

Karina Assadilayeva

**Formal Mechanisms and Community Voices: Reassessing
Architectural Heritage Governance in Kazakhstan**

MA Thesis in Cultural Heritage Studies: Academic Research, Policy, Management

Central European University Private University

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June 2025

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by

Karina Assadilayeva

Thesis submitted to the Department of Historical Studies,
Central European University Private University, Vienna, in partial fulfillment of the
requirements of the Master of Arts degree in Cultural Heritage Studies: Academic
Research, Policy, Management.

Accepted in conformance with the standards of the CEU.

Chair, Examination Committee

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External Reader

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Karina Assadilayeva

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¹ Icon by [Font Awesome](https://fontawesome.com/).

Abstract

This thesis investigates the legal, policy, and institutional frameworks governing architectural heritage protection in Kazakhstan, with a particular focus on the city of Semey. It argues that the current top-down system fails to adequately safeguard built heritage. The research highlights how centralized governance models marginalize community voices and limit local engagement, often resulting in the deterioration or destruction of historically significant buildings. Drawing on thematic analysis and case studies from Semey, the study identifies critical gaps in existing legislation and practices. It further examines international frameworks such as the Faro Convention and the Historic Urban Landscape (HUL) approach, exploring how their participatory and integrated principles could address Kazakhstan's systemic shortcomings. The study recommends clarifying legal definitions, creating pathways for community-led initiatives, integrating heritage into urban planning, and expanding education and training programs. Ultimately, this thesis advocates for a more inclusive model of heritage governance—one that balances formal mechanisms with grassroots involvement to ensure the sustainable protection of architectural heritage.

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A heartfelt thank you goes to my family for their unwavering support. I am deeply grateful to my brother, Dr. Artyom Assadillayev, for his constant encouragement and belief in me.

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Chapter 1: Introduction

When I first walked past the merchant's mansion (Fig. 1) and came up with the idea for my MA thesis in early 2023, the building was already showing signs of damage. Like many locals, I cared about its fate but found no clear way to get involved in its preservation. Since then, it has lost two of its load-bearing walls. Though officially listed as a protected monument in the summer of 2023, the mansion has since mysteriously disappeared from official records. Today, the property owner holds documents confirming ownership of the land plot, but the building itself is no longer registered as existing on it. Unfortunately, this is not an isolated case. In Semey and in Kazakhstan in general, such examples of neglect and a reactive rather than preventive approach to built heritage preservation are all too common.



Figure 1. Merchant's Mansion (1844) in Semey.

The pictures were taken by the author on April 29, 2024.

The mansion in question, constructed in 1844, is a representative example of Siberian merchant architecture. It stands as a testament to Semey's layered urban history, reflecting the city's architectural evolution from the mid-nineteenth to early

twentieth centuries. Semey, formerly known as Semipalatinsk, is located in eastern Kazakhstan (Fig. 2) and is often referred to as the country's cultural capital by the media, locals, and officials.

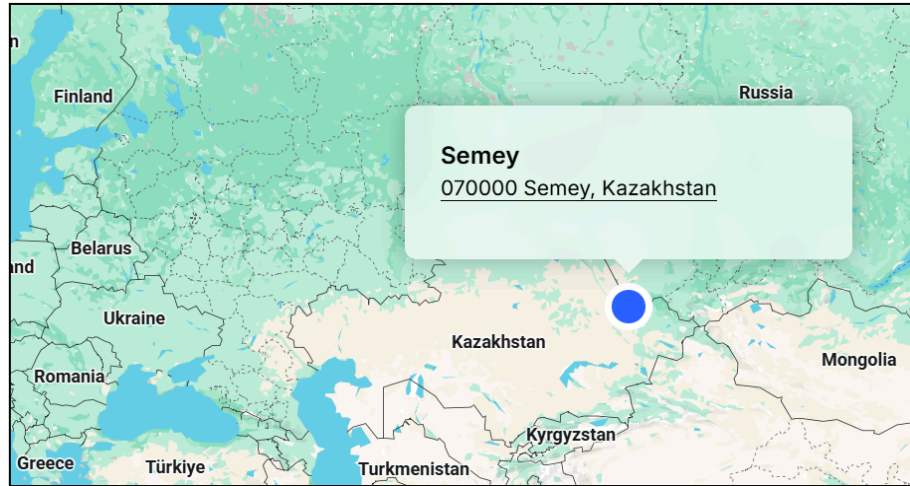


Figure 2. Semey on the map.

Screenshot made by the author.

Positioned along the ancient Silk Road, Semey thrived as a center of trade and cultural exchange. Its name, Semipalatinsk, is derived from the Russian words for “seven tents,” referencing the seven Buddhist temples that once stood near the site of its early settlement. In 1718, the Russian Empire constructed a fortress on the banks of the Irtysh River, marking the city's integration into the expanding imperial frontier. The original fortress was located approximately 16 kilometers downstream, but it was later relocated twice, first due to strategic considerations, and again after a major fire.²

Over time, Semey developed into a major cultural and intellectual center. The city is closely associated with literary and philosophical figures such as Abay Kunanbayev, Mukhtar Auezov, and Fyodor Dostoevsky, who spent part of his exile there. Semey's urban landscape continues to reflect its historical trajectory, with architecture ranging

² Kashlyak, V. N. Letopis' Semipalatinskikh Ulits [Chronicle of Semipalatinsk Streets]. n.p., 1998, 1-5.

from merchant mansions and religious institutions to Soviet-era buildings. However, many of these structures now face deterioration, demolition, or unsympathetic alteration.

Currently, in the State list of historical and cultural monuments of local significance in Semey, 35 historic buildings, among them 9 also in the State list of historical and cultural monuments of Republic significance. Aside from the historic buildings, the list also includes monuments dedicated to certain events and figures and a few gravestones.³ The official registry does not fully capture the city's architectural heritage. Local historians and civic activists have compiled unofficial inventories, documenting numerous other buildings of historical and cultural value. All these structures together with the official list reflect a broader and more accurate picture of the city's built environment.

The incomplete protection of architectural heritage is reflected in the fate of many important structures. One prominent case is the former Semipalatinsk Zooveterinary Institute building, originally constructed as a girls' gymnasium. During World War II, it was repurposed as a hospital and later became home to the Zooveterinary Institute. Severely damaged by fire in 1986, it has remained unrestored since then. Despite its potential to become a symbol of early women's access to education in Kazakhstan. Other buildings have shared similar fates: one historic structure was demolished just before New Year's Eve in December 2024,⁴ while another nineteenth century

³ Akimat of Abai Region, *Ob utverzhdenii Gosudarstvennogo spiska pamiatnikov istorii i kultury mestnogo znachenii* [On the Approval of the State List of Local Significance Historical and Cultural Monuments], March 20, 2023, accessed May 16, 2025, <https://adilet.zan.kz/rus/docs/V23F0003418>.

⁴ Arnapress.kz, "Ne dozhдалos' svoey uchasti: tsentr po okhrane istoriko-kul'turnogo naslediya o snose starinnogo zdaniya v Semee" [Did Not Await Its Fate: Center for the Protection of Historical and Cultural Heritage on the Demolition of an Old Building in Semey], December 31, 2024, accessed April 26, 2025, <https://www.arnapress.kz/kultura/235809-ne-dozhdalos-svoey-uchasti-centr-po-okhrane-istoriko-kulturnogo-naslediya-o-snose-starinnogo-zdaniya-v-semee>.

building was torn down in April 2025, reportedly due to a long-standing plan that none of the current officials could account for.⁵ It is difficult to say how many historic buildings Semey lost.

Despite these challenges, not all heritage buildings in Semey have been lost or neglected. The former governor's residence now houses the local history museum; the houses of merchants Stepanov and Ershov have been repurposed as an art gallery and the Abay Museum, respectively. Religious buildings such as mosques and churches remain well-preserved. Meanwhile, several historic buildings currently host banks or retail establishments. While their facades may appear intact, closer inspection often reveals signs of superficial restoration, such as cheap paint or poor-quality materials.

In this thesis, I investigate the legal, policy, and institutional dimensions of architectural heritage protection in Kazakhstan, using Semey as a case study. The research critically examines the limitations of the existing top-down heritage protection framework and explores the potential of international approaches that emphasize community involvement and participatory governance. By analyzing both formal mechanisms and grassroots initiatives, the thesis aims to identify pathways toward a more inclusive and sustainable heritage governance model.

Evolution of Formal Heritage Protection Frameworks in Kazakhstan

The protection of monuments in Kazakhstan has evolved significantly over time and has been influenced by various political, economic, and social factors. Although the earlier period included forms of monument protection rooted in local traditions and

⁵ Informburo.kz, "V Semee ob'iasnili snos zdaniia serediny XIX veka" [In Semey, They Explained the Demolition of a Mid-19th Century Building], May 2, 2025, accessed May 16, 2025, <https://informburo.kz/novosti/v-semee-obieiasnili-snos-zdaniia-serediny-xix-veka>.

practices, formalized legal and institutional frameworks were established under the Soviet Union.

The protection of monuments in Kazakhstan under the rule of the Russian Empire began with documentation in the eighteenth century. It marked the beginning of a more structured approach to heritage preservation. The annexation of Kazakhstan led to the organization of numerous expeditions to survey and catalog cultural, historical, and sacred monuments across the region.⁶ While early efforts primarily focused on basic documentation and cataloging of historical monuments, the second half of the nineteenth century was marked with a particular interest in the history and culture of the peripheries of the Russian Empire.⁷ The founding of the Imperial Russian Archaeological Society in 1846⁸ played an important role in the protection of Kazakhstan's monuments since the society organized multiple expeditions to heritage sites, further contributing to the documentation.⁹ In 1859, the establishment of the Imperial Archaeological Commission institutionalized the efforts by being in charge of maintaining a comprehensive registry of significant heritage sites across the Empire.¹⁰ However, despite these efforts, a formal legal system specifically dedicated to the protection of monuments in Kazakhstan did not emerge for a considerable time.

⁶ Dzhumagalieva, Kulyash Valithanovna. "ISTORIYA ISSLEDOVANIYA SAKRAL'NYH I ARHEOLOGICHESKIH PAMYATNIKOV KAZAHSTANA." [HISTORY OF RESEARCH OF SACRED AND ARCHAEOLOGICAL MONUMENTS OF KAZAKHSTAN] In Kolpinskiye chteniya po kraevedeniyu i turizmu, pp. 330-335. 2018.

⁷ *ibid.*

⁸ Stubbs, John H. and Emily G. Makas, *Architectural conservation in Europe and the Americas: National experiences and practice*. Hoboken, NJ: Wiley, 2011, p. 271.

⁹ Dzhumagalieva, Kulyash Valithanovna. "ISTORIYA ISSLEDOVANIYA SAKRAL'NYH I ARHEOLOGICHESKIH PAMYATNIKOV KAZAHSTANA." [HISTORY OF RESEARCH OF SACRED AND ARCHAEOLOGICAL MONUMENTS OF KAZAKHSTAN] In Kolpinskiye chteniya po kraevedeniyu i turizmu, pp. 330-335. 2018.

¹⁰ Stubbs, John H. and Emily G. Makas, *Architectural conservation in Europe and the Americas: National experiences and practice*. Hoboken, NJ: Wiley, 2011, p. 271.

During the Soviet period, the approach to monument protection in Kazakhstan was characterized by inconsistency and considerable political interference from Moscow. Some preservation strategies were initiated through the establishment of the Department of Museums and Preservation and the Commission on the Restoration of Art Treasures (later the Central State Restoration Studios).¹¹ However, these efforts were not fruitful since the broader political and ideological priorities of the Soviet regime led to the destruction and looting of heritage sites, particularly those associated with the aristocracy and religion.¹² Though the government approved the establishment of institutions mentioned above, these institutions operated within a framework that contradicted the protection of monuments and heritage in general.¹³ One such example is the law “On the Confiscation of Church Valuables for Sale to Help the Starving,” issued in 1922. The law authorized the state to seize religious artifacts, including gold, silver, and other valuable items, from churches. The law aimed to address the widespread famine by selling these confiscated items to raise funds. However, it also contributed to the systematic plundering of religious institutions, leading to the destruction and loss of heritage.

The later years of the Soviet Union, particularly after Stalin's death, saw considerable changes in monument protection. According to Stubbs and Makaz, the Soviet government's centralized control fostered the development of a standardized restoration methodology in 1961 and the establishment of a comprehensive inventory of heritage sites in 1967, which, by 1991, included over eighty thousand sites.¹⁴ However, these records did not guarantee protection, as many sites were still

¹¹ *ibid.*, p. 273.

¹² *ibid.*, pp. 273-274.

¹³ *ibid.*

¹⁴ *ibid.*, pp. 275-277.

subject to alterations or demolition by the state itself.¹⁵ Demchenko highlights Khrushchev's efforts toward decentralization. Moreover, it is mentioned that the Brezhnev administration continued the same policy.¹⁶ Under Khrushchev's leadership, authority over heritage preservation was transferred to the Union-level republics, granting them greater autonomy in managing their cultural heritage.¹⁷ Special "heritage preservation organs" and "voluntary societies" were created in the Soviet Republics.¹⁸ The last "voluntary society," among all other republics, emerged in Kazakhstan in 1972 called "the Kazakhstan Society for the Preservation of Historic and Cultural Monuments".¹⁹ However, this society in Kazakhstan was not actively involved in the actual restoration of monuments and consisted of formal members with little to no active participation. The same trend was observed in nearly all other Central Asian republics.²⁰ These decentralization attempts lowered the quality of restoration in the Soviet Union; however, they facilitated the transition to the new heritage protection systems in newly formed independent republics.²¹

The late 1970s marked significant advancements in the legal framework for the protection of monuments as part of cultural heritage in the Soviet Union. In 1977, the Soviet Constitution introduced a provision declaring it the patriotic duty of every citizen to protect and maintain cultural heritage.²² Building on this foundation, the 1978 law "On the Protection and Use of Historical and Cultural Monuments"

¹⁵ *ibid.*

¹⁶ Demchenko, Igor. "Decentralized past: heritage politics in post-Stalin central Asia." *Future Anterior: Journal of Historic Preservation History, Theory, and Criticism* 8, no. 1 (2011): 68.

¹⁷ *ibid.*

¹⁸ *ibid.*

¹⁹ *ibid.*, p. 71.

²⁰ *ibid.*, pp. 65-80.

²¹ *ibid.*

²² Stubbs, John H. and Emily G. Makas, *Architectural conservation in Europe and the Americas: National experiences and practice*. Hoboken, NJ: Wiley, 2011.

established comprehensive guidelines for heritage conservation.²³ The law categorized historic sites by their significance—union, republic, or local (in article 20)—and specified the organs in charge (in article 21).²⁴ Additionally, a systematic approach to cataloging protected sites was introduced. Each site received an "identity card" that documented its historical significance and conservation status, ensuring a more structured approach to monument management.²⁵ With the collapse of the Soviet Union in 1991, the responsibility for heritage protection transitioned to the newly independent states. Initially, many of these nations, including Kazakhstan, relied on Soviet-era laws to manage their heritage. Over time, they began to update their legal frameworks to address the unique challenges and opportunities of the post-Soviet context.

Kazakhstan's declaration of independence in 1991 marked the beginning of a new chapter for the country's cultural heritage protection. In 1992, the Republic of Kazakhstan introduced the first significant update to the 1978 law with the enactment of the "Law on the Protection and Use of Historical and Cultural Heritage." This law established a legal basis for the identification and preservation of monuments in Kazakhstan. However, its implementation faced several challenges, the government struggled with insufficient resources and institutional support, hindering the law's effectiveness in safeguarding Kazakhstan's cultural heritage. In 2019, a more updated and comprehensive version of the 1992 "Law on the Protection and Use of Historical and Cultural Heritage" was introduced, along with revised by-laws, further

²³ "Zakon Kazahskoj SSR ot 11 avgusta 1978 goda № 1489-XII." ["Law of the Kazakh SSR of August 11, 1978 No. 1489-XII."] Accessed January 4, 2025.

https://online.zakon.kz/Document/?doc_id=30166377&pos=5;-106#pos=5;-106.

²⁴ *ibid.*

²⁵ Stubbs, John H. and Emily G. Makas, *Architectural conservation in Europe and the Americas: National experiences and practice*. Hoboken, NJ: Wiley, 2011, p. 277.

strengthening the legal framework for the preservation and management of Kazakhstan's cultural heritage.

