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Problems of pension provision for persons with disabilities in the Republic of Kazakhstan: comparative legal analysis

This article examines the problems of pension provision for persons with disabilities in the Republic of Kazakhstan within a comparative legal framework. The aim of the study is to identify the key legal and institutional challenges of the national disability pension system and to develop directions for its improvement based on a comparative analysis of the legislation of Germany and South Korea. The research employs formal legal, comparative legal, systemic, and normative methods of analysis, which make it possible to examine pension provision as a complex legal institution encompassing elements of social security, insurance protection, and labour-market integration. The findings indicate that the current pension provision model in the Republic of Kazakhstan is predominantly compensatory in nature and insufficiently linked to mechanisms of vocational rehabilitation and employment for persons with disabilities. At the same time, international experience demonstrates the effectiveness of integrated systems that combine pension payments with active employment policies and insurance-based protection mechanisms. In conclusion, the study emphasizes the need to transition toward a comprehensive legal model of pension provision for persons with disabilities in Kazakhstan, based on strengthening insurance principles, developing rehabilitation programmes, and expanding measures to promote labour-market integration.

Keywords: pension provision, disabilities, legal regulation, social guarantees, legislation, disability pensions, inclusive society, international experience.

Introduction

The provision of social protection for persons with disabilities within pension systems is a crucial component of any country's social policy. It serves as a key indicator of the level of social justice and inclusiveness in society. Disability often leads to a loss of working capacity, which significantly limits an individual's ability to participate in economic activities and generate personal income. In this context, the state faces the important task of developing effective mechanisms of social support. Accordingly, pension provision for persons with disabilities performs not only a compensatory function—ensuring a basic level of material well-being—but also plays an important role in promoting social inclusion. It helps integrate vulnerable groups into society and supports their dignity and independence.

The relevance of this study is determined by the need to improve the legal regulation of disability pension provision in the context of ongoing transformations of national social security systems and the increasing influence of comparative international experience in this field. Demographic changes, reflected in the growing number of persons with disabilities, further highlight the importance of ensuring the effective realization of their constitutional right to social protection, as guaranteed by national legislation.

Despite considerable scholarly attention devoted to disability pension provision, significant debates remain within legal scholarship regarding the content and limits of legal regulation in this area. One group of scholars views disability pensions primarily as an institution of social security law aimed at implementing constitutional guarantees of social protection and ensuring a minimum standard of state-provided material support. This position is reflected in the works of G.A. Kuanaliyeva, S. Adilgazy, and M.N. Abisheva, who emphasize the normative and guarantee-based nature of pension provision as part of the system of state social obligations. A similar approach is presented by G.G. Pashkova, who interprets pension payments as a legally established mechanism for implementing the state's social function and ensuring basic living standards for persons with disabilities. In contrast, other scholars adopt a broader, interdisciplinary understanding of pension regulation, viewing it as a complex legal institution encompassing not only social

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security law but also elements of labour, administrative, and international law. In this regard, O.V. Arlashkina and L.N. Natsun highlight the importance of legally embedding mechanisms of labour integration and supported employment for persons with disabilities as part of the realization of the right to work. A.N. Batalova further argues for the development of legal mechanisms of labour market adaptation, emphasizing the limitations of a purely compensatory approach in the current regulatory framework.

According to the author, the further development of disability pension legislation in the Republic of Kazakhstan should be based on an integrated legal approach, ensuring interconnection between pension provision, social protection, medical and vocational rehabilitation, and employment promotion mechanisms. In this context, a comparative legal analysis of the legislation of Kazakhstan, Germany, and South Korea becomes particularly relevant, as it allows the identification of effective legal mechanisms for protecting the rights of persons with disabilities.

The aim of this study is to conduct a comparative legal analysis of disability pension legislation in the Republic of Kazakhstan and selected foreign jurisdictions, to identify existing legal regulation problems, and to develop proposals for improving national legislation.

