

Әскери қызметкер әйелдер ана мен баланы қорғау, әйелді әлеуметтік қорғау сұрақтары бойынша Қазақстан Республикасының заңнамалық актілерінде қарастырылған барлық жеңілдіктерді қолдана алады. Бұл жеңілдіктер балаларын анасыз тәрбиелеп отырған барлық әскери қызметкерлерге қолданылады (оның қайтыс болу жағдайында, ата-ана құқығынан айырған және заңмен бекітілген өзге де жағдайлар).

Әскери қызметкерлер арнайы әскери оқу орындарында оқуға құқылы.

Арнайы әскери оқу орындарын бітірген әскери қызметкерлер біліктілікті көтеру мен қайта дайындау курстарында оқуға мүмкіндіктері бар.

Әскери қызметкерлерге (мерзімді әскери қызметке шақырылғандар мен (арнайы) әскери оқу орындарындағы курсанттардан басқа) әскери құрама және басқа әскер түрінде, олар әскери қызметін өткенде құрылым, Қарулы Күштердің басшыларының келісіміне сәйкес Қазақстан Республикасының еңбек заңнамасына сәйкес сессиялық және қорытынды емтихандар тапсыруға демалыстар ұсына отырып, сырттай немесе кешкілік оқу нысаны бойынша орташа, жоғарыдан кейінгі, жоғары оқу орындарынан кейін және қосымша білім беру ұйымдарында оқуға рұқсат етіледі.

Оқу кезінде әскери қызметке шақырылған тұлғалар әскери қызметтен шығарылғаннан кейін әскери қызметке шақырылғанға дейін оқыған оқу орындарында оқуын жалғастыруға құқылы.

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2. Қазақстан Республикасының «Әскери қызметшілер мен олардың отбасы мүшелерінің мәртебесі және оларды әлеуметтік қорғау туралы» Заңына 20 қантар 1993 ж. (2008 жылғы 27 маусымдағы № 626 толықтырулар мен өзгерістер). — [ЭР]. Қолжетімділік тәртібі: zakon.kz

3. Қазақстан Республикасының «Зейнетақымен қамтамасыз ету туралы» 2013 ж. 21 маусымдағы № 105-V Заңы. (10.06.2014 ж. өзгерістер мен толықтырулар). — [ЭР]. Қолжетімділік тәртібі: zakon.kz

4. Постановление Правительства РК от 26 августа 1998 года № 803 «Об утверждении правил исчисления выслуги лет военнослужащим, сотрудникам органов внутренних дел, финансовой полиции, противопожарной службы, уголовно-исполнительной системы Министерства юстиции РК, назначения и выплаты единовременных пособий». — [ЭР] Режим доступа: www.zakon.kz

FUNDAMENTALS OF REGULATION OF THE RIGHT TO ENVIRONMENTAL MANAGEMENT AND ENVIRONMENTAL PROTECTION IN THE REPUBLIC OF KAZAKHSTAN

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The use of nature is explained by the separation of economic, environmental, cultural and recreational, spiritual and ethical needs of a person and society from the properties of the natural environment.

The objective meaning of the right to use natural resources is that it reflects a set of legal norms regulating the rights and obligations of Natural users, conditions and procedures for using natural resources.

The subjective meaning of the right to use natural resources is that (environmental laws) are a set of environmental laws and established rights of a particular natural user in the use and disposal of Natural Resources.

The principles of Environmental Management Law are scientifically proven characteristics, purpose, efficiency, complexity, licensing, and quotas.

Scientifically proven nature use means that it relies on the laws of nature development, including environmental and economic interests. The right to use nature is carried out purposefully. Specific natural resources, plots, objects and part of them in accordance with their intended purpose are transferred to a separate natural user by the state, which must be fixed in connection with the decision of the right of use. The state indicates that the provision of a land plot to a citizen for use, the purpose of which is to conduct peasant farming - the act of land use right is issued by the akimat. Failure to use the transferred objects and plots for their intended purpose is a violation of the law and entails withdrawal with termination of the right to use nature[1. 143].

Citizens' rights to a favorable environment are the main legal component of General Environmental Management in the Republic of Kazakhstan and an integral part of constitutional rights related to the protection of citizens' health.

According to the Constitution of the Republic of Kazakhstan, the rights of people are ensured by a wide range of cleaning measures related to environmental protection.

Environmental cleaning is a set of organized, legal, sanitary and hygienic measures of economic activities for the consciousness of the human environment and human health. The legal object of a citizen's favorable environment is natural resources: clean atmospheric air, water, natural zones, forests, national natural parks, recreational zones, sanitary and resort areas, etc. these rights are provided for further development by the laws of the Republic of Kazakhstan.

The right of citizens to a favorable environment corresponds to the obligation of the state body, Enterprise, State, organization and other public organizations to carry out sanitary and hygienic measures aimed at reducing and preventing harmful consequences for people and their environment, public recreation, conditions for improving work and life, improving the environment[2. 98].

In accordance with Article 5 of the law of the Republic of Kazakhstan on Environmental Protection, adopted on July 15, 1997, the rights and obligations of citizens related to environmental protection are specified.

