

IRSTI 10.01.11
UDC 34.34-09
JEL K31

<https://doi.org/10.46914/2959-4197-2026-1-2-33-44>

ABEUOV D.A.,¹

PhD, associate professor.

e-mail: dulatabeuov@mail.ru

ORCID ID: 0009-0008-5744-336X

MOMYSHEVA F.S.,^{*2}

c.l.s., associate professor.

*e-mail: f.momysheva@turan-edu.kz

ORCID ID: 0000-0003-4053-0690

RAKHIMGULOVA M.B.,³

PhD, associate professor.

e-mail: madu805@mail.ru

ORCID ID: 0009-0006-7591-0369

ZHANGABULOVA Zh.M.,³

MSc in Foreign Regional Studies,
senior lecturer.

e-mail: zhangabulova09@gmail.com

ORCID ID: 0000-0003-2731-2920

¹Academy of Management of the MIA
of the Republic of Kazakhstan,

Astana, Kazakhstan

²Turan University,

Almaty, Kazakhstan

³Karaganda University of Kazpotreboysuz,
Karaganda, Kazakhstan

LEGAL ASPECTS OF KAZAKHSTAN'S MIGRATION POLICY IN THE CONTEXT OF NATIONAL SECURITY AND FOREIGN EXPERIENCE

Abstract

The article examines the current state of Kazakhstan's migration policy through the lens of national security and focuses on the transition from simple control and registration of violations to a more preventive system of migration management. The purpose of the study is to substantiate the need to introduce "digital filters" and predictive models into the legislation of the Republic of Kazakhstan in order to regulate migration flows more effectively. The research is based on a comparative analysis of key strategic documents, including the Concept of Migration Policy of the Republic of Kazakhstan for 2023–2027 and the Concept of Migration Policy until 2030, as well as on the study of relevant foreign experience. Statistical data from the Bureau of National Statistics of the Agency for Strategic Planning and Reforms were also used to assess current migration trends. The analysis shows that the e-Visa and e-Qonaq systems currently function mainly as registration tools and do not fully use the analytical potential of Big Data. The authors propose introducing a "migration trust index" that links a foreigner's legal status with tax and administrative discipline. This would help identify risk zones in advance.

Keywords: migration policy, national security, preventivism, foreign experience, digitalization, e-Visa.

Introduction

Over the past decade, migration processes in Kazakhstan have ceased to be just a matter of employment or demography, turning into a strategic challenge for national security. Global instability and the growth of cross-border mobility force the state to look for new ways of control that would not interfere with economic development, but at the same time reliably protect the internal order. Traditional methods of “post-factum control”, when the police respond to a perfect violation, are ineffective today. This is confirmed by the emergence of new groups of migrants, such as “digital nomads” or remote workers, whose legal status in the republic is still “blurred”.

The relevance of the study is reinforced by the adoption of the Migration Policy Concepts to 2027 (the law has lost force) and 2030. These documents lay the transition to a new management model, but their legal content and implementation mechanisms require in-depth scientific analysis. We see a clear gap in how digital tools (e-Visa, e-Qonaq) are integrated into the overall security system: they often work as simple accounting bases, not allowing predicting risks.

The object of our research is social relations arising from the implementation of the migration strategy of Kazakhstan. The subject is regulations and digital platforms governing these processes. The purpose of the study is to justify the introduction of a predictive (proactive) control system capable of identifying threats before they materialize.

The work was based on the hypothesis that in modern conditions border security does not depend on physical barriers, but on the quality of “digital filters” and the ability of legislation to work ahead of the curve. To achieve the goal, we analyzed the continuity of Kazakhstani legislation, compared it with the international experience of selective migration and identified specific gaps in the current IT infrastructure of government agencies.

Materials and methods

The methodological base of the study was formed on the basis of a set of complementary scientific approaches, among which a comparative legal method and a systematic analysis of regulatory legal acts were used. To ensure that the study conclusions were objective, we used multiple source groups. Firstly, this is the regulatory framework of Kazakhstan: The Law “On Population Migration” [1] and the latest government decrees (No. 961 and No.1081) On approval of the Concept of Migration Policy of the Republic of Kazakhstan until 2030 (Decree of the Government of the Republic of Kazakhstan dated on November 30, 2022 No.961. And it has lost force by decree of the Government of the Republic of Kazakhstan dated on December 15, 2025 No.1081). Secondly, the statistical reports of the Ministry of Internal Affairs of the Republic of Kazakhstan and the Bureau of National Statistics were analyzed, which made it possible to see the real picture of the resettlement of citizens to the northern regions and the dynamics of external flows.

The theoretical basis was the works of foreign scientists (L. Zedner, A. Ashworth) dealing with issues of preventive justice. Using the comparative legal method, we compared Kazakhstani realities with foreign experience. This helped not only to describe the situation, but to identify specific legal gaps in our e-Visa and e-Qonaq systems, assessing their reliability as control tools.

Results and discussion

The hypothesis of this study is related to its main concept. The authors’ hypothesis is based on the postulate that the effectiveness of the migration system today is determined not by the rigidity of physical boundaries, but by the accuracy of “digital filters” and the predictive potential of legislative norms.

