve the sentenced women, minors, prisons and detention centers;
- 4) convoying prisoners and persons in custody;
- 5) participating with the internal affairs authorities in maintaining public order, and the suppression of mass and group disturbance of public peace, ensuring public security and legal regime of emergency state, the legal regime of anti-terrorist operations, participating in the antiterrorist operation, participating in emergency recovery (natural disasters, major accidents and disasters);
- 6) performing specific tasks in the system of territorial defense of the Republic of Kazakhstan in wartime;
- 7) fighting against illegal armed groups;
- 8) eliminating particularly dangerous offences, sabotage, acts of terrorism, armed conflict and disengagement of the warring parties;
- 9) other tasks, assigned to the Internal Troops by the legislation of the Republic of Kazakhstan.

Tasks, assigned to the Internal Troops shall be performed by:
the military authorities of the Internal Troops;

formations and military units of operational purposes;
special military units for the protection of important state facilities and special
c a r g o ;
formations and military units for the protection of correctional institutions and
c o n v o y i n g ;
special motorized formations and military units;
Military police of Internal Troops;
higher military educational institutions of the Internal Troops;
military units for supporting the activities of the Internal Troops (educational,
c o m m u n i c a t i o n and other);
a v i a t i o n military unit;
military units (divisions) for special purposes.

Formations and military units are part of the regional command of Internal troops, with the exception of formations and military units that are directly under the Commander of the Internal Troops in accordance with the legislation of the Republic of K a z a k h s t a n .

Involvement of Internal troops to perform the tasks not assigned to them by the legislation shall be prohibited.

Footnote. Article 2, as amended by the Decrees of the President of the Republic of Kazakhstan, having the force of the Law, dated 21.12.1995 No. 2708; by the Laws of the Republic of Kazakhstan dated 05.04.1999 No. 360; dated 24.12.2001 No. 274; dated 29.12.2004 No. 26; dated 06.07.2007 No. 277; dated 24.06.2008 No. 46-IV (shall be enforced from January 1, 2008); dated 08.04.2010 No. 266-IV (the order of enforcement see Art. 2); dated 18.01.2012 No. 547-IV (shall be enforced upon expiry of ten calendar days after its first official publication); dated 15.01.2013 No. 69-V (shall be enforced upon expiry of ten calendar days after its first official publication).

Article 3. The legal basis of the activities of Internal troops

The legal basis of the activities of Internal troops shall be the Constitution of the Republic of Kazakhstan, this Law and other regulatory legal acts.

The ensuring of legality in the activities of Internal troops shall be carried out by the General Procurator of the Republic of Kazakhstan and his subordinated procurators

Footnote. Article 3 is in the wording of the Decree of the President of the Republic of Kazakhstan, having the force of the Law dated 21 December, 1995 No. 2708.

Article 4. Principles and basis of the organization of activities of the Internal troops

Activities of the Internal troops shall be carried out on the principles of legality, humanism, respect for personal rights and unity of command.

Internal troops Commander shall implement the direct control of troops.

Head of the Departments of the Internal affairs of the regions, the city of republican significance and the capital shall be the senior intelligence chiefs in regard to the commanders of formations and military units of the Internal troops, deployed on the territory of the relevant regions, the city of republican significance and the capital, and carrying out the tasks of protection of public order, protection of correctional institutions, and in emergency situations, as well as other tasks, assigned to the Internal troops under the legislation of the Republic of Kazakhstan.

Footnote. Article 4 is in the wording of the Law of the Republic of Kazakhstan dated 15.01.2013 No. 69-V (shall be enforced upon expiry of ten calendar days after its first official publication).

Article 5. Command language and record keeping in the Internal troops

Command and record keeping in the Internal troops, as well as official correspondence shall be carried out in accordance with the legislation of the Republic of Kazakhstan on languages.

Footnote. Article 5 - as amended by the Law of the Republic of Kazakhstan dated 09.12.98, No. 307.

Article 6. On the non-party of Internal Ministry troops

The establishment and activities of the organizational structures of political parties and other public associations, pursuing political goals in the Internal troops shall be prohibited.

Footnote. Article 6 - as amended by the Decree of the President of the Republic of Kazakhstan, having the force of the Law, dated 21 December, 1995 No. 2708.

Section 2. Powers of public and administrative authorities and the management of the Internal troops

Article 7. The President of the Republic of Kazakhstan

The President of the Republic of Kazakhstan shall:

- define the tasks of the Internal troops in the field of defence in wartime;
- appoint, dismiss the Commander of the Internal troops;
- issue decrees on the regular draft call of citizens for urgent military service in the Internal troops and military discharge of military servicemen of Internal troops, served

their terms of urgent military service;
- exercise other powers in accordance with the Constitution and Laws of the Republic of Kazakhstan.

Footnote. Article 7, as amended by Law of the Republic of Kazakhstan dated 23.12.1992, by the Decree of the President of the Republic of Kazakhstan, having the force of the Law dated 21.12.1995 No. 2708, as amended by the Laws of the Republic of Kazakhstan dated 11.06.2001 No. 208, dated 05.07.2011 No. 452-IV (shall be enforced from 13.10.2011), dated 15.01.2013 No. 69-V (shall be enforced upon expiry of ten calendar days after its first official publication).