In addition to national laws and policies, international conventions have significantly shaped Kazakhstan's approach to monument protection. Kazakhstan, like other Central Asian states, has ratified almost all major international conventions concerning the protection of cultural heritage. This includes the 1972 UNESCO Convention Concerning the Protection of the World Cultural and Natural Heritage, the 2003 UNESCO Convention for the Safeguarding of the Intangible Cultural Heritage, and the 1970 Convention on the Means of Prohibiting and Preventing the Illicit Import, Export, and Transfer of Ownership of Cultural Property.²⁶ These conventions play an essential role in shaping Kazakhstan's cultural heritage policies and its approach to monument protection. However, the government of Kazakhstan did not ratify the second additional Protocol to the 1954 Hague Convention for the Protection of Cultural Property in the Event of Armed Conflict, the 2001 UNESCO Convention on the Protection of Underwater Cultural Heritage, and the 2005 UNESCO Convention on the Protection and Promotion of the Diversity of Cultural Expressions.²⁷

One of the most influential conventions is the Convention for the Protection of the World Cultural and Natural Heritage (1972), which introduced the concept of World Heritage Sites and unites the protection of natural and cultural heritage.²⁸ This convention established criteria for recognizing and protecting sites of outstanding universal value, along with mechanisms for their preservation, international

²⁶ Frigerio, Alberto. "International Cultural Heritage Conventions and the Central Asian Region: Current Framework and Future Perspectives." *Journal of Heritage Management* 5, no. 1 (2020): 24-32.

²⁷ *ibid.*

²⁸ *ibid.*, 45.

assistance, and more.²⁹ The 1972 UNESCO Convention marked a pivotal shift in the understanding of cultural assets, moving from a legal perspective of property to the broader concept of heritage. This change, as highlighted by Francioni, redefined heritage as a collective and public good, emphasizing its value to communities and humanity as a whole, rather than as a property for economic benefit.³⁰

Since this thesis primarily focuses on built heritage, it is important to take into account the charters of ICOMOS, an advisory body to UNESCO. The key non-binding charter developed by ICOMOS is the Venice Charter or the International Charter for the Conservation and Restoration of Monuments and Sites.³¹ The Venice Charter (1964) is widely regarded as a foundational document in architectural restoration, clarifying authenticity, documentation, and conservation practices.³² Aside from this charter, ICOMOS developed a variety of documents that provide guidelines or principles, such as principles for the recording of monuments, groups of buildings and sites, or ICOMOS Guidelines on Fortifications and Military Heritage.³³

There is a strong interrelation between international and national legal protection of cultural heritage. Toshiyuki Kono explains that “constitutions usually link international law to the national legal framework” and gives an example from the Czech Constitution.³⁴ A similar one can be found in the Constitution of the Republic of Kazakhstan in Article 4 Paragraph 3: “International treaties ratified by the Republic shall take precedence over its laws. The procedure and conditions for implementing

²⁹ *ibid.*, 43-59.

³⁰ *ibid.*, 45-46.

³¹ Loes Veldpaus and Ana Pereira Roders, "Learning from a Legacy: Venice to Valletta," *Change Over Time* 4, no. 2 (2014): 250.

³² *ibid.*

³³ The list is available here: International Council on Monuments and Sites (ICOMOS), "Charters and Texts," accessed March 16, 2025, <https://www.icomos.org/en/resources/charters-and-texts>.

³⁴ Toshiyuki Kono, ed., *The Impact of Uniform Laws on the Protection of Cultural Heritage and the Preservation of Cultural Heritage in the 21st Century* (Leiden: Martinus Nijhoff Publishers, 2010), 113.

international treaties to which Kazakhstan is a party on the territory of the Republic of Kazakhstan shall be determined by the laws of the Republic.”³⁵ Some constitutions emphasize the national character of heritage, while others also recognize the rights of indigenous groups in its protection, access, and management.³⁶ In general, national constitutions and international treaties serve as the foundation for protecting and preserving cultural heritage.³⁷ However, for these frameworks to be effective, they require detailed implementation through sub-constitutional laws at the national level.³⁸ Despite the existence of major UNESCO conventions and their ratification by a majority of the UNESCO member-states, the national legal frameworks vary across countries, often reflecting unique historical, political, cultural, and administrative contexts.

Gaps in Existing Research and Contribution of This Study

As was mentioned earlier, formal heritage protection systems are inherently national in character, which limits its comparability across different countries. Given this context, it is crucial to consider the literature specifically focused on the legal and policy frameworks for heritage protection in Kazakhstan. However, there is a scarcity of literature on this subject, particularly from the perspective of heritage specialists. In particular, there is a notable absence of research addressing the legal, policy and institutional protection of architectural heritage.

Several law professors have contributed to the discussion of heritage protection legislation in Kazakhstan. The article by Sofia Pilat provides a comparative analysis

³⁵ Republic of Kazakhstan, *Constitution of the Republic of Kazakhstan*, accessed March 16, 2025, <https://www.akorda.kz/en/constitution-of-the-republic-of-kazakhstan-50912>.

³⁶ Toshiyuki Kono, ed., *The Impact of Uniform Laws on the Protection of Cultural Heritage and the Preservation of Cultural Heritage in the 21st Century* (Leiden: Martinus Nijhoff Publishers, 2010), 114.

³⁷ *ibid.*, 116.

³⁸ *ibid.*

of criminal laws concerning vandalism across CIS countries, highlighting the regulations and penalties for actions such as desecration and damage to public property, including historical and cultural monuments.³⁹ The article by Igor Eduardovich Martynenko examines the criminal liability under the legislation of the Republic of Kazakhstan for crimes against historical and cultural heritage, focusing on the legal measures aimed at preserving and protecting cultural assets from damage and destruction.⁴⁰ The article by S.K. Idrisheva and L.V. Sokollskaya analyzes the definitions of cultural heritage protection objects in the context of Russian and Kazakhstani law.⁴¹

Several studies have explored the potential for improving the current legal framework for heritage protection in Kazakhstan. Notably, A. Auganbai, B. Kalymbek, G.K. Shulanbekova, A.A. Urisbaeva, and R. Yerezhepkyzy examine Kazakhstan's heritage protection laws and offer various recommendations for enhancement.⁴² They emphasize the importance of public engagement and the integration of modern technology for documenting heritage and disseminating information.⁴³ In a similar vein, Kaizhakparova Aida, the Chief Researcher of the Department of Legislative

³⁹Pilat Sofia. "Vandalizm v ugovolnykh zakonodatel'stvakh stran SNG" [Vandalism in the Criminal Legislation of the CIS Countries], *Sovremennaya nauka* 6 (2021): 11–13.

⁴⁰ Martynenko, I. E. "Ugolovnaya otvetstvennost' po zakonodatel'stvu Respubliki Kazakhstan za prestupleniya protiv istoriko-kul'turnogo naslediya" [Criminal Liability under the Legislation of the Republic of Kazakhstan for Crimes Against Historical and Cultural Heritage]. *Vestnik Instituta zakonodatel'stva i pravovoy informatsii Respubliki Kazakhstan*, no. 3 (31) (2013): 117–123.

⁴¹ S. K. Idrisheva and L. V. Sokol'skaya, "Rossiyskoye i kazakhstanskoye zakonodatel'stvo ob ob'ektakh kul'turnogo dostoyaniya: Sravnitel'no-pravovoye issledovaniye" [Russian and Kazakh Legislation on Cultural Heritage Objects: A Comparative Legal Study], in *Okhrana ob'ektov kul'turnogo naslediya: natsional'nyy i mezhdunarodnyy opyt* [Protection of Cultural Heritage Objects: National and International Experience], 53–62 (2018).

⁴² Auganbai A., B. Kalymbek, G. K. Shulanbekova, A. A. Urisbaeva, and R. Yerezhepkyzy, "Protection of Objects of Historical and Cultural Heritage: Legal Problems and the Application of Information Technologies," *Environmental Policy and Law* 49, no. 6 (2020): 379–388.

⁴³ *ibid.*

Efficiency Analysis, provides recommendations for improving Kazakhstan's heritage protection legislation.⁴⁴

However, the articles generally take a broad approach by addressing the protection of archaeological heritage, intangible heritage, and even museum regulations in a single context. While these discussions are valuable, they are limited in their depth and focus. By combining such diverse topics, the articles fail to fully address the specific challenges and nuances related to formal heritage protection in Kazakhstan, particularly with regard to built heritage. In light of this gap, this thesis focuses on examining the mechanisms governing heritage protection in Kazakhstan, with particular attention to architectural heritage, using case studies from Semey.

Aims and Methodology

This research aimed to analyze the shortcomings of the existing formal heritage protection system, including laws, regulations, institutions, enforcement challenges, and the roles of various actors in the conservation of built heritage. By focusing on these issues, the study seeks to contribute to the development of legal and policy frameworks for the protection of built heritage in Kazakhstan, suggesting possible improvements. Given that Semey is home to a notable concentration of nineteenth- and twentieth-century historic buildings, studying this city is particularly justified.

The thesis aims to answer the following research questions:

- 1) What are the key legal, policy, and institutional frameworks governing the protection of built heritage in Kazakhstan?

⁴⁴ Aida Bakhytzhonovna Kaizhakparova, "Ob'yekty kul'turnogo naslediya v sisteme gosudarstvennoy okhrany (analiz deystvuyushchego zakonodatel'stva)" [Cultural Heritage Objects in the System of State Protection (Analysis of Current Legislation)], accessed March 16, 2025, https://online.zakon.kz/Document/?doc_id=35481232&pos=6:-106#pos=6:-106.

- 2) What are the key legal, policy, and institutional shortcomings in Kazakhstan's built heritage protection system? And are these shortcomings connected to a possible top-down approach in the management of built heritage?
- 3) How can participatory frameworks address the shortcomings of top-down heritage governance?

Throughout the thesis, a qualitative approach has been applied to examine the formal heritage protection framework for built heritage in Semey, Kazakhstan. Data collection encompassed both primary and secondary sources, including:

1. Laws and follow-up regulations: A review of the relevant national heritage laws and their accompanying follow-up regulations, which are policies that define how these laws are operationalized and enforced.
2. International recommendations: Analysis of international recommendations and guidelines, particularly the Faro Conventions and the Historic Urban Landscape (HUL) Recommendation and guidebooks.
3. Reports and articles: Reports, news articles, and academic papers will be reviewed to gather insights into the practical implementation and challenges of heritage conservation in Semey.
4. Participant observation: Attendance of events, and submitting information requests via the e-otinish platform to assess bureaucratic transparency.
5. Official websites: Systematic use of government portals (e.g., Kazakhstan's Legal Acts Registry, Semey City Akimat) to access primary documents, municipal reports, and planning frameworks.

For data analysis in the second chapter, national formal heritage protection frameworks, official documentation (including reports and municipal records),

newsreports and participatory observations were examined using thematic analysis. The analysis focused on key governance dimensions outlined in *Policy and Law in Heritage Conservation* edited by Pickard.⁴⁵

Robert Pickard's themes provide a structured way to analyze heritage protection by breaking it down into key thematic areas: Definition of Heritage, Identification of Heritage, Preservation and Protection, Conservation Philosophy, Sanctions and Coercive Measures, Integrated Conservation, Financial Resources and Funding Mechanisms, the Role of Agencies and Specialist Organizations, Education and Training.⁴⁶ Using these themes allows for a systematic thematic analysis of Kazakhstan's heritage protection system by identifying strengths, legal and policy shortcomings, and enforcement issues. Since heritage protection involves multiple stakeholders, Pickard's themes help examine how these actors interact within the system and where weaknesses in coordination or implementation exist. While Pickard's themes have primarily been applied in European contexts and Georgia, the general structure is adaptable to the case of Kazakhstan.

For the third chapter, a qualitative document analysis was conducted to examine international frameworks that promote community participation in heritage governance, with a focus on the Council of Europe's Faro Convention (2005) and UNESCO's Historic Urban Landscape Recommendation (2011). The focus on community involvement was motivated by the issues identified in Chapter 2, where limited public engagement and weak participatory mechanisms emerged as notable gaps within Kazakhstan's heritage protection system. To assess their potential relevance to Kazakhstan, findings from the international frameworks were evaluated

⁴⁵ Pickard, Robert, ed. *Policy and law in heritage conservation*. Vol. 1. Taylor & Francis, 2001.

⁴⁶ *ibid*.

against these systemic limitations, offering insights into how global principles of inclusive governance might address existing problems.

Chapter 2: Overview of Formal Heritage Protection Framework in Kazakhstan

Cultural heritage protection in Kazakhstan is governed by a complex framework, rooted in the Constitution and supported by dedicated heritage-related laws and regulations. Article 37 of the 1995 Constitution establishes a foundational civic obligation: “Citizens of the Republic of Kazakhstan must care for the protection of historical and cultural heritage, and preserve monuments of history and culture.”⁴⁷ This principle is operationalized through two primary laws: the Law on Culture (2006) and the Law on the Protection and Use of Historical and Cultural Heritage Sites (No. 288-VI, 2019).

The Law on Culture (2006) provides a broad framework for cultural policy, addressing governance, infrastructure, and heritage preservation across 40 articles. It defines national cultural heritage as tangible assets of exceptional historical or cultural value registered in the State Register of National Cultural Heritage Objects (Article 1.14).⁴⁸ Chapter 6 (Articles 32–36) outlines preservation mechanisms, usage protocols, and restrictions on the movement of cultural property. Notably, the law emphasizes balancing national identity with global cultural integration while combating illicit trafficking of heritage assets.⁴⁹

The Law on the Protection and Use of Historical and Cultural Heritage Sites (2019) serves as the cornerstone for architectural conservation, detailing procedures for identification, classification, and management of heritage sites through 39 articles. These primary laws are supplemented by secondary regulations (Table 1) that standardize implementation processes, including:

⁴⁷ Republic of Kazakhstan. *Constitution of the Republic of Kazakhstan*. Accessed March 16, 2025. <https://www.akorda.kz/en/constitution-of-the-republic-of-kazakhstan-50912>.

⁴⁸ Zakon Respubliki Kazakhstan "O kul'ture" [Law of the Republic of Kazakhstan "On Culture"], № 207, December 15, 2006, accessed May 19, 2025, <https://adilet.zan.kz/rus/docs/Z060000207>.

⁴⁹ *ibid.*

Name of the law	Year	Article from the Law on the Protection and Use of Historical and Cultural Heritage Sites (No. 288-VI, 2019)
Rules for Conducting Historical and Cultural Expertise	21 April 2020	Article 36, paragraph 3
Rules for Registration of a Passport of a Historical and Cultural Monument	10 April 2020	Article 5, paragraph 3
Rules for Identifying, Recording, Granting and Depriving Status, Moving and Changing, Monitoring the Condition and Changing the Category of Historical and Cultural Monuments	15 April 2020	Article 10, paragraph 14

Rules and Conditions for Carrying Out Scientific Restoration Work on Historical and Cultural Monuments	20 April 2020	Article 10, paragraph 18
Rules for Determining the Protected Zone, the Development Control Zone and the Protected Natural Landscape Zone of a Historical and Cultural Monument and the Regime for their Use	14 April 2020	Article 10, paragraph 17
Qualification Requirements for Licensing Activities to Carry Out Archaeological and (or) Scientific Restoration Work on	19 May 2020	Article 10, paragraph 23

Historical and Cultural Monuments, and a List of Documents Confirming Compliance Therewith		
Rules for Issuing Security Obligations	2 April 2020	Article 10, Paragraph
Rent Rates for the Use of Historical and Cultural Monuments in State Ownership	14 April 2020	Article 10, Paragraph 3
Rules for the Provision of Historical and Cultural Monuments for Use and Access to Them	15 April 2020	Article 10, Paragraph 15

Table 1. Follow-up regulations of the laws. Table prepared by the author.

In this chapter, I seek to systematically evaluate Kazakhstan's formal heritage protection system, comprising its legal, policy, and institutional mechanisms, through Robert Pickard's thematic model. Through this structure, the analysis identifies systemic challenges in built heritage protection. Case studies from the city of Semey

provide concrete illustrations of the gaps between the formal system's stated aims and its practical implementation on the ground.

As the first comprehensive review of Kazakhstan's heritage protection framework from a heritage perspective, this chapter establishes a critical baseline for understanding institutional and legal strengths and vulnerabilities in preserving architectural heritage.

Definition of Heritage

Kazakhstani law defines *historical and cultural heritage sites* as:

items of immovable property with associated works of painting, sculpture, applied art, science, technology and other items of material culture that have arisen as a result of historical processes and events of interest from the point of view of history, archeology, architecture, urban planning, art, science, technology, aesthetics, ethnology, anthropology, social culture.⁵⁰

The sites included in the State List of Monuments of History and Culture, or the State Register of National Cultural Heritage Objects as it is named in the law on Culture, are monuments of history and culture. The law classifies monuments of history and culture into five categories: "1) monuments of archeology; 2) monuments of urban planning and architecture; 3) ensembles and complexes; 4) sacred sites; 5) constructions of monumental art."