The transformation of the migration policy of the Republic of Kazakhstan is characterized by a transition from administrative accounting to a strategy for managing human capital in the interests of national security. The study conducted a comparative content analysis of key strategic documents: the Concept of Migration Policy for 2023–2027 (Decree No.961) and the new Concept until 2030 (Decree No.1081), where migration is considered as a determinant of national security [2, 3]. The analysis showed that the reactive model focused on fixing offenses “after the fact” is being replaced by the doctrine of legal preventivism.

It should be said that, the concept of preventivism has long been the subject of scientific research by foreign scientists, who rely on the fundamental works of L. Zedner and A. Ashworth. According to this concept, the legal system should stop threats by introducing pre-selection systems in migration flows. And in this case, the state border will be not only a physical “wall”, but also an intellectual filter [4].

In Kazakhstan, the term “prevention” is often used in the context of anti-corruption policy and administrative law. In the field of national security related to migration risks, the issue of prevention is examined in the works of scholars who focus on measures aimed at preventing and reducing migration threats. As L.F. Delovarova (2024) notes, this requires the state to develop preventive and more flexible control instruments capable of quickly adapting to changes along the border perimeter [5].

The implementation of a predictive legal regime in migration policy will contribute to the identification and use of tools that neutralize risks and challenges that are a threat to national security. This is especially true in the light of the globalization shifts taking place in the world, the situation in the Middle East, when Kazakhstan may face possible uncontrolled large migration flows. Thus, we propose to consider the migration law of the Republic of Kazakhstan not as a set of prohibitions, but as a dynamic legal regime capable of adapting to changing threats even before their actual manifestation at the border.

Returning to the analysis of strategic documents in the field of migration law, it should be noted that the integration of the Republic of Kazakhstan into the international labor market is rigidly tied to the function of protecting national interests. Multilevel filtering of migration flows makes it possible to distinguish risks at the stage of submitting visa applications, which correlates with the task of national security – to prevent the penetration of destructive elements.

A special place in the implementation of the updated strategy is occupied by the digital transformation of migration control, institutionalized through the introduction of e-Visa and e-Qonaq systems.

The introduction of the e-Qonaq information system allowed the state to move from passive data collection to real-time monitoring of migration flows. From the point of view of national security, this minimizes the risks of uncontrolled stay of foreign citizens and forms the basis for risk-oriented profiling. As emphasized in Kazakhstani legal studies (particularly the studies of A.Ye. Kultanova [6]), note that such digital transformation of governance is a necessary stage for minimizing latent risks and ensuring national security through the transparency of cross-border movements.

The digitalization of registration is an important condition for ensuring border transparency amid global challenges, and this is difficult to dispute [7].

The e-Visa system, in turn, acts as a primary “smart filter”. It allows you to carry out preliminary verification of persons on the databases of law enforcement agencies even before their actual arrival on the territory of the Republic of Kazakhstan. Thus, the transition from the physical control function at the border to the preventive control of threats at the stage of the visa application is being implemented (figure 1).

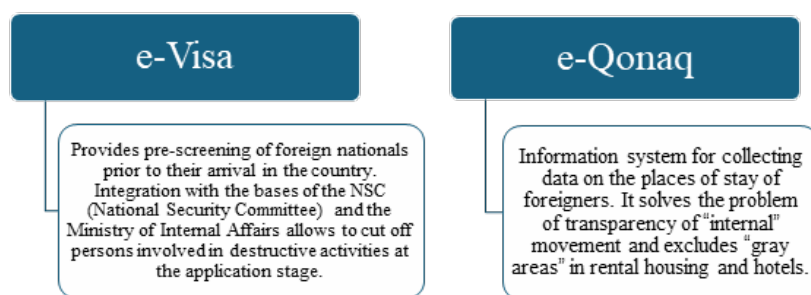


Figure 1– Purpose of systems in the national security loop

Note: Compiled by the authors based on data from the “eQonaq” system and Visa Migration Portal of the Republic of Kazakhstan [7].

The transition to the digital platforms e-Visa and e-Qonaq in the Republic of Kazakhstan marked the transformation of migration control from a fiscal accounting function into a high-tech tool for

ensuring national security. A comparative analysis of the effectiveness of the “before” and “after” mechanisms of their implementation demonstrates a radical reduction in time lags and the elimination of zones of operational opacity (table 1). Based on table 1, one of the reasons for the effectiveness of the introduction of these information systems can be cited as an example: within the framework of the traditional control model, the period of “information invisibility” of a foreign citizen from the moment of crossing the border to notifying the internal affairs bodies was up to 72 hours, which created a critical window of opportunity for destructive elements. The introduction of the e-Qonaq system made it possible to reduce this interval to 15 minutes in 98% of cases [8], ensuring the transfer of data on the location of the subject to the centralized database of the Ministry of Internal Affairs in real time. This not only increased the density of administrative oversight, but also allowed counterintelligence units to instantly identify persons of operational interest.

