

THE CONSTITUTIONAL PURPOSE OF THE PROSECUTION AUTHORITIES IN THE REPUBLIC OF KAZAKHSTAN AND FOREIGN COUNTRIES

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In our country, qualitatively new laws emerged, arising from the main provisions of the annual Messages of the Head of State to the people of Kazakhstan and allowing for a different look at existing problems, in which the protection of the rights and freedoms of citizens is determined as the main priority. The policy pursued by the President of the Republic of Kazakhstan N.Nazarbayev to improve all branches of the legal system, including the criminal legislation, significantly changed the legal consciousness and legal culture of the citizens of our country. Legislation in our country is formed in close relationship with the history, culture and traditions of the peoples of Kazakhstan[1]. Everything positive is selected, as more advanced, which, of course, can only improve the current legal system of our state, promote the effective administration of justice and the establishment of legality.

The advantage of Kazakhstan's legislation over the legal systems of other countries lies precisely in the fact that it serves, above all, the interests of the people of our multinational state. Legal reform affects all areas of prosecutorial activity, which actively contributes to the development of the legal system of the state. Despite the positive changes in legislation, the structure of the prosecution authorities of Kazakhstan, with some exceptions, has remained unchanged until today.

The adoption of August 30, 1995 was an important significant event in the history of the constitutional-legal development of sovereign Kazakhstan. Constitution Republic of Kazakhstan, as well as of laws On Amendments and Additions to the Constitution of the Republic of Kazakhstan" dated October 7, 1998, dated May 21, 2007 and February 11, 2011.

These laws laid the political and legal basis for the new stage of the constitutional development of Kazakhstan's statehood, reflected qualitative changes in constitutional construction, secured the institution of a strong presidency, the bicameral structure of Parliament, modernized the procedure for forming the composition of the Government and the Constitutional Council, improved the legal acts of the prosecution authorities, laid the foundations of innovative technologies in the political sphere.

Due to the amendments, political stability and controllability of constitutional-legal processes were ensured. The President, as the guarantor of the Constitution, has become a full subject of legislative initiative, as well as the right to initiate a revision of the final decisions of the Constitutional Council, the need to adopt a number of new laws is discussed. Today, with the help of the Constitution, a wide range of social relations is regulated, the continuity of the constitutional process is ensured, a careful attitude is maintained in the language sphere, to interethnic values and traditions of various ethnic groups.

The Constitution introduces a certain orderliness in the system of political-imperious relations, determines the relationship between the state and the individual, creates the necessary legal environment for the development of ideas of constitutionalism. The Constitution also has an enormous social value, since it regulates the relations between various social groups, establishes the foundations of the socio-economic system, the legal status of the individual, the principles of equality and tolerance, justice and non-discrimination. These principles are not only the fundamental basis of constitutionalism, but also the most important constitutional values.

Over the years of independence, the practice of constitutional review has been significantly enriched. Acts of official interpretation began to affect various aspects of the political and socioeconomic life of society, to be reflected in the norms of laws. Topical become questions formations constitutional about legal awareness Problems constitutional responsibility .

On the basis of the Constitution, a number of the most important constitutional acts regulating the status and powers of the supreme bodies of state power were adopted, the legal foundations for holding elections and the progressive development of public institutions aimed at sustainable socio-economic development of Kazakhstan were created.

At the same time, the ambitious tasks outlined by the President of the Republic of Kazakhstan regarding the entry of Kazakhstan into the thirty most developed countries of the world referendum. Many laws have been adopted to promote take req sary measures by perfection acting legislation, responding modern needs of dynamically developing Kazakhstan society .

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Over the years of independence, the practice of constitutional review has been significantly enriched. Acts of official interpretation began to touch on various aspects of the political and socio-economic life of society, to be reflected in the norms of laws. Issues of forming a constitutional sense of justice, problems of constitutional responsibility and a multiparty system have become topical.

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oblige the state to take the necessary measures to improve the current legislation that meets the current needs of a dynamically developing Kazakh society.

In the conditions of further development and improvement of the public administration system, law and legislation, the prosecution authorities are given the task of ensuring the legality of the implementation of these processes, which, in turn, implies a scientifically based development of prosecutorial oversight. This is fully consistent with the provisions of the Concept of Legal Policy of the Republic of Kazakhstan: the prosecutor's office, combining a wide range of oversight functions with criminal prosecution, requires the maximum use of its potential and the powers granted by law for the approval and further development of the ideas of the rule of law, the inviolability of the Constitution [2].