The focus of the thesis are *the monuments of urban planning and architecture*, which defined as:

⁵⁰ Zakon Respubliki Kazakhstan "Ob okhrane i ispol'zovanii ob"ektov istoriko-kul'turnogo naslediya" [The Law on the Protection and Use of Historical and Cultural Heritage Sites], № 288-VI ZRK, December 26, 2019, art. 3, para. 15, accessed November 28, 2024, <https://adilet.zan.kz/rus/docs/Z1900000288>.

architectural ensembles and complexes, historical centers, quarters, squares, streets, buildings of civil, residential, industrial, military, religious architecture, folk architecture, as well as related works of monumental, decorative and applied and garden park art, natural landscapes.⁵¹

This definition appears comprehensive and inclusive, as it encompasses a broad spectrum of built heritage forms, from individual structures to entire urban ensembles and landscapes. By including not only civil, residential, and religious buildings but also military and industrial architecture, the definition reflects a nuanced understanding of the diverse functions and historical layers embedded in urban environments—particularly as the heritage value of industrial sites has only recently begun to gain broader recognition in heritage studies.

Despite advancements in Kazakhstan’s heritage protection system, challenges remain in the definition and interpretation of heritage. One of this problems is ambiguity in legal terminology. Article 6 also uses the word “special(osoboe)” i.e. “historical and cultural monuments of local significance that have *special* significance for the history and culture of the relevant administrative-territorial unit”.⁵² Chief researcher in the Department of Legislation Effectiveness Analysis, Aida Kayzhakparova claims that the wording implies that there are other categories that are not “special”, and objects with “special” significance require “special” treatment.⁵³ The author compares it to the legislation of the Russian Federation, where “special” bears the meaning, when the government can recognize the object as particularly valuable (osobo cennym) and which implies a distinct regime of protection.⁵⁴

⁵¹ *ibid.*, art. 3, para. 6.

⁵² *ibid.*

⁵³ Kayzhakparova, A. "Ob'ekty kul'turnogo nasledija v sisteme gosudarstvennoj ohrany (analiz dejstvujushhego zakonodatel'stva) [Objects of Cultural Heritage in the State Security System (Analysis of Effective Legislation)]." *online.zakon*. 2023. Available at: https://online.zakon.kz/Document/?doc_id=35481232&pos=6%3B-106#https://online.zakon.kz/Document/?doc_id=35481232&pos=6;-106#pos=6;-106pos=6;-106. Accessed November 28, 2024.

⁵⁴ *ibid.*

In Kazakhstan, however, the evaluative nature of the term "special" can result in the exclusion of many heritage objects from the official register, and thus from the formal protection. This issue becomes visible when considering a recently created unofficial register in Semey, developed by members of the Public Association Kraevedcheskoe Obshchestvo Priirtyshya [Local History Society of the Irtysh Region]. This volunteer-based organization conducts educational and scientific-research activities related to the local history of the Irtysh Region. Their recent initiative, presented in April 2024, maps 58 historic buildings not listed in the State register (Fig. 3).⁵⁵

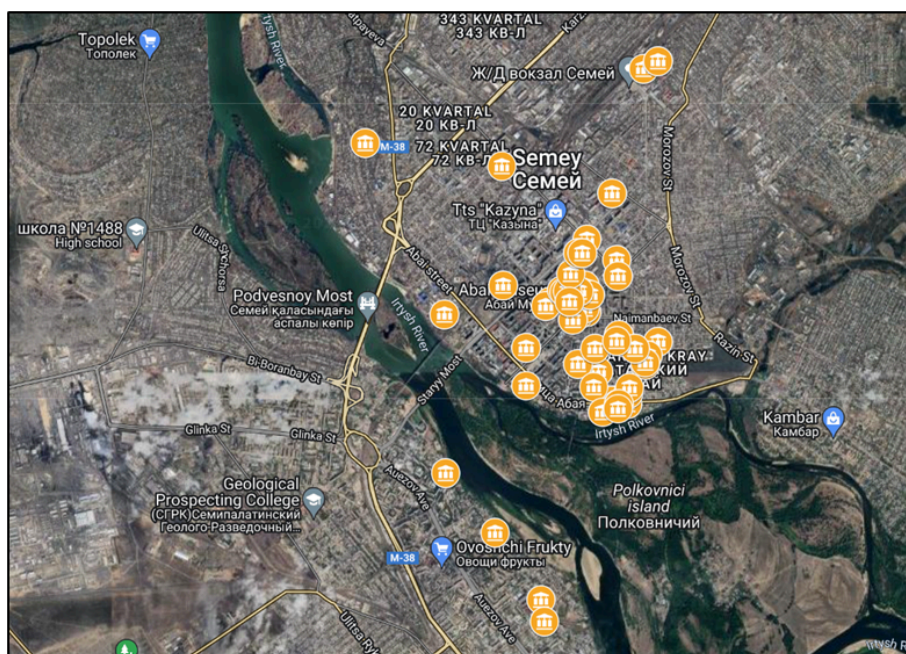


Figure 3. The map of “the Register of old buildings of the city of Semey, representing historical, architectural and cultural interest”.

It was presented in April 2024 by local Public Association “Kraevedcheskoe Obshchestvo Priirtyshya” [Local History Society of the Irtysh Region]. Screenshot made by the author. The map is publicly available [here](#).

Their register includes information such as the building’s address, coordinates, year of construction, photographs, and a brief history of each site as justification for its inclusion in the unofficial list. I had the opportunity to attend the presentation of this register and the accompanying map, prepared by local historians and journalists of

⁵⁵The full list is available for download [here](#). The map is available [here](#).

the Public Association, on April 18th, 2024, in Semey. In practice, these buildings can be considered objects of urban heritage, though they lack formal legal recognition. Kayzhakparova suggests one of way to address the issue of terminology by modifying the law to introduce a distinct regime of protection for “special” objects, clarifying their status and ensuring differentiated treatment within the legal framework.⁵⁶ Such clarification would help ensure that all valuable heritage sites are appropriately recognized and safeguarded.

Identification of Heritage

The "Identification of the Heritage" section focuses on the various methods used to document and catalog immovable cultural heritage.⁵⁷ This includes compiling inventories, lists, and schedules that help identify and safeguard historical sites and monuments.⁵⁸ The approach to recording heritage can differ based on the type of information included, the legal framework supporting the records, and how these records contribute to the preservation and protection of the heritage.⁵⁹

In Kazakhstan, the identification of heritage follows a structured process beginning with the preliminary registration of potential sites by local executive bodies. These sites are protected as monuments of history and culture until a formal decision is made regarding their inclusion in the State List of Monuments of History and Culture.⁶⁰ This state list categorizes heritage into local, state-level, or international

⁵⁶ Kayzhakparova, A. "Ob'ekty kul'turnogo nasledija v sisteme gosudarstvennoj ohrany (analiz dejstvujushhego zakonodatel'stva) [Objects of Cultural Heritage in the State Security System (Analysis of Effective Legislation)]." *online.zakon*. 2023. Available at: https://online.zakon.kz/Document/?doc_id=35481232&pos=6%3B-106#https://online.zakon.kz/Document/?doc_id=35481232&pos=6;-106#pos=6;-106pos=6;-106. Accessed November 28, 2024.

⁵⁷ Pickard, Robert, ed. *Policy and law in heritage conservation*. Vol. 1. Taylor & Francis, 2001, 6.

⁵⁸ *ibid.*

⁵⁹ *ibid.*

⁶⁰ Zakon Respubliki Kazakhstan "Ob okhrane i ispol'zovanii ob"ektov istoriko-kul'turnogo naslediya" [The Law on the Protection and Use of Historical and Cultural Heritage Sites], № 288-VI ZRK, December 26, 2019, art. 4, para. 1, accessed November 28, 2024, <https://adilet.zan.kz/rus/docs/Z1900000288>.

significance.⁶¹ As noted earlier, the list of cultural and historical heritage monuments in Kazakhstan was first created during the Russian Empire, then further developed during the Soviet era. However, Pickard notices that due to nature of cultural heritage, records require regular updates to incorporate new information and discoveries.⁶²

The assessment of heritage is carried out through "historical and cultural expertise," which determines its significance and the degree of preservation.⁶³ Rules for Conducting Historical and Cultural Expertise clarify who can initiate and who can conduct the Historical and Cultural Expertise; the rules also clarify the deadlines and what the conclusion document should include.⁶⁴ Aside from general information, the conclusion document shall include a list of studied sources, photographs of the object from all sides and of its historical details, and a written assessment detailing the object's historical and cultural significance and state of preservation, or confirming their absence. Moreover, monuments of history and culture are assigned official passports, which are issued by local authorities in regions, cities of republican significance, and the capital (depending on the level of significance) once a site receives formal recognition as a heritage monument.⁶⁵ The passport is prepared in a single paper copy and kept either by the issuing local authority or, in the case of

⁶¹ *ibid.*, art. 6.

⁶² Pickard, Robert, ed. *Policy and law in heritage conservation*. Vol. 1. Taylor & Francis, 2001, 6.

⁶³ Zakon Respubliki Kazakhstan "Ob okhrane i ispol'zovanii ob"ektov istoriko-kul'turnogo naslediya" [The Law on the Protection and Use of Historical and Cultural Heritage Sites], № 288-VI ZRK, December 26, 2019, art. 36, accessed November 28, 2024, <https://adilet.zan.kz/rus/docs/Z1900000288>.

⁶⁴ Prikaz Ministra kultury i sporta Respubliki Kazakhstan "Ob utverzhdenii Pravil provedeniia istoriko-kul'turnoi ekspertizy" [Order of the Minister of Culture and Sports of the Republic of Kazakhstan "On the Approval of the Rules for Conducting Historical and Cultural Expertise"], № 99, April 21, 2020, registered April 22, 2020, № 20452, accessed November 28, 2024, <https://adilet.zan.kz/rus/docs/V2000020452>.

⁶⁵ Prikaz Ministra kultury i sporta Respubliki Kazakhstan "Ob utverzhdenii Pravil oformleniia pasporta pamiatnika istorii i kultury" [Order of the Minister of Culture and Sports of the Republic of Kazakhstan "On the Approval of the Rules for Preparing a Passport of a Monument of History and Culture"], № 82, April 10, 2020, registered April 14, 2020, № 20388, accessed November 28, 2024, <https://adilet.zan.kz/rus/docs/V2000020388>.

monuments of national or international importance, by a designated central body. Any newly acquired information about the monument is appended to the original document.⁶⁶ The passports are not available online, and the follow-up regulations do not provide clear guidance on how to access or consult them.

Monuments may be also reclassified or can be removed from the list if they have undergone “complete physical loss of the site and (or) loss of historical and cultural significance”.⁶⁷ New Historical and Cultural Expertise should be conducted to justify the exclusion from the list. The further details are provided in the Rules for Identifying, Recording, Granting and Depriving Status, Moving and Changing, Monitoring the Condition and Changing the Category of Historical and Cultural Monuments (see Table 1). A special commission established by the authorized body, composed of scholars, experts, cultural figures, and representatives of creative unions and public organizations, is responsible for evaluating the designation or removal of objects as historical and cultural monuments. The rules governing the inclusion, exclusion, or relocation of monuments of culture and history do not take into account the heritage community and lack provisions for public consultations or hearings.

The listing in the state register is considered to be one of the key mechanisms for the protection of architectural heritage. The law stipulates that a monument can only be delisted in cases of full physical destruction or a loss of historical and cultural significance. The provision in the law that allows a monument to be delisted due to a “loss of historical and cultural significance” is problematic, as it is open to broad interpretation. What constitutes “a loss of significance” is not clearly defined, leaving

⁶⁶ *ibid.*

⁶⁷ Zakon Respubliki Kazakhstan “*Ob okhrane i ispol'zovanii ob"ektov istoriko-kul'turnogo naslediya*” [The Law on the Protection and Use of Historical and Cultural Heritage Sites], № 288-VI ZRK, December 26, 2019, art. 5, para. 2, accessed November 28, 2024, <https://adilet.zan.kz/rus/docs/Z1900000288>.

room for subjective decisions that may not align with the true cultural or historical value of the site. This ambiguity allows for the potential manipulation of the law, as owners or authorities could argue that a monument has lost its historical importance in order to bypass protections or avoid preservation obligations.

To illustrate, the Central Telegraph building in Semey was delisted following multiple attempts by local officials to have it removed from the heritage register. The first attempt came in 2015, when the Akim (Mayor) of Semey, Ermak Salimov, proposed removing the building from the list, citing a lack of evidence for its historical and cultural significance.⁶⁸ The Regional Commission for the Protection of Historical and Cultural Monuments of East Kazakhstan rejected this request. A second attempt was made in 2018 by the head of the city's Department of Culture and Language Development, Nazerke Akkozhina, who also suggested delisting the building.⁶⁹ This request was again denied.⁷⁰ A third attempt came from the Deputy Akim of Semey, Nadezhda Sharova, in April 2018, which was approved by the regional commission.⁷¹ The building was officially removed from the list in 2020, despite its historical value.⁷² The process was not transparent, even members of the most active local organization dedicated to historical research and heritage advocacy (*"Kraevedcheskoe Obshchestvo Priirtyshya"* [*Local History Society of the Irtysh Region*]) were unaware of the decision until after the building had been officially delisted.

⁶⁸ Arnapress. "Kak telegraf v Semee iskljuchali iz reestra pamjatnikov: stali izvestny podrobnosti" [How the Telegraph in Semey Was Removed from the Register of Monuments: Details Became Known]. *Arnapress*, April 12, 2024. <https://www.arnapress.kz/obshchestvo/209320-kak-telegraf-v-semee-isklyuchali-iz-reestra-pamyatnik-ov-stali-izvestny-podrobnosti>.

⁶⁹ *ibid.*

⁷⁰ *ibid.*

⁷¹ *ibid.*

⁷² *ibid.*

This case highlights the problematic flexibility of the legal framework, where the lack of clear criteria for determining cultural significance allows local authorities to make subjective decisions. The delisting of the Central Telegraph building was justified based on the assertion that it had lost its historical and cultural significance, a provision that is open to interpretation. The building, once an iconic symbol of communication in Kazakhstan, was left to deteriorate, and the local authorities now plan to sell it, despite the building's cultural value and potential as a heritage site.

The identification and listing of immovable heritage in Kazakhstan is supported by a structured legal and policy framework with designated authorities, yet its implementation faces notable challenges; although tools like state registers, heritage passports, and historical and cultural expertise are intended to safeguard heritage, their effectiveness is weakened by vague criteria, particularly regarding the “loss of significance.” Moreover, by excluding public voices and heritage advocates from formal procedures of heritage identification, the system misses a crucial opportunity to foster broader legitimacy and shared responsibility in heritage protection.

The Preservation and Protection of Heritage

Effective heritage preservation relies on clear legal mechanisms that regulate changes to historic structures, control their surroundings, and ensure interventions respect the original character of the site.⁷³ Preservation is not limited to safeguarding physical structures but also involves regulating new uses, preventing harmful developments nearby, and maintaining the visual and historical integrity of heritage sites.⁷⁴ Additionally, restoration and maintenance work must be carefully supervised, based on approved conservation plans, to avoid irreversible damage. A

⁷³ Pickard, Robert, ed. *Policy and law in heritage conservation*. Vol. 1. Taylor & Francis, 2001, 6.

⁷⁴ *ibid.*

well-functioning protection system should also include regular, standardized monitoring to track the condition of monuments and enforce protective obligations.⁷⁵

A robust framework is in place to protect heritage sites during land development. Archaeological surveys must precede any development, and discovered heritage must be included in the preliminary registration list for protection.⁷⁶ Protected zones, development control zones, and natural landscape zones are established around heritage sites to prevent activities that might harm their integrity.⁷⁷ The follow-up rules (Table 1) clarify the usage regimes for protection zones around historical and cultural monuments. In the protection zone, activities that could harm the monument, including new construction, are prohibited, with exceptions only for preservation measures. The construction control zone ensures the preservation of the historical character and surrounding environment by regulating building height, materials, and design. Industrial and transport infrastructure developments are restricted in these zones to maintain historical integrity. Unauthorized relocation or alteration of heritage is strictly prohibited, with exceptions granted only under extraordinary circumstances.⁷⁸

Article 5 of the Law on the Protection and Use of Historical and Cultural Heritage Sites mandates that historical and cultural monuments, once listed, be subject to a special legal regime that regulates their use, ownership, and preservation. Owners and users of heritage sites are obliged to maintain their integrity and allow access for

⁷⁵ *ibid.*

⁷⁶ Zakon Respubliki Kazakhstan "Ob okhrane i ispol'zovanii ob"ektov istoriko-kul'turnogo naslediya" [The Law on the Protection and Use of Historical and Cultural Heritage Sites], № 288-VI ZRK, December 26, 2019, art. 30, para. 1, accessed November 28, 2024, <https://adilet.zan.kz/rus/docs/Z1900000288>.