Table 1 – Comparative effectiveness of digital control

Security Indicator	Traditional Control (Up to 2023)	Digital Control (2025-2026)
Migrant “Invisibility” Period	Up to 3 days	Up to 15 minutes
Wanted Database Screening Method	Manual / Selective	Automatic / Total (at e-Visa stage)
Private Sector Coverage Level	Low (latent)	High (digital footprint in e-Qonaq)
Corruption Component	Medium (direct contact)	Minimal (algorithmic decision)
Detection of Overstay Violations	Selective (upon exit or inspection)	Automatic (system blocks IIN/ Passport in database upon expiry)
Share of Unaccounted Migrants in the Legal Sector	~15-20%	<2%
Note: Compiled by the authors based on data from the Statistical Digest of the “eQonaq” Information System for 2024–2025 [8].		

Table 1 shows that a tool for preventive screening has emerged. Whereas previously checks against wanted-person databases were often selective and carried out directly at border crossing points, the digital visa system provides for comprehensive automated verification through interdepartmental systems and Interpol databases at the application stage. Such a filter is fully capable of preventing potential security threats without involving the resources of the border service for physical detention and deportation. At the same time, process automation has practically eliminated the corruption factor by excluding direct contact between the migrant and officials at the stage of making a decision on entry.

A qualitative shift is also observed in the field of internal movement control. The coverage of more than 30 000 accommodation facilities by the e-Qonaq system led to a reduction in the latent (gray) rental market by 15–18%, which significantly reduced the possibility for hidden residence of foreign groups. The use of Big Data tools allowed government agencies to switch to predictive analysis: the identification of abnormal concentrations of foreign citizens near strategic facilities or in border zones is now automatic. The increase in recorded visa violations by 25% in 2025 is not a consequence of a worsening situation, but a direct result of increasing the transparency of the system, where each discrepancy between the date of crossing the border and the actual registration is instantly identified by the algorithm. Thus, digitalization has created a closed monitoring loop, turning statistical accounting into an active system for protecting sovereign space.

The integration of digital platforms made it possible to assess migration risks through specific performance indicators. The transition to an end-to-end monitoring system based on e-Visa and e-Qonaq has ensured the formation of a data array that serves as the basis for making operational decisions in the field of national security. A central aspect of this transformation is the correlation between technical indicators of systems and their direct impact on the security of sovereign space.

Analysis of quantitative indicators for 2025 demonstrates not only an increase in transparency of cross-border movements, but also a qualitative improvement in the mechanisms for identifying hidden threats (table 2). In particular, the automation of processes has made it possible to radically reduce the latent component of migration, where each digital trace, from the applied visa application

to registration in the accommodation facility, is compared with the databases of law enforcement agencies. This creates conditions for total control over compliance with the visa regime and prompt response to any deviations from the stated goals of the stay. Systematized data are presented below, reflecting the direct relationship between the functionality of the implemented systems and the effectiveness of migration control in the context of preventing risks to national security.

Table 2 – Quantitative indicators of information system implementation and their direct impact on national security

Indicator	Value (2025)	Result (Positive impact on national security)	Problem (Negative factor)
Identified visa regime violations	+25% compared to the previous year*	Automation identified individuals evading registration. Improved budget revenue and compliance with stay regulations.	Overload of courts and migration police. The increase in deportations requires additional budget funding.
Automatic notifications to the Ministry of Internal Affairs	98% of all check-ins**	Elimination of the “time lag”. The Ministry of Internal Affairs is notified of a foreigner’s location within 15 minutes. Suppression of anonymous group gatherings.	The 2% of unaccounted data represents a “gray zone” (approx. 150 000 people) where wanted individuals may be hiding.
e-Visa rejections	~1.2% of applications***	Preventive screening. Approximately 10-12 thousand people were denied entry during the check against Interpol and National Security Committee databases.	Erroneous blocking of law-abiding investors due to matching surnames (phonetic system errors).
Private sector coverage (e-Qonaq)	> 30 000 facilities****	Bringing landlords in border areas out of the “shadow economy”. Reduced likelihood of the establishment of “safe houses”.	High administrative pressure on small businesses. Fines lead to hostels concealing the presence of foreign guests.
*Calculated by comparing annual indicators for 2024 and 2025 based on data from the Bureau of National Statistics of the Agency for Strategic Planning and Reforms of the Republic of Kazakhstan: https://stat.gov.kz/ru/industries/social-statistics/stat-crime/ **This is a target indicator of the Concept of Migration Policy for 2023–2027. ***Data from departmental statistics of the Ministry of Internal Affairs. ****Reports published on the website: https://eqonaq.kz/?lang=kz			
Note: The results and issues presented in Columns 3 and 4 were compiled by the authors based on data provided in the official press release published on the portal of the Prime Minister on July 22, 2025, as well as on data from the Report on the Implementation Progress of the Action Plan for the Concept of Migration Policy of the Republic of Kazakhstan for 2023–2027 [9].			

Analyzing table 2, we can note several important threats when the introduction of e-Visa and e-Qonaq systems can pose risks to national security.

First, operational services have become overly reliant on e-Qonaq data. In the event that a foreigner has registered at one hotel, but actually lives in another (collusion with the administration), the system gives a false trace.

Secondly, the tightening of control in e-Qonaq has led to the fact that persons with a criminal past have completely switched to the use of “black” brokers and rental housing through instant messengers without registration. It turns out that digital control works only for law-abiding citizens, and dangerous elements become “invisible” to systems.