Article 8. The Government of the Republic of Kazakhstan

The Government of the Republic of Kazakhstan shall:

- approve the organizational structure, staff number limit, the deployment of the Internal troops;
- provide allocation of funds for the operations of the Internal troops, determine the means of ensuring the Internal troops the material and technical resources, food, clothing, equipment, weapons, ammunition, communications and other special technical means;
- define a list of important public facilities, facilities on transportation lanes and special cargo for protection of the Internal troops;
- resolve the issues on the establishment, disarming of important public facilities and facilities on transportation lanes with the appointment of necessary military or dedicated complement to perform these tasks;
- take measures to social and legal protection, material and welfare support of military servicemen of Internal troops, persons in the reserve (retired persons, and their families);
- decide other issues for ensuring the activities of the Internal troops;
- perform other functions, assigned to it by the Constitution and Laws of the Republic of Kazakhstan and the acts of the President of the Republic of Kazakhstan.

Footnote. Article 8, as amended by the Laws of the Republic of Kazakhstan dated 23.12.1992; by the Decree of the President of the Republic of Kazakhstan, having the force of the Law dated 21.12.1995 No. 2708; by the Laws of the Republic of Kazakhstan dated 05.04.1999 No. 360; dated 24.12.2001 No. 274; dated 29.12.2004 No. 26; dated 06.07.2007 No. 277; dated 29.12.2010 No. 372-IV (shall be enforced upon expiry of ten calendar days after its first official publication); dated 05.07.2011 No. 452-IV (shall be enforced from 13.10.2011); dated 15.01.2013 No. 69-V (shall be enforced upon expiry of ten calendar days after its first official publication).

Article 9. Ministry of Defence of the Republic of Kazakhstan

Ministry of Defence of the Republic of Kazakhstan shall:

- carry out the recruitment of the Internal troops by the reserve officers, military servicemen, performing military service under contract and enlistment;
- assist in the training of officers and military servicemen, performing military service under contract in the military training schools;
- exercise other powers, provided by this Law, other laws of the Republic of Kazakhstan, acts of the President of the Republic of Kazakhstan and the Government of the Republic of Kazakhstan.

Footnote. Article 9, as amended by the Decree of the President of the Republic of Kazakhstan, having the force of the Law dated 21.12.1995 No. 2708; as amended by the Laws of the Republic of Kazakhstan dated 24.12.2001 No. 274; dated 06.07.2007 No. 277; dated 05.07.2011 No. 452-IV (shall be enforced from 13.10.2011).

Article 10. Minister of Internal Affairs of the Republic of Kazakhstan

Minister of Internal Affairs shall:

- carry out operational management of the service and fighting activities of the Internal troops, take measures for provision of the military servicemen with housing and resolving other social and domestic issues;
- publish the regulatory legal acts in the execution of the Laws of the Republic of Kazakhstan, acts of the President of the Republic of Kazakhstan, the Parliament and the Government of the Republic of Kazakhstan on improving service and fighting activities, structure of the Internal troops and conducting of organizational activities;
- submit proposals to change the total strength, organizational structure and deployment of units of the Internal troops to the Government of the Republic of Kazakhstan;
- define the structure, the deployment and troopers' number in the formations (units) of the Internal Troops within the staff number limit, approved by the Government of the Republic of Kazakhstan;
- take measures to maintain the constant combat and readiness of the Internal troops;
- ensure the participation of the Internal troops in organizing the recruitment and dismissal of army conscripts from the ranks of the Internal troops;
- present the servicemen and employees of the Internal troops for state awards;
- appoint and discharge the deputies of the Commander of the Internal troops, commanders of the regional command of Internal troops and their deputies, chief of higher military educational institution of the Internal troops, commanders of formations of the Internal troops, dismiss the officers of Internal troops, assign the first

military rank of officer personnel and the military rank “Colonel”.

Footnote. Article 10 is in the wording of the Decree of the President of the Republic of Kazakhstan, having the force of the Law dated 21.12.1995 No. 2708; as amended by the Laws of the Republic of Kazakhstan dated 05.04.1999 No. 360; dated 11.06.2001 No. 208; dated 06.07.2007 No. 277; dated 29.12.2010 No. 372-IV (shall be enforced upon expiry of ten calendar days after its first official publication); dated 15.01.2013 No. 69-V (shall be enforced upon expiry of ten calendar days after its first official publication).

Article 10-1. Commander of the Internal troops

Footnote. Title of Article 10-1 is in the wording of the Law of the Republic of Kazakhstan dated 15.01.2013 No. 69-V (shall be enforced upon expiry of ten calendar days after its first official publication).

Commander of the Internal troops shall:

- maintain the constant combat and mobilization readiness of the Internal troops;
- direct the service and fighting activities, operational and combat training of troops, the introduction of best practices, the development of the material base and create the necessary social and living conditions for the personnel;
- develop and approve the plans for recruitment of troops by army conscripts on draft call and under the contract, for the organization of their transfer to the reserve in accordance with the legislation of the Republic of Kazakhstan;
- issue the orders, directives and instructions;
- decide the issues on military service of officers of the Internal troops in accordance with the legislation of the Republic of Kazakhstan, appoint to a post, discharge from the post, assign the next military rank, reduce the military rank of the officer personnel, transfer to the reserve or retirement to the lieutenant colonel, inclusive;
- make proposals to the Minister of Internal affairs for awarding of military servicemen and employees of the Internal troops by state awards;
- provide armement (supply) of military troops and other hardware and other assets, dispose the useless or lost material assets and monetary funds of troop (budget) account in the manner, prescribed by the Government of the Republic of Kazakhstan;
- make proposals to the Minister of Internal affairs for the appointment and dismissal of deputies of the Commander of the Internal troops, commanders of regional command of the Internal troops and their deputies, chiefs of higher military educational institution of the Internal troops, commanders of formation of the Internal troops.