To achieve this aim, the following objectives are set: to analyze the legal norms governing disability pension provision and social protection of persons with disabilities in Kazakhstan; to conduct a comparative legal study of disability pension systems in Germany and South Korea; to identify problems in legal regulation and law enforcement practice in Kazakhstan; and to develop recommendations for improving national legislation in line with international standards and foreign experience.

Methods and Materials

The methodological framework of this study is based on a combination of general scientific and specialized approaches to legal and socio-economic analysis. In the course of the research, several methods were applied, including comparative legal analysis, systems analysis, statistical evaluation, and an institutional approach.

The comparative legal method made it possible to examine Kazakhstan's pension provision system for persons with disabilities in relation to similar social protection mechanisms in other countries, particularly the experiences of Germany and South Korea. The systems approach was used to explore the multi-level structure of social protection for persons with disabilities in Kazakhstan. This structure encompasses state social benefits, the compulsory social insurance system, and the funded pension scheme. Statistical methods were employed to analyze official data reflecting trends in the number of persons with disabilities and to assess their socio-economic conditions. The empirical foundation of the study includes several key sources: national legal and regulatory acts governing pension provision and social protection for persons with disabilities in the Republic of Kazakhstan; international legal instruments and standards in the field of social protection; official statistical data published by government bodies; as well as academic publications and analytical reports produced by international organizations and research institutions.

During the preparation of this article, AI-based tools were used solely for translation, grammar checking, and stylistic editing of the manuscript (ChatGPT, DeepSeek).

Results

Pension systems represent one of the key pillars of social policy in any country. In Kazakhstan, the current pension model has been in place since 1997, when a major reform concept was adopted, marking the beginning of a comprehensive modernization process. The reform was largely inspired by the Chilean model, which is based on mandatory contributions to individual pension accounts and their long-term accumulation. Starting from January 1, 1998, all employed citizens have been required to transfer 10 % of their monthly income to personal accounts within the funded pension system [1; 2]. At present, Kazakhstan operates a three-tier system of social protection for persons with disabilities. The first level consists of state social benefits financed from the national budget and differentiated according to the degree of disability [2]. The second level includes payments from the compulsory social insurance system [3], while the third level is formed by the funded pension scheme [4]. However, despite this formally diversified structure, pension payments in practice rely predominantly on state budget resources and the Unified Accumulative Pension Fund, largely due to the limited development of voluntary contributions.

The novelty of this research lies in its integrated analysis of the relationship between employment levels among persons with disabilities and the effectiveness of the funded pension system. The study demonstrates that low labor market participation is not merely a social concern but a systemic factor that directly

undermines pension system performance. It further argues that pension provision for persons with disabilities should not be treated in isolation, but rather as part of a broader framework that includes rehabilitation, employment, and social inclusion mechanisms.

The results of the conducted research indicate that the tasks set in the work were fully implemented and made it possible to identify key legal problems and areas for improving pension provision for persons with disabilities in the Republic of Kazakhstan.

As part of the solution of the first task related that the current legal model is predominantly compensatory in nature and is focused on providing state social benefits, while mechanisms aimed at integrating people with disabilities into the employment system and forming pension savings are insufficiently developed.

The solution of the second task, which is to identify problems of legal regulation and law enforcement practice, has shown the existence of systemic limitations of the pension system. These include the dependence of the amount of pension payments on the length of service and the amount of savings, insufficient involvement of persons with disabilities in the funded pension system, as well as the weak relationship between pension provision and institutions of vocational rehabilitation and labor integration.

As part of the third task, which provides for a comparative legal analysis of the legislation of Germany and South Korea, it was found that foreign models are characterized by a more comprehensive approach. In particular, in Germany, pension provision is closely linked to the compulsory pension insurance system and the principle of prioritizing rehabilitation before retirement. In South Korea, the pension system is integrated with social and labor policy measures, including employment quotas, tax incentives for employers, and a comprehensive assessment of the needs of people with disabilities.