Third, there is a risk of data leaks concerning the movements of diplomats, military advisers, or foreign delegations as a result of system hacking. According to the State Technical Service of the National Security Committee of the Republic of Kazakhstan, in 2025, amid the overall intensification of cyber threats approximately 800 million incidents within six months, targeted attempts at unauthorized parsing of migration registration databases were recorded [9]. This confirms the status of the e-Visa and e-Qonaq systems as critical information infrastructure facilities requiring the highest level of

protection for the personal data of non-residents in order to prevent their compromise for intelligence purposes.

The listed risks of using e-Visa and e-Qonaq systems allow the state to effectively stop security threats in real time, but technical control is only an instrumental basis for implementing larger government tasks. The effectiveness of digital filters should be considered in inextricable connection with the country's strategic guidelines laid down in the Concept of Migration Policy of the Republic of Kazakhstan for 2023–2027.

Analyzing the implementation of the Concept of Migration Policy until 2027, it is necessary to pay attention to structural changes in the composition of migration flows. According to the Bureau of National Statistics of the Republic of Kazakhstan, over the past three years (2023–2025), there has been a steady trend towards a decrease in the negative migration balance, which formally indicates the stabilization of the demographic situation. However, qualitative analysis shows that the risk of “brain drain” remains. The emigration of highly qualified specialists to Organization for Economic Co-operation and Development countries is still not compensated by the influx of personnel of a similar level from the Commonwealth of Independent States countries.

Particular attention is required by the legal support of the program for the resettlement of citizens from the southern regions to the northern ones (North Kazakhstan region, Pavlodar, Kostanay regions). Despite the allocated subsidies within the framework of the National Project “Strong Regions”, we fix the problem of “return migration”. Legal analysis shows that the main reason is the absence in the law of long-term obligations of migrants and mechanisms for their real integration into the local labor market. In this context, national security suffers due to the erosion of the demographic framework of border areas, which requires tightening the terms of the “social contract” between the state and the migrant

To objectify the study, a statistical analysis of migration flows was carried out, which demonstrates a direct relationship between digitalization of accounting (e-Visa, e-Qonaq systems) and a decrease in the level of legal nihilism in the migration environment (table 3).

Table 3 – Dynamics of migration activity and correlation with national security parameters.

Indicator	Period 2021–2022	Period 2023–2025	Forecast for 2026	Impact on the National Security
Net migration rate	Negative	Positive / Stable	Increase +2500	Reduction of depopulation threat in northern regions
Share of highly qualified specialists (HQS) in total flow (%)	12%	24%	25%	Growth of intellectual capital and technological security
Concentration index in metropolitan areas	0,45	0,62	0,7	Risk of social tension and infrastructure overload
Share of arrivals to labor- deficient regions (North Kazakhstan Region, Pavlodar Region)	15%	28%	40%	Strengthening territorial integrity
Effectiveness of offense detection (%)	42%	68%	85%	Increased efficiency of administrative and legal control
Note: Compiled by the authors based on data from the Bureau of National Statistics of the Agency for Strategic Planning and Reforms of the Republic of Kazakhstan. Statistical collection “Migration of the population of the Republic of Kazakhstan” [10].				

This table's data allows us to draw the following conclusion: the positive dynamics of the migration balance requires new adaptation mechanisms from the legal system, since quantitative population growth without qualitative integration leads to the formation of isolated ethnic enclaves.

However, the identified concentration of migrants in megacities (Almaty, Astana) indicates the continuing risk of “social overheating” and the burden on the law enforcement system, which requires the legislative consolidation of regional quotas and economic incentives for resettlement in the labor-deficient northern and eastern regions. In this case, a large role is given to the effective implementation of the program of the National Project “Strong Regions – the Driver of the Country’s Development”) [10]. This is a critical factor in the country’s territorial security. Although the indicator “The share of arrivals in labor-deficient regions” shows a positive trend, nevertheless, the low rate of integration of migrants in rural areas creates risks of secondary migration.

The study of international models of legal regulation of migration processes allows us to identify the most suitable tools for ensuring national security for Kazakhstan.

European model (on the example of Germany). In the face of modern global challenges, Germany has revised its legal approaches by implementing the Qualified Immigration Act (FEG), which correlates with Kazakhstan’s system of attracting “valuable skills”. According to Adamson and Tsourapas (2019), they note in their fundamental analysis of migration security, the success of this model is due to the transition to a point-based selection system, which minimizes the risks of social disintegration and reduces the burden on state institutions [11]. The legal experience of Germany demonstrates that national security is ensured not only by physical border control, but also by strict educational and professional qualifications of arrivals.

Analyzing the work of Castles [12], we see that excessive liberalization of migration regimes without mechanisms of cultural and legal adaptation leads to an increase in social tension. This experience is critically important for the Republic of Kazakhstan in regulating the flows of labor migration from Central Asian countries, where legal norms should ensure not only control, but also protection of the rights of migrants themselves, excluding their departure to the shadow sector.