Footnote. Section 2 is supplemented by Article 10-1 in accordance with the Law of

the Republic of Kazakhstan dated 11.06.2001 No. 208; as amended by the Laws of the Republic of Kazakhstan dated 06.07.2007 No. 277; dated 15.01.2013 No. 69-V (shall be enforced upon expiry of ten calendar days after its first official publication).

Article 10-2. The commander of regional command of the Internal troops

The commander of regional command of the Internal troops shall:
maintain the constant combat and mobilization readiness of the subordinated formations and military units of the regional command;
direct the service and fighting activities, operational and combat training of troops, the introduction of best practices, the development of the material base and creating the necessary social and living conditions for the personnel;
issues the orders and instructions;
decide the issues on military service of the military servicemen of formations and military units composing the regional command of the Internal troops, in accordance with the legislation of the Republic of Kazakhstan;
appoint to a post and discharge from the post, assign the next military ranks, transfer to the reserve or retirement of military servicemen under the contract to captain inclusive, except the senior noncommissioned officers, and submit the recommendations to reduce the military rank of officer personnel to the Commander of the Internal troops.

Footnote. Section 2 is supplemented by Article 10-2 in accordance with the Law of the Republic of Kazakhstan dated 15.01.2013 No. 69-V (shall be enforced upon expiry of ten calendar days after its first official publication).

Article 11. Local executive bodies of regions, cities of republican significance, capitals

Footnote. Title of Article 11, as amended by the Law of the republic of Kazakhstan dated 22.07.2011 No. 479-IV (shall be enforced upon expiry of ten calendar days after its first official publication).

Local executive bodies of regions, cities of republican significance, capitals shall:

- within its competence take part in examination of the proposals of the Minister of Internal affairs on the formation and placement of regional commands, formations, military units of the Internal troops in the territory under their jurisdiction;
- provide the appropriate living conditions for the Internal troops, provide the legal and social protection of military servicemen of the Internal troops and their families, allocate the housing to officers and military servicemen, performing military service under the contract, in accordance with the legislation of the Republic of Kazakhstan;
- command regional commands, formations and military units of the Internal troops

in the organization of draft call for military service in the Internal troops;
- have the right to provide the material and technical support to the units of the Internal troops directly involved in the maintenance of public order in the territory;
- carry out in the interests of local government the control of other powers, assigned to the local executive bodies by the legislation of the Republic of Kazakhstan.

Footnote. Article 11, as amended by the Laws of the Republic of Kazakhstan dated 23.12.1992 and by the Decree of the President of the Republic of Kazakhstan, having the force of the Law dated 21.12.1995 No. 2708; dated 11.06.2001 No. 208; dated 24.12.2001 No. 274; dated 20.12.2004 No. 13 (shall be enforced from 01.01.2005); dated 22.07.2011 No. 479-IV (shall be enforced upon expiry of ten calendar days after its first official publication); dated 05.07.2011 No. 452-IV (shall be enforced from 13.10.2011); dated 15.01.2013 No. 69-V (shall be enforced upon expiry of ten calendar days after its first official publication).

Article 12. State bodies, enterprises, institutions, organizations, officials and citizens

State bodies, enterprises, institutions, organizations, regardless of the form of ownership, officials and citizens shall assist the internal troops in the fulfillment of their duties.

The authorized body in the field of communications, the National Security Committee of the Republic of Kazakhstan, other state bodies and institutions of the Republic of Kazakhstan shall provide free lines and channels of communication to control the military units of the Internal troops in the fulfillment of their duties in the social, natural and manmade emergency situations, the announcement of the state of emergency.

Public authorities shall control all modes of transport, military commanders and the representatives of military bodies and special transportation of the Ministry of Internal Affairs of the Republic of Kazakhstan on transport shall assist in the transportation of military servicemen of the Internal troops in the performance of their duties, and in emergency situations - in the first place.

Footnote. Article 12, as amended by the Decree of the President of the Republic of Kazakhstan, having the force of the Law dated 21.12.1995 No. 2708; by the Laws of the Republic of Kazakhstan dated 20.12.2004 No.13 (shall be enforced from 01.01.2005); dated 29.12.2004 No. 26; by the Constitutional Law of the Republic of Kazakhstan dated 03.07.2013 No.121-V (shall be enforced upon expiry of ten calendar days after its first official publication).

Article 13. Heads of the departments of the internal affairs of regions, the city of republican significance and the capitals

Heads of the departments of the internal affairs of regions, the city of republican significance and the capitals shall:
involve by the permission of the Minister of Internal Affairs the military formations, units of the operational purpose and special motorized units of the Internal troops in the places of permanent deployment for the protection of public order, disaster management and fulfillment of other tasks, assigned to the Internal troops by the legislation of the Republic of Kazakhstan, and the formations and units and for the protection of correctional institutions - for suppression of riots among prisoners and disaster management, directly on the protected facilities;
together with the commanders of formations and military units determine the amount of official tasks for formations and military units of the operational purpose and special motorized units of the Internal troops based on the number of troopers;
hear the information of the commanders of military units of military formations, units of the operational purpose and special motorized units of the Internal troops, on the results of service and fighting activities;
create the proper life conditions for the military units of the Internal troops, involved to perform tasks to assist the law enforcement bodies in places dissociated from the places of permanent deployment;

Footnote. Article 13 is in the wording of the Decree of the President of the Republic of Kazakhstan, having the force of the Law dated 21 December 1995, No. 2708; as amended by the Laws of the Republic of Kazakhstan dated 09.12.98, No. 307; by the Law of the Republic of Kazakhstan dated 5 April 1999, No. 360, dated 11 June 2001, No. 208; by the Law of the Republic of Kazakhstan dated 24 December 2001, No. 274; dated 29 December 2004, No. 26; dated 6 July 2007, No. 277; dated 15.01.2013 No. 69-V (shall be enforced upon expiry of ten calendar days after its first official publication).