⁷⁷ *ibid.*, art. 28.

⁷⁸ Zakon Respubliki Kazakhstan "Ob okhrane i ispol'zovanii ob"ektov istoriko-kul'turnogo naslediya" [The Law on the Protection and Use of Historical and Cultural Heritage Sites], № 288-VI ZRK, December 26, 2019, art. 29, accessed November 28, 2024, <https://adilet.zan.kz/rus/docs/Z1900000288>.

scientific and educational purposes unless exceptional circumstances apply according to articles 16 and 17.⁷⁹

The current legal and policy framework in Kazakhstan for the protection of architectural heritage is hampered by the absence of clear criteria for monitoring the ongoing condition of listed monuments. The rules clarify the main aims of monitoring, but not the criteria. Monitoring aims are (1) Assess the degree of preservation, (2) Examine the technical condition, (3) Identify illegal construction in protected zones, (4) Enforce users' compliance with protective obligations, (5) Develop recommendations for effective use.⁸⁰ According to the rules, monitoring should happen once a year from the approved state budget, and the most deteriorated monuments are targets of scientific-restoration works. In practice, the absence of standardized criteria for monitoring can lead to a variety of problems from inconsistent evaluations to the reduction of monitoring to a formal procedure with little follow-up action to address identified issues. The latter is a widespread problem in Kazakhstan. Moreover, the prioritization of the most deteriorated monuments for restoration often means that others, which may also require urgent intervention, are overlooked until their condition worsens significantly.

The limitations of this top-down monitoring model are particularly evident in Semey, where the long-term neglect of certain buildings demonstrates the gaps in the current system. In the absence of mechanisms for community involvement such as local reporting systems or participatory condition assessments signs of deterioration may go unaddressed for years. The problem is further exacerbated by the fact that heritage preservation is typically driven by technical assessments or government-defined significance, rather than public value. To build a more

⁷⁹ *ibid.*

⁸⁰ *ibid.*

responsive and resilient system, preservation strategies must be grounded in research that identifies the cultural, historical, or emotional significance of sites to communities themselves. Incorporating community perspectives into decision-making would ensure that resources are allocated to heritage that holds the greatest social relevance, rather than solely on structural condition or bureaucratic priorities.

For example, the Central Telegraph building remained on the State List for an extended period, however, by the time of its exclusion, it had significantly deteriorated. Natalia Fesenko, head of the city's Education Department, remarked: "Only the outer walls are left—everything inside has collapsed. There are no windows, no doors, nothing" (Fig. 4).⁸¹



Figure 4. Interior of the Central Telegraph Building.

⁸¹ Arnapress, "Kak telegraf v Semee iskljuchali iz reestra pamjatnikov: stali izvestny podrobnosti" [How the Telegraph in Semey Was Removed from the Register of Monuments: Details Became Known], Arnapress, April 12, 2024, <https://www.arnapress.kz/obshchestvo/209320-kak-telegraf-v-semee-isklyuchali-iz-reestra-pamyatnikov-stali-izvestny-podrobnosti>.

Photographs were posted in 2022; as of 2024, no recent images are available online to depict the building's current condition. Photos by Adelina Andreeva.⁸²

The future of the Central Telegraph building remains uncertain; however, officials have stated that all necessary measures will be taken to preserve the building and that there are no plans to demolish it.⁸³ The case highlights how the lack of effective monitoring and community engagement leads to the gradual abandonment of valuable heritage sites. A similar fate has befallen the Semipalatinsk Zooveterinary Institute building, which has been abandoned for nearly 40 years, steadily decaying (Fig. 5).

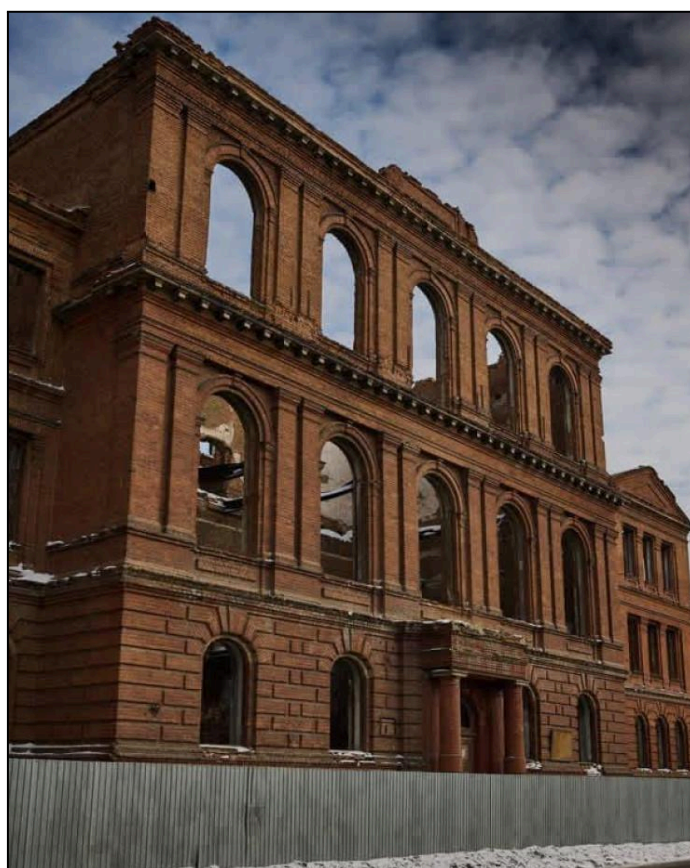


Figure 5. Former Semipalatinsk Zooveterinary Institute building.

⁸² Tengrinews, "Na ruinakh istorii: v Semeie razrushaetsia zdanie pervogo v respublike telegrafa" [On the Ruins of History: In Semey, the Building of the First Telegraph in the Republic Is Deteriorating], August 15, 2022, https://tengrinews.kz/kazakhstan_news/ruinah-istorii-semee-razrushaetsya-zdanie-pervogo-respublike-475430/.

⁸³ *ibid.*

Photo by Andrey Kalachev.⁸⁴

While Kazakhstan has developed a formal system for the protection of cultural heritage, several challenges remain. The lack of standardized monitoring criteria, the exclusion of local communities from oversight processes and vague legal definitions contribute to the continued deterioration of many heritage sites. Cases like the Central Telegraph building and the Semipalatinsk Zooveterinary Institute reveal how monuments can be left to decay due to neglect or ambiguous interpretations of their historical value. At the same time, it is important to acknowledge the broader context, including resource limitations, capacity issues, and competing development priorities, which complicate heritage management.

Conservation Philosophy

Pickard highlights that the ICOMOS Venice Charter of 1964 serves as the international standard in conservation philosophy, followed by the Burra Charter and the Nara Document. The author states that the conservation philosophy influences the laws, and more importantly, policies that directly influence the fate of cultural heritage sites.⁸⁵ According to Article 1 of the Law on the Protection and Use of Historical and Cultural Heritage Sites, internationally ratified agreements take precedence over domestic legal provisions, reflecting the law's alignment with global heritage protection standards.⁸⁶ For World Heritage Sites, Kazakhstan adheres to the principles of the Venice Charter, the 1972 Convention on the Protection of the World

⁸⁴ Tengrinews, "Semey teriaet chast' svoei istorii: zdanie XX veka rushitsia na glazakh" [Semey Is Losing Part of Its History: A 20th-Century Building Is Collapsing Before Our Eyes], April 10, 2025, accessed May 21, 2025, https://tengrinews.kz/kazakhstan_news/semey-teryaet-chast-svoey-istorii-zdanie-xx-veka-rushitsya-567212/.

⁸⁵ Pickard, Robert, ed. *Policy and law in heritage conservation*. Vol. 1. Taylor & Francis, 2001: 7

⁸⁶ Zakon Respubliki Kazakhstan "Ob okhrane i ispol'zovanii ob"ektov istoriko-kul'turnogo naslediya" [The Law on the Protection and Use of Historical and Cultural Heritage Sites], № 288-VI ZRK, December 26, 2019, accessed November 28, 2024, <https://adilet.zan.kz/rus/docs/Z1900000288>.

Cultural and Natural Heritage, the Nara Document, and other international frameworks.⁸⁷

The law emphasizes safeguarding the authenticity and integrity of heritage sites through measures such as conservation (Article 32, Paragraph 1.2), restoration (Article 32, Paragraph 1.3), reconstruction (Article 32, Paragraph 1.4), repair (Article 32, Paragraph 1.5), and adaptation (Article 32, Paragraph 1.6). These works must be based on scientific and project documentation. All works require official notification of relevant authorities and must be carried out by licensed professionals or institutions.⁸⁸ While this regulatory structure appears robust, its practical implementation reveals a much narrower interpretation of conservation principles.

In practice and on the local level, the preservation of architectural heritage in Kazakhstan often centers on facade retention, a pattern particularly visible in cities like Semey, where many historic buildings maintain outward appearances while undergoing significant internal modifications or even full destruction. Important to note that this approach is not unique to Kazakhstan, but reflects a broader international trend in heritage conservation. Moreover, public involvement in defining the value or future of heritage sites is noticeably absent, demonstrating that heritage conservation remains an institutional exercise rather than a shared practice.

⁸⁷ Feyzullayev, Alim L. "Opyt konservacii syrcovyh pamjatnikov arheologii v ramkah sozdanija arheologicheskogo parka na primere gorodishha Kul'tobe. [Experience of conservation of adobe archaeological monuments within the framework of creation of an archaeological park on the example of the Kultobe settlement]" *Arheologija evrazijskih stepej* 1 (2023): 161.

⁸⁸ Zakon Respubliki Kazakhstan "*Ob okhrane i ispol'zovanii ob'ektov istoriko-kul'turnogo naslediya*" [The Law on the Protection and Use of Historical and Cultural Heritage Sites], № 288-VI ZRK, December 26, 2019, art. 30, para. 1, accessed November 28, 2024, <https://adilet.zan.kz/rus/docs/Z1900000288>.

Sanctions and Coercive Measures

This section examines the legal tools and enforcement mechanisms used to ensure compliance with heritage protection laws in Kazakhstan. These include measures to prevent unauthorized alterations, enforce preservation obligations, and penalize acts of neglect or deliberate damage. The protection and enforcement measures for historical and cultural monuments in Kazakhstan are outlined in the following laws:

1) Civil Code of the Republic of Kazakhstan

Article 256: Confiscation of neglected monuments.

2) Law of the Republic of Kazakhstan "On State Property"

Article 33: Transfer of poorly maintained monuments to state ownership.

3) Law "On the Protection and Use of Historical and Cultural Heritage"

Article 19: State pre-emption rights in purchasing monuments.

4) Administrative Code of the Republic of Kazakhstan

Article 145: Penalties for violations of heritage preservation, including illegal alterations, endangerment, and land use violations.

5) Criminal Code of the Republic of Kazakhstan

Article 294: Penalties for acts of vandalism against protected monuments.

Article 203: Imprisonment for intentional destruction or damage to items of special value

Under the Law on the Protection and Use of Historical and Cultural Heritage Sites, if a monument's owner fails to maintain it in proper condition, the building may be confiscated under Article 256 of the Civil Code⁸⁹ of the Republic of Kazakhstan and

⁸⁹ Kodeks Respubliki Kazakhstan "Grazhdanskii kodeks Respubliki Kazakhstan (Obshchaya chast')" [The Civil Code of the Republic of Kazakhstan (General Part)], № 268-XIII, December 27, 1994, accessed November 28, 2024, https://adilet.zan.kz/rus/docs/K940001000_.

Article 33 of the Law on State Property.⁹⁰ According to the Civil Code and the Law on State Property, if owners neglect their obligation to maintain protected monuments, the state has the authority to confiscate them through court proceedings (Law on State Property, Article 33, Paragraphs 1-3;⁹¹ Civil Code, Article 256).⁹² Compensation is provided based on mutual agreement or a court decision, and public auction proceeds are returned to the owner minus auction costs.⁹³ The state has the pre-emption right in buying the property.⁹⁴

State control plays a critical role in identifying and addressing violations. Relevant authorities issue corrective instructions to owners and users, specifying timelines for rectification.⁹⁵ For monuments of international and republican significance, the authorized body oversees compliance, while local executive bodies handle those of local significance.⁹⁶ Failure to comply leads to legal action for confiscation, ensuring such monuments are transferred to state or municipal property for appropriate management.⁹⁷

According to the Administrative Law of Republic of Kazakhstan, Article 145 outlines penalties for various violations, including: failure to adhere to preservation obligations, illegal relocation or alteration of monuments, conducting activities that

⁹⁰ Zakon Respubliki Kazakhstan "Ob okhrane i ispol'zovanii ob"ektov istoriko-kul'turnogo naslediya" [The Law on the Protection and Use of Historical and Cultural Heritage Sites], № 288-VI ZRK, December 26, 2019, accessed November 28, 2024, <https://adilet.zan.kz/rus/docs/Z1900000288>.

⁹¹ Zakon Respubliki Kazakhstan "O gosudarstvennom imushchestve" [The Law on State Property], № 413-IV ZRK, March 1, 2011, accessed November 28, 2024, <https://adilet.zan.kz/rus/docs/Z1100000413>.

⁹² Kodeks Respubliki Kazakhstan "Grazhdanskii kodeks Respubliki Kazakhstan (Obshchaya chast')" [The Civil Code of the Republic of Kazakhstan (General Part)], № 268-XIII, December 27, 1994, accessed November 28, 2024, <https://adilet.zan.kz/rus/docs/K940001000>.

⁹³ *ibid.*, art. 256.

⁹⁴ Zakon Respubliki Kazakhstan "Ob okhrane i ispol'zovanii ob"ektov istoriko-kul'turnogo naslediya" [The Law on the Protection and Use of Historical and Cultural Heritage Sites], № 288-VI ZRK, December 26, 2019, art. 19, accessed November 28, 2024, <https://adilet.zan.kz/rus/docs/Z1900000288>.

⁹⁵ Zakon Respubliki Kazakhstan "Ob okhrane i ispol'zovanii ob"ektov istoriko-kul'turnogo naslediya" [The Law on the Protection and Use of Historical and Cultural Heritage Sites], № 288-VI ZRK, December 26, 2019, art. 33, para. 5-6, accessed November 28, 2024, <https://adilet.zan.kz/rus/docs/Z1900000288>.

⁹⁶ *ibid.*, art. 33, para. 4.

⁹⁷ *ibid.*, art 33, para. 7-8.

endanger heritage sites, and violating land use regulations in protective zones.⁹⁸ Fines range from 10 monthly calculation indices⁹⁹ for individuals to 250 for large enterprises, accompanied by the suspension of ongoing activities.¹⁰⁰

The monuments of history and culture are protected from vandalism by the Criminal Code of Kazakhstan; the acts of vandalism are punishable by a fine ranging from 100 to 200 monthly calculation indices, corrective labor of the same value, community service of up to 160 hours, or arrest for up to 50 days.¹⁰¹ In cases involving aggravating circumstances, penalties increase to a fine ranging from 500 to 2,000 monthly calculation indices, corrective labor of the same value, community service of 300 to 600 hours, restriction of freedom for up to 3 years, or imprisonment for the same term (Article 294).¹⁰² The strictest coercive measure is detailed in Article 203: Intentional Destruction, Removal, or Damage of Items of Special Value of the Criminal Code of the Republic of Kazakhstan. This article stipulates that intentional destruction or damage to protected monuments is punishable by 3 to 7 years of imprisonment, with the sentence increasing to 5 to 12 years under aggravating circumstances.¹⁰³

As it is mentioned above, Article 37 of the Law on the Protection and Use of Historical and Cultural Heritage Sites stipulates that non-compliance with the laws governing the protection and usage of historical and cultural heritage entails

⁹⁸ Kodeks Respubliki Kazakhstan "Ob administrativnykh pravonarusheniyakh" [The Code of the Republic of Kazakhstan on Administrative Offenses], № 235-V ZRK, July 5, 2014, accessed November 28, 2024, <https://adilet.zan.kz/rus/docs/K1400000235>.

⁹⁹ 1 monthly calculation index equal to 3 932 KZT in 2025.

¹⁰⁰ Kodeks Respubliki Kazakhstan "Ob administrativnykh pravonarusheniyakh" [The Code of the Republic of Kazakhstan on Administrative Offenses], № 235-V ZRK, July 5, 2014, accessed November 28, 2024, <https://adilet.zan.kz/rus/docs/K1400000235>.