Middle East model (using Israel as an example). The experience of Israel is of particular value to the Republic of Kazakhstan in the context of improving the institution of repatriation (Kandas). Della Pergola studies emphasize that Israeli law views migration as a strategic tool for demographic security [13]. The integration of migrants in this model is not limited to the provision of legal status, but includes a multi-level system of socio-economic support, which makes it possible to level the threats of isolated ethnic enclaves.

Asian model. Modern trends in the countries of Southeast Asia and Oceania indicate the priority of digital filters in migration law. According to the study by A. Beduschi [14], the implementation of automated biometric identification and predictive analytics systems (analogues of e-Visa and e-Qonaq) allows states to switch to a risk-based management model. This confirms the authors’ hypothesis about the need to transform Kazakhstani law towards predictive monitoring, where each visa decision is based on the digital profile of the migrant’s trustworthiness.

Singapore’s “digital sovereignty” model assumes a predictive analysis system that correlates visa questionnaire data with the real activity of foreigners in social networks and financial registries [15]. This made it possible to reduce the level of illegal employment by 30%. The introduction of similar algorithms in Kazakhstan’s e-Visa and e-Qonaq systems would allow moving away from formal accounting to real monitoring of the risks of misuse of visas.

So, the analysis of international experience in comparison with Kazakhstan, allows us to conclude that it is not necessary to directly copy foreign experience, it is necessary to adapt it to the existing realities. Unlike the German model focused on the labor market, the Kazakhstan model (especially in terms of Kandas) bears the burden of restoring historical justice and ethno-demographic balance. Our study reveals an important feature: without legal consolidation of economic incentives in labor-deficient regions (North and East Kazakhstan), administrative resettlement remains ineffective.

During the study of this problem, the following gap was a new observation: despite the introduction of e-Visa and e-Qonaq systems, an analysis of law enforcement practice shows that these systems are often not synchronized with the databases of tax authorities and health insurance funds. For example, the current legal status of “digital nomads” does not provide for mechanisms for their participation in the system of compulsory health insurance and pension provision. In the context of national security, this creates long-term risks of burden on the social budget without an appropriate contribution.

Let's agree with the conclusion that limiting the process merely to the digitalization of control, without creating a unified institutional system, will lead to the persistence of hidden forms of illegal migration [16]. We propose the introduction of a "migration risk/trust index", where the legal status of a migrant directly depends on his tax discipline and the absence of administrative offenses. Instead of total control over all categories of persons, law enforcement agencies should focus resources on groups with a "red" index (discrepancy between income and expenses, frequent change of places of residence, lack of legal sources of income).

Conclusion

After having studied the problem, we see that the migration policy of Kazakhstan is now seriously changing. The main conclusion of the study is that we need to move away from conventional surveillance to a threat prevention system. The law must be triggered before there is a real danger.

The implementation of e-Visa and e-Qonaq digital migration control systems in the Republic of Kazakhstan represents a fundamental shift in the national security architecture, transforming the reactive surveillance model into a proactive analytical monitoring system. From the point of view of strategic containment of threats, the introduction of e-Visa made it possible to institutionalize the mechanism for pre-filtering the inbound flow at distant approaches. Integration of the platform with interdepartmental databases of law enforcement agencies provided automated screening of persons involved in extremist or destructive activities, even at the stage of submitting an electronic application.

In parallel, the deployment of the e-Qonaq information system has provided an unprecedented level of transparency in the internal movement of foreign citizens. The main positive result here is the elimination of the "information vacuum" between the moment of crossing the border and the actual placement of the migrant. The achieved indicator of 98% of automatic notifications received by the internal affairs bodies within 15 minutes after check-in made it possible to almost completely exclude the possibility of hidden formation of mobile groups in urban agglomerations. From the point of view of the counterintelligence regime, this reduced the time for the operational search for persons of interest to the special services from several days to seconds. The effectiveness of identifying violations of visa legislation increased by 25%, which confirms the thesis about increasing the "digital transparency" of state borders.

However, in the context of national security, the introduction of these systems has generated a number of critical challenges and negative externalities. The concentration of colossal amounts of personal data in a single circuit has created a new zone of vulnerability in the face of cyber threats. Attempts at large-scale data parsing, recorded in 2025, indicate that centralized migration bases are becoming a priority target for technical intelligence of neighboring states and transnational criminal groups. This forms a segment of "invisible" subjects who, realizing the inevitability of registration in e-Qonaq, fundamentally avoid legal accommodation facilities. Thus, despite the technological success in monitoring the law-abiding majority, there remains a risk of the formation of a shadow infrastructure that requires other methods of operational impact that go beyond exclusively digital administration.

We realized that e-Visa and e-Qonaq are a good start, but they must be associated with tax bases and insurance funds. If this is not done, we will get a "digital formalism" behind which illegal work and tax evasion will be hidden. Above, we expressed concern that digital control works only for law-abiding citizens, and dangerous elements become "invisible" to systems. We propose to introduce a kind of "trust index" to the migrant. Instead of checking everyone in a row, security officials should focus on those who are suspicious: they often change housing or spend much more than they officially earn. It is also important to understand that the settlement of the north and east of the country will not work only by order. The law should have clear economic incentives so that people go there consciously and stay for a long time. Only by creating a unified digital risk analysis system will Kazakhstan be able to remain an open country and at the same time reliably protect its interests.

