

Vol. 2. No. 1. June, 2020
№ 1. Июнь, 2020
AlmaU Press

EAJOL

**EurAsian
Journal of
Leadership**

 EurAsian
Journal of
Leadership



ALMA
ALMATY MANAGEMENT
UNIVERSITY

Vol. 2. No. 1. June, 2020.
№ 1. Июнь, 2020.
AlmaU Press

EAJoL

EurAsian Journal of Leadership

 EurAsian
Journal of
Leadership



EDITORIAL BOARD

Yerbol Suleimenov, Candidate of Mathematical Sciences, Rector of Almaty Management University, AlmaU (*Kazakhstan*)

Aigerim Kaumenova, DBA, Advisor to the Rector, Almaty Management University, AlmaU (*Kazakhstan*)

Askar Nursha, Candidate of Historical Sciences, Dean of the School of Public Policy and Law, AlmaU (*Kazakhstan*)

Elvira Aidarkhanova, Ph.D Candidate, Assistant Professor-Researcher, AlmaU (*Kazakhstan*)

Abel Polese, Ph.D, Senior Research Fellow, Dublin City University (*Ireland*)

Alberto Frigerio, Ph.D, Associate Professor, School of Public Policy and Law, AlmaU (*Kazakhstan*)

Alma Temirbekova, Doctor of Sciences in Economics, Professor, AlmaU (*Kazakhstan*)

Aigerim Serikbekova, Master of Science, Chief Specialist, Research and Development Department, AlmaU (*Kazakhstan*)

Zhuldyz Elubayeva, Doctor of Sciences in Economics, Professor, AlmaU (*Kazakhstan*)

Alimshan Faizulayev, Ph.D, Assistant Professor, KIMEP University (*Kazakhstan*)

Irina Khan, Candidate of Sciences in Philosophy, Professor Emeritus, AlmaU (*Kazakhstan*)

Pramod Jaiswal, Ph.D, Research Director at Nepal Institute for International Cooperation and Engagement (*India*)

Gabit Konusov, Candidate of Philosophical Sciences, Analyst-Manager, Kazakhstan Institute for Social Development (*Kazakhstan*)

Nina Nikiforova, Doctor of Sciences in Economics, Professor Emeritus, AlmaU (*Kazakhstan*)

Gulnar Kurenkeyeva, Candidate of Sciences in Economics, Dean of the Graduate School of Business, AlmaU (*Kazakhstan*)

Azhar Serikkaliyeva, Ph.D., Research Fellow, AlmaU (*Kazakhstan*)

Madina Smykova, Candidate of Sciences in Economics, Professor Emeritus, AlmaU (*Kazakhstan*)

Joanna Koczar, Ph.D, Professor, Wroclaw University of Economics and Business (*Poland*)

Bakhytzhan Alzhanuly, Ph.D Candidate, Director of Research and Development Department, AlmaU (*Kazakhstan*)

Bayansulu Markhaeva, Doctor of Sciences in Economics, Professor, AlmaU (*Kazakhstan*)

Lesya Karatayeva, Doctor of Historical Sciences, Chief Researcher, Kazakhstan Institute for Strategic Studies (*Kazakhstan*)

Christian Brauweiler, Ph.D, Professor, Zwickau University of Applied Sciences (*Germany*)

CALL FOR PAPERS

The emergence and activity of the EurAsian Journal of Leadership publication is driven by Kazakhstan's continued commitment to developing education and research. Almaty Management University (AlmaU) aims to contribute to Kazakhstani research through developing a high-quality periodical Journal dedicated to the themes of management and leadership.

Academic areas considered for the Journal:

Management:

- Engineering Management
- Strategic Management
- Education Management
- Healthcare Management
- Corporate Management
- Human Resources Management
- Project Management
- Leadership

Regional Development and Public policy:

- Public Administration
- Regional Studies
- Political Science
- International Relations
- Public Relations
- Law

Information Technology:

- Big Data
- Information and Communication Technology
- Information Systems
- Neural Networks and Artificial Intelligence

Entrepreneurship:

- Entrepreneurship
- Corporate Entrepreneurship and Innovation
- Social Entrepreneurship

Finance:

- Corporate Finance
- International Finance
- Accounting and Audit
- Financial Analytics

Other areas:

- Economics and Econometrics
- Tourism and Hospitality
- Marketing
- Neuromarketing and Neuro-linguistics
- Sociology
- Logistics

The publication languages are English, Russian and Kazakh.

All papers go through an anti-plagiarism check and as well as a double-blind review process.