Article 14. Military Council of the Internal troops

Military Council is formed in the Internal troops in accordance with Regulations, approved by the Minister of Internal Affairs of the Republic of Kazakhstan.

The structure of the Military Council is approved by the Minister of Internal Affairs on the proposal of the Commander of the Internal troops.

The Military Council is responsible for organizing and timely decisions' issues concerning the activity of the Internal troops.

Footnote. Article 14, as amended by the Laws of the Republic of Kazakhstan dated

23.12.1992; dated 24.12.2001 No. 274; dated 06.07.2007 No. 277; dated 15.01.2013 No. 69-V (shall be enforced upon expiry of ten calendar days after its first official publication).

Article 15. Military authorities of the Internal troops

General Command of the Internal Troops - Internal troops Committee is the operational and strategic body of the military authority of the Internal troops, and designed to maintain the constant combat and mobilization readiness of troops, development and implementation of plans for the construction and development of the Internal troops, improve their organizational and staff structure, organization of service and fighting activities of the Internal troops and together with the General Staff of the Armed Forces of the Republic of Kazakhstan shall plan the options for joint action.

Regional command of the Internal troops is the operational and the territorial body for military control, operating in a specific territory, in accordance with the legislation of the Republic of Kazakhstan.

Footnote. Article 15 is in the wording of the Law of the Republic of Kazakhstan dated 15.01.2013 No. 69-V (shall be enforced upon expiry of ten calendar days after its first official publication).

Section 3. Service in the Internal troops

Article 16. Cadres of the Internal troops

Cadres of the Internal troops shall be military servicemen and employees.

Military servicemen, who are on military service in the Internal troops, shall have the military ranks and insignia of distinction and a form of clothing established for them. They are subject to the regulatory acts, governing the conditions of service in the Armed Forces of the Republic of Kazakhstan, and the requirements of military regulations, taking into account the exceptions and additions, provided by this Law.

Work activities of employees of the Internal troops are governed by the labour legislation of the Republic of Kazakhstan.

Footnote. Article 16 is amended by the Law of the Republic of Kazakhstan dated 29 December 2004, No. 26; 6 July 2007, No. 277.

Article 17. Military service in the Internal troops

Internal troops resourcing shall be in accordance with the Law of the Republic of Kazakhstan “On military service and status of military servicemen”.

The procedure of military service of the military servicemen of the Internal troops,

their rights and responsibilities, the procedure to assign the military ranks, rating and dismissal are defined by the Rules of military service, military regulations and other regulatory acts.

Citizens, received for military service in the Internal troops, shall take the military oath.

Footnote. Article 17, as amended by the Laws of the Republic of Kazakhstan dated 09.12.98 No. 307; dated 24.12.2001 No. 274; dated 06.07.2007 No. 277; dated 16.02.2012 No. 562-IV (shall be enforced upon expiry of ten calendar days from the date of its first official publication).

Article 18. Legal status of military servicemen of the Internal troops

Military servicemen of the Internal troops shall have the rights and freedoms of citizens of the Republic of Kazakhstan. They are entrusted with the constitutional, military duties.

Military servicemen of the Internal troops in the performance of their duties, as defined by this Law, and other legal acts of the Republic of Kazakhstan, shall be the representatives of the government and shall be under the state protection.

Officers and military servicemen, performing military service under the contract shall be issued an identity card that certifies the identity, duty position and standing on military service.

Footnote. Article 18, as amended by the Law of the Republic of Kazakhstan dated 6 July 2007, No. 277.

Article 19. Training and professional development of cadres of the Internal troops

Training of soldiers and sergeants (foremen) is carried out in training units (centers) of the Internal troops and the Armed Forces of the Republic of Kazakhstan.

Training of officers for the Internal troops is carried out in higher educational institution, military academies, deployed in the territory of the Republic, as well as in military educational institutions of other states on a contractual basis.

Professional improvement of an officer of the Internal troops and military servicemen, performing military service under the contract is carried out in military educational institutions, in advanced courses (retraining) of officer.

Footnote. Article 19 is in the wording of the Law of the Republic of Kazakhstan dated 6 July, 2007 No. 277.

Article 20. Responsibility of military servicemen of the Internal troops

Military servicemen of the Internal troops shall be liable for crimes and other offences in accordance with the laws of the Republic of Kazakhstan.

In case of violations of the rights and legitimate interests of citizens by the military servicemen, the commanders and heads are obliged to restore the rights of citizens, bring those responsible to disciplinary or criminal responsibility, compensate the damage in the order, established by the civil legislation of the Republic of Kazakhstan.

The actions of the military servicemen of the Internal troops may be appealed to a superior commander (chief), prosecuting authorities and courts by the citizens in the prescribed manner.

Footnote. Article 20 is amended by the Law of the Republic of Kazakhstan dated 29 December 2004, No. 26.