At present, there is a need to intensify the activities of the prosecution authorities in dealing with public authorities in order to increase the effectiveness of the work of prosecutors in the implementation of their tasks, primarily in the field of supervision over the implementation of laws. This interaction should be considered "not only as the main component of organizing the activities of the prosecutor's office, but also as a full-fledged institution that can be positioned as having an auxiliary character, due to its peculiarities, designed to ensure proper implementation of the functions assigned to them by law by prosecutors" [3, p. 3].

Legislative confirmation of the prosecutor's office is defined in st. 83 The Constitution of the Republic of Kazakhstan, which defines the main directions of prosecutorial supervision, competence, organization and procedure for its activities [4].

The prosecutor's office of Kazakhstan, having a constitutional supervisory function, from the standpoint of the law affects all branches of government, thereby contributing to their normal activities, including the implementation of the requirements of the Constitution.

In scientific circles and among many practitioners from other law enforcement agencies, the question of a radical narrowing of the sphere of competence and a significant reduction in the scope of powers of the prosecutor's office is being actively discussed [5].

However, none of the control agencies operating today in our country can replace and never replace the universality of the prosecutor's office in the administration of the implementation of laws in various fields of state activity, which today is the only body that can coordinate the activities of all law enforcement agencies to improve the effectiveness to combat offenses by developing and implementing concerted actions by law enforcement agencies for the timely detection, disclosure, suppression and prevent crime, eliminate the causes and conditions conducive to their commission, search for new ways to effectively combat crime, take

urgent measures and promptly respond to any violations of the law and seek to eliminate them as soon as possible.

At the same time, it is important that in a phased modernization of state and political institutions there should be a simultaneous change in the legal culture of society, adequate to the processes of democratization. At the same time, it should be noted that, despite the constant improvement of the legal system of society, a fundamental change in its content and essence, the legal culture of the population has not changed much since the beginning of democratic reforms in Kazakhstan. The democratic legal reality is formed with great difficulty precisely because of the continuing legal nihilism, the legal illiteracy of the population. Remaining within the framework of the old legal thinking it is impossible to solve the tasks of the formation of a modern legal system corresponding to the global challenges of the 21st century.

One of the issues closely related to organizational and legal measures, in accordance with the provisions of the Legal Policy Concept, is legal education issues. The society and the state need legal personnel of a new formation, patriotic and focused on the protection of the rights and freedoms of a person and citizen, the interests of society and the state. Indeed, in the conditions of the formation of the legal statehood, it is important that the rules of law be fulfilled by virtue of a deep inner conviction in their social necessity, importance, and justice. It is important to pay attention to the factor that law as an element of the spiritual culture of a society, legal culture in all its diversity of manifestations, occupies a special place in the general culture. It is this approach that should underlie the legal education system, which requires an all-round restructuring in the context of the requirements of the Legal Policy Concept.

References:

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ДЕЯТЕЛЬНОСТЬ ПРАВИТЕЛЬСТВА РЕСПУБЛИКИ КАЗАХСТАН В СФЕРЕ ОБОРОНЫ, БЕЗОПАСНОСТИ, И ОХРАНЫ ПРАВОПОРЯДКА

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Правительство Республики Казахстан является составной частью государственного аппарата, в который входят все государственные органы независимо от принадлежности к определенной ветви власти. Правительство, как было отмечено выше, взаимодействует с органами представительными и судебными, а также с органами, не входящими в структуру Правительства, но являющимися центральными исполнительными органами. В процессе осуществления своих полномочий Правительство вступает в определенные государственно-правовые и административно-правовые связи с подчиненными органами, с органами, стоящими наравне и выше.

Вся деятельность органов власти Республики Казахстан, в том числе и Правительства, направлена на повышение благосостояния и безопасности государства, народа, групп людей и каждого человека. Согласно Конституции Республики Казахстан функциям Правительства по обороне и охране правопорядка, можно отнести: обеспечение осуществления правовой реформы; разработку и реализацию мер по охране и защите прав и свобод граждан, обеспечение законности и правопорядка, безопасности и обороноспособности республики, территориальной целостности и охраны государственных границ республики.