Funding information. This research is funded by the Science Committee of the Ministry of Science and Higher Education of the Republic of Kazakhstan (Grant No. AP26103509 "Gender aspect of external migration and adaptation of migrants in Kazakhstan").

REFERENCES

- 1 Закон Республики Казахстан от 22 июля 2011 года № 477-IV «О миграции населения» (с изменениями и дополнениями по состоянию на 11.10.2025 г.) URL: http://prg.kz/document/?doc_id=31038298 (дата обращения: 12.01.2026)
- 2 Постановление Правительства Республики Казахстан от 29 декабря 2022 года № 961 «Концепция миграционной политики Республики Казахстан на 2023-2027 годы». Утратило силу в соответствии с постановлением Правительства РК от 15 декабря 2025 года № 1081 URL: http://prg.kz/document/?doc_id=34063814 (prg.kz in Bing) (дата обращения: 13.01.2026)
- 3 Постановление Правительства Республики Казахстан от 15 декабря 2025 года № 1081 «Концепция миграционной политики Республики Казахстан до 2030 года» URL: http://prg.kz/document/?doc_id=32733176&pos=2;67 (prg.kz in Bing) (дата обращения: 13.01.2026)
- 4 Ashworth A., Zedner L. Preventive Justice. Oxford: Oxford University Press, 2014. 310 p. ISBN 978-0-19-871440-1. URL: <https://doi.org/10.1093/acprof:oso/9780198713258.001.0001>.
- 5 Деловарова Л.Ф. Миграционная политика Казахстана: обзор внешнего вектора // International Relations and International Law Journal. – 2024. – Т. 105, № 1. – С. 50–57. URL: <https://doi.org/10.26577/IRILJ.2024.v105.i1.05>.
- 6 Култанова А.Е. и др. Improving the effectiveness of migration policy as a factor in the sustainable development of Kazakhstan // Вестник Национальной академии наук Республики Казахстан. – 2023. – № 6. – С. 444–461. URL: <https://doi.org/10.32014/2023.2518-1467.643>
- 7 Токаев потребовал от правительства и КНБ полной цифровизации миграционного учета. URL: <https://www.zakon.kz/politika/6505683-tokaev-potreboval-ot-pravitelstva-i-knb-polnoy-tsifrovizatsii-migratsionnogo-ucheta.html> (дата обращения: 01.03.2026)
- 8 Шайкенова Р. Миграционные вопросы иностранных туристов в РК решают за 5 минут // КАЗИН-ФОРМ. URL: <https://eqonaq.kz/news-detail-80?lang=kz> (дата обращения: 10.03.2026)
- 9 Отчет Председателя КНБ РК Е. Сагимбаева Главе государства о результатах работы по обеспечению национальной безопасности. 25 октября 2025 года. URL: <https://www.akorda.kz/ru/glava-gosudarstva-prinyal-predsedatelya-komiteta-nacionalnoy-bezopasnosti-ermeka-sagimbaeva-2591043>. (дата обращения: 13.03.2026)
- 10 Постановление Правительства Республики Казахстан от 12 октября 2021 года № 729 «Об утверждении национального проекта «Сильные регионы – драйвер развития страны» (утратило силу). URL: http://prg.kz/document/?doc_id=33992206 (дата обращения: 20.03.2026)
- 11 Adamson F.B., Tsourapas G. The Migration State in the Global South: National Security, Development, and Local Governance // International Migration Review. 2019. Vol. 53. No. 2. P. 335–358. URL: <https://doi.org/10.1177/0197918319879057>
- 12 Castles S., de Haas H., Miller M.J. The Age of Migration: International Population Movements in the Modern World. Red Globe Press, 2020. 464 p. URL: <https://doi.org/10.1080/10803920500434037>.
- 13 Della Pergola S. Demographic Trends in Israel and Palestine: Prospects and Policy Implications // Israel Studies. 2003. Vol. 8. No. 1. P. 52–87. URL: <https://www.researchgate.net/publication/268030623> (accessed: 20.03.2026)
- 14 Beduschi A. International migration management in the age of artificial intelligence // Migration Studies. 2021. Vol. 9. Iss. 3. P. 576–596. URL: <https://doi.org/10.1093/migration/mnaa003>.
- 15 Greenleaf G. Asian Data Privacy Laws: Trade & Human Rights Perspectives. Oxford: Oxford University Press, 2014. 579 p.
- 16 Broeders D., Hampshire J. Dreaming of seamless borders: ICTs and the pre-emptive governance of mobility // Journal of Ethnic and Migration Studies. 2013. Vol. 39. No. 8. P. 1201–1218. URL: <https://doi.org/10.1080/1369183X.2013.787512>.