Section 4. Responsibilities and rights of the Internal Troops

Article 21. Responsibilities of the personnel of the Internal Troops

The personnel of the Internal Troops shall be responsible for:

1) ensuring the protection of facilities of national importance, provided by a list of the Government of the Republic of Kazakhstan, special cargo in transportation and correctional institutions, except for those intended to serve the sentenced women, minors, prisons and detention centers;

2) participation in disaster management in the protected facilities;

3) control and surveillance of the behavior of the persons, detained in correctional institutions, except for those intended to serve the sentenced women, minors, prisons and detention centers, as well as the citizens in their territory;

4) convoying of prisoners from correctional institutions of the penal system, protected by troops, to the exchange point and back, as well as to the production facilities and back, protection of these facilities while convicted persons working on them;

5) convoying of prisoners and persons in custody, from the detention centers of the penal system and back to the hearings of the Supreme Court of the Republic of Kazakhstan, the region and equivalent courts, specialized inter-district criminal courts, as well as the military courts on their request, if for these objectives there are divisions of troops, specifically designed for convoy in the points of combat service;

6) protection of warehouses of military units of the Internal troops and military warehouses (databases) of the Ministry of Internal Affairs of the Republic of Kazakhstan;

7) participation in the protection of public order by performing the patrol and inspection;

- 8) participation in ensuring the public order during mass socio-political, sporting and other events ;
- 9) ensuring the protection of public order when dealing with natural disasters, major accidents and disasters, maintaining the legal regime of the emergency state;
- 10) participation together with the internal affairs authorities in suppressing the mass and group violations of public order, riots in correctional institutions, the tracking persons, who escaped from custody of military guards, and assisting the law enforcement bodies in tracking persons, hiding from the bodies of criminal prosecution or the court or the persons who committed serious crimes;
- 11) transportation of personnel, materiel resources, weapons, equipment and other goods between the units of the Internal troops and to the areas of performance of tasks;
- 12) localization and blockading of the area of conflict;
- 13) carrying out measures for disarmament and elimination of illegal armed formations, seizing weapons from the population in the area of conflict, enhancing the protection of public order and safety in the areas, adjacent to the area of conflict;
- 14) participation in the antiterrorist operation and maintenance of the legal regime of antiterrorist operation.

Footnote. Article 21 is in the wording of the Law of the Republic of Kazakhstan dated 18.01.2012 No. 547-IV (shall be enforced upon expiry of ten calendar days after its first official publication).

Article 22. Basic rights of military servicemen of the Internal troops

Military servicemen of the Internal troops in the performance of their duties shall have the following rights to:

- 1) demand from citizens and officials to maintain the public order, termination of offences and actions that impede the implementation of the powers of the Internal troops, and in case of failure to these requirements to apply the enforcement measures, provided in this Law ;
- 2) check the documents of citizens proving their identity, in case of suspecting them committing the crimes or other offences;
- 3) deliver to the bodies of internal affairs, and in cases relating to the commission of offences with infringement on the protected facilities, the premises of the Internal troops persons, who have committed offences, or to establish the identity of the offender ;
- 4) arrest and keep up to three hours in the premises of the Internal troops the persons who have committed offences related to the infringement on the protected facilities for registration of materials, with the subsequent transfer of offenders in the law enforcement agencies, to produce personal inspection, to search and seizure of

objects and documents in accordance with the legislation;

5) carry out the inspection of vehicles and the cargo, transported in the facilities, protected by the Internal troops and during the operations to detain the persons, who committed the crime or escaped from custody;

6) go in cases of urgency to the territory and the premises of enterprises, institutions and organizations and examine in order to prevent violations threatening the public order and the security of citizens, prosecution of persons suspected of committing the crimes, and search for escaped convicted persons and the prisoners under custody;

7) produce a cordon (blocking) of the area, individual buildings and objects in the search for the escaped convicts and the prisoners under custody, prosecution of the persons suspected of committing crimes, suppression of riots and group violating the public order, as well as in other emergency situations;

8) make an individual inspection of the convicted and prisoners under custody, while taking them to convoy and after their detention during the investigation;

9) detain (in cases where no military patrols) the military servicemen, violating the public order and send them to the military commandants and the commanders of military units;

10) use when appropriate, the mass media to inform the public about the crimes, search of the escaped criminals and in ensuring the state of emergency;

11) apply measures and time limits, stipulated by the Law of the Republic of Kazakhstan "On Combating Terrorism", in the participation in the antiterrorist operation and maintenance of the legal regime of antiterrorist operation;

12) control and supervise the behavior of the persons detained in the correctional institutions, except for those intended to serve the sentenced women, minors, prisons and detention centers, as well as the citizens in their territory.

Military servicemen of the Internal troops shall have the right to possession, carrying and use of the basic specialized means and the personal weapons in accordance with this Law.

Footnote. Article 22, as amended by the Laws of the Republic of Kazakhstan dated 09.12.98 No. 307; dated 20.12.2004 No. 13 (shall be enforced from 1 January, 2005); dated 08.04.2010 No. 266-IV (the order of enforcement see Article 2); dated 18.01.2012 No.547-IV (shall be enforced upon expiry of ten calendar days after its first official publication).

Section 5. Application of the enforcement measures by the Internal troops

Article 23. Conditions and limits of the use of physical force, special means, war dogs and weapons

Military servicemen of the Internal troops in the performance of their duties shall have the right to use the enforcement measures and orders, stipulated by this Law. The list of their weapons, military equipment and ammunitions, special means, that are operationally available in the Internal troops, is approved by the Government of the Republic of Kazakhstan.

The use of physical force, special means, war dogs and weapons must be preceded by a warning of their intent to use them, while giving enough time to fulfill his (her) requirements, except when the delay in the application of physical force, special means, war dogs or weapons poses an immediate danger to the life and health of citizens, military servicemen or law enforcement officers, and may cause other serious consequences.