The format of the journal publication is online and open-access.

Kind regards,

Research and Development Department

Almaty Management University, Almaty, 050060, KAZAKHSTAN

e-mail: research@almau.edu.kz

EurAsian Journal of Leadership

Copyright © 2020. AlmaU Press. All Rights Reserved.

стр.

CONTENTS

- 5** **Социальные технологии и гражданская ответственность современного университета**
Асылбек Кожакметов, Нина Никифорова, Мадина Смыкова
- 16** **Citizenship issues in the Republic of Kazakhstan and the UK: legal-comparative analysis**
Aidana Otynshiyeva
- 24** **Financial performance of banks: case of countries with negative interest rate**
Aliya Bazarbayeva, Akzhan Sailau, Alimshan Faizulayev
- 34** **Business Opportunity for Greenhouse Gas Emission**
Nasreddine Guerfala
- 47** **Failures in the International Legal Approach to Terrorism**
Ryan Michael Schweitzer
- 53** **Человеческий фактор как гарант безопасности полетов**
Гаухар Мысаева
- 66** **Діни білім беру посмодерн дәуірінде дүниені және өмірді тану үлгісі ретінде**
А. Алтайқызы
- 74** **Форсайтные матрицы — инструмент стратегической трансформации многопрофильной
индустриальной корпорации**
Бауржан Дүйсебаев, Калилалло Байтасов
- 84** **Рецензия на монографию И. Савина «Россия и обеспечение безопасности стран Центральной Азии»**
Габит Конусов

Citizenship issues in the Republic of Kazakhstan and the UK: legal-comparative analysis*

A. Otyynshiyeva

Ph.D, Al-Farabi Kazakh National University. Kazakhstan, Almaty

e-mail: aidana-best91@mail.ru

<https://orcid.org/0000-0001-7637-842X>

Abstract. The article examines the citizenship issues based on the experience of the Republic of Kazakhstan and the United Kingdom. A comparative analysis of the scientific views of domestic and foreign scientists; reveals the problematic aspects of protecting citizenship institute.

In the era of globalization, the role of the citizenship in solving urgent problems of human civilization is growing. In recent years, dramatic changes have occurred in the global legal system and the legal system of Kazakhstan. These changes will serve as the basis for the protection, enforcement and development of human rights. On the one hand, it is a process of integration and regionalization based on world globalization, on the other hand, domestic political and liberal reform processes in Kazakhstan.

The main aim of the article is in the context of globalization, to do a comparative analysis of citizenship institute in the Republic of Kazakhstan and in the UK, to develop further recommendations for improving the human rights legislation of the Republic of Kazakhstan.

Keywords: citizenship, human rights, freedoms, legal status of individuals, enforcement, implementation, government.

Абстракт. В статье рассматриваются вопросы гражданства на основе опыта Республики Казахстан и Великобритании. Проведен сравнительный анализ научных взглядов отечественных и зарубежных ученых; выявлены проблемные аспекты защиты института гражданства.

В эпоху глобализации роль гражданства в решении актуальных проблем человеческой цивилизации возрастает. В последние годы происходят большие изменения в правовой системе мира и правовой системе Казахстана. Эти изменения послужат основой защиты, обеспечения и развития прав человека. С одной стороны, это процесс интеграции и регионализации, основанный на мировой глобализации, с другой - внутривнутриполитические и либеральные процессы реформ в Казахстане.

Основная цель статьи - в контексте глобализации провести сравнительный анализ института гражданства в Республике Казахстан и Великобритании, разработать дальнейшие рекомендации по совершенствованию законодательства Республики Казахстан в области прав человека.

Ключевые слова: гражданство, права человека, свободы, правовой статус личности, правоприменение, реализация, государство.

Introduction

The current stage of development of the Institute of citizenship is presented as a process of improving the constitutional and legal norms that it manages. At this stage, there is a process of improving and improving the constitutional law by making changes

and additions to the laws on citizenship, as well as improving the constitutional law. Currently, it is determined by the constitutional and legal norms that define the basis of the organizational and legal mechanism for regulating civil citizenship in the Republic of Kazakhstan. They determine the construction and functioning of the system of state

* А. Отыншиева (Ph.D, КазНУ имени аль-Фараби. Казахстан, Алматы). «Вопросы гражданства в Республике Казахстан и Великобритании: сравнительно-правовой анализ».

bodies that regulate the activities of civil institutions. In General, the norms of the Constitution form the basis of the organizational and legal mechanism, establish the political and ideological basis of the system of state bodies, their powers in the field of citizenship, ways of improvement and international integration. The constitutional and legal system of mechanisms of legal influence on public relations is designed to ensure: the use of democratic forms of decision-making and execution on citizenship issues; the creation of the necessary organizational and legal opportunities for the activities of Executive bodies in the field of citizenship; stability of the main internal relations and internal coordination of the work of individual parts of the state mechanism (Amandykova, 1998).