¹⁰¹ Kodeks Respubliki Kazakhstan "Ugolovnyi kodeks Respubliki Kazakhstan" [The Criminal Code of the Republic of Kazakhstan], № 226-V ZRK, July 3, 2014, accessed November 28, 2024, <https://adilet.zan.kz/rus/docs/K1400000226>.

¹⁰² *ibid.*

¹⁰³ *ibid.*

accountability as prescribed by Kazakhstani legislation.¹⁰⁴ This accountability is further outlined in the relevant laws and criminal and administrative codes. However, an evident issue lies in the imbalance between the economic value of cultural heritage sites, particularly those located in central urban areas, and the insufficient penalties for their neglect or destruction. As noted by Stefano Manacorda in *Criminal Law (Penal code) Protection of Cultural Heritage: An International Perspective*, modest penalties fail to deter crimes in the heritage field, especially when significant profits can be made. In the case of Semey, it is neglect or redevelopment of these valuable sites since the land featuring *monuments of urban planning and architecture* is often highly sought after for its location in the city center. The trend is observed all across the country.¹⁰⁵ While some may frame the demolition of such buildings as a rejection of colonial legacies, especially considering that structures date back to the Russian Empire or Soviet period, in practice their removal is often less about confronting the past and more about the commercial value of the land they occupy, since there are well-preserved imperial and Soviet buildings in the city (Fig. 6).

¹⁰⁴ Zakon Respubliki Kazakhstan "Ob okhrane i ispol'zovanii ob"ektov istoriko-kul'turnogo naslediya" [The Law on the Protection and Use of Historical and Cultural Heritage Sites], № 288-VI ZRK, December 26, 2019, accessed November 28, 2024, <https://adilet.zan.kz/rus/docs/Z1900000288>.

¹⁰⁵ R. Nurgali and M. T. Rakhymova, "UNESCO Plays a Crucial Role in the Protection of Kazakhstan's Cultural Heritage and in the Analysis of Its International Documents, as well as Other Global and National Legal Systems from an Interdisciplinary Point of View" (paper presented at the IX International Scientific Conference, Toronto, Canada, July 2–3, 2024).

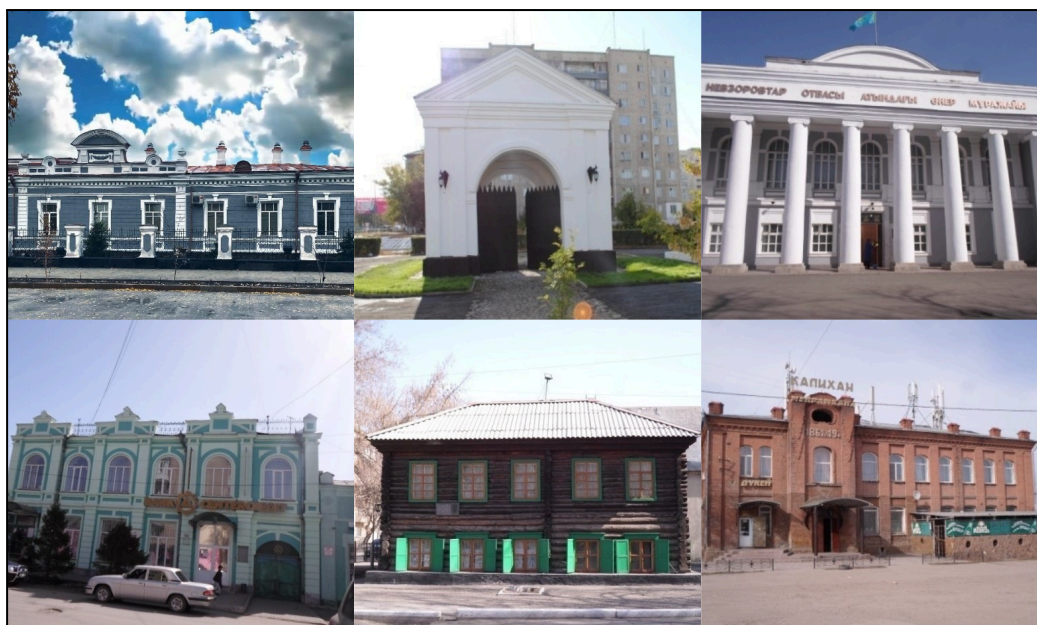


Figure 6. Examples of Well-Preserved Historic Buildings in Semey.

(1) The Regional History Museum, formerly the Governor's House; (2) The Yamyshevsky Fortress Gates, dating back to the eighteenth century (1776); (3) The Nevzorov Family Museum of Fine Arts, originally the residence of merchant Stepanov; (4) The CenterCredit Bank building, formerly the city's first public library; (5) The Literary Memorial House-Museum of Dostoevsky, once the home of postman Lipukhin; (6) A building constructed to commemorate the abolition of serfdom in 1861, currently functioning as a restaurant. Photos sourced from the official website of the regional authorities; collage compiled by the author.¹⁰⁶

The provisions of the law also include penalties involving expropriation, which aim to address cases of mismanagement. However, this approach is reactive rather than preventative, relying on prolonged judicial proceedings to resolve cases of neglect. An example of this is the merchant's mansion (fig. 1), a building that is already half-destroyed due to years of neglect. Despite its deteriorating condition, legal proceedings are still ongoing, and the owner is suspected of attempting to demolish the building twice.¹⁰⁷ In April 2025, the officials said that a letter was sent regarding the need to initiate the process of expropriation of the property from the owner.

¹⁰⁶ Akimat goroda Semey, "Pamiatniki istorii i kul'tury" [Monuments of History and Culture], accessed November 28, 2024, <https://www.gov.kz/memleket/entities/abay-semey/activities/15239?parentId=582>.

¹⁰⁷ Tengrinews, "Starinnyj kupecheskij osobnjak razrushaetsja v centre Semeja" [An Old Merchant's Mansion Is Falling Apart in the Center of Semey], Tengrinews, March 5, 2024, https://tengrinews.kz/kazakhstan_news/starinnyiy-kupecheskiy-osobnyak-razrushaetsya-tsentre-semeja-553707/.

However, the ambiguity in the law regarding the definition of “neglect” (*beshozjajstvennoe sodержanie*) further complicates enforcement, as it leaves room for inconsistent interpretations. This lack of clarity allows for delays in taking decisive action, ultimately hindering the preservation of heritage sites and exacerbating the damage caused by neglect.

Integrated Conservation

The protection of architectural heritage requires its integration into broader urban planning and land-use policies. Rather than focusing solely on individual buildings, contemporary conservation emphasizes the protection of entire historic areas, including streets, green spaces, and landscapes, within the development process. In Kazakhstan, this approach is still emerging. However, it is extremely important to facilitate early collaboration between heritage experts, urban planners, construction firms, townspeople and other stakeholders to minimize damage and ensure responsible use of heritage sites.

From a legal perspective, Kazakhstan’s heritage protection framework emphasizes the connection between urban planning and cultural preservation. As was mentioned above, the law establishes protected zones surrounding heritage sites, where land use and construction activities are subject to strict regulations.¹⁰⁸ Any urban development project within these zones must receive approval from the designated authority, ensuring that such interventions align with conservation objectives and do not compromise the historical or cultural value of the site.¹⁰⁹

¹⁰⁸ Закон Республики Казахстан “*Ob okhrane i ispol'zovanii ob"ektov istoriko-kul'turnogo naslediya*” [The Law on the Protection and Use of Historical and Cultural Heritage Sites], № 288-VI ZRK, December 26, 2019, art. 28, accessed November 28, 2024, <https://adilet.zan.kz/rus/docs/Z1900000288>.

¹⁰⁹ *ibid.*, art. 27.

Semey serves as a valuable case study for examining heritage management within contemporary urban planning, as its development plan was created after key legislative updates in 2019–2020. Following Presidential Decree No. 887 on May 3, 2022, the Abai Region was officially established with Semey as its administrative center, restoring its regional status after 25 years as part of the East Kazakhstan Region.¹¹⁰ In line with President Kassym-Jomart Tokayev's directive, the Akimat of Semey (local governmental body) and the national government were tasked with preparing a new General Urban Plan by the end of 2023.¹¹¹ The urban planning institute "AstanaGenPlan" was contracted to carry out this work under a public procurement agreement.¹¹² The new General Plan, extending through 2040 with a conceptual outlook to 2055, is intended to offer a comprehensive framework for the city's socio-economic and spatial development, with an emphasis on environmental sustainability and the protection of natural and cultural heritage.¹¹³ It was developed in accordance with national technical guidelines and urban planning regulations.¹¹⁴ However, while the accompanying Strategic Environmental Assessment Report for the General Plan acknowledges the importance of integrated conservation, its treatment of the subject remains vague and underdeveloped. Although the report recognizes the presence of valuable historical and architectural heritage, especially in the city center (Fig. 7),¹¹⁵ it fails to provide concrete mechanisms for the identification, prioritization, and management of these assets.

¹¹⁰ Akimat goroda Semey, Razrabotka general'nogo plana goroda Semey do 2040 goda [Development of the General Plan of the City of Semey until 2040], published March 19, 2024, accessed April 21, 2025, <https://www.gov.kz/memleket/entities/abay-semey/documents/details/630882?lang=ru>.

¹¹¹ *ibid.*

¹¹² *ibid.*

¹¹³ *ibid.*

¹¹⁴ *ibid.*

¹¹⁵ *ibid.*



Figure 7. Scheme of Architecture, History, and Culture Monuments.

Taken from Development of the General Plan of the City of Semey until 2040. References to establishing protected zones and preserving visual integrity are presented in broad terms, without clear strategies for implementation, enforcement, or stakeholder collaboration. It should be noted that more details may have been provided in other documents, which are not published on the official websites.

The government's position on the issue of establishing protected zones is reflected in the following statement: "Historical, cultural, and architectural monuments in the central part of the city are unevenly distributed and do not form a unified ensemble. They are rather scattered across various streets, although some concentration of monuments can be observed on certain streets. Some of them do not possess high architectural value or are located in areas where the establishment of protected zones is not considered appropriate."¹¹⁶ This shows a selective approach to heritage

¹¹⁶ Opredelenie sfery okhvata otcheta po strategicheskoy ekologicheskoy otsenke k «General'nomu planu razvitiya goroda Semey do 2040 goda» [Scoping Report for the Strategic Environmental Assessment of the General Plan for the Development of the City of Semey until 2040], pp. 61–62, in Razrabotka general'nogo plana goroda Semey do 2040 goda [Development of the General Plan of the City of Semey until 2040], Akimat goroda Semey, published March 19, 2024, accessed April 21, 2025, <https://www.gov.kz/memleket/entities/abay-semey/documents/details/630882?lang=ru>.

protection, implying that only certain elements are deemed worthy of formal conservation measures, particularly those that are more architecturally significant or located in areas deemed suitable for zoning.

However, this perspective raises important concerns. Inclusion in the official list of historical and cultural monuments already signifies recognized value, which extends beyond purely architectural qualities. Therefore, suggesting that some listed monuments lack sufficient architectural worth seems to contradict their formal status and risks devaluing their historical or cultural significance.

That said, the planning documents do acknowledge the need to integrate heritage sites into the broader urban landscape. It is noted that, in future stages of planning, there is a need to define the boundaries of areas containing heritage assets and to establish development regulation zones.¹¹⁷ Moreover, visual perception and the impact of these monuments on the urban landscape are recognized as key considerations.¹¹⁸ While this language remains general, it points to a potential framework for more complex integration of heritage into contemporary development. The local historian organization proposed an additional measure to protect Semey's architectural heritage, aligning with the principles of integrated conservation. They suggested establishing a protected "golden square" where the demolition of historic buildings would be restricted.¹¹⁹ This proposal emphasizes that heritage protection extends beyond individual landmarks, encompassing the broader historical

¹¹⁷ Razrabotka general'nogo plana goroda Semey do 2040 goda. Obshchaya poyasnitelnaya zapiska [Development of the general plan of the city of Semey until 2040. General explanatory note], p. 152, in Razrabotka general'nogo plana goroda Semey do 2040 goda [Development of the general plan of the city of Semey until 2040], Akimat goroda Semey, published March 19, 2024, accessed April 21, 2025, <https://www.gov.kz/memleket/entities/abay-semey/documents/details/630882?lang=ru>.

¹¹⁸ *ibid.*

¹¹⁹ Arnapress. "Chto sejchas proishodit s samymi nashumevshimi pamjatnikami arhitektury i istorii v Semee" [What Is Happening Now with the Most Talked-About Monuments of Architecture and History in Semey]. Arnapress, February 6, 2024. <https://www.arnapress.kz/obshchestvo/237448-chto-seychas-proishodit-s-samymi-nashumevshimi-pamyatnikami-arhitektury-i-istorii-v-semee>.

environment and urban fabric. After negotiations, members of the historical organization state that the local maslikhat (governing body) expressed support for a three-year memorandum to implement this approach.¹²⁰ However, its adoption remains unenforced.¹²¹ This reveals a gap between policy and practice, underscoring the need for institutional mechanisms that not only enforce conservation measures but also formally include local communities in shaping and implementing urban planning decisions. As of now, no official documents confirming the formal adoption of the three-year memorandum by the maslikhat of Semey are publicly available.

While the national formal protection framework acknowledges the importance of integrated conservation aspects, the current planning documents and practices in Semey lack clear, enforceable mechanisms and well-defined strategies for effectively managing and prioritizing architectural heritage of the city.

Financial Resources, Funding Mechanisms, and the Regeneration of Historic Environments

The preservation of cultural heritage requires a variety of financial tools, including grants, loans, tax incentives, and public-private partnerships.¹²² These resources are vital for the conservation and adaptive reuse of historic buildings. Effective preservation often requires collaboration between government bodies at different levels and private sector actors to create financial and administrative frameworks. Moreover, public funding alone is typically insufficient to cover all preservation needs. In this case, the involvement of private funding sources is inevitable.¹²³

¹²⁰ BaigeNews.kz, "Smena akima v Abayskoy oblasti privela k snosu istoricheskogo doma v tsentre Semeya" [The Change of the Akim in Abay Region Led to the Demolition of a Historical House in the Center of Semey], BaigeNews.kz, accessed April 25, 2025, https://baigenews.kz/smena-akima-v-abayskoy-oblasti-privela-k-snosu-istoricheskogo-doma-v-tsentre-semeya_300007403/.

¹²¹ *ibid.*

¹²² Pickard, Robert, ed. *Policy and law in heritage conservation*. Vol. 1. Taylor & Francis, 2001.

¹²³ *ibid.*

The legal framework in Kazakhstan regulates financial aspects of preservation of heritage. When owners or users lack the financial or other resources necessary for upkeep, the state assumes responsibility for the expenses to ensure the preservation of cultural heritage.¹²⁴ The Law on the Protection and Use of Historical and Cultural Heritage Sites stipulates that scientific restoration work may be funded through state budget allocations, private investments, or contributions from monument owners and users.¹²⁵

The primary source of funding for the preservation and research of cultural heritage sites in Kazakhstan is the state budget. One of the major initiatives, the "Cultural Heritage" program, was implemented between 2004 and 2011 in several phases (2004–2006, 2007–2008, and 2009–2011).¹²⁶ At each stage, significant financial resources were allocated to ensure the program's success.¹²⁷ During the first phase, 2.7 billion tenge were invested in preservation efforts.¹²⁸ This amount increased to over 4 billion tenge in the second phase and exceeded 5 billion tenge during the third phase.¹²⁹ The key priorities of the program included the restoration and preservation of historical monuments, archaeological sites, and other culturally significant landmarks.¹³⁰ However, from the achievements of the program, it is evident that particular attention was given to the medieval period of Kazakhstani history, especially highlighting the era of nomadic civilizations, the spread of Islamic culture,

¹²⁴ Zakon Respubliki Kazakhstan "O kul'ture" [Law of the Republic of Kazakhstan "On Culture"], № 207, December 15, 2006, art. 34, para. 5, accessed May 19, 2025, <https://adilet.zan.kz/rus/docs/Z060000207>.

¹²⁵ Zakon Respubliki Kazakhstan "Ob okhrane i ispol'zovanii ob'ektov istoriko-kul'turnogo naslediya" [The Law on the Protection and Use of Historical and Cultural Heritage Sites], № 288-VI ZRK, December 26, 2019, art. 32, accessed November 28, 2024, <https://adilet.zan.kz/rus/docs/Z1900000288>.

¹²⁶ e-history.kz, "State program 'Cultural heritage' of Kazakhstan: stages of implementation and value," [State program "Cultural Heritage" of Kazakhstan: stages of implementation and value], accessed April 26, 2025, <https://e-history.kz/en/seo-materials/show/29784>.