Military serviceman shall provide the emergency medical service to the persons injured.

He shall promptly notify the prosecutor of the cases, resulting in death or bodily injuries.

Exceeding the limits of enforcement measures entails the responsibility under the laws of the Republic of Kazakhstan.

Footnote. Article 23 - as amended by the Law of the Republic of Kazakhstan dated 23 December, 1992; by the Law of the Republic of Kazakhstan dated 29 December 2004, No. 26; dated 6 July 2007, No. 277.

Article 24. Use of physical force

Military servicemen of the Internal troops shall have the right to use physical force, including combat fighting techniques, if nonviolent methods do not provide the performance of their assigned duties to prevent crimes and administrative offences related to the violation of public order, when detaining the persons who violated the law requirements.

Article 25. Use of special means and war dogs

Military servicemen of the Internal troops shall have the right to use special means, available in service in the Internal troops and war dogs in the following cases:

- 1) to hold off an attack on citizens, employees of correctional institutions, military servicemen or law enforcement officers;
- 2) for the detection and suppression of the resistance to the military servicemen of the Internal troops in connection with the performance of its duties;

- 3) to arrest the persons, caught during the commission of a crime against life, health or property and attempting to escape;
- 4) to disarm the persons, who are unlawfully in possession of firearms or edged weapons, ammunition, explosives, potent chemicals and poisons;
- 5) to deliver the detained persons to law enforcement bodies, conveying and protection of detained persons and the persons in custody, when their behavior suggests that they may escape or cause harm to others or to themselves, or oppose to the law enforcement officers;
- 6) to hold off an attack on the deployment site of military units and formations, protected objects, structures and cargo;
- 7) to release hostages, the captured protected facilities and structures, cargo, buildings, premises and vehicles;
- 8) to suppress mass riots and group violations of public order, disrupting the transport, communications, enterprises, institutions and organizations, as well as the actions disorganize the work of correctional institutions;
- 9) in emergency situations and in conducting the special operations for detection and arrest the criminals, to stop the vehicle, the driver of which has not fulfilled the requirement of the military serviceman of the Internal troops to stop;
- 10) to identify and arrest the persons, committed the crime.

The use of special means and war dogs against women, persons with visible signs of disability and minors is prohibited, except for the cases of their armed resistance, commission of group or other attack that threatens the life and health of people.

Footnote. Article 25 - as amended by the Law of the Republic of Kazakhstan dated 23 December, 1992 and by the Decree of the President of the Republic of Kazakhstan, having the force of the Law dated 21 December, 1995, No. 2708, by the Laws of the Republic of Kazakhstan dated 09.12.98 No. 307; dated 5 April 1999 No. 360; by the Law dated 6 July 2007, No. 277.

Article 26. The use of weapons and the use of military equipment

Military servicemen of the Internal troops shall have the right to use weapons and military equipment as a last extreme measure in the following cases:

- 1) to protect citizens, military servicemen, law enforcement officers, employees of the correctional institutions, judges and prosecutors from the attack;
- 2) to hold off an attack on the protected facilities, structures and special (military) cargo, security men, others persons of sentry (military detail) or watch-house, deployment site of units, citizens living quarters, as well as in the suppression of attempts of the illegal entry to the protected facilities (from the facility);

3) i s e x c l u d e d ;

- 4) to hostages, captured protected facilities, buildings and special (military) cargo;
- 5) to arrest the criminals, resisting or caught in the commission of crimes;
- 6) to prevent the escape of persons from custody in respect of which the arrest is chosen as a preventive measure; the sentenced to imprisonment, as well as the suppression of attempts to their violent release;
- 7) while suppressing the mass riots, including in correctional institutions, detention centers, prisons, as well as in emergency situations of a social nature, and in announcement of a state of emergency.

Military servicemen of the Internal troops shall also have the right to use firearms in the following cases:

- 1) to protect against animal attacks;
- 2) is excluded.

The use of firearms against women, persons with visible signs of disability and minors when their age is known or obvious, is prohibited, except for the cases of their commission of an armed or group attack (violence).

Every case of using firearm is reported to the prosecuting authorities and the report is compiled.

Footnote. Article 26, as amended by the Decree of the President of the Republic of Kazakhstan, having the force of the Law dated 17.03.1995 No. 2122; dated 21.12.1995 No. 2708; by the Laws of the Republic of Kazakhstan dated 05.04.1999 No. 360; dated 24.12.2001 No. 274; dated 06.07.2007 No. 277; dated 10.01.2011 No. 383-IV (shall be enforced upon expiry of ten calendar days after its first official publication); by the Constitutional Law of the Republic of Kazakhstan dated 03.07.2013 No.121-V (shall be enforced upon expiry of ten calendar days after its first official publication).

Section 6. Involvement of the Internal troops to perform the duties for maintaining the public order

Article 27. Involvement of the Internal troops to perform the duties in places of permanent deployment

The order to involve the forces and means to perform the duties for maintaining the public order is established by the heads of departments of the internal affairs of regions, the city of republican significance and the capitals, and by the commanders of military units in consultation with the Minister of Internal Affairs taking into account the official purpose of military units and creating the conditions for education and recreation of the military personnel.

Footnote. Article 27 is in the wording of the Law of the Republic of Kazakhstan dated 23 December 1992. As amended by the Law of the Republic of Kazakhstan dated 29 December 2004 No. 26.