REFERENCES

- 1 Law of the Republic of Kazakhstan of July 22, 2011 No. 477-IV “On Population Migration” (s izmenenijami i dopolnenijami po sostojaniju na 11.10.2025 g). URL: http://prg.kz/document/?doc_id=31038298 (data obrashhenija: 12.01.2026) (In Russian)
- 2 Resolution of the Government of the Republic of Kazakhstan of December 29, 2022 No. 961 “Concept of Migration Policy of the Republic of Kazakhstan for 2023–2027” (revoked by Resolution No. 1081 of December 15, 2025). URL: http://prg.kz/document/?doc_id=34063814 (data obrashhenija: 13.01.2026) (In Russian)

- 3 Resolution of the Government of the Republic of Kazakhstan of December 15, 2025 No. 1081 “Concept of Migration Policy of the Republic of Kazakhstan until 2030”. URL: http://prg.kz/document/?doc_id=32733176&pos=2;67 (data obrashhenija: 13.01.2026) (In Russian)
- 4 Ashworth A., Zedner L. (2014) Preventive Justice. Oxford: Oxford University Press, 310 p. (In English)
- 5 Delovarova L.F. (2024) Migratsionnaya politika Kazakhstana: obzor vneshnego vektora // International Relations and International Law Journal. 105(1). P. 50–57. URL: <https://doi.org/10.26577/IRILJ.2024.v105.i1.05> (In Russian)
- 6 Kultanova A.E. et al. (2023) Improving the effectiveness of migration policy as a factor in the sustainable development of Kazakhstan // Bulletin of the National Academy of Sciences of the Republic of Kazakhstan. No. 6. P. 444–461. URL: <https://doi.org/10.32014/2023.2518-1467.643> (In English)
- 7 Tokaev treboval ot pravitel'stva i KNB polnoi tsifrovizatsii migratsionnogo ucheta. Zakon.kz. URL: <https://www.zakon.kz/politika/6505683-tokaev-potreboval-ot-pravitelstva-i-knb-polnoy-tsifrovizatsii-migratsionnogo-ucheta.html> (data obrashhenija: 01.03.2026) (In Russian)
- 8 Shaikenova R. (2026) Migratsionnye voprosy inostrannykh turistov v RK reshayut za 5 minut // KAZINFORM. URL: <https://eqonaq.kz/news-detail-80?lang=kz> (data obrashhenija: 10.03.2026) (In Russian)
- 9 Report of the Chairman of the CNS of the Republic of Kazakhstan E. Sagimbaev to the Head of State on the results of work on ensuring national security. URL: <https://www.akorda.kz/ru/glava-gosudarstva-prinyal-predsdatelya-komiteta-nacionalnoy-bezopasnosti-ermeka-sagimbaeva-2591043> (data obrashhenija: 13.03.2026) (In Russian)
- 10 Resolution of the Government of the Republic of Kazakhstan of October 12, 2021 No. 729 “On approval of the national project ‘Strong Regions – Driver of the Country’s Development’” (revoked). URL: http://prg.kz/document/?doc_id=33992206 (data obrashhenija 20.03.2026) (In Russian)
- 11 Adamson F.B., Tsourapas G. (2019) The Migration State in the Global South: National Security, Development, and Local Governance // International Migration Review. 53(2). P. 335–358. URL: <https://doi.org/10.1177/0197918319879057> (In English)
- 12 Castles S., de Haas H., Miller M.J. (2020) The Age of Migration: International Population Movements in the Modern World. Red Globe Press, 464 p. (In English)
- 13 Della Pergola S. (2003) Demographic Trends in Israel and Palestine: Prospects and Policy Implications // Israel Studies. 8(1). P. 52–87. URL: <https://www.researchgate.net/publication/268030623> (accessed: 20.03.2026) (In English)
- 14 Beduschi A. (2021) International migration management in the age of artificial intelligence // Migration Studies. 9(3). P. 576–596. URL: <https://doi.org/10.1093/migration/mnaa003> (In English)
- 15 Greenleaf G. (2014) Asian Data Privacy Laws: Trade & Human Rights Perspectives. Oxford: Oxford University Press, 579 p. (In English)
- 16 Broeders D., Hampshire J. (2013) Dreaming of seamless borders: ICTs and the pre-emptive governance of mobility // Journal of Ethnic and Migration Studies. 39(8). P. 1201–1218. URL: <https://doi.org/10.1080/1369183X.2013.787512> (In English)

АБЕУОВ Д.А.,¹

PhD, қауымдастырылған профессор.

e-mail: dulatabeuov@mail.ru

ORCID ID: 0009-0008-5744-336X

МОМЫШЕВА Ф.С.,^{*2}

з.ғ.к., қауымдастырылған профессор.

*e-mail: f.momysheva@turan-edu.kz

ORCID ID: 0000-0003-4053-0690

РАХИМГУЛОВА М.Б.,³

PhD, доцент.

e-mail: madu805@mail.ru

ORCID ID: 0009-0006-7591-0369

ЖАНГАБУЛОВА Ж.М.,³

шетелдік аймақтану саласындағы магистрі,

аға оқытушы.

