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НАУЧНЫЙ ЖУРНАЛ  
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Toraighyrov University, Republic of Kazakhstan, Pavlodar

\*e-mail: [tatyana.v.2011@mail.ru](mailto:tatyana.v.2011@mail.ru)**INTERNATIONAL VIEWS ON HOUSING RELATIONS  
IN THE REPUBLIC OF KAZAKHSTAN**

*This article discusses current issues related to international views on housing relations in Kazakhstan. This topic is quite relevant because housing is a fundamental human right recognized by the United Nations, and all countries have an obligation to ensure their citizens have access to adequate housing. The Constitution of the Republic, the country's housing legislation and international acts elevate housing to the rank of a vital value, establish the obligations of the state and the rights of citizens in this area that determine their content. These measures are aimed at creating conditions that guarantee an adequate level of housing provision, including through state support for citizens in particular need of housing. An analysis of the current legislation of the Republic of Kazakhstan and international documents allows the author to draw a reasoned conclusion about the need to take a number of measures to improve the quality of housing in Kazakhstan, in accordance with international standards. An international perspective on housing law in Kazakhstan can provide valuable insight into the strengths and weaknesses of our country's housing legal framework, as well as opportunities for cross-border cooperation and learning.*

*Keywords: housing, housing relations, human rights, housing legislation, international standards.*

**Introduction**

International perspectives on housing relations in Kazakhstan refer to how Kazakhstan's housing laws and policies compare with those of other countries, especially in the context of international human rights norms and standards. This topic is relevant because housing is a fundamental human right recognized by the United Nations, and all countries have an obligation to ensure their citizens have access to adequate housing [1].

Kazakhstan has made significant progress in developing its housing sector since gaining independence in 1991. The country has enacted a number of laws and policies aimed at increasing access to affordable housing, protecting tenants' rights and promoting sustainable housing development. However, like many other countries, Kazakhstan faces serious challenges in ensuring that all its citizens have access to adequate housing.

In accordance with paragraph 2 of Article 25 of the Basic Law, conditions are created in the Republic of Kazakhstan to provide citizens with housing. In a market economy, citizens of the Republic of Kazakhstan mainly independently exercise their right to housing (by building a house, making transactions with an apartment and other means), and the state undertakes to create the necessary conditions for this. Citizens of the Republic may have any legally acquired property in private ownership, including through inheritance (clauses 1 and 2 of Article 26 of the Constitution) [2]. Housing legislation does not limit the number and size of dwellings owned by one citizen or legal entity (clause 2 of Article 11 of the Law on Housing Relations) [3].

At the same time, the Republic of Kazakhstan, represented by government bodies, bears increased responsibility for providing housing to those groups of citizens who have a high degree of need for housing and are not able to solve housing problems with their own capabilities. This approach follows from the content of the norm of paragraph 2 of Article 25 of the Constitution, according to which the categories of citizens specified in the law who need housing are provided with it for an affordable fee from state housing funds in accordance with the norms established by law.

Based on subparagraphs 1), 2) and 7) of paragraph 3 of Article 61 of the Constitution, the Parliament of the Republic is authorized to determine the categories of citizens in need of housing, the criteria for their recognition as such, forms, sources, norms, the procedure for providing them with housing and the legal regime for its use. At the same time, legislative regulation of legal relations related to the implementation of paragraph 2 of Article 25 of the Constitution should be carried out from the position of maximum disclosure of the mission of the social state, the supremacy of constitutional rights and freedoms of man and citizen, the principles of equality and justice [2].

These legal positions of the Constitutional Council also correspond with the provisions of generally recognized international acts. Thus, the Universal Declaration of Human Rights of 10 December 1948 established that everyone has the right to a standard of living sufficient for the health and well-being of himself and his family, including food, clothing, housing, medical care and necessary social services, and the right to security in the event of unemployment,

illness, disability, widowhood, old age or other case of loss of livelihood due to circumstances beyond his control (clause 1 of Article 25) [4].

### **Materials and methods**

Theoretical analysis of scientific legal and special literature on the research problem; analysis of legislative and regulatory documents related to international views on housing relations in the Republic of Kazakhstan; analysis and generalization of legal experience.

### **Results and discussion**

The International Covenant on Economic, Social and Cultural Rights, adopted by the United Nations General Assembly on December 16, 1966 and ratified by the Law of the Republic of Kazakhstan on November 21, 2005, states that the States Parties to this Covenant recognize the right of everyone to an adequate standard of living for him and his family, including adequate food, clothing and housing, and for the continuous improvement of living conditions (Article 11(1)) [5].