Article 28. Involvement of the Internal troops to perform the responsibilities apart from the places of permanent deployment

Involvement of the military formations, units of operational purpose and special motorized units of the Internal troops to perform the duties for maintaining the public order, or to assist the law enforcement agencies in providing the legal regime of the state of emergency, the legal regime of antiterrorist operation, participation in anti-terrorist operations and liquidation of the effects of emergency situations, as well as to combat the illegal armed groups, localization and blocking the area of conflict, suppressing the particularly dangerous offences, sabotage, acts of terrorism, armed conflict and disengagement of opposing sides, disarmament and the elimination of illegal armed groups, seize of weapons from the population in the area of conflict, strengthening the protection of the public order and safety in the areas adjacent to the area of conflict, apart from the places of permanent deployment, is carried out by the President of the Republic of Kazakhstan.

Duration of the involvement of the military personnel of military units, units of operational purpose and special motorized units of the Internal troops to perform their assigned duties, referred in this article, apart from the place of permanent deployment should not exceed three months.

The period of service of officers, military servicemen, performing military service under the contract, shall be calculated at the rate of one month for the three and shall be paid high salaries.

Footnote. Article 28 - as amended by the Law of the Republic of Kazakhstan dated 09.12.98 No. 307; by the Law of the Republic of Kazakhstan dated 24 December 2001 No. 274; - by the Law of the Republic of Kazakhstan dated 20 December 2004 No.13 (shall be enforced from 1 January 2005); dated 08.04.2010 No. 266-IV (the order of enforcement see Article 2).

Section 7. Legal and social protection of military servicemen of the Internal troops

Article 29. Binding execution of legal requirements of military servicemen of the Internal troops and responsibility of officials and citizens for violation of this Law

Legal requirements of military servicemen of the Internal troops shall be binding on citizens and officials.

Failure to comply with this Law, obstructing the implementation by the Internal Troops of their assigned duties, offending the honour and dignity of the military servicemen, abuse of military symbols entails the liability, established by the laws of the Republic of Kazakhstan.

Footnote. Article 29 - as amended by the Decree of the President of the Republic of Kazakhstan, having the force of the Law dated 21 December 21 1995 No. 2708; by the Law of the Republic of Kazakhstan dated 24 December 2001 No. 274; by the Law of the Republic of Kazakhstan dated 6 July 2007 No. 277.

Article 30. Subordination of military servicemen of the Internal troops in the performance of duties

Military servicemen of the Internal troops in the performance of their duties shall subordinate only to the immediate and direct supervisors.

Article 31. The right of a military serviceman of the Internal troops to judicial protection for dismissal

Officers and military servicemen, performing military service under contract, shall have the right to appeal to a higher commander and to the court of the order of dismissal from the Internal troops.

Footnote. Article 31, as amended by the Law of the Republic of Kazakhstan dated 6 July 2007 No. 277.

Article 32. Pension provision, guarantees in case of death (decease) or injury to a military serviceman of the Internal troops

Pension provision of officer personnel, military servicemen, performing the military service under the contract, the Internal troops are carried out in accordance with the current legislation.

Upon receipt of injury of a military serviceman of the Internal troops during the performance of his duties or the service duty, a lump sum payment shall be paid to him, and in case of his death (decease) it shall be paid to the persons, entitled to receive it in accordance with the legislation of the Republic of Kazakhstan on the legal and social protection of military servicemen and their families.

Damage to the property of a military serviceman of the Internal troops or his family in connection with the performance of his duties or the service duty, shall be reimbursed entirely from the budgetary funds with the subsequent recovery of this

amount by the guilty persons.

Footnote. Article 32 - as amended by the Law of the Republic of Kazakhstan dated 8 April 1993. It is amended, the amendments shall be enforced from 1 January 1998, - by the Law of the Republic of Kazakhstan dated 19 June 1997 No.134; dated 10 October 2001 No. 247 (shall be enforced from 1 January 2001); - by the Law of the Republic of Kazakhstan dated 20 December 2004 No. 13 (shall be enforced from 1 January 2005).

Article 33. Providing the military servicemen of the Internal troops with housing

Officers, military servicemen, performing the military service under the contract are provided with housing in accordance with the Law of the Republic of Kazakhstan “**O n H o u s i n g R e l a t i o n s ”** .

Officers and military servicemen, performing the military service under the contract, who have served in the army for twenty years or more in a calendar calculation, shall be entitled to gratuitous acquisition of occupied housing in their property in the homes of the public housing stock in the manner, prescribed by the housing legislation of the Republic of Kazakhstan.

Military servicemen of the Internal troops (except army conscripts) and the members of their family living together with them are provided with the accommodations that meet the requirements of the legislation of the Republic of Kazakhstan. Before receiving a permanent dwelling such persons shall be granted the service housing and they shall be temporarily written in duty station.

Military servicemen of the Internal troops (except army conscripts) in the manner, determined by the Government of the Republic of Kazakhstan, regardless of years of service, in view of staying with their family members, shall be paid the pecuniary compensation in the amount, determined by the law on the republican budget, to pay for the home maintenance costs, utility services (central heating, hot and cold water supply, sewerage, electricity, gas).

Officer personnel, military servicemen, performing the military service under the contract, discharged from the Internal Troops to reserve or retired, and the members of their families are provided with housing for the chosen place of residence in the prescribed manner. The duty to exercise this right of the military servicemen of the Internal troops is assigned to local executive bodies of regions, the cities of republican significance, capitals.

In the case of the death of a military servicemen of the Internal troops in connection with the performance of his duties, the family of the deceased is retained the right to receive a living area on the grounds that existed when registering, and the

living area shall be provided within one year of the death of a military serviceman. Members of the family of a military serviceman, who lost the breadwinner, cannot be evicted from the living areas they occupy, without being given gratuitously other suitable living area in accordance with current regulations.