Methodology

The Republic of Kazakhstan is a multinational, multi-ethnic state. According to statistics, as of June 1, 2019, the population of Kazakhstan was 18 million 489.7 thousand people (Zimanov, 2008), they belong to more than one hundred nationalities and nationalities.

In the period from 1731 to 1986, there were about 700 national liberation uprisings and movements for their freedom in our country. In the past centuries, our people have been repeatedly subjected to demographic catastrophes. As a result of the famine of 1931-1933, 49% of the Kazakh people died for liberation, with the exception of those who were in the battles for freedom, and about 1 million refugees were released abroad. In the first half of the twentieth century, our people died from various problems, went to other countries, lost only 5 million people. It was an irreparable, grave tragedy.

In the period from 1870 to 1970, about 7 million people were evacuated to Kazakhstan, not even counting the network of camps, German and Japanese prisoners. In 1897, in the first Russian census, the number of Kazakhs in Kazakhstan was 81.7%, and in 1962-29% under the rule of Khrushchev. Thus, the Kazakh people were ignored as a nation. This was the real Koran of the national policy of Lenin's «genius» nation, which at that time led us to the song and motto. The territory of Kazakhstan, which occupies the ninth place in the world in terms of its territory, has almost

completely turned into a testing ground for nuclear and biological weapons. These tests not only poisoned the Kazakh land, but also weakened gene of our people. Zhanshylyp spirit of the population, wear and tear of the place. The beginning of the new year-August 29, 1949, the beginning of nuclear tests at the Semipalatinsk nuclear test site remained only after the Decree of the Head of state on August 29, 1991. After it fell into the Red imperatoria, when it shot down independence, our language, mentality and religion, our country turned into a path of development (Sman, 2008).

Citizens of the Republic of Kazakhstan fully enjoy the guaranteed civil, political, economic and social rights and freedoms proclaimed by the Constitution and laws of the Republic of Kazakhstan. The concept of «citizenship “comes from section II of the Constitution of the Republic of Kazakhstan of 1995” Man and citizen». In accordance with article 10 of the Constitution of the Republic of Kazakhstan, citizenship of the Republic of Kazakhstan is accepted and terminated in accordance with the procedure established by law, is uniform and equal, regardless of the basis on which it was obtained. A citizen of the Republic of Kazakhstan may not be deprived of citizenship, the right to change their citizenship, or be expelled from Kazakhstan.

In general, the issue of citizenship is one of the main topical issues of the constitutional legislation of various States, including Kazakhstan and the United Kingdom. Traditionally, the concept of civil society is closely linked to the relationship between an individual and the state, which guarantees citizens certain rights and obligations, and the legal status of full members of society (Brooks, 2013).

In addition, there is an opinion that the concept of citizenship is based on the concept of a society with disabilities. As a rule, society is a sovereign social entity, and the state at its center organizes the rights and obligations of each member of society. Most basic social relations operate on the territorial borders of each society. The state has a monopoly of competences on the territory of the society. Any group of society-economic, social, political, cultural, gender, etc. – is Assumed to have a social structure. In general, such relationships are a social structure where the life opportunities of each member of a given society are organized and regulated (Coulton, 2012).

Creating a new democratic state, living on equal terms, and modernizing civil society—all this is due to constitutional reform that strengthens «citizenship», which means that civil and political rights and responsibilities should not only be official, but also in their real life in all members of society. In the final and comprehensive consideration of the civil concept, we must first pay attention to its content, second, its boundaries, third, the concepts of conformity and *ewmax*, the competence and scope that combine rights and obligations (Dorf, 1996).

During the development of legal science in the Republic of Kazakhstan, historical principles of creating the institution of citizenship were formed, which have now found their legal significance and vision in national legislation.

Recently, the concept of citizenship has become a broader contract that constitutes rights and obligations for all citizens. The laws, rules and practices that govern democracy protect and support their commitment to the equality and dignity of all our citizens. Sometimes it is necessary to confront cultural experiences that contradict these core values. In General, civil society is based on fundamental human rights and responsibilities.» Civic means finding a common place in different cultures and beliefs in accordance with our core values.» In my opinion, a person is considered a citizen of this country only if it is an active subject of a historical and socially significant process at a critical time of society or the state. The institution of civil society is closely linked to the development of the state; it is important in the life and development of the state. It implements the constitutional regulation of basic principles at the state level (Ewing, 2005).