The Convention on the Rights of the Child, adopted by the United Nations General Assembly on November 20, 1989 and ratified by the resolution of the Supreme Council of the Republic of Kazakhstan on June 8, 1994, states that participating states recognize the right of every child to a standard of living adequate for physical, mental, spiritual, moral and social development of the child, in accordance with national conditions and within their capabilities, take the necessary measures to assist parents and other persons raising children in the exercise of this right and, if necessary, provide material assistance and support programs, especially in regarding the provision of food, clothing and housing [6].

Thus, the Constitution of the Republic, the country's housing legislation and international acts elevate housing to the rank of a vital value, establish the obligations of the state and the rights of citizens in this area that determine their content. These measures are aimed at creating conditions that guarantee an adequate level of housing provision, including through state support for citizens in particular need of housing.

One way to assess the effectiveness of Kazakhstan's housing legislation and policies is to compare them with other countries. For example, the United Nations Committee on Economic, Social and Cultural Rights (CESCR) has developed a set of standards and guidelines to ensure the right to adequate housing. These standards include ensuring the availability, accessibility and affordability of housing, as well as the provision of basic amenities such as water, sanitation and electricity.

Compared to these international standards, Kazakhstan's housing legislation and policies are generally consistent with best practice. The country has developed a comprehensive legal framework to regulate the housing sector, including laws on property, tenancy and urban planning. In addition, Kazakhstan has adopted a

number of housing policies that comply with international norms and standards. For example, the State Housing Program aims to increase the supply of affordable housing and improve the quality of existing housing, especially in rural areas. The program includes measures to improve energy efficiency, environmental sustainability and accessibility for people with disabilities. Similarly, Kazakhstan's National Plan for the Implementation of the UN Convention on the Rights of Persons with Disabilities includes provisions to improve access to housing for people with disabilities [4].

However, there are also some areas in which Kazakhstan's housing legislation and policies do not meet international standards. For example, the CESCR has criticized Kazakhstan for failing to adequately address the problem of homelessness and for insufficient attention to protecting the rights of vulnerable groups such as women, children and people with disabilities. In addition, the lack of affordable housing remains a serious problem, especially in urban areas.

Efforts to improve housing supply in Kazakhstan could include increasing funding for social housing programs, introducing stricter regulations to ensure that landlords maintain rental properties to certain standards, and increasing transparency and accountability in the process for allocating social housing units. Another important factor that could improve the housing situation in Kazakhstan is the development of a sustainable housing policy. Sustainable housing policies prioritize the use of environmentally friendly and energy-efficient materials and construction methods, which can lead to significant cost savings for residents in the long term, as well as reducing the environmental impact of the housing sector.

In addition, sustainable housing policies can help address some of the key challenges facing Kazakhstan's housing sector, such as the shortage of affordable housing and the high energy costs associated with heating homes during the winter months. One example of a sustainable housing policy that Kazakhstan could consider is the Passive House standard. The Passive House standard is an internationally recognized building standard that aims to reduce energy consumption in buildings by up to 90 %. Passive houses are built to be highly insulated and airtight, which reduces the need for heating and cooling systems and can significantly reduce energy costs for residents. In addition to reducing energy consumption, sustainable housing policies can also promote the use of locally produced materials, which can create jobs and support the local economy. In addition, the government could consider exploring alternative models of housing provision, such as community land trusts or co-operative housing, which have been successful in other countries in providing affordable and sustainable housing [7].

## **Conclusions**

A number of measures can be taken to improve the quality of housing in Kazakhstan. First, priority must be given to repairing and upgrading the existing housing stock. This could include providing financial assistance to landlords to undertake necessary repairs and upgrades, as well as providing incentives for landlords to improve the quality of their rental properties. Secondly, it is important to ensure that new housing developments are built to high standards of quality and safety. This may include implementing building codes that prioritize energy efficiency, accessibility and safety, and ensuring that construction companies are held increasingly accountable for meeting those standards. Third, it is critical to encourage the use of sustainable building materials and practices. This could include providing financial incentives for the use of environmentally friendly building materials, as well as encouraging the use of renewable energy in home construction. Fourthly, improving the quality of housing requires ensuring affordable housing for all citizens. This could include implementing policies that prioritize the construction of social housing, as well as providing financial assistance to low-income families and individuals to help them access safe and secure housing. It is important to ensure regular monitoring and assessment of housing quality. This could include establishing a system of regular inspections of rental properties, as well as introducing mechanisms for tenants to report housing problems [8].

Thus, improving the quality of housing in the Republic of Kazakhstan is the most important aspect of ensuring citizens' access to safe, comfortable and affordable living conditions. Achieving this goal requires a multifaceted approach that includes the importance of renovating and upgrading existing housing stock, encouraging the use of sustainable building materials and methods, ensuring housing is affordable for all citizens, and regularly monitoring and assessing the quality of housing. By taking these steps, Kazakhstan can create a housing sector that is sustainable, equitable and responsive to the needs of its citizens. Just an international perspective on housing law in Kazakhstan can provide valuable insight into the strengths and weaknesses of our country's housing legal framework, as well as opportunities for cross-border cooperation and learning. Our country still has serious problems to solve, especially in the areas of tenants' rights, forced evictions, and affordable quality housing. By engaging with other countries and learning from best practices, Kazakhstan can continue to improve its housing regulatory framework and ensure that the right to adequate housing is protected for all its citizens. [9], [10].