Footnote. Article 33, as amended by the Decree of the President of the Republic of Kazakhstan, having the force of the Law dated 21.12.1995 No. 2708; dated 02.04.1997 No. 88; dated 11.07.1997 No. 154; dated 09.12.1998 No. 307; dated 07.04.1999 No. 374; dated 24.12.2001 No. 274; dated 20.12.2004 No. 13 (shall be enforced from 01.01.2005); dated 29.12.2004 No. 26; dated 06.07.2007 No. 277; dated 22.07.2011 No. 479-IV (shall be enforced upon expiry of ten calendar days after its first official publication).

Article 34. (Is excluded – by the Law of the Republic of Kazakhstan dated 6 July, 2007 No. 277).

Article 35. (Is excluded – by the Law of the Republic of Kazakhstan dated 20 December 2004 No. 13 (shall be enforced from 1 January 2005)).

Article 36. Health service support of military servicemen of the Internal troops

Protection of life and health, as well as health service support of military servicemen of the Internal troops and their families are carried out in accordance with the legislation of the Republic of Kazakhstan.

Footnote. Article 36 – is in the new wording according to the Law of the Republic of Kazakhstan dated 09.12.98 No. 307.

Article 37. Social protection of military servicemen of the Internal troops and their families

Social protection of military servicemen of the Internal troops and their families is carried out in accordance with the legislation on social and legal protection of the military servicemen of the Armed Forces of the Republic of Kazakhstan.

military servicemen, serving in anti-tuberculosis institutions of penal system, shall be entitled to the privileges, established by the legislation of the Republic of Kazakhstan for this category of health workers are applied.

Footnote. Article 37, as amended by the Decree of the President of the Republic of Kazakhstan, having the force of the Law on 21 December 1995, No. 2708; by the Laws of the Republic of Kazakhstan dated 24 December 2001, No. 274; dated 20 December

2004 No.13 (shall be enforced from 1 January 2005); dated 18.01.2012 No. 547-IV (shall be enforced upon expiry of ten calendar days after its first official publication).

Section 8. Financial and material and technical support of military servicemen of the Internal troops

Article 38. Financing of the Internal troops

Financing of the Internal troops is carried out at the expense of budgetary funds.

Footnote. Article 38 – is in the wording of the Law of the Republic of Kazakhstan dated 22 December 1998 No. 327 (shall be enforced from 1 January 1999). It is amended – by the Law of the Republic of Kazakhstan dated 24 December 2001 No. 274; dated 20 December 2004 No. 13 (shall be enforced from 1 January 2005); dated 29 December 2004 No. 26.

Article 39. Material and technical support of the Internal troops

The order and norms of material and technical support of the Internal Troops are established by the Government of the Republic of Kazakhstan.

Internal troops are provided by weapons, aircraft, automotive, armored vehicles and other military equipment and materiel in the manner and according to the norms, established for the Armed Forces of the Republic of Kazakhstan.

military units (subunits), shall be responsible for the protection and defence of sensitive sites, facilities for communications, as well as objects of correctional institutions, the garrisons, buildings and constructions for placement of personnel, weapons, equipment and military equipment, as well as the supervisory units are allocated or created by ministries, departments (agencies), the objects protected by the Internal troops, and for military units, units of operational purpose and special motorized units of the Internal Troops – by the local executive bodies of regions, the cities of republican significance, capitals in the territories of their deployment. Local executive bodies of regions, the cities of republican significance, capitals shall isolate the land to the units (subunits) of the Internal Troops for garrisons, buildings and constructions for equipping the shooting range, training centers, farms and other facilities with binding the land user's rights under the legislation of the Republic of K a z a k h s t a n .

Repair and utility service of garrisons, buildings and constructions, used for the quartering of military units (subunits) are produced at the expense of budgetary funds and material resources, allocated by ministries (departments), in whose interests the Internal troops perform the service and the fighting tasks.

Construction, repair, reconstruction of technical means and material support of their operation are carried out at the expense of the ministries (departments), enterprises, institutions and organizations, whose objects are protected by the Internal troops.

Internal troops that are temporarily stationed in the territory of regions, to perform the tasks to ensure the protection of public order under the condition of introduction the state of emergency through mass social and political activities, are provided by living accommodation for the quartering, utility services, lines and communication channels, vehicles and fuels and lubricants, supplementary feeding at the expense of budgetary funds.

Footnote. Article 39, as amended by the Decree of the President of The Republic of Kazakhstan, having the force of the Law, dated 21.12.1995 No. 2708; by the Law of the Republic of Kazakhstan dated 09.12.1998 No. 307; by the Law of the Republic of Kazakhstan dated 05.04.1999 No. 360; dated 20.12.2004 No. 13 (shall be enforced from 01.01.2005); dated 29.12.2004 No. 26; dated 06.07.2007 No. 277; dated 22.07.2011 No. 479-IV (shall be enforced upon expiry of ten calendar days after its first official publication).

Article 39-1. Characteristics of the Internal troops' oil and gas supplies

Internal troops shall buy oil and gas to a single operator, determined by the Government of the Republic of Kazakhstan, for their oil and gas supply.

Footnote. Article 39-1 as amended by the Laws of the Republic of Kazakhstan dated 11.04.2014 No.189-V (shall be enforced upon expiry of ten calendar days after its first official publication)

Article 40. (Is excluded – by the Law of the Republic of Kazakhstan dated 20 December 2004, No.13 (shall be enforced from 1 January 2005)).