¹²⁷ *ibid.*

¹²⁸ *ibid.*

¹²⁹ *ibid.*

¹³⁰ *ibid.*

and the legacy of prominent historical figures such as Al-Farabi, Sultan Baybars, and Khoja Ahmed Yasawi. Besides strategic programs, the funding for the protection of the cultural heritage sites, including architectural heritage, comes from the Ministry of Culture and Information of the Republic of Kazakhstan and it can be seen from their early reports.¹³¹

While public funding remains a cornerstone, the law recognizes the limitations of relying solely on state resources and implicitly encourages private-sector participation through profit-sharing mechanisms. In other words, owners of monuments of history and culture are allowed to make profit operating cultural heritage sites.¹³² Collaborative frameworks, such as mandatory coordination between state bodies and private entities during restoration projects,¹³³ further underscore the interdependence of financial and administrative efforts to safeguard cultural heritage. Despite favoring certain historical periods in research, protection, and popularization, the architectural heritage of the Russian Imperial period also receives financial support from the government. For example, in 2021, a total of 263 million tenge was allocated from both the national and regional budgets for the restoration of nine historic buildings in Semey.¹³⁴ In addition, 74 million tenge provided through private investments.¹³⁵ Among the key projects included in the plan are the restoration of the

¹³¹ Ministry of Culture and Information of the Republic of Kazakhstan, *Otchet o rezul'tatakh monitoringa realizatsii byudzhetykh programm (podprogramm) po sostoyaniyu na 1 aprelya 2025 goda* [Report on the Results of Monitoring the Implementation of Budget Programs (Subprograms) as of April 1, 2025], published April 11, 2025, accessed April 26, 2025, <https://www.gov.kz/memleket/entities/mam/documents/details/826365>.

¹³² *Zakon Respubliki Kazakhstan "Ob okhrane i ispol'zovanii ob"ektov istoriko-kul'turnogo naslediya"* [The Law on the Protection and Use of Historical and Cultural Heritage Sites], № 288-VI ZRK, December 26, 2019, art. 16, accessed November 28, 2024, <https://adilet.zan.kz/rus/docs/Z1900000288>.

¹³³ *ibid.*, art 10.

¹³⁴ Kazpravda.kz, "V Semee vzylis' za remont i restavratsiyu zdaniy, opredelyayushchikh istoricheskiy oblik goroda" [In Semey, They Took on the Repair and Restoration of Buildings Defining the City's Historical Appearance], Kazpravda.kz, December 12, 2021, accessed April 26, 2025, <https://kazpravda.kz/n/v-semee-vzylis-za-remont-i-restavratsiyu-zdaniy-opredelyayushchih-istoricheskiy-oblik-goroda/>.

¹³⁵ *ibid.*

Tynybay Kaukhenov Mosque, the former synagogue, the Governor's House (currently the regional history museum), the former mill of merchant Musin (now a factory), and the literary-memorial museum of Fyodor Dostoevsky.¹³⁶ Moreover, restoration work was planned for the Nevzorov Family Art Museum, and a single-minaret mosque.¹³⁷ Alongside these functional buildings, the news report on the allocation of funding also mentions the restoration of the "Binar" hotel, the merchant's mansion (1844), and the Zooveterinary Institute.¹³⁸ However, the restoration work has not been started, and all three buildings are now in poorer condition than they were in 2021.

In addition to government funding, Kazakhstan's taxation system plays a crucial role in supporting cultural heritage preservation. Specific exemptions and incentives are available for organizations involved in heritage conservation. According to Article 239 from the tax code of Kazakhstan, income derived from the operation of 'social sector facilities', including those involved in the conservation of cultural heritage, is subject to certain tax considerations.¹³⁹ If the income generated from such activities is less than 5% of the taxpayer's total annual income, it is not subject to tax. However, if it exceeds 5%, the amount above that threshold must be included in the taxable income, after deducting the actual expenses related to the operation of these heritage sites.¹⁴⁰ This provision intends to maintain a balance between revenue generation from cultural heritage sites and their preservation. Article 290 introduces further benefits for organizations engaged in social sector activities, including those

¹³⁶ *ibid.*

¹³⁷ *ibid.*

¹³⁸ *ibid.*

¹³⁹ Kodeks Respubliki Kazakhstan "O nalogakh i drugikh obyazatel'nykh platezhakh v biudzheth (Nalogovyi kodeks)" [The Code of the Republic of Kazakhstan on Taxes and Other Mandatory Payments to the Budget (Tax Code)], № 120-VI ZRK, December 25, 2017, accessed May 19, 2025, <https://adilet.zan.kz/rus/docs/K1700000120>.

¹⁴⁰ *ibid.*

focused on cultural heritage preservation.¹⁴¹ These organizations can reduce their corporate income tax by 100%, provided that 90% of their total annual income comes from activities such as the preservation of historical monuments. This tax incentive encourages non-profit and governmental entities involved in the conservation of cultural heritage to reinvest their savings into further preservation efforts, ensuring that the country's historical sites are maintained for future generations. Additionally, Article 394 of the Tax Code outlines the exemptions from value-added tax (VAT) for certain goods, services, and activities. Specifically, VAT is waived for services related to the restoration and preservation of historical and cultural monuments. This includes scientific restoration work carried out under a licensed activity.¹⁴² By exempting such services from VAT, the government aims to reduce the financial burden on organizations engaged in the restoration of cultural landmarks.

While the tax incentives provide some financial relief for organizations involved in the preservation of cultural heritage in Kazakhstan, there are some areas that can be improved. Particularly, the threshold for income from heritage-related activities in Article 239, which allows only up to 5% of total income to be derived from such activities, may be too restrictive for many organizations that rely heavily on revenue from public engagement, tourism, or grants. The limitation could discourage investment in heritage conservation if the cost of maintenance and restoration exceeds this threshold.

Kazakhstan's cultural heritage preservation largely depends on public funding, but growing demands make private sector involvement increasingly important. However, existing limitations, such as restrictive income thresholds for private contributions,

¹⁴¹ *ibid.*

¹⁴² *ibid.*

can discourage investment, highlighting the need to improve financial mechanisms that support heritage protection.

The Role of Agencies and Specialist Organizations

In this section, it is offered to discuss the roles of state, regional, and local agencies, along with voluntary and private organizations, in the conservation of cultural heritage. These organizations play a key part in implementing policies, raising public awareness, and promoting best practices in heritage protection. Moreover, sometimes non-governmental bodies involved in the safeguarding of heritage can act in semi-official capacities¹⁴³.

Among the biggest agencies that influence heritage protection in Kazakhstan, and in particular urban and architectural heritage, are Ministry of Culture and Information of the Republic of Kazakhstan, Local Executive Bodies (Akimats), Kazakh Research Institute of Culture, Kazrestavratsiya and the Union of Architects of the Republic of Kazakhstan.

The Ministry of Culture and Information of the Republic of Kazakhstan holds a central role in managing the country's cultural heritage. Its responsibilities include granting or removing the status of national significance for heritage sites based on expert evaluations and recommendations from a dedicated commission.¹⁴⁴ The Ministry oversees the approval of restoration projects and activities within heritage sites and their protection zones.¹⁴⁵ It is also responsible for forming and submitting Kazakhstan's tentative list for UNESCO World Heritage status.¹⁴⁶ Additionally, the Ministry regulates the use of heritage sites owned by the state, ensures coordination

¹⁴³ Pickard, Robert, ed. *Policy and law in heritage conservation*. Vol. 1. Taylor & Francis, 2001.

¹⁴⁴ "Postanovlenie Pravitel'stva Respubliki Kazakhstan ot 20 marta 2024 goda № 1162" [Resolution of the Government of the Republic of Kazakhstan of March 20, 2024 No. 1162], *Zan.kz*, accessed April 21, 2025, <https://zan.gov.kz/client/#!/doc/187008/rus/20.03.2024/1162>.

¹⁴⁵ *ibid.*

¹⁴⁶ *ibid.*

across different sectors involved in heritage protection, and exercises ownership rights over nationally and internationally significant monuments.¹⁴⁷ It also establishes the framework and membership of the special commission that addresses issues related to historical and cultural heritage.¹⁴⁸ The functions of local executive bodies are clarified in Article 11 of the Law on the Protection and Use of Historical and Cultural Heritage Sites, where it covers such responsibilities as site identification, monitoring, and issuing security obligations for heritage protection on the local level. The law mandates collaboration among various stakeholders, including individuals, legal entities, and local governments, to protect and promote heritage (Article 7).¹⁴⁹ However, it is vaguely framed and the issue will be discussed further.

The agency closely connected to the Ministry of Culture and Information is the Kazakh Research Institute of Culture. It was originally established in 1934, and currently stands as one of Kazakhstan's oldest and most significant scientific research centers in the cultural field. In 2012, the institute was reorganized by merging two specialized organizations under the authority of the Ministry of Culture and Information of the Republic of Kazakhstan, which holds full state ownership.¹⁵⁰ The institute's mission is to conduct in-depth, systematic analyses of Kazakhstan's cultural sphere, support the implementation of the national cultural policy, foster international collaboration, and contribute to the global cultural landscape.¹⁵¹ Another important state-owned enterprise under the Ministry of Culture and Sports of the

¹⁴⁷ *ibid.*

¹⁴⁸ *ibid.*

¹⁴⁹ Zakon Respubliki Kazakhstan "Ob okhrane i ispol'zovanii ob'ektov istoriko-kul'turnogo naslediya" [The Law on the Protection and Use of Historical and Cultural Heritage Sites], № 288-VI ZRK, December 26, 2019, accessed November 28, 2024, <https://adilet.zan.kz/rus/docs/Z1900000288>.

¹⁵⁰ "Postanovlenie Pravitel'stva Respubliki Kazakhstan ot 31 iyulya 2012 goda № 999 'Ob utverzhdenii Pravila ucheta i ispol'zovaniya ob'ektov istoriko-kul'turnogo naslediya'" [Resolution of the Government of the Republic of Kazakhstan dated July 31, 2012 No. 999 "On the approval of the Rules for accounting and use of objects of historical and cultural heritage"], *Adilet.zan.kz*, accessed April 21, 2025, <https://adilet.zan.kz/rus/docs/P1200000999>.

¹⁵¹ "Natsional'nyy nauchno-issledovatel'skiy institut kul'turnogo naslediya" [National Research Institute of Cultural Heritage], *Cultural.kz*, accessed April 21, 2025, <https://cultural.kz/ru/institute/view?id=95>.

Republic of Kazakhstan is Kazrestavratsiya. It has carried out restoration and conservation work on cultural and historical monuments in Kazakhstan since 1972.¹⁵²

The organization has been involved in the restoration of almost all major historical and cultural heritage sites, especially those of Republican significance.¹⁵³ However, it also provides expertise for smaller-scale projects. For example, it has worked on *monuments of urban planning and architecture* in Almaty, such as the House of the Officers' Assembly and the Asfandiyarov House.¹⁵⁴ In the case of Semey, it consulted on the possibility of restoring the building of the Zooveterinary Institute.¹⁵⁵

The Union of Architects of the Republic of Kazakhstan is also important organization in the questions of protecting *monuments of urban planning and architecture*. It is one of the oldest professional organizations, it advocates for the protection and promotion of the nation's architectural legacy and cultural heritage.¹⁵⁶¹⁵⁷ Over the years, the Union has contributed to the development of architectural legislation, including proposals for licensing architectural practice, which is essential for maintaining standards in both contemporary design and heritage conservation.¹⁵⁸

Besides the major governmental organizations, there are variety of different activists groups, museum, libraries, universities and private organizations involved in the

¹⁵² "Istoricheskaya spravka" [Historical Background], *KazRestavratsiya*, accessed April 21, 2025, <https://kazrestavratsiya.kz/ru/o-nas/istoricheskaya-spravka.html>.

¹⁵³ *ibid.*

¹⁵⁴ *ibid.*

¹⁵⁵ "V Semee razvernulas' bor'ba za sokhranenie dvukh starinnykh zdaniy" [A Struggle for the Preservation of Two Old Buildings Unfolded in Semey], *Caravan*, accessed April 21, 2025, <https://www.caravan.kz/news/v-semee-razvernulas-borba-za-sokhranenie-dvukh-starinnykh-zdaniij-742209/>.

¹⁵⁶ "Rezolyutsiya XVIII s"yezda SA RK 2024" [Resolution of the XVIII Congress of the Union of Architects of Kazakhstan 2024], *KazArch.kz*, accessed April 21, 2025, <https://kazarch.kz/%D1%80%D0%B5%D0%B7%D0%BE%D0%BB%D1%8E%D1%86%D0%B8%D1%8F-xviii-%D1%81%D1%8A%D0%B5%D0%B7%D0%B4%D0%B0-%D1%81%D0%B0-%D1%80%D0%BA-2024/>.

¹⁵⁷ "Soyuz arkhitektorov Kazakhstana segodnya" [Union of Architects of Kazakhstan Today], *KazArch.kz*, accessed April 21, 2025, <https://kazarch.kz/%d1%81%d0%be%d1%8e%d0%b7-%d0%b0%d1%80%d1%85%d0%b8%d1%82%d0%b5%d0%ba%d1%82%d0%be%d1%80%d0%be%d0%b2-%d0%ba%d0%b0%d0%b7%d0%b0%d1%85%d1%81%d1%82%d0%b0%d0%bd%d0%b0-%d1%81%d0%b5%d0%b3%d0%be%d0%b4%d0%bd/>.

¹⁵⁸ *ibid.*

protection of heritage. Licensing requirements for some of the activities like archaeological and restoration work ensure that only qualified professionals carry out these activities, maintaining high standards of practice (Article 12). While these entities play a vital role, a significant issue within Kazakhstan's legal framework for heritage protection is the lack of provisions facilitating community involvement in the identification, monitoring, and preservation of cultural heritage, which undermines transparency. Communities and local groups often play a critical role in recognizing the cultural significance of sites, yet their contributions are overlooked in legal processes, especially in countries where heritage protection is centralized. For example, while public associations like “Kraevedcheskoe Obshchestvo Priirtyshya”[Local History Society of the Irtysh Region] can identify potential heritage sites, their recommendations lack legal standing, as the law excludes community-led initiatives from formal recognition or protection mechanisms.

The community involvement problem was also highlighted by Aida Kayzhakparova. She claims that Article 2 “the objectives of the protection and use of historical and cultural heritage sites” is not full since it does not address the constitutional rights of individuals.¹⁵⁹ She offers an amendment to Article 2 of the Law on the Protection and Use of Historical and Cultural Heritage Sites which will consider the involvement of the community, formulating it as Paragraph 5 of Article 2: “the implementation of the constitutional rights of everyone to access historical and cultural values/heritage (istoriko-kul'turnym cennostjam) and the constitutional duties of everyone to care for

¹⁵⁹ Kayzhakparova, A. "Ob'ekty kul'turnogo nasledija v sisteme gosudarstvennoj ohrany (analiz dejstvujushhego zakonodatel'stva) [Objects of Cultural Heritage in the State Security System (Analysis of Effective Legislation)]." *online.zakon*. 2023. Available at: https://online.zakon.kz/Document/?doc_id=35481232&pos=6%3B-106#https://online.zakon.kz/Document/?doc_id=35481232&pos=6:-106#pos=6:-106pos=6:-106. Accessed November 28, 2024.

the preservation of historical and cultural heritage, to protect historical and cultural monuments".¹⁶⁰

Although platforms like e-otinish, an online public services portal, offer citizens of Kazakhstan a mechanism to report concerns, seek clarifications, file complaints, or initiate lawsuits, their effectiveness remains limited. The platform often lacks transparency, and responses are frequently restricted to standardized or generic replies. For instance, in November 2023, I submitted a request regarding the future of the merchant's mansion to the Department of Culture and Language Development in Semey City, Abay Region. Rather than addressing the specific concerns raised, the authorities merely cited Article 17 of the Law on the Protection and Use of Historical and Cultural Heritage Sites, which outlines the general responsibilities of monument owners. This response provided no concrete information about actual preservation measures or plans, highlighting the platform's shortcomings in fostering meaningful dialogue or ensuring accountability.

Another example of how weak community engagement affects heritage protection is the handling of "historical and cultural expertise" documents. In principle, such documents, which assess a building's heritage value, should be accessible to interested parties, but in practice, they are often withheld. Authorities commonly justify the refusal by stating that the site in question is not under their balance-sheet ownership (balansoderzhatel). However, when I requested the historical and cultural expertise report for the merchant's mansion in November 2023, I was able to obtain it without difficulty. This inconsistency suggests a lack of clear guidelines and enforcement practices regarding public access to such important heritage documentation.