The solution of the fourth task, aimed at developing proposals for improving the legislation of the Republic of Kazakhstan, allowed us to formulate the following main areas of reform: strengthening pension insurance principles, developing regulatory support for vocational rehabilitation programs, expanding state support for the employment of persons with disabilities, as well as introducing an integrated approach to assessing their needs, taking into account international experience.

Thus, the results obtained confirm that the further development of pension provision for persons with disabilities in the Republic of Kazakhstan requires a transition from a predominantly compensatory model to an integrated legal system combining pension, rehabilitation and labor mechanisms of social protection.

The practical significance of the findings lies in the applicability of the proposed model to the improvement of social policy. Its implementation can contribute to increasing the economic independence of persons with disabilities, while simultaneously reducing the financial burden on the state budget.

Discussion

Despite the formation of a multi-level social security system in the Republic of Kazakhstan, enshrined in the Social Code and other regulatory legal acts, the current model of pension provision for persons with disabilities continues to face a number of legal and institutional problems. These problems are expressed not only in the insufficient effectiveness of mechanisms for the implementation of social rights, but also in the limited effectiveness of existing legal guarantees of social protection and social integration of this category of citizens. International experience shows that personal pension savings play a decisive role in ensuring a decent standard of living in old age, whereas state transfers are primarily designed to provide a minimum guaranteed income for vulnerable groups [1; 2].

From a legal perspective, disability pension provision in the Republic of Kazakhstan is primarily regulated by the Social Code of the Republic of Kazakhstan dated 20 April 2023 No. 224—VII. According to Article 181 of the Social Code of the Republic of Kazakhstan, persons with disabilities are guaranteed the provision of a state social benefit regardless of their employment history or participation in the funded pension system. At the same time, the pension system for this category of citizens is structured on a multi-level basis, including basic pension payments, pension benefits financed through mandatory pension contributions, as well as other payments provided for by national legislation [2]. However, an analysis of the current legislation shows that there are a number of legal problems. One of them is the dependence of the amount of pension payments from the accumulative system on the duration of work and the amount of pension savings. Since the employment rate of people with disabilities remains relatively low, a significant part of citizens are unable to form sufficient pension savings, which further leads to dependence on state social benefits.

In foreign countries, two main policy approaches have emerged to promote the employment of persons with disabilities in the labor market.

The first approach is based on the idea that individuals with limited work capacity can be effectively employed only under specially adapted working conditions. Within this framework, governments provide financial incentives to employers who hire persons with disabilities. These measures typically include subsidies, compensation for workplace adaptation costs, and the introduction of employment quotas aimed at increasing workforce participation among people with disabilities.

The second approach focuses on ensuring equality and non-discrimination. It establishes a strict prohibition of discrimination against persons with disabilities across all public authorities, institutions, and organizations, thereby promoting equal access to employment opportunities [5].

Germany offers a clear example of an effectively organized system of social protection in cases of reduced working capacity. The legal basis for pension provision for persons with disabilities in Germany is Book VI of the German Social Code. According to section 43 of this regulatory act, the right to a disability pension arises if there is a medically confirmed disability and the requirements for insurance experience are met. German legislation distinguishes between total and partial disability, and the amount of pension payments is determined based on insurance experience and previously earned earnings [6]. In this country, disability-related benefits are financed through the mandatory pension insurance system, and the amount of payments is directly linked to an individual's insurance record and previous earnings. A person is considered fully incapable of work if they are able to work no more than three hours per day, in which case they are entitled to a full disability pension. Those who are able to work less than six hours per day are classified as partially incapacitated and receive a corresponding partial disability pension. In both cases, the benefit level is calculated based on pre-disability income and the length of the insurance period. The primary objective of disability pensions in Germany is to ensure a stable level of income that allows beneficiaries to maintain an independent lifestyle. However, eligibility for such benefits is subject to specific conditions. In particular, the individual must demonstrate a significant reduction in work capacity, have at least five years of insurance coverage, and must have paid mandatory pension contributions for at least three years prior to the onset of disability. An important feature of the German system is the principle of "rehabilitation before pension". Under this approach, priority is given to restoring an individual's ability to work through medical or vocational rehabilitation measures. If the applicant is deemed capable of retraining, they are offered access to specialized training programs. Employment and integration services then provide comprehensive support to facilitate their return to the labor market [7].