Every citizen and stateless person living in the territory of the Republic of Kazakhstan, as well as foreigners, has the right to an environment favorable to life and health, to receive correct information about its condition, to receive compensation for damage caused to their health and property as a result of violations of the legislation on Environmental Protection.

Citizens:

- participate in the use of Natural Resources in accordance with the established procedure, in the implementation of measures to protect and replenish them, in the protection and improvement of the environment;
- create public associations and public funds that protect the environment;
- meetings, rallies on Environmental Protection, for pickets, marches and demonstrations, referendums to participate;
- submit letters, complaints, applications and proposals to the state, bodies and organizations on environmental issues and demand their protection;
- make a proposal for conducting a public environmental assessment and participate in it;
- require administrative or judicial procedure and cancellation of decisions on the placement, construction, reconstruction and commissioning of enterprises, structures and other environmentally harmful objects, as well as on the restriction, suspension and termination of economic and other activities of legal entities that have a negative impact on the environment and human health;
- to raise questions about bringing guilty organizations, officials and citizens to justice, to file a claim in court for compensation for damage caused to their health and property as a result of violation of the legislation on Environmental Protection;
- exercise other rights provided for by legislative acts and other normative legal acts in accordance with the established procedure[3].

Every citizen is obliged to protect the environment and take care of Natural Resources, comply with laws on Environmental Protection, improve their level of environmental education and promote environmental education of the younger generation.

The Constitution of the Republic of Kazakhstan and other environmental laws impose certain rights and obligations on citizens related to the natural environment. According to Article 38 of the Constitution of the Republic of Kazakhstan, citizens are obliged to preserve nature and take care of Natural Resources.

Scientifically proven nature use means that it relies on the laws of nature development, including environmental and economic interests. The right to use nature is carried out purposefully. Specific natural resources, plots, objects and part of them in accordance with their intended purpose are transferred to a separate natural user by the state, which must be fixed in connection with the decision of the right of use. The state indicates that the provision of a land plot to a citizen for use, the purpose of which is to conduct peasant farming - the act of land use right is issued by the akimat. Failure to use the transferred objects and plots for their intended purpose is a violation of the law and entails withdrawal with termination of the right to use nature.

Citizens' rights to a favorable environment are the main legal component of General Environmental Management in the Republic of Kazakhstan and an integral part of constitutional rights related to the protection of citizens' health[4. 9].

According to the Constitution of the Republic of Kazakhstan, the rights of people are ensured by a wide range of cleaning measures related to environmental protection.

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- participate in meetings, rallies, pickets, marches and demonstrations, referendums on Environmental Protection;

- state bodies and organizations on environmental issues;

- Submit letters, complaints, applications and proposals to organizations and require their protection;

- make a proposal for conducting a public environmental assessment and participate in it;

- require administrative or judicial procedure and cancellation of decisions on the placement, construction, reconstruction and commissioning of enterprises, structures and other environmentally harmful objects, as well as on the restriction, suspension and termination of

economic and other activities of legal entities that have a negative impact on the environment and human health;

- to raise questions about bringing guilty organizations, officials and citizens to justice, to file a claim in court for compensation for damage caused to their health and property as a result of violation of the legislation on Environmental Protection;

- exercise other rights provided for by legislative acts and other normative legal acts in accordance with the established procedure[5. 87].

Every citizen is obliged to protect the environment and take care of Natural Resources, comply with laws on Environmental Protection, improve their level of environmental education and promote environmental education of the younger generation.

The Constitution of the Republic of Kazakhstan and other environmental laws impose certain rights and obligations on citizens related to the natural environment. According to Article 38 of the Constitution of the Republic of Kazakhstan, citizens are obliged to preserve nature and take care of Natural Resources.

Compliance with laws related to nature protection should be the life norm of every citizen.

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КУЛЬТУРНЫЕ ПРАВА КАК ОСОБЫЙ КОМПЛЕКС ПРАВ И СВОБОД ЧЕЛОВЕКА

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На протяжении всей истории человечества культура является базовым фактором прогрессивного развития, при этом в современных условиях общий уровень культуры общества является основой социальных взаимосвязей. По существу, современные общественные отношения и есть культура в её практической реализации. В современных условиях важное значение приобретают проблемы развития правовой культуры, которая в большой степени зависит от уровня общей культуры общества как совокупности социальных и морально-нравственных ценностей, определяющих поведение человека. На сегодняшний день проблема повышения правовой культуры и общей культуры общества является актуальной и развитие культурных прав призвано улучшить эту ситуацию. В этом контексте культурные права рассматриваются как возможности личности в сфере образования, культуры, науки, творчества направленные на реализацию своих и общественных потребностей и интересов. С юридической точки зрения культурные права - это юридически закрепленные возможности человека в сфере научной, творческой, интеллектуальной деятельности охватываемой понятием современная культура. Наличие и реализация культурных прав является базовой предпосылкой формирования правового поведения, определенного в праве как правомерное и социально одобряемое поведение. Это поведение должно стать основой всех общественных отношений в современном гражданском обществе и правовом государстве. К культурным правам можно отнести и претензии общества на организованную систему юридических и организационных