¹⁶⁰ ibid

Despite the presence of strong state institutions, Kazakhstan's heritage protection system remains highly centralized. While local groups and public associations contribute valuable knowledge, their input is not formally integrated into official processes. Strengthening transparency and creating mechanisms for broader participation would enhance the effectiveness of these institutions.

Education and Training

This section emphasizes the importance of education and specialist training for professionals and craft workers involved in heritage conservation. It highlights the need for clear professional standards and training not only for architects and archaeologists but also for other related fields. Special attention is given to the revival of traditional craft techniques, many of which have declined due to modernization and political changes.¹⁶¹

The law of Kazakhstan requires specialists involved in restoration and archaeological work to have relevant academic qualifications and experience.¹⁶² To train professionals across a variety of disciplines, the Ministry of Education and Science of the Republic of Kazakhstan issues state educational orders for the development of personnel through higher and postgraduate education programs. Scholarships are provided to support the education of specialists in fields such as cultural studies,

¹⁶¹ Pickard, Robert, ed. *Policy and law in heritage conservation*. Vol. 1. Taylor & Francis, 2001.

¹⁶² Zakon Respubliki Kazakhstan "Ob okhrane i ispol'zovanii ob"ektov istoriko-kul'turnogo naslediya" [The Law on the Protection and Use of Historical and Cultural Heritage Sites], № 288-VI ZRK, December 26, 2019, art. 12, accessed November 28, 2024, <https://adilet.zan.kz/rus/docs/Z1900000288>.

history, and architecture, among others.¹⁶³ This initiative ensures the cultivation of a skilled workforce capable of contributing to heritage conservation and management.

However, there is a notable gap in specialized education focusing on the architectural heritage of the Russian Empire and early Soviet periods, particularly in cities like Semey, where such heritage is most prominent. The architecture of Semey from the late nineteenth to early twentieth centuries presents a complex blend of classicism, eclecticism, Renaissance elements, and early Art Nouveau, with a widespread use of the “brick style” as a distinctive regional trend.¹⁶⁴ These stylistic layers require tailored restoration approaches informed by historical and technical knowledge specific to the period. The shortage of trained specialists in this domain can lead to delayed restorations or result in alterations that compromise the building’s authenticity. Addressing this problem is crucial and can be done by developing programs focused on this architectural legacy.

Public education is also encouraged through the use of heritage sites for scientific, cultural, and educational purposes (Article 23, Paragraph 1).

Conclusion

Kazakhstan’s legal and institutional framework for cultural heritage protection demonstrates notable strengths, reflecting a commitment to preserving its architectural legacy. The constitutional mandate under Article 37, operationalized through dedicated laws such as the 2019 Law on the Protection and Use of Historical and Cultural Heritage, establishes a structured approach to heritage

¹⁶³ Ministry of Education and Science of the Republic of Kazakhstan, *O raspredelenii gosudarstvennogo obrazovatel'nogo zakaza na podgotovku kadrov v oblasti kul'tury i iskusstva na 2021–2025 gody* [On the Distribution of the State Educational Order for Training Specialists in the Field of Culture and Arts for 2021–2025], published July 2, 2021, accessed April 26, 2025, <https://adilet.zan.kz/rus/docs/V2100023268>.

¹⁶⁴ A. S. Yespenbet, “Facade Composition of Public and Residential Houses in Semey City (the Second Half of the 19th—Early 20th Centuries),” *Russian Journal of Construction Science and Technology* 2, no. 1 (2016): 39–41.

governance. The state's financial investments, exemplified by the multi-phase "Cultural Heritage" program (2004–2011) and recent allocations for restoration projects in Semey, underscore efforts to safeguard monuments. Specialized agencies like the Kazakh Research Institute of Culture and Kazrestavratsiya provide technical expertise, while tax incentives encourage private-sector participation. These elements collectively highlight Kazakhstan's recognition of heritage as a pillar of national identity and its integration into broader cultural policy. However, the current formal heritage protection system in Kazakhstan still remains imperfect due to several shortcomings, ranging from unclear categorization and listing procedures, weak monitoring and enforcement mechanisms, and limited support for owners, to the absence of community involvement and a general lack of transparency throughout the decision-making processes.

Chapter 3: International Recommendations on Community Involvement

In Chapter 2, I examined how Kazakhstan's official heritage system functions, focusing on its legal framework, agencies, and institutions. The analysis revealed a predominantly top-down approach led by experts, where listing and protection decisions are made behind closed doors. Heritage is framed primarily as a national asset to be managed by professionals, while community voices are largely excluded. This approach has resulted in a narrowly defined, "authorized" heritage that limits broader participation.

To understand why Kazakhstan's system defaults to an expert-led, exclusionary model, we need to locate it within a broader theoretical framework. Central to this is Laurajane Smith's concept of the Authorized Heritage Discourse (AHD), which explains how "heritage" becomes narrowly defined by professionals and framed as fixed, monumental objects or sites.¹⁶⁵ At its core, AHD privileges the material and monumental, it treats heritage as something aesthetically pleasing, and tied to national identity and pride. In this view, heritage is something we inherit and must preserve for future generations. However, not everyone is invited into the conversation about what that heritage is, how it is interpreted or used, or whose past is being protected. AHD places authority in the hands of experts, namely, architects, archaeologists, historians, whose role is to identify and interpret the "significance" of sites, often without the meaningful involvement of the communities connected to them. AHD also assumes that heritage has intrinsic value. It is framed as something inherently important, as if its meaning is fixed and obvious but Smith challenges this assumption, arguing that heritage is not a neutral container of values and that it is constructed. The problem is that this construction is often one-sided. In privileging

¹⁶⁵ Smith, Laurajane. *Uses of heritage*. Routledge, 2006.

state narratives and expert judgments, AHD leaves little or no space for alternative voices.¹⁶⁶ Those may carry emotional, everyday, or localized attachments to the past. AHD remains dominant in Kazakhstan, inherited from the Soviet system. Under Soviet rule, heritage was managed through centralized institutions, with the state determining which monuments deserved to be listed, protected, and popularized. This legacy continues in modern Kazakhstan and is embedded in both its legal frameworks and institutional practices. While the foundations of AHD were inherited from the Soviet Union, they were adapted in the post-independence period to support nation-building efforts. As a result, heritage policy shifted its emphasis from Soviet grand narratives to those centered on Kazakh national identity, which often means a focus on heroic figures, nomadic traditions, and the Turkic past. Yet despite this shift in content, the structure remains largely top-down, leaving little institutional space for local or community-driven forms of heritage to be recognized or valued. The implications of top-down approach for heritage protection is significant. For example, the process of identifying heritage sites, particularly the listing procedure, is conducted through inviting experts, with little to no public disclosure or transparency on the findings. Decisions are made behind institutional doors which limits broader societal engagement and accountability. As Smith points out, when participation lacks actual negotiation or power-sharing, it risks becoming performative, something that looks inclusive on the surface but does not shift who gets to decide what matters.¹⁶⁷

Another effect of AHD is how it shapes public engagement with heritage. Sites are presented as aesthetically pleasing structures designed to attract tourism, rather than as a contested site where diverse narratives converge and communities actively

¹⁶⁶ *ibid.*

¹⁶⁷ *ibid.*

engage with their history and memory, especially keeping in mind the architectural heritage of Semey. As Smith explains, this makes heritage passive, something to look at, not something to live with.

Imagining heritage differently in Kazakhstan would mean moving beyond AHD's rigid definitions. It requires recognizing that heritage is not solely about preserving the past but it is about negotiating the present and shaping the future. This shift entails broadening who has a voice in heritage-making, rethinking what qualifies as heritage, and embracing more dynamic understandings of memory, identity, and belonging. Achieving this vision necessitates legal and institutional reforms that enable meaningful participation and power-sharing.

Around the globe, heritage scholars and practitioners have been developing alternative frameworks that place rights, community stewardship, and sustainable development at their core. Chapter 3 therefore explores international frameworks such as the Faro Convention and the Historic Urban Landscape approach to demonstrate how rights-based, participatory models of heritage governance can reconfigure formal protection systems by encouraging community involvement and participatory decision-making.

Conceptual Foundations of Community Participation in Heritage (Faro Convention)

Adopted in 2005 and entering into force in 2011, the Faro Convention (officially the Council of Europe Framework Convention on the Value of Cultural Heritage for Society) is a treaty developed for the member States of the Council of Europe. Rather than treating cultural heritage solely as a collection of objects, monuments, or expert-defined sites, the Faro Convention emphasizes the social function of heritage and its role in promoting human rights, democratic participation, and sustainable

development. This approach significantly broadens the understanding of heritage by recognizing the legitimacy of diverse interpretations, practices, and relationships to the past. While acknowledging that the convention was developed for a specific region with a distinct socio-economic and political context, its core provisions and underlying principles can be adapted to Kazakhstan to increase community participation and improve overall system of heritage management.

As it has been shown in the previous chapter, Kazakhstan's legal framework for cultural heritage is detailed and heavily institutionalized, offering precise categorizations of monuments, archaeological sites, architectural ensembles, and sacred sites. However, this taxonomy reflects a monument-centric and expert-led approach, where cultural heritage is defined by its materiality, historical or aesthetic value, and classification within state-approved lists and registries. The law centers heritage around ownership, control, and professional expertise, assigning the responsibility for identification, and preservation to state bodies or designated users. This model offers clarity and structure, however, excludes public participation and community agency.

In contrast, the Faro Convention expands the concept of cultural heritage beyond material forms and official registries. At the heart of the Convention is the concept of the “heritage community,” defined in Article 2(b) as a group of people “who value specific aspects of cultural heritage which they wish, within the framework of public action, to sustain and transmit to future generations.”¹⁶⁸ It defines heritage as a set of resources that individuals and groups recognize as meaningful.

¹⁶⁸ Council of Europe, *Convention on the Value of Cultural Heritage for Society (Faro Convention)*, CETS No. 199, 2005, accessed May 19, 2025, <https://www.coe.int/en/web/conventions/full-list/-/conventions/rms/0900001680083746>.

This approach decentralizes authority by affirming the legitimacy of heritage communities, groups of people who actively shape and transmit heritage in everyday life, whether or not that heritage is listed or monumental. Unlike Kazakhstan's law, which tends to view the public as passive recipients or users of state-protected assets, the Faro Convention empowers citizens as active co-creators and stewards of cultural meaning. It also embeds heritage within broader values of human rights, democracy, and social cohesion, offering a normative shift from preservation as state duty to heritage as shared responsibility. For Kazakhstan, integrating Faro principles would mean complementing its strong institutional structures with participatory mechanisms, enabling local and minority communities to define, interpret, and protect the heritage they value, not just what the state has inscribed.

However, to achieve this, Kazakhstan would need to go beyond its current protective and administrative framework and introduce explicit legal guarantees for public participation in heritage-related processes and acknowledging the local communities as competent stakeholders. Currently, Kazakhstani heritage law recognizes cultural heritage as the responsibility of the state but does not establish mechanisms through which individuals or communities can claim the right to engage with, interpret, or shape heritage. This gap is particularly relevant in the context of urban heritage, as it is the form of heritage with which communities interact on a daily basis. Legislative reforms could introduce procedural rights such as the right to be consulted in listing decisions, the right to initiate the recognition of heritage, or the right to participate in its management and interpretation. Such changes would not undermine the role of experts or institutions, but rather democratize heritage governance, ensuring that

diverse social groups, including minorities and marginalized communities, have a voice in determining what is preserved and how.

Moreover, the Faro Convention calls for an expanded and more reflexive role for governmental institutions and official stakeholders involved in heritage management. Rather than serving solely as custodians, state bodies are encouraged to actively engage in ethical reflection on how heritage is presented and interpreted.¹⁶⁹ This includes acknowledging the possibility of multiple, sometimes conflicting, meanings attached to the same heritage site. In the case of Semey and other cities with similar historical foundations, this is particularly relevant: the architectural heritage of the city may be seen by some as a remnant of the colonial past, while others may view it as a testament to the city's flourishing due to the contributions of merchants or the influence of various ethnic groups throughout different historical periods. The latter perspective reflects the broader cultural fabric of Kazakhstan, which became home to many different ethnic communities during periods such as World War I, the famine of 1930–1933, World War II, and Stalin's repressions. These communities helped shape the urban landscape, resulting in cities with multi-layered identities that deserve to be understood through inclusive and pluralistic heritage narratives. Public authorities could be tasked with facilitating inclusive dialogue and conciliation mechanisms when different communities attribute divergent values to a single site, thereby promoting a more balanced and equitable approach to heritage. Integrating these principles into Kazakhstan's heritage governance could help prevent heritage-related tensions and foster a more participatory and inclusive environment,

¹⁶⁹ *ibid.*

where cultural heritage becomes a shared platform for dialogue rather than a source of contestation.

The Faro Convention also encourages the development of legal, financial, and professional frameworks that enable joint action among public authorities, experts, property owners, investors, businesses, NGOs, and civil society.¹⁷⁰ In Semey, some of this collaborative infrastructure is already in place—public authorities, experts, owners, and investors regularly work together on heritage matters. However, the inclusion of businesses, non-governmental organizations, and broader civil society remains limited. Expanding the framework to formally include these actors would significantly enhance the preservation and sustainable use of built heritage. This could be achieved through mechanisms such as public hearings, digital platforms for civic input, or intersectoral working groups that bring diverse perspectives into decision-making processes. The Faro Convention also calls for the recognition and support of voluntary initiatives that complement the work of public institutions.¹⁷¹ Semey offers a compelling example in this regard: the Local History Society of the Irtysh Region actively organizes public talks, maintains an informal register of heritage sites, reports threats of demolition, and proposes alternative policy solutions. While their work is impactful, granting the organization an official legal status would not only legitimize its contributions but also strengthen community-based heritage governance by fostering trust, accountability, and sustained engagement.

Another important aspect of the Faro Convention that is not formally addressed within Kazakhstan's existing heritage protection framework is the role of youth. While

¹⁷⁰ *ibid.*

¹⁷¹ *ibid.*

many governmental programs and strategic vision documents emphasize the importance of youth for national development, their specific involvement in cultural heritage governance remains underdeveloped. Recognizing youth as a stakeholder in heritage processes would not only ensure intergenerational continuity but also bring fresh perspectives, creativity, and long-term commitment to preservation efforts. For example, their participation could help reinterpret architectural heritage in ways that are meaningful for younger generations, foster a deeper connection to place and identity. The Faro Convention encourages such inclusion, emphasizing the value of heritage as a shared resource that should be shaped and transmitted by all members of society.¹⁷² Integrating youth into decision-making structures would align Kazakhstan's heritage system with this more participatory and future-oriented vision. However, to achieve greater participation from youth, it is essential to address the Faro Convention's recommendation to "facilitate the inclusion of the cultural heritage dimension at all levels of education, not necessarily as a subject of study in its own right, but as a fertile source for studies in other subjects."¹⁷³ While school curricula in Kazakhstan do include the study of nationally recognized heritage sites, heritage of local significance often receives limited attention. Educational programs may incorporate visits to local museums and theaters, but the built heritage and historical urban landscapes of students' own cities or neighborhoods are rarely explored in depth. Introducing these elements into classroom learning and extracurricular activities could foster a stronger connection to place, promote civic responsibility, and stimulate interest in heritage preservation among young people. Such integration would not require a complete overhaul of the education system, but rather

¹⁷² *ibid.*

¹⁷³ *ibid.*

a more intentional use of local cultural environments as learning resources across subjects like history, literature, and geography.

In summary, integrating the principles of the Faro Convention into Kazakhstan's heritage governance could significantly improve the inclusivity and sustainability of its formal protection system, especially in relation to architectural heritage. While Kazakhstan has a strong institutional and legal framework focused on the classification and preservation of monuments, it largely excludes community voices and alternative interpretations. Architectural heritage, deeply embedded in the daily lives of urban communities, requires participatory mechanisms that go beyond state control and expert authority. By embracing a more democratic and multi-layered understanding of heritage, Kazakhstan could complement its existing system with legal provisions that allow public participation, empower local actors like NGOs and youth, and foster dialogue around contested sites. In cities like Semey, where architecture reflects diverse historical influences, from colonial administration to multi-ethnic contributions, these changes would help ensure that the built environment is not only preserved but also meaningfully integrated into contemporary social and cultural life.

Historic Urban Landscape (HUL) Approach

Considering that the Faro Convention offers general provisions for a community-centered approach in managing and protecting cultural heritage, it is also essential to consider frameworks specifically designed for the urban context and architectural heritage. One such recently developed framework is the Historic Urban Landscape (HUL) Approach, which offers a comprehensive methodology for integrating heritage preservation with the broader goals of urban development,

sustainability, and community engagement.¹⁷⁴¹⁷⁵ By examining the HUL Approach, I want further explore how Kazakhstan's formal protection system might evolve to better respond to the complexities of managing architectural heritage within rapidly changing urban environments. While the HUL approach encompasses various elements, my focus will be on community involvement and participatory governance.