e-mail: zhangabulova09@gmail.com

ORCID ID: 0000-0003-2731-2920

¹Қазақстан Республикасы

ІІМ-нің Басқару академиясы,

Астана қ., Қазақстан

²«Тұран» университеті,

Алматы қ., Қазақстан

³Қазтұтынуодағы Қарағанды университеті,

Қарағанды қ., Қазақстан

ҚАЗАҚСТАННЫҢ КӨШІ-ҚОН САЯСАТЫНЫҢ ҰЛТТЫҚ ҚАУІПСІЗДІК ЖӘНЕ ШЕТЕЛДІК ТӘЖІРИБЕ КОНТЕКСİNДЕГІ ҚҰҚЫҚТЫҚ ҚЫРЛАРЫ

Андатпа

Мақалада ұлттық қауіпсіздік призмасы арқылы Қазақстанның көші-қон саясатының қазіргі жай-күйі қаралады. Авторлар мемлекеттің қарапайым бақылаудан және бұзушылықтарды тіркеуден алдын алу шаралары жүйесіне көшуін талдайды. Жұмыс мақсаты – көші-қон ағындарын басқару үшін Қазақстан Республикасының заңнамасына «цифрлық сүзгілер» мен болжамды модельдер енгізу қажеттілігін негіздеу. Зерттеу Қазақстанның стратегияларын салыстырмалы талдауға (Қазақстан Республикасының 2023–2027 жылдарға арналған көші-қон саясатының тұжырымдамасы және Қазақстан Республикасының 2030 жылға дейінгі көші-қон саясатының тұжырымдамасы) және шетелдік тәжірибені зерделеуге негізделеді. Сондай-ақ ағымдағы көші-қон трендтерін бағалау үшін Қазақстан Республикасының Стратегиялық жоспарлау және реформалар жөніндегі агенттігінің Ұлттық статистика бюросының деректері пайдаланылды. Талдау барысында e-Visa және e-Qonaq жүйелері Big Data аналитикалық әлеуетін толық көлемде пайдаланбай, есепке алу құралдары ретінде жұмыс істейтіні анықталды. Авторлар шетелдіктің құқықтық мәртебесін оның салық және әкімшілік тәртібімен байланыстыратын «көші-қон сенім индексі» енгізуді ұсынып отыр. Бұл мемлекетке мигранттарды бақылап қана қоймай, тәуекел аймақтарын алдын ала анықтауға мүмкіндік береді. Жұмыстың қорытындылары «цифрлық көшпенділер» мен еңбек мигранттарының мәртебесін реттейтін нормативтік актілерді пысықтау үшін пайдаланылуы мүмкін.

Тірек сөздер: көші-қон саясаты, ұлттық қауіпсіздік, құқықтағы алдын алу қағидаты, шетелдік тәжірибе, цифрландыру, e-Visa.

АБЕУОВ Д.А.,¹

PhD, ассоциированный профессор.

e-mail: dulatabeuov@mail.ru

ORCID ID: 0009-0008-5744-336X

МОМЫШЕВА Ф.С.,^{*2}

к.ю.н., ассоциированный профессор.

*e-mail: f.momysheva@turana.edu.kz

ORCID ID: 0000-0003-4053-0690

РАХИМГУЛОВА М.Б.,³

PhD, доцент.

e-mail: madu805@mail.ru

ORCID ID: 0009-0006-7591-0369

ЖАНГАБУЛОВА Ж.М.,³

магистр в области зарубежного

регионоведения, ст. преподаватель.

e-mail: zhangabulova09@gmail.com

ORCID ID: 0000-0003-2731-2920

¹Академия управления МВД

Республики Казахстан,

г. Астана, Казахстан

²Университет «Туран»,

г. Алматы, Казахстан

³Карагандинский университет Казпотребсоюза,

г. Караганда, Казахстан

ПРАВОВЫЕ АСПЕКТЫ МИГРАЦИОННОЙ ПОЛИТИКИ КАЗАХСТАНА В КОНТЕКСТЕ НАЦИОНАЛЬНОЙ БЕЗОПАСНОСТИ И ЗАРУБЕЖНОГО ОПЫТА

Аннотация

В статье рассматривается современное состояние миграционной политики Казахстана через призму национальной безопасности. Авторы анализируют переход государства от простого контроля и фиксации нарушений к системе превентивных мер. Цель работы – обосновать необходимость внедрения «цифровых фильтров» и предиктивных моделей в законодательство Республики Казахстан для управления миграционными потоками. Исследование строится на сравнительном анализе стратегий Казахстана (Концепция миграционной политики Республики Казахстан на 2023–2027 гг. и Концепция миграционной политики Республики Казахстан до 2030 г.) и изучении зарубежного опыта. Также использованы данные Бюро национальной статистики Агентства по стратегическому планированию и реформам Республики Казахстан для оценки текущих миграционных трендов. В ходе анализа выявлено, что системы e-Visa и e-Qonaq пока работают преимущественно как инструменты учета, не используя в полной мере аналитический потенциал Big Data. Авторы предлагают внедрить «индекс миграционного доверия», который свяжет правовой статус иностранца с его налоговой и административной дисциплиной. Это позволит государству не просто следить за мигрантами, а заранее выявлять зоны риска. Выводы работы могут быть использованы для доработки нормативных актов, регулирующих статус «цифровых кочевников» и трудовых мигрантов.

Ключевые слова: миграционная политика, национальная безопасность, превентивизм, зарубежный опыт, цифровизация, e-Visa.

Article submission date: 10.04.2026