власти, как местный, так и центральный, любое должностное лицо, все граждане, их объединения обязаны соблюдать Конституцию.

Из приведенных аргументов, из статей Конституции и других источников можно сделать вывод, что Конституция действительно является основой для формирования правовой системы Казахстана. Его значение для дальнейшего развития государства и общества можно сформулировать рядом выводов.

1. По своей сути и содержанию, которые обусловлены общечеловеческими ценностями и общедемократическими принципами, она полностью соответствует общепризнанным принципам и нормам международного права, европейским и мировым стандартам конституционного законотворчества. Конституция не только использует опыт конституционного развития передовых демократических государств, но и учитывает практику текущего законодательного регулирования общественных отношений в Казахстане на современном этапе.

2. В отличие от ранее действовавших, Конституция 1995 года в принципе отражает фактическое положение в стране реальные потребности социально-политического развития.

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## CORRELATION OF LEGAL NORMS OF INTERNATIONAL LAW AND DOMESTIC

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The norms of international law are created by states as the main subjects in the process of multifaceted cooperation in various fields in accordance with their internal and external needs and interests. It is generally accepted that, firstly, international and domestic law are independent, although interrelated legal systems, and that, secondly, international and domestic law are in constant interaction, contact, exercising mutual influence on each other. In the science of law, the problem of correlation and connection between the systems of international and national law has received considerable attention. To a much lesser extent, the question of the interaction of the national legal systems themselves was developed, which, undoubtedly, is one of the essential links of a more general interaction in law, namely between the systems of international and domestic law. At the same time, it is necessary to emphasize that, speaking of such interaction, one should take into account the multiplicity of heterogeneous and diverse national legal systems.

The problem of the relationship between international and domestic law is central in the theory of international law, since in the course of its practical research it is possible to specifically compare the objects of regulation of each of the systems, to identify specific

features, spatial and subject-object spheres of action, their methods of regulation, and also to determine the forms and ways of implementing the norms within a particular country.

The increase in the interconnectedness of international and domestic law in the modern world is manifested in an increase in the number of international treaties and national legal acts devoted to similar or similar subjects of regulation, in strengthening the role and importance of unified regulation carried out through international treaties, certain public relations within the framework of international economic turnover. . In particular, the issues of concluding, executing and denouncing international treaties are regulated by the norms of not only international, but also domestic law. Or, let's say, this fact: over 90 states are parties to the General Agreement on Tariffs and Trade (GATT) - a multilateral international treaty that regulates the trade policy of the participating countries,

The fundamental basis for the interaction of national and international law is the sovereignty of states, the laws of development of human society.

The main aspects of the problem of the relationship between international and domestic law are: 1) the independence of the systems of international and domestic law in relation to each other; 2) the influence of the internal law of individual states on the formation and development of the principles and norms of international law, on the one hand, and the influence of international law on the internal law of individual states, on the other; in other words, it is necessary to emphasize the actual interaction of systems; 3) the hierarchical relationship between the norms of international law and the norms of national legislation (law as such).

The actual interaction of the systems of international and domestic law is made up of the historically objective primary influence of domestic law on international law in the process of forming its norms and the influence of already existing norms of international law on the further development of national legislation and, in general, on the state of law in a particular country. In this regard, one special circumstance should be noted that characterizes the interaction of the systems of international and domestic law. It consists in the fact that such interaction occurs at the level and in the form of mutual influence of the sources of law of each system on each other.

The primacy of the influence of domestic law on international law in today's world should not be understood as recognition of the primacy of domestic law over international law. First of all, it is about the fact that states, entering the process of developing the norms of international law, proceed from those opportunities for manifesting their will that are provided to them by national legislation, internal socio-economic and political foundations of the state structure. Therefore, it is possible to talk about the influence of the national law of individual states on international law, first of all, in relation to the norms of the fundamental laws of these countries - constitutions or other acts that fix the fundamental principles of their domestic and foreign policies.

The impact of the principles and norms that have developed in the domestic sphere (mainly constitutional, but not necessarily only those) on international law in the framework of the norm-formation of the latteris the most striking and typical form of influence. There are a wide variety of examples here. In particular, the connection between the provisions of Russian and then Soviet legislation and the subsequent consolidation in the UN Charter[2] (clause 2, article 1) of such a norm as the principle of self-determination of peoples is known. Similarly, the proclamation by the Soviet Union in internal law, including in acts of nationalization, of the right of the state to create state property in this way and in the future the consistent and unswerving upholding of this right in practice, i.e. in the process of real implementation of international political and trade and economic relations, led to the recognition of the equality of two forms of ownership,

Similarly, the inclusion by developing countries in the texts of their constitutions or other fundamental national acts of inalienable sovereignty over natural resources and wealth, with the effective support of other states, led to the emergence and normative consolidation in international treaties of another special principle of international economic law.

No less significant is such a direction of influence as changing, deepening and developing the content, expanding the scope and increasing the effectiveness of existing international legal norms under the influence of national law. For example, in international law, the principles of the territorial integrity of states and the inviolability of state borders have developed. According to these principles, states do not have the right to arbitrarily change unilaterally (forcibly) the position of the border line. To ensure the inviolability of the border, the neighboring states establish a mutually agreed border regime, including the issues of passing and marking the state border, the procedure for using border waters and communications, forest, hunting, agricultural and other lands near the border, etc.

The internal legislation of a number of neighboring states and their international agreements establish some special institutions, such as, for example, joint border inspection commissions and border commissioners (commissioners). The latter, in order to strengthen good-neighborly relations and develop peaceful cooperation between states bordering each other, carry out timely and adequate settlement of various border incidents that arise between the parties. Thus, the legal content of the rights and obligations of states associated with the principle of respect for the inviolability of borders also implies the establishment of special bodies similar to the above.

There are a number of areas of public life in which the influence of international law on the sphere of national legal regulation is most active and noticeable.

Another area that is directly affected by international law is the domestic regulation of the organization and provision in general of the external relations of a given country with other states (diplomatic representation, representation in international organizations), as well as the conclusion, execution and denunciation of international treaties. Equally important is the area of protection and implementation of human rights and freedoms. The situation in the modern world today is such that states cannot but rely on human rights standards developed in the international sphere when creating national legal norms or in the course of law enforcement.

In order to be actively present in the international arena and participate in solving specific international problems, states must enter into various political and other relations with other states, conclude international treaties, and do this not only in accordance with their own norms of national legislation, but also obey the norms and principles international law. Thus, in order to avoid conflicts, one should have a national law that would not contradict the provisions of international law. Such harmonization of international and domestic law can be achieved in several ways.

Although international law does not prescribe how a state will implement its international legal obligations, since this lies entirely in the plane of the implementation of state sovereignty, it cannot be said that international law ignores this issue. The mechanism for coordinating and linking international and national law is based on the principle that the state ensures the implementation of an international treaty by all power actions at its disposal in accordance with constitutional and other prescriptions[3].

In conclusion, it should be emphasized once again that the relationship between international and domestic law is characterized by a special state - constant and inseparable interaction, confirmation of which can be found, in particular, in the law of treaties: on the one hand, a party to a treaty cannot refer to the provisions of its internal law as justification for non-fulfilment of the treaty by him (Article 27 of the Vienna Convention on the Law of Treaties of 1969), because by virtue of international law, the state must, on the basis of obligations concluded in the treaty, bring its domestic legislation into line with the international treaty. On the other hand, violation of certain provisions of domestic law in a number of circumstances,

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## SPECIAL ECONOMIC ZONES: KAZAKHSTANI EXPERIENCE IN THEIR CREATION

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A notable phenomenon in the world economy of the second half of the 20th century is the so-called. "free (special) economic zones" (FEZ).

Free economic zones have become widespread in many countries. In the mid-1990s, more than 4,000 different kinds of free economic zones functioned in the world (from customs zones to industrial parks, from free trade zones to offshore zones). According to Western experts, by the year 2000 up to 30% of world trade will pass through various free economic zones. International corporations, in search of preferential conditions for their activities, consider SEZs as favorable formations where they can get super profits. The largest international corporations consider the organization of their own production in free economic zones the most important direction of their expansion.

Free economic zones are part of the national economic space, where a special system of benefits and incentives is used, which is not used in other parts of the country. As a rule, the SEZ is, to one degree or another, a separate geographical territory.

In scientific publications and reports of international organizations, the term “free economic zones” is used to characterize various kinds of zones. However, this term does not fully reflect the essence of this phenomenon. So, in many of them, the applied economic rules, levers, special administrative laws do not at all exempt from a certain legal and economic regime, but only facilitate it, provide benefits that stimulate entrepreneurship. In fact, the state only reduces the scale of its intervention in economic processes.

The Special Economic Zone is a limited territory of the Republic of Kazakhstan, where a special legal regime operates.

A special economic zone is created for a certain period by the Decree of the President of the Republic of Kazakhstan on the proposal of the Government of the Republic of Kazakhstan, based on proposals from representative local and executive bodies.

The state continues to form an adequate legal framework to protect the rights of investors. The constant dialogue of the state with foreign owners of capital and Kazakh entrepreneurs is aimed at providing the most attractive conditions for doing business in the republic. To this end, Kazakhstan, on the basis of effective world practice, has created special economic zones.

Special economic zones are created in order to accelerate the development of regions to enhance the entry of the republic's economy into the system of world economic relations, the development of one or several branches of new technologies, the creation of highly efficient export-oriented industries, the development of new types of products, attracting investments, working out the legal norms of market relations, introduction of modern methods of management and management, as well as solving social problems.

The creation of free economic zones is considered by their founders as importanta link in the implementation of the principles of an open economy. Their functioning is associated with the liberalization and activation of foreign economic activity. The economy of free economic zones has a high degree of openness to the outside world, and the customs, tax and investment regime is favorable for foreign and domestic investment.