In South Korea, the system of social protection for persons with disabilities is comprehensive and multifaceted. It combines state social benefits, insurance-based mechanisms, and targeted employment programs into a coordinated framework. A distinctive feature of the Korean approach is its strong emphasis on active labor market participation for persons with disabilities. This is reflected in policies such as employment quotas, financial incentives for employers, and the development of adapted workplaces designed to meet specific needs.

In South Korea, the legal framework governing disability pension provision is primarily based on two key statutes: the National Pension Act and the Welfare of Persons with Disabilities Act. Together, these laws establish the institutional and legal foundation for the protection of persons with disabilities within the pension system. Under the National Pension Act, entitlement to a disability pension arises when an insured individual becomes disabled due to illness or injury during the period of participation in the compulsory pension insurance scheme. In this context, disability benefits are granted as part of the social insurance system, provided that the statutory conditions for coverage and eligibility are met [8]. Their primary purpose is to ensure a stable standard of living for individuals who have lost their capacity to work due to illness or injury. In this way, financial support is provided to those who are recognized as physically or mentally unable to engage in employment, thereby reinforcing their social protection. Disability pensions are regulated by several laws and regulations, which in principle allow individuals to claim benefits under several schemes. However, in practice, this is difficult to achieve due to inconsistencies in the criteria used to assess the degree of disability across different legal frameworks. For example, the amputation of a limb may be classified as a third-degree disability under the national pension law, thereby entitling an individual to disability pension benefits. At the same time, under the law on social support for persons with disabilities, the same condition may not fall within the first to third disability categories, as it is instead classified as a sixth-degree disability. This discrepancy complicates access to benefits.

In addition, there are significant differences in benefit levels depending on the degree of disability when compared to the base pension amount. Payments typically amount to 100 % of the base pension for individuals with first-degree disabilities, 80 % for second-degree disabilities, and 60 % for third-degree disabilities.

It is also important to note that for individuals who have contributed to the pension system for more than 20 years, disability pensions are calculated based on their earnings history and the length of contributions at the time the disability occurred. For those with less than 20 years of contributions, a “projected contribution period” rule is applied, whereby their contribution history is calculated as if it were 20 years.

The contribution period itself serves as a key factor in determining the base pension amount. If an individual has contributed for less than 20 years, they are still treated as having participated in the pension system for a full 20-year period. As a result, for individuals with shorter contribution histories, the income replacement rates under disability pensions are relatively low: approximately 12 % for third-degree disabilities, 16 % for second-degree disabilities, and 20 % for first-degree disabilities [9].

The national disability assessment system in South Korea was first introduced in 1989. It enabled authorities to take into account the condition of individuals when assigning social support measures, as well as to classify disabilities based on type and severity. However, over time, limitations of this approach became evident, leading to a major reform in 2019. The updated model moves beyond a purely medical perspective and adopts a more holistic approach. In addition to clinical indicators, the assessment now incorporates social and environmental factors, individual needs and preferences, as well as a person’s functional capacity. These changes were introduced to better tailor services to the actual circumstances of each individual. Several key features characterize the reformed system. First, disability categories were simplified into two broad groups: “severe” and “mild”. Currently, categories 1–3 are considered severe, while categories 4–6 are classified as mild disabilities. Second, a new comprehensive assessment tool was implemented. This tool evaluates not only physical condition but also socio-economic status and the individual’s level of daily functioning.