An individual can fully understand all rights and freedoms only as citizens of one state; this includes the right to participate in the political life of the state, which is a determining factor for States that are democratic in nature, the right to participate in elections and to be elected to state bodies and local self-government bodies (Finnis, 1994).

Article 15 of the universal Declaration of human rights confirms that a person's nationality is a fundamental right. It provides for the acquisition of rights within the country concerned, and in turn provides for prosecution for non-performance. Thus, the state defines various rights and obligations, and

their content depends on whether a person is a citizen of that country or not.

Civil—one of the factors that Express the formation and existence of modern statehood. In accordance with the decree of the President of the Republic of Kazakhstan dated January 20, 1998 No. 3827 «on professional and other holidays in the Republic of Kazakhstan», the law of the Republic of Kazakhstan «on professional and other holidays in the Republic of Kazakhstan» has been in force since January 1, 1998, which comes into force after ten calendar days after its first official publication. In fact, the civil state is a political and legal manifestation of its population, people, people and citizens.

According to academician Sapargaliev, the concept of citizenship should be considered not as a political and legal phenomenon, but as a social and legal phenomenon, since it is one of the main factors in the formation and further existence of modern statehood. When viewed as a political and legal phenomenon, its integral character disappears, it ceases to exist as a social phenomenon.

For the development of a civil law state and the creation and formation of civil society. As a civil socio-legal institution develops at the state level. The formation and development of citizenship as an integral part of the modern legal field depends on the level of political and economic development of the country, which is provided by the complex of rights and freedoms of each citizen. It is supported by responsibility for the actions or omissions of subjects that harm the guaranteed interests.

Legal regulation of the acquisition of citizenship is carried out independently by each state, based on the principle of state sovereignty. This means that citizenship is reflected in the close relationship between the citizen and the state.

The most important difference between a member of a particular state and the institution of citizenship is behavior in relation to social groups that make up the political body of civil society, if the former regulates behavior in social groups (Fuller, 1956).

The experience of many successful economies in the world shows how important the role of every citizen of Kazakhstan in the formation of statehood, fostering a sense of patriotism, leading to an increase in the level of civil identity among the citizens of the country. The Patriotic feeling of a man should be directed to one country, to one state. Due to the

fact that a person's citizenship is linked to the state, respectively, their citizenship is closely linked to their homeland, Homeland and patriotism. Consequently, civic consciousness and patriotism are integral elements of civic identity. Civil identity unites the people, it is the core of social integration (Goodpaster, 1973). Nevertheless, citizenship is expressed not only in the performance of people's duties, but also in the ability to defend their interests at the level of the state, state bodies, officials, and the ability to solve their problems.

Civil society is a constantly developing, advanced phenomenon. Due to the lack of full citizenship, its essence, activity, quality, structure and overall mechanism are damaged. Such historical events as violent policies for people of the Soviet period, including the deportation to Kazakhstan of political repressions, Chechen, Ingush, Korean, Kurdish and other nationalities, not only destroyed the concept of citizenship, but also led to the collapse of the former Soviet States, active political isolation of citizens. The institution of civil law recognized in the words "established « did not even allow a sense of citizenship to actually become and develop in the minds of the population.

The citizenship Institute provides an opportunity to share public and shared interests during its development process. Civil society is not a static object, it is a constant relational process that defines roles, hierarchy, and relations in society, changing along with the concept of territoriality. (Howard, 1987) as for the history of the formation and development of the institution of citizenship, in Soviet times in the Kazakh steppe, because of the class approach, the people were divided into two parts: workers and exploiters. Workers formally own rights and freedoms, exploiters had absolutely no political, socio-economic rights and freedoms, and other rights were restricted. Surprisingly, neither in the absence of full citizenship nor in the absence of full citizenship, workers and exploiters were recognized as citizens of the state, even if they are not full citizens of the country.

The history of the Kazakh people, the development of the Kazakh people, the Kazakh culture, the history of representatives of other nationalities living in Kazakhstan is a system of priceless values, with a broad history root. In accordance with the Law of the Republic of Kazakhstan «on state youth policy in

the Republic of Kazakhstan» and the decree of the Government of the Republic of Kazakhstan dated August 31, 2012 No. 1119 «on approval of The rules for holding a competition for an administrative public position and forming a competition Commission» (hereinafter-the rules) for holding an administrