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**«DEVELOPMENT OF THE STATUS OF CITIES IN KAZAKHSTAN: A
THEORETICAL AND LEGAL STUDY»**

ANNOTATION

**dissertation for the degree of Doctor of Philosophy (PhD)
in the specialty «6D030100-Jurisprudence»**

Relevance of the Dissertation Research Topic. One of the key directions of socio-economic reform in independent Kazakhstan is the support and development of urban areas. Kazakhstan's policy documents increasingly underscore the importance of constructing an effective and professional "listening" state, characterized by a clear division of powers between central and local authorities. This includes the operationalization of decentralization principles along the executive vertical—from the center to regional structures—as well as the optimal delineation of functions between the state and the private sector. Within this framework, the legal status of territorial entities, particularly cities, emerges as a critical and timely issue requiring scholarly attention. This necessity stems not only from the lack of a coherent economic reform agenda but also from the ambiguity surrounding legislative regulation of the state's territorial organization. Accordingly, the legal conceptualization of cities must be revisited and redefined in alignment with the current state-legal realities.

Despite their formal designation as administrative-territorial units, cities in Kazakhstan currently lack a unified legal instrument that defines their legal status. This legislative gap has both theoretical and practical implications, resulting in the diminished role of cities within the broader framework of socio-economic governance. Addressing this shortfall necessitates rigorous theoretical inquiry, legal analysis, and the formulation of specific proposals, methodologies, and legal mechanisms aimed at enhancing and optimizing the legal status of cities in Kazakhstan.

A comprehensive understanding of the present and future of Kazakhstani cities further requires consideration of the civilizational and legal foundations underpinning their formation and functioning. In this regard, it is pertinent to examine global urbanization experiences through the lenses of Eastern and Western civilizations, while also taking into account historical stages of human development and Kazakhstan's unique domestic context.

According to Article 3 of the Law of the Republic of Kazakhstan On the Administrative-Territorial Structure of the Republic of Kazakhstan (No. 2572-XII, dated December 8, 1993, with the latest amendments of July 5, 2024), cities are classified into three categories. As of the current developmental stage, there are 3 cities of republican significance, 40 cities of regional significance, and 47 cities in the third category. Nevertheless, numerous unresolved issues continue to hinder the development and governance of these urban entities. Furthermore, special attention must be paid to the city of Baikonur, which functions within a dual legal

jurisdiction. The unique legal and administrative challenges arising from this duality underscore the need for innovative legal approaches and comprehensive regulatory solutions.

The dynamic and multifaceted changes occurring in the urban landscape of Kazakhstan in recent years underscore the pressing need for scholarly investigation into the evolving realities and future prospects of urban development. This research aims to contribute to the legal and theoretical discourse surrounding urban governance and to provide practical recommendations for the legislative and institutional enhancement of Kazakhstan's cities.

Purpose and Objectives of the Dissertation Research.

The principal aim of the dissertation is to determine the legal status of cities in Kazakhstan and to explore the associated theoretical and practical challenges through a comprehensive and systematic approach.

In pursuit of this goal, the following research objectives are outlined:

- to examine the nature, content, and historical significance of cities in the socio-political and legal development of humanity, based on a historical, legal, and theoretical analysis;
- to formulate an original definition of the city, grounded in a comprehensive scholarly evaluation of its defining features;
- to synthesize international experience in the development of urban governance and municipal self-government, to explore the prospects for establishing and developing local urban governance and self-government structures suited to the societal and governmental context of Kazakhstan;
- to analyze and classify various types of cities as reflected in national legislation, and to identify and substantiate prevailing trends in their evolution;
- to address legal issues pertaining to the political, economic, and socio-cultural dimensions of urban functioning;
- to develop recommendations for enhancing legislation and administrative practices concerning the legal status of cities.

Object and Subject of the Dissertation Research.

The object of this research is the set of public relations that define the legal status of cities, particularly as it pertains to their functions in the economic, political, and social spheres.

The subject of the research comprises the legislative framework that establishes the legal status of cities, the practical application of these legal norms, and the theoretical and applied aspects of urban status.

Methods of the Dissertation Research.

The methodological foundation of the dissertation is grounded in the dialectical method of understanding social and legal phenomena, as well as modern cognitive approaches widely recognized and validated within legal science. General logical methods such as analysis, synthesis, generalization, comparison, abstraction, analogy, and modeling are extensively employed throughout the research. To address the research objectives, methods of specific sociological investigation and comparative legal analysis are also utilized. Particular emphasis

is placed on two key approaches: first, the systemic-structural method, which enables an integrated examination of the status of cities in Kazakhstan as an interconnected system based on national legal norms; and second, the comparative legal method, which facilitates the identification of the applicability and limitations of international experiences in the context of Kazakhstani legislation.

Main Provisions of the Dissertation Research Submitted for Defense. The following key propositions are submitted for defense based on the research:

1) **Legal Definition of a City:** The category of “city” within the administrative-territorial system requires clearer legal definition. Currently, neither legal theory nor the Law “On the Administrative-Territorial Structure of the Republic of Kazakhstan” provides an explicit definition. To enhance the theoretical basis of lawmaking, the dissertation proposes a legislative definition:

A city is a populated area (administrative-territorial unit) with a distinct legal status based on population size, economic functions, and public significance, where state and self-governing authorities operate in the interests of the local community.

2) **Local Self-Government Issues:** The study finds that Kazakhstani legislation lacks provisions defining the legal status of urban territorial entities and organizations. Citizen participation in city governance remains ineffective due to the absence of procedural norms and mechanisms for addressing local issues. It is proposed to adopt a dedicated law “On Local Self-Government in the Republic of Kazakhstan,” which would provide for local citizen involvement in problem-solving, promote financial autonomy, and encourage broader use of the “Public Participation Budget” initiative. Additionally, to address the shortage of civil servants, especially in remote areas, the dissertation suggests involving educated, politically literate local residents in self-governance and using this resource as a personnel reserve for state administration.

3) **Cities of Republican Significance and the Capital:** Given the evolving urban landscape, including the inclusion of Shymkent as a city of republican significance and potential future candidates (e.g., Aktobe, Karaganda), it is advisable to supplement existing legislation. While specific laws currently regulate the status of Astana and Almaty, the dissertation proposes a unified legislative act - the Law “On Cities of Republican Significance” - to standardize the legal framework. This law should define essential characteristics, such as territorial boundaries, local governmental institutions, scope of authority, city symbols (e.g., coat of arms, flag), and local self-government provisions.

4) **Legal and Social Issues in Baikonur:** Although Baikonur holds the status of a city of regional significance in Kazakhstan, Russian legislation and administrative structures currently operate there under lease agreements. The rights of Kazakhstani citizens living in Baikonur must be safeguarded. To this end, the dissertation proposes strengthening the role of the Special Representative of the President of the Republic of Kazakhstan in the Baikonur Complex. A new clause—paragraph 14 – should be added to the governing regulation, calling for the creation of a Public Council of seven elected local citizens to assist the

representative in monitoring and advocating for residents' legal rights and socio-economic needs.

5) Cities of regional significance in Kazakhstan constitute complex systems that integrate various enterprises, organizations, and associations, forming cohesive economic complexes. They also encompass diverse institutions, public organizations, and local government bodies, serving as integral components of the country's administrative-territorial structure.

The current criterion for classifying a city as one of regional significance—predicated on a minimum population threshold of 50,000—remains rooted in Soviet-era classifications. This criterion inadequately reflects the multifaceted roles these cities play in contemporary socio-economic contexts. While population size is a pertinent factor, it does not encompass the full spectrum of a city's economic, cultural, and infrastructural significance.

To address this discrepancy, we propose an amendment to subparagraph 2 of Article 3 of the Law of the Republic of Kazakhstan "On the Administrative-Territorial Structure of the Republic of Kazakhstan." The revised provision would read as follows:

"Cities with a population of less than 50,000 may be classified as cities of regional significance, provided they exhibit substantial industrial, socio-cultural, scientific, and historical importance, along with evident prospects for economic and social development and population growth."

This amendment seeks to recognize the diverse attributes that contribute to a city's regional significance, extending beyond mere population metrics.

6) The existing definition of cities of district significance encompasses settlements with populations of at least 10,000, provided they host industrial enterprises, public utilities, state housing stock, and a developed network of educational and healthcare organizations, among other facilities. However, this threshold does not account for the evolving dynamics of urbanization and the varying capacities of smaller settlements to fulfill these roles.

In light of these considerations, we propose an amendment to subparagraph 3 of Article 3 of the Law of the Republic of Kazakhstan "On the Administrative-Territorial Structure of the Republic of Kazakhstan." The revised provision would read as follows:

"Cities of district significance include settlements with populations of at least 5,000, provided they possess industrial enterprises, public utilities, state housing stock, and a developed network of educational and healthcare organizations, cultural, educational, and commercial facilities."

This adjustment reflects a more inclusive approach, recognizing that smaller settlements can also serve as vital centers of local governance and development.

In certain instances, cities previously designated as urban centers may experience significant socio-economic decline due to factors such as the closure of major industrial enterprises, underdeveloped social infrastructure, and population decrease. Continuing to classify these settlements as cities may not accurately represent their current status and could impede the allocation of appropriate resources for their revitalization.

Therefore, we propose the introduction of a provision allowing for the declassification of cities that no longer meet the criteria for urban status due to sustained socio-economic decline. This measure would facilitate the reclassification of such settlements as rural areas, thereby enabling residents to access benefits and support mechanisms tailored to rural communities.

The proposed amendments aim to modernize the administrative-territorial classification system in Kazakhstan, ensuring it reflects the contemporary roles and challenges of urban settlements. By incorporating a more comprehensive set of criteria that includes economic, cultural, and developmental factors, the reformed system will better support balanced regional development and the equitable distribution of resources.

The main results of the research. The tasks of the dissertation research have been fully addressed as follows: based on historical-legal and theoretical analysis, the dissertation author has defined the nature, content, and significance of cities in the social and political-legal history of humanity; an original definition of a city has been proposed; based on the generalization of the political-legal practice of territorial urban governance and self-governance development in foreign countries, the author has determined the perspective of acceptable optimal formation and development of local urban governance and self-governance for Kazakhstan's society and state; based on the results of the research, the author proposes the development and adoption of the Law of the Republic of Kazakhstan "On Cities of National Importance", a general legal act that defines their legal status; to address the socio-economic issues of the residents of the city of Baikonur, the author proposes an amendment to the "Regulation on the Special Representative of the President of the Republic of Kazakhstan at the Baikonur Complex"; based on the results of the research, the dissertation author has established that the state practice in defining the status of cities of regional and district significance does not correspond to the requirements of the legislation norms. To resolve these contradictions, the author proposes a number of changes and additions to the Law of the Republic of Kazakhstan "On Administrative-Territorial Structure of the Republic of Kazakhstan"; thus, the author has developed recommendations for improving the legislation and practices in this area.

The dissertation was discussed at the extended meeting of the Department of Theory and History of State and Law at the E.A. Buketov Karaganda University.

The results, main points, and conclusions of the dissertation have been tested and reflected in journals included in the Scopus database, publications recommended by the Committee for Quality Assurance in Science and Higher Education of the Ministry of Science and Higher Education of the Republic of Kazakhstan, an international journal indexed in RSCI, as well as in the materials of international scientific-practical conferences. The main content of the dissertation research is covered in the published scientific works of the dissertation author.

Scientific Novelty of the Dissertation Research Results. The scientific novelty of this dissertation lies in the fact that it constitutes one of the first comprehensive studies in domestic legal scholarship to address the legal status of cities, local urban governance, and self-government, and the role of cities within

the administrative-territorial framework of the Republic of Kazakhstan. The dissertation presents the author's original interpretation of the concept of the "city" and its classifications, grounded in the analysis of both historical and contemporary domestic and international sources. It explores the sources of general and specific legal regulation pertaining to city status, determines the legal standing of the capital and cities of republican significance, and investigates the peculiarities and challenges facing cities of regional and district importance. Special attention is given to the primary spheres of city activity-economic, socio-cultural, and administrative-political - which serve as the basis for formulating legislative proposals. These include recommendations for amending the Law "On the Administrative-Territorial Structure of the Republic of Kazakhstan" and for adopting a new law "On Cities of Republican Significance." The findings, conclusions, and legislative suggestions aim to strengthen the legal framework governing the status of cities in Kazakhstan.

Testing and Validation of the Results. The results obtained during the dissertation research were presented and tested at the following scientific conferences: International Scientific and Practical Conference "The Work and Creative Legacy of the Great Kazakh Thinker Kazybek Bi – An Important Factor in the Modernization of Public Consciousness" (Karaganda, 2017), International Scientific and Practical Conference "Coordination of National Legislation within the Framework of Integration Processes" (Karaganda, 2017), International Scientific and Practical Conference "The Legal System of Kazakhstan in the Context of the Modernization of National Legal Consciousness" (Karaganda, 2018), International Scientific and Practical Online Conference "Thirty-Third Economic and Legal Discussions (Legal Direction)" (Lviv, 2018), International Scientific and Practical Online Conference "Modern Directions of Improving the Legal System and Legal Education of the Republic of Kazakhstan" (Karaganda, 2022), Thirteenth International Scientific and Practical Conference "Current Issues of Law, History and Education at the Present Stage: Theory and Practice," dedicated to the 75th anniversary of Doctor of Law, Professor Bakhytzhan Khasenovna Toleubekova (Almaty, 2025).

Compliance with Scientific Development Priorities or State Programs

The dissertation was carried out in accordance with the main directions of state programs such as the Concept of Legal Policy of the Republic of Kazakhstan until 2030, the Kazakhstan-2050 Strategy: A New Political Course of the Established State, the Concept for the Development of Local Self-Government in the Republic of Kazakhstan until 2025, and others.

The level of urbanization and the development of a comfortable urban environment serve as key indicators of a nation's overall socio-economic advancement and are critical determinants of its future developmental trajectory. In recognition of this, the National Development Plan of the Republic of Kazakhstan until 2029, adopted by Presidential Decree No. 611 dated July 30, 2024, places significant emphasis on the strategic role of cities as regional hubs of attraction and growth.

This dissertation aligns with Goal 11 of the United Nations Sustainable Development Goals, which focuses on making cities and human settlements inclusive, safe, resilient, and sustainable. It reflects a national perspective on urban governance and sustainability, with a particular emphasis on openness, security, resilience, and environmental balance.

Publication. The key provisions and findings of the dissertation are presented in a number of the author's published works. In total, 10 (ten) scientific articles have been published on the topic of the dissertation, including:

1 article in a peer-reviewed scientific journal with a non-zero impact factor indexed in the Scopus database;

3 articles in journals recommended by the Committee for Quality Assurance in Science and Higher Education of the Ministry of Science and Higher Education of the Republic of Kazakhstan;

1 article in an international journal indexed in the Russian Science Citation Index (RSCI);

6 articles published in the proceedings of international conferences.

Description of the Doctoral Candidate's Contribution to Each Publication

The research results presented in the dissertation were obtained independently by the author. The dissertation work was carried out at the Department of Theory and History of State and Law of E.A. Buketov Karaganda University. The research results were presented at a scientific-theoretical seminar and departmental meetings, and published in academic journals. The analysis of the obtained results and the conclusions of the work as a whole were carried out in collaboration with scientific advisors.

Structure of the Dissertation

The dissertation has been prepared in accordance with the requirements set forth by the Committee for Quality Assurance in Science and Higher Education of the Republic of Kazakhstan. The structure of the dissertation includes a list of designations and abbreviations, an introduction, three main chapters, a conclusion, a list of references, and appendices. The overall volume and structure of the dissertation comply with the established academic standards.