Socio-economic factors include income, property, place of residence, family situation, and other living conditions. Meanwhile, functional capacity is assessed based on a person’s ability to perform both basic daily activities and more complex instrumental tasks. As a result, social services are no longer determined solely by medical conclusions but are increasingly aligned with an individual’s quality of life and level of independence. This approach allows for a more precise identification of needs and more effective support delivery.

In addition, the reliability of disability-related data is ensured through strict medical evaluation and registration procedures. The collected information is integrated into the national healthcare database and serves as an important resource for analyzing the situation of persons with disabilities and for further improving social policy [10]. Thus, one of the key challenges in the legal regulation of disability pensions in Kazakhstan lies in its predominantly compensatory nature. The current model focuses mainly on the provision of monetary social benefits, while legal mechanisms aimed at rehabilitation and labour market integration remain insufficiently developed. In contrast, the pension systems of Germany and South Korea demonstrate a more integrated legal approach, where pension provision is closely linked to rehabilitation policies and active employment support measures. These systems emphasize not only income replacement but also the restoration and preservation of working capacity through coordinated legal and institutional frameworks. This comparative analysis highlights the need for further improvement of Kazakhstan’s legal framework. This highlights the need for further improvement of the legal framework through strengthening insurance-based mechanisms for protection against the risk of loss of working capacity, expanding vocational rehabilitation programmes, and legislatively enshrining the principle of prioritizing the labour market integration of persons with disabilities.

According to data provided by the National Bureau of Statistics of the Republic of Kazakhstan and the Ministry of Labor and Social Protection of the Population, the number of persons with disabilities in the country has been steadily increasing each year. As of 2025, approximately 743.9 thousand individuals with disabilities have been officially registered, accounting for around 3.7 % of the total population. Notably, about 375.2 thousand of them are of working age, which highlights the importance of improving both employment opportunities and social support measures for this group [11].

One of the key indicators of social policy effectiveness is the level of public expenditure allocated to supporting persons with disabilities. This reflects both the scale and the efficiency of state-provided assistance. At present, a significant proportion of persons with disabilities depend on state benefits, largely due to their limited access to the labor market. Low employment rates, in turn, negatively affect the accumulation of pension savings within the mandatory pension system.

Another important issue is the limited participation of persons with disabilities in pension schemes based on labor contributions and savings principles. Due to restricted employment opportunities, many

individuals in this category are unable to build sufficient pension assets. As a result, they remain reliant on state social transfers, which are relatively modest in size.

This problem is complex and influenced by a combination of social, legal, and psychological factors. For instance, there is often a lack of awareness among human resource professionals, while employers may be psychologically unprepared to engage in labor relations with persons with disabilities [12]. As noted by L.N. Natsun, one of the main barriers to employment lies in employers' reluctance to assume responsibility for creating specialized workplaces, adapting them to the needs of persons with disabilities, and investing in the necessary equipment. This reluctance is frequently justified by references to limited financial and production resources [13; 674].

In the countries of the European Union, promoting the employment of persons with disabilities is recognized as a key priority of social policy. To encourage employers, a wide range of financial support instruments is used, including subsidies, dedicated funds, and tax incentives. These measures are primarily aimed at adapting workplaces and creating accessible infrastructure. For example, in the Czech Republic, the Labor Office provides one-time financial support to employers who create jobs specifically for persons with disabilities. Such assistance is particularly relevant for protected workshops or specially adapted workplaces. In addition, employers may receive subsidies to cover ongoing operational costs, along with various tax benefits offered by the state. In Slovenia, organizations that hire persons with disabilities or provide them with internship opportunities are eligible for additional tax incentives. These benefits are granted under certain conditions and may cover between 50 % and 70 % of employees' wages. However, the total amount of such benefits cannot exceed the taxable base [14; 15]. Overall, the experience of European countries demonstrates that effective integration of persons with disabilities into the labor market largely depends on strong cooperation between the state and employers.

Evidence from developed economies shows that investing in rehabilitation and employment opportunities for persons with disabilities is more beneficial for the national economy in the long term than relying solely on social transfers such as allowances, benefits, or subsidies. Facilitating their participation in the labor market not only reduces dependency but also generates broader economic returns [15]. In this regard, A.N. Batalova notes that there is a growing demand for adaptation programs and technologies designed to support the successful integration of persons with disabilities into the workforce.

At the same time, ongoing economic and social transformations require the development of new and innovative approaches to address these challenges. It is also important to emphasize that employment for persons with disabilities is not solely constrained by employer-related factors. Personal and social barriers often make the process complex and time-consuming. In response, many developed countries have widely adopted the concept of "supported employment". This approach provides targeted assistance during the adaptation period in a new workplace and helps address practical challenges that may arise, thereby improving long-term employment outcomes [16; 175].

Comparative analysis shows that Kazakhstan's disability pension system differs significantly in effectiveness from those found in more developed countries. For instance, in Germany, the system is largely based on insurance mechanisms and supported by well-developed vocational rehabilitation programs. In contrast, Kazakhstan's model remains heavily reliant on state-funded social benefits.

The experiences of Germany and South Korea highlight several key directions for improving pension provision for persons with disabilities. These include expanding the role of insurance-based mechanisms within the pension system, developing comprehensive vocational rehabilitation programs, creating better conditions for employment, and ensuring closer integration between pension schemes and social as well as medical support services.

Adapting these approaches, where feasible, to the Kazakhstan context could strengthen the sustainability of the national social protection system and promote a higher level of social inclusion for persons with disabilities. At the same time, as noted by G.A. Kuanalieva, S. Adilgazy, and M.N. Abisheva, pension provision constitutes an integral and inseparable component of social protection in any state, as it addresses the interests of all members of society. In this regard, one of the most important tasks in developing an effective pension system is the establishment of high-quality and consistent legal regulation [17].

Conclusions

The findings of this study demonstrate that the effectiveness of the disability pension system in the Republic of Kazakhstan is constrained by a combination of socio-economic and legal factors. Despite recent

reforms in the social sphere and the adoption of the Social Code of the Republic of Kazakhstan, the current model remains primarily focused on providing state—funded social benefits. At the same time, legal and institutional mechanisms aimed at promoting employment, ensuring professional rehabilitation, and supporting the accumulation of pension savings by persons with disabilities remain underdeveloped. As a result, the long-term financial security and social protection of this group remain limited.

A comparative legal analysis of the German and South Korean systems shows that more effective models of disability protection are based on an integrated legal approach. Such models combine pension provision with rehabilitation policies and active labour market measures, including vocational training and employment support. This confirms that the improvement of the national system should not be limited to expanding social benefits but must also involve comprehensive legal reform aimed at strengthening institutional coordination between pension, labour, and social protection legislation. In this regard, it is advisable to consider amendments to the Social Code of the Republic of Kazakhstan to explicitly introduce the principle of rehabilitation and labour reintegration priority before the assignment of long-term disability—related social benefits, following the German “rehabilitation before pension” principle. Furthermore, the Law on Pension Provision of the Republic of Kazakhstan requires enhancement through the development of additional legal mechanisms that would facilitate the formation of pension savings for persons with disabilities who face limited employment opportunities. At the same time, legislation on employment should be improved by expanding state support measures for employers who create adapted workplaces for persons with disabilities. Such measures may include tax incentives, subsidies for workplace adaptation, and the development of supported employment schemes. In addition, the introduction of a comprehensive legal framework for assessing the needs of persons with disabilities-taking into account not only medical but also social factors-would align national regulation with modern approaches applied in countries such as South Korea.

Overall, the future development of the disability pension system in Kazakhstan should be directed not only toward increasing the level of social payments but also toward modernizing the legal framework. This includes strengthening insurance-based principles of pension provision, enhancing rehabilitation mechanisms, and creating legal conditions that facilitate greater inclusion of persons with disabilities in economic and social life.

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С.С. Суркова, А.Б. Абдуалиева

Қазақстан Республикасындағы мүгедектігі бар адамдарды зейнетақымен қамтамасыз ету мәселелері: салыстырмалы құқықтық талдау

Мақала Қазақстан Республикасындағы мүгедектігі бар адамдарды зейнетақымен қамтамасыз ету мәселелерін салыстырмалы-құқықтық тұрғыда зерттеуге арналған. Зерттеудің мақсаты — ұлттық мүгедектікке байланысты зейнетақымен қамсыздандыру жүйесінің негізгі құқықтық және институционалдық проблемаларын анықтау, сондай-ақ Германия мен Оңтүстік Корея заңнамасын салыстырмалы талдау негізінде оны жетілдіру бағыттарын әзірлеу. Зерттеу барысында формальды-құқықтық, салыстырмалы-құқықтық, жүйелік және нормативтік талдау әдістері қолданылды, бұл зейнетақымен қамтамасыз етуді әлеуметтік қамсыздандыру, сақтандыру қорғанысы және еңбекке интеграция элементтерін қамтитын кешенді құқықтық институт ретінде қарастыруға мүмкіндік берді. Зерттеу нәтижелері Қазақстан Республикасындағы қолданыстағы зейнетақымен қамсыздандыру моделінің негізінен өтемақылық сипатта екенін және мүгедектігі бар адамдарды кәсіптік оңалту мен жұмыспен қамту тетіктерімен жеткілікті түрде байланыспағанын көрсетті. Сонымен қатар халықаралық тәжірибе зейнетақы төлемдерін белсенді жұмыспен қамту саясаты және сақтандыруға негізделген қорғау тетіктерімен ұштастырған интеграцияланған жүйелердің тиімділігін дәлелдейді. Қорытындыда Қазақстанда мүгедектігі бар адамдарды зейнетақымен қамтамасыз етудің кешенді құқықтық моделіне көшу қажеттілігі, оны сақтандыру қағидаттарын күшейту, оңалту бағдарламаларын дамыту және еңбекке интеграцияны ынталандыру шараларын кеңейту арқылы жүзеге асыру керектігі атап өтілді.

Кілт сөздер: зейнетақымен қамсыздандыру, мүгедектік, құқықтық реттеу, әлеуметтік кепілдіктер, заңнама, мүгедектік бойынша зейнетақы, инклюзивті қоғам, халықаралық тәжірибе.

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Проблемы пенсионного обеспечения лиц с инвалидностью в Республике Казахстан: сравнительно-правовой анализ

Данная статья посвящена анализу проблем пенсионного обеспечения лиц с инвалидностью в Республике Казахстан в сравнительно-правовом контексте. Цель работы заключается в выявлении ключевых правовых и институциональных проблем национальной системы пенсионного обеспечения инвалидов, а также в разработке направлений ее совершенствования на основе сравнительного анализа законодательства Германии и Южной Кореи. В процессе исследования применялись формально-юридический, сравнительно-правовой, системный и нормативно-правовой методы

анализа, что позволило рассмотреть пенсионное обеспечение как комплексный правовой институт, включающий элементы социального обеспечения, страховой защиты и трудовой интеграции. Результаты исследования показали, что действующая модель пенсионного обеспечения в Республике Казахстан носит преимущественно компенсационный характер и в недостаточной степени связана с механизмами профессиональной реабилитации и занятости лиц с инвалидностью. В то же время зарубежный опыт демонстрирует эффективность интегрированных систем, сочетающих пенсионные выплаты с активной политикой занятости и страховыми механизмами защиты. В заключение сделан вывод о необходимости перехода к комплексной правовой модели пенсионного обеспечения инвалидов в Республике Казахстан, основанной на усилении страховых принципов, развитии реабилитационных программ и расширении мер содействия трудовой интеграции.

Ключевые слова: пенсионное обеспечение, инвалидность, правовое регулирование, социальные гарантии, законодательство, пенсии по инвалидности, инклюзивное общество, международный опыт.

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