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*\*Т. Э. Воронова, Г. Т. Шамиудинова*

Торайғыров университеті, Қазақстан Республикасы, Павлодар қ.

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## **ҚАЗАҚСТАН РЕСПУБЛИКАСЫНДАҒЫ ТҮРҒЫН ҮЙ ҚАТЫНАСТАРЫНА ХАЛЫҚАРАЛЫҚ КӨЗҚАРАС**

*Бұл мақалада Қазақстандағы тұрғын үй қатынастарына халықаралық көзқарастарға қатысты өзекті мәселелер талқыланады. Бұл тақырып өте өзекті, өйткені тұрғын үй Біріккен Ұлттар Ұйымы мойындаған негізгі адам құқықтарының бірі және барлық елдер өз азаматтарына жеткілікті баспанаға қол жеткізуді қамтамасыз етуге міндетті. Республика Конституциясы, еліміздің тұрғын үй заңнамасы және халықаралық актілер тұрғын үйді өмірлік құндылық дәрежесіне көтереді, олардың мазмұнын айқындайтын мемлекеттің осы саладағы міндеттері мен азаматтардың құқықтарын белгілейді. Бұл шаралар тұрғын үймен қамтамасыз етудің жеткілікті деңгейіне кепілдік беретін, оның ішінде тұрғын үйге аса мұқтаж азаматтарды мемлекеттік қолдау жолымен жағдайлар жасауға бағытталған. Қазақстан Республикасының қолданыстағы заңнамасын және халықаралық құжаттарды талдау авторға халықаралық стандарттарға сәйкес Қазақстанда тұрғын үй сапасын жақсарту үшін бірқатар шаралар қабылдау қажеттігі туралы дәлелді қорытынды жасауға мүмкіндік береді. Қазақстандағы тұрғын үй құқығына халықаралық көзқарастың өзі еліміздің тұрғын үй құқықтық базасының күшті және әлсіз жақтары*

*туралы, сондай-ақ трансшекаралық ынтымақтастық пен оқыту үшін мүмкіндіктер туралы құнды ақпарат бере алады.*

*Кілтті сөздер: тұрғын үй, тұрғын үй қатынастары, адам құқықтары, тұрғын үй заңнамасы, халықаралық стандарттар.*

*Т. Э. Воронова, Г. Т. Шамшудинова*

Торайгыров Университет, Республика Казахстан, г. Павлодар

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## **МЕЖДУНАРОДНЫЕ ВЗГЛЯДЫ НА ЖИЛИЩНЫЕ ОТНОШЕНИЯ В РЕСПУБЛИКЕ КАЗАХСТАНЕ**

*В данной статье рассматриваются актуальные вопросы, связанные с международными взглядами на жилищные отношения в Казахстане. Эта тема является достаточно актуальной, поскольку жилище является одним из основных прав человека, признанным Организацией Объединенных Наций, и все страны обязаны обеспечить своим гражданам доступ к достаточному жилью. Конституция Республики, жилищное законодательство страны и международные акты возводят жилище в ранг жизненно-важной ценности, устанавливают обязательства государства и определяющие их содержание права граждан в этой сфере. Эти меры направлены на создание условий, гарантирующих достаточный уровень жилищного обеспечения, в том числе путем государственной поддержки особо нуждающихся в жилье граждан. Анализ действующего законодательства Республики Казахстан и международных документов позволяет автору сделать аргументированный вывод о необходимости принятия ряда мер для улучшения качества жилья в Казахстане, в соответствии с международными стандартами. Сам международный взгляд на жилищное право в Казахстане может дать ценную информацию о сильных и слабых сторонах жилищной правовой базы нашей страны, а также возможности для трансграничного сотрудничества и обучения.*

*Ключевые слова: жилище, жилищные отношения, права человека, жилищное законодательство, международные стандарты.*

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Корректор: А. Р. Омарова

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«Toraighyrov University» баспасынан басылып шығарылған

Торайғыров университеті

140008, Павлодар қ., Ломов к., 64, 137 каб.

«Toraighyrov University» баспасы

Торайғыров университеті

140008, Павлодар қ., Ломов к., 64, 137 каб.

8 (7182) 67-36-69

e-mail: [kereku@tou.edu.kz](mailto:kereku@tou.edu.kz)

<https://vestnik.tou.edu.kz/>