

IRN AP27510473 «Protection of the animal and plant world of Kazakhstan: problems of combating poaching and their solution»

Project Information

The project is an interdisciplinary applied study aimed at identifying the challenges faced by law enforcement agencies in the process of applying national legislation in the field of criminal legal protection of flora and fauna. The project proposes the improvement of the current legislation of the Republic of Kazakhstan and the development of effective measures for its practical implementation.

The study focuses on the following organizational, legal, and procedural issues:

- vague specification of the elements of offenses in criminal law provisions establishing liability for poaching;
- low level of interaction between law enforcement agencies and environmental organizations;
- problems in coordinating the activities of law enforcement agencies in detecting, investigating, and preventing criminal poaching offenses;
- insufficient use of modern technologies by law enforcement agencies in detecting and investigating poaching cases;
- presence of corruption risks in the detection and investigation of poaching offenses;
- lack of an effective system for the prevention of poaching.

PROJECT GOAL

The goal of the project is to identify the problems faced by law enforcement agencies in the application of national legislation in the field of criminal legal protection of flora and fauna.

Project Objectives:

1. To analyze the terminology used in the legislation of Kazakhstan regulating the use of flora and fauna objects, in order to assess its compliance with international standards, identify areas for improvement, and determine its connection with problems in investigating poaching-related crimes.
2. To collect, study, and analyze statistical data on the state, structure, and dynamics of criminally punishable poaching, as well as materials from judicial and investigative practice in criminal cases of this category.
3. To analyze national and foreign legislation in the fields of environmental, criminal, and criminal procedure law in order to identify inconsistencies and assess the possibility of applying best international practices in investigating and preventing poaching-related crimes. It is proposed to introduce amendments to the legislative acts of Kazakhstan, such as the Environmental Code, the Criminal Procedure Code, the Criminal Code, the Water Code, the Law “On Protection, Reproduction and Use of Wildlife,” and the Regulatory Resolution of the Supreme

Court “On the Practice of Applying Legislation on Criminal Liability for Smuggling.”

4. To study existing methods of detecting, investigating, and preventing poaching-related crimes and to assess their effectiveness under modern law enforcement practice.

5. To identify the causes and conditions contributing to the high level of latency (hidden nature) and low detection and clearance rates of poaching cases.

6. To examine the factors contributing to the smuggling of poaching products and to determine the characteristics of these crimes as transnational.

Expected Results:

1. Development of methodological guidelines for improving procedures for detecting and preventing poaching, as well as effective strategies to enhance the investigation of such offenses.

2. Preparation of an analytical review on the state and dynamics of poaching-related crimes, aimed at identifying their typical features.

3. Development of proposals for amendments to criminal, environmental, and criminal procedure legislation, as well as other regulatory legal acts of the Republic of Kazakhstan.

4. Organization of a scientific and practical conference and a roundtable at the Karaganda University of Kazpotrebsoyuz, involving law enforcement practitioners and representatives of organizations engaged in the protection of flora and fauna, with mandatory dissemination of results on social media.

The results obtained during the study will have the following positive impact on scientific and technical (including human resource) potential:

- enrichment of Kazakhstan’s scientific base with knowledge in the field of environmental criminal offenses related to poaching;

- confirmation of the need to improve existing methods for detecting, investigating, and preventing poaching;

- formation of a foundation for developing specialized educational courses and training programs for professionals capable of effectively combating poaching using innovative scientific approaches;

- strengthening regional and international cooperation between scientific and professional communities;

- serving as a valuable resource for further research and for assessing the dynamics of environmental crimes related to poaching.

The research results will significantly enhance the competitiveness of scientific organizations, their teams, and researchers, and are characterized by their significance as follows:

- increasing the reputation of research teams and scientists in Kazakhstan contributing to the field of environmental offenses related to the protection of flora and fauna;

- improving the professional skills of researchers and specialists involved in the project;

- expanding scientific collaboration and enriching research through cooperation with other institutions, scientists, and experts, including international partners;
- providing substantial support to scientific and other organizations in demonstrating their commitment to socio-environmental issues related to the criminal legal protection of flora and fauna;
- strengthening the scientific potential of research groups and individual researchers by encouraging further studies in this field.

The practical significance of the research results is aimed at addressing key socio-economic and scientific-technical development tasks of the Republic of Kazakhstan and includes:

- introducing amendments and improvements to existing national legislation;
- improving law enforcement practices;
- enhancing the professional level of specialists in the field of flora and fauna protection;
- increasing public awareness of poaching issues;
- developing international cooperation with other countries.