Overview of the Historic Urban Landscape Approach

The HUL Approach was introduced by UNESCO in 2011, and it represents a considerable shift in how urban heritage is understood and managed.¹⁷⁶ It is international recommendation that advocates for a more holistic view of urban environments, recognizing that heritage is embedded in broader spatial, cultural, and social contexts. It emphasizes the layers of history present in cities and aims to integrate heritage protection with ongoing processes of urban change and development. The HUL Approach proposes that urban heritage should not be viewed as static or separate from the life of the city. Instead, it suggests that conservation efforts should work in tandem with policies related to housing, infrastructure, economic development, and environmental sustainability. Crucially, the HUL Approach places community at the center of heritage planning. It encourages the participation of local residents, professionals, and decision-makers in identifying what aspects of the urban environment are valuable and how they should be preserved or adapted.

¹⁷⁴ UNESCO, *Recommendation on the Historic Urban Landscape*, Paris: UNESCO, 2011, accessed May 19, 2025, <https://whc.unesco.org/en/activities/638/>.

¹⁷⁵ Gábor Sonkoly, *Historical Urban Landscape* (New York: Palgrave Macmillan, 2017), 11-14

¹⁷⁶ Gábor Sonkoly, *Historical Urban Landscape* (New York: Palgrave Macmillan, 2017), 17-19.

The HUL Approach introduces four groups of tools: Civic/community engagement tools, Knowledge and planning tools, Regulatory systems, and Financial tools.¹⁷⁷ Civic engagement tools are key to this process, as they imply meaningful participation from diverse community groups in defining the values of their urban environment and shaping collective visions for the future. Knowledge and planning tools include mapping, documentation, and impact assessments, which support informed decision-making and maintain the authenticity of urban heritage. Regulatory systems should consider local conditions and combine formal legislation with the recognition of traditional and customary practices. Financial tools emphasize the importance of encouraging investment, promoting heritage-based entrepreneurship, and utilizing flexible funding mechanisms.¹⁷⁸ Together, these tools enable cities to manage change while maintaining their unique identity.

This complex framework is particularly valuable in rapidly changing urban contexts, where development pressures risk eroding historical identity. For countries like Kazakhstan, and particularly for Semey the HUL Approach offers a practical and inclusive strategy for protecting architectural heritage while accommodating modernization and growth.

Community Involvement as a Core HUL Approach Principle

Community involvement is one of the main aspects of the HUL approach.¹⁷⁹ The Recommendation document and guidebooks emphasize the importance of inclusive governance, local knowledge, and civic participation. Rather than approaching urban heritage as a set of buildings, the HUL approach urges decision-makers to consider

¹⁷⁷ *ibid.*

¹⁷⁸ *ibid.*

¹⁷⁹ Gábor Sonkoly, *Historical Urban Landscape* (New York: Palgrave Macmillan, 2017), 106-107.

also the social, cultural, and economic dimensions of place.¹⁸⁰ This integrated perspective requires the involvement of diverse local actors in identifying what is valued, how it is used, and how it should evolve. In this way, the community becomes an active agent in shaping and sustaining the identity of historic areas, rather than a passive recipient of top-down preservation policies.

Each category of tools mentioned above recognizes the role of community as essential partners in the sustainable management of urban heritage. The civic engagement tools are explicitly designed to empower communities.¹⁸¹ These tools call for the active involvement of a broad spectrum of local actors in identifying what is valuable in their surroundings, articulating shared visions, and collaboratively setting goals for preservation and development.¹⁸² The community is the source of knowledge about the urban life, which include history, traditions and more. The guidebook of the HUL approach covers examples of community engagement tools like “publicity, dialogue and consultation, community empowerment and cultural mapping”.¹⁸³ Mapping cultural assets, documenting traditions, and conducting impact assessments are most effective when grounded in community knowledge. In the realm of regulatory systems, community perspectives play a vital role in shaping policies that are socially legitimate and locally appropriate. Whether through formal legal frameworks or customary practices, regulations that reflect community values are more likely to be respected and effectively implemented. Finally, financial tools can empower communities by directing resources toward locally driven initiatives.¹⁸⁴

¹⁸⁰ *ibid.*

¹⁸¹ *ibid.*, 4-5.

¹⁸² *ibid.*

¹⁸³ UNESCO, *The HUL Guidebook: Managing Heritage in Dynamic and Constantly Changing Urban Environments. A Practical Guide to UNESCO's Recommendation on the Historic Urban Landscape*, Paris: UNESCO, 2016, 15, accessed May 19, 2025, <https://whc.unesco.org/en/hul/>.

¹⁸⁴ UNESCO, *Recommendation on the Historic Urban Landscape*, Paris: UNESCO, 2011, accessed May 19, 2025, <https://whc.unesco.org/en/activities/638/>.

The Recommendation emphasizes that facilitating access to flexible funding, such as micro-credit schemes or public-private partnerships, supports community-based heritage enterprises and promotes local economic development.¹⁸⁵ In short, all four types of tools outlined by the HUL approach while addressing different aspects of urban heritage development, reinforce the idea that communities are active participants.

Community Engagement Tools in the HUL Approach: Best Practices and Application in Semey

The guidebooks of the HUL Approach present best practices from various cities around the world, typically structured by offering an overview of each case followed by the specific urban challenges addressed. In this section, I will focus on challenges identified by cities that are also relevant to Semey and examine the community engagement tools they employed in response. This comparative perspective will help explore how similar tools could be adapted to the Kazakhstani context, particularly in enhancing participatory governance and integrating local knowledge into heritage planning.

In one of the neighborhoods of Shanghai, the sub-district office identified several key challenges: (1) the need to improve inadequate facilities in historic buildings; (2) social and economic decline; and (3) pressures from urban redevelopment.¹⁸⁶ These challenges reflect broader patterns also observed in Semey, where many historic buildings are either partially demolished or in a state of serious deterioration. At the

¹⁸⁵ *ibid.*

¹⁸⁶ UNESCO, *The HUL Guidebook: Managing Heritage in Dynamic and Constantly Changing Urban Environments. A Practical Guide to UNESCO's Recommendation on the Historic Urban Landscape*, Paris: UNESCO, 2016, 15, accessed May 19, 2025, <https://whc.unesco.org/en/hul/>.

same time, the city is experiencing urban redevelopment, including the construction of new buildings that often disregard the historical urban fabric.

The community engagement tools employed by Chinese local authorities included surveys, public consultations, and iterative policy development informed by local input.¹⁸⁷ The implementation of the HUL approach in Shanghai brought about a significant transformation in the understanding and management of urban heritage. Instead of limiting conservation efforts to individual historic buildings, the focus broadened to encompass the entire urban fabric, taking into account the community's needs and the area's social and spatial dynamics.¹⁸⁸ This represented a shift from a static approach to a more flexible, integrated model of heritage management that embraces both historical elements and contemporary developments as parts of a cohesive urban environment.

It is noteworthy that such community-based approaches have been adopted in contexts where democratic traditions are either limited or inconsistently applied. China, for instance, is not widely recognized for its observance of democratic values; nonetheless, local authorities have demonstrated a willingness to incorporate participatory mechanisms into heritage governance. This suggests that community engagement can be pursued even within centralized or top-down political frameworks, especially when aligned with broader urban development goals.

Another comparable example is the city of Rawalpindi in Pakistan, which presents an even more critical situation, as its historic urban fabric lacks any form of legal protection. Moreover, Pakistan, like China, has a mixed record when it comes to democratic practices, yet the case of Rawalpindi demonstrates that participatory

¹⁸⁷ *ibid.*

¹⁸⁸ *ibid.*

heritage initiatives can still be effectively implemented. Shared challenges include the aging and poorly maintained condition of historic structures, alongside intense land acquisition and the unchecked development of unsuitable commercial complexes.¹⁸⁹

In the case of Rawalpindi, community engagement was also central to the early phases of the HUL implementation. The Rawalpindi Historic Urban Landscape Project (RHULP) employed a multi-level participatory strategy aimed at fostering dialogue and consensus among diverse stakeholders, including local residents, shopkeepers, schools, and government officials.¹⁹⁰ Notably, the project combined formal high-level seminars with informal and creative methods, such as art workshops organized for school students in the historic city center. These activities served not only to raise awareness about the city's cultural and historical values but also to integrate younger generations into the conversation about urban heritage.

Although Ballarat in Australia faces a different set of challenges than Semey, its use of community engagement tools—particularly digital platforms—is especially noteworthy. One standout example is the use of online crowdsourcing initiatives such as timecapsuleballarat.com, along with active engagement through social media. From the outset of the pilot project, building a strong and accessible online presence was prioritized. This led to the creation of two award-winning digital platforms, www.hulballarat.org.au and www.visualisingballarat.org.au.¹⁹¹ These tools serve not only as repositories of information about the city but also as interactive spaces for collaboration, public input, and decision-making.

¹⁸⁹ *ibid.*, 38.

¹⁹⁰ *ibid.*, 40-41.

¹⁹¹ *ibid.*, 23.

To apply similar community engagement tools in Semey, local authorities and heritage practitioners could begin by establishing participatory mechanisms that actively involve residents in identifying heritage values and shaping urban development priorities. For example, community surveys could be conducted to gather input on local perceptions of historic buildings, collective memory, and current concerns related to redevelopment in the city. As of now, no public surveys have been conducted to understand which elements of the urban landscape town residents consider as heritage. Instead, all entries in the official heritage lists have been proposed either by local authorities or by the Public Association Kraevedcheskoe Obshchestvo Priirtyshya.

It is therefore essential that any future surveys be inclusive, accessible, and carefully designed to reach a wide demographic spectrum. In line with the HUL approach, particular attention should be paid to ensuring representation of women and youth, whose perspectives are often underrepresented in heritage planning. Additionally, given Semey's bilingual environment, engagement efforts must be sensitive to linguistic diversity by offering materials and communication in both Kazakh and Russian. This would help ensure that all residents, regardless of language background, are able to contribute meaningfully to the conversation about what constitutes Semey's urban heritage and how it should be preserved and developed. Building on the Ballarat experience, similar digital engagement strategies could be adopted in Semey and more broadly across Kazakhstan. An online platform could serve as a centralized hub for coordinating heritage-related initiatives, sharing research, gathering feedback, and making planning processes transparent and participatory.

Follow-up public discussions through town hall meetings, neighborhood gatherings, or thematic workshops could serve as valuable forums for ongoing dialogue between residents, planners, policymakers and other stakeholders like businesses. These platforms would not only allow participants to reflect on and expand upon the findings of the initial surveys but also offer a structured space for residents to express their concerns and articulate visions for the future of their city. The overarching aim of such discussions would be to build consensus around which elements of Semey's architectural heritage hold the most significance for the community and how these values can be meaningfully incorporated into future development plans.

Drawing from the Shanghai example, Semey could also benefit from a step-by-step policy refinement process grounded in community reflection. This might involve starting new conservation or adaptive reuse projects with extensive media outreach in some of the most deteriorated buildings like the merchant's mansion or Telegraph building (Fig. 4). It should be accompanied with constant evaluation based on community feedback. It is important to note that all the process in Shanghai neighborhood took more than 10 years and still ongoing.¹⁹²

The HUL approach offers a compelling framework for rethinking heritage governance in Semey and more broadly across Kazakhstan. By placing community involvement at its core, the HUL model acknowledges that sustainable urban heritage management must move beyond protection of distinct buildings and engage with the lived experiences, knowledge, and aspirations of local populations. For Semey, adopting this approach would require a shift away from top-down heritage management toward participatory processes that promote transparency and shared

¹⁹² *ibid.*, 29.

ownership. While this section focused primarily on community engagement tools, other dimensions of the HUL framework warrant further exploration. Ultimately, a comprehensive adoption of the HUL approach could help Semey better balance the diverse needs of its community, contributing meaningfully to both tangible and intangible heritage preservation and sustainable urban development.

Conclusion

In the context of Kazakhstan, where heritage governance remains largely centralized and often detached from community needs, discussed international recommendations present both a challenge and an opportunity. By adapting the participatory principles of the Faro Convention and the tools of the HUL Approach, Kazakhstan can begin to shift towards a more inclusive model that recognizes both the tangible and intangible dimensions of its cultural heritage. Such a shift would better meet the needs of the community, other stakeholders and will facilitate sustainable urban development. However, for these international frameworks to be effectively implemented, Kazakhstan must first adapt its legislative and institutional frameworks. This adaptation requires not only legal reforms to decentralize decision-making but also the development of institutions that can facilitate local participation in heritage governance.

Conclusion

In this thesis, I explored the formal protection framework for architectural heritage in Kazakhstan, with a particular focus on the city of Semey. The research revealed a range of challenges from vague legal definitions to weak enforcement mechanisms, but the overarching issue tying many of these problems together was the highly centralized, top-down approach to heritage governance and the absence of effective mechanisms for public participation. In response, the last chapter examined two major international frameworks that promote participatory governance in heritage management: the Faro Convention and the Historic Urban Landscape (HUL) approach. By analyzing how these models might be adapted to Kazakhstan's context and particularly in Semey, the study offers practical strategies for making heritage protection more inclusive, transparent, and sustainable.

Kazakhstan's heritage protection is grounded in a centralized system shaped by the Constitution, the 2019 Law on the Protection and Use of Historical and Cultural Heritage, and a series of supporting follow-up regulations. Key institutions, such as the Ministry of Culture and local authorities, play central roles in the identification, conservation, and monitoring of heritage assets. Financial mechanisms like the "Cultural Heritage" program (2004–2011) and tax incentives further demonstrate the state's commitment to heritage preservation. However, this commitment is primarily directed at monumental, state-defined heritage, and the system relies heavily on expert-led processes that leave little room for public engagement.

Several systemic shortcomings emerged from the analysis. First, there is a lack of clarity in key legal definitions i.e. terms like "special significance" remain vague, enabling arbitrary inclusion or exclusion of heritage sites from official registries. Second, enforcement tends to be reactive rather than preventive. Monitoring remains

inconsistent, and penalties such as the fines outlined in the Administrative Code are insufficient to deter neglect or illegal demolition. Third, the governance structure is predominantly top-down. The absence of community voices in the processes of listing, monitoring, and decision-making weakens transparency and undermines local stewardship. Finally, built heritage receives only superficial attention in existing urban planning frameworks. Although Semey's General Plan (2040) acknowledges the city's architectural heritage, it falls short of fully integrating heritage conservation into broader development strategies.

To address these gaps, this study advocates for the adoption of participatory principles derived from the Faro Convention and the Historic Urban Landscape (HUL) approach. These international frameworks offer conceptual and practical tools that could shift the Kazakhstani system toward more inclusive governance. Legal reform would also be essential for enabling such a transformation. Revisions to existing laws, such as amending Article 2 of the 2019 Law to mandate community consultation in heritage designation, could institutionalize participatory governance. Additionally, the development of monitoring systems that involve both state and civil society actors would increase accountability and responsiveness.

This thesis provides the first comprehensive analysis of Kazakhstan's heritage legal and institutional frameworks from a heritage management perspective. It contributes to international conversations about democratizing heritage governance by demonstrating how Kazakhstan's current Soviet-influenced system could evolve through targeted reforms. The study recommends several practical measures: clarify legal terminology such as "special significance" and introduce differentiated levels of protection to reduce arbitrary delisting; create legal mechanisms for community-led heritage initiatives; integrate conservation into urban planning by applying HUL

principles; and strengthen capacity by training experts in imperial-era architecture and promoting heritage education at the school level.

These findings open new avenues for further research. Future studies could explore the feasibility of piloting HUL tools in Semey, especially if led by local authorities with access to more comprehensive data. Other potential candidates for applying the HUL approach in Kazakhstan include cities like Oskemen and Pavlodar, which feature rich historical and industrial landscapes. Similarly, cities across other Central Asian republics or broader post-Soviet regions could provide valuable contexts for investigating the application of the HUL approach, offering diverse heritage dynamics and urban challenges.

Kazakhstan's architectural heritage, which reflects the country's multicultural and multi-layered past, requires a governance model that values both preservation and people. By embracing participatory and inclusive frameworks, Kazakhstan can move beyond treating heritage as a static, state-controlled asset and instead foster a living legacy shaped and shared by communities. This transformation would not only help protect endangered sites like the merchant's mansions of Semey, but also anchor heritage more firmly in the collective memory and identity of the people it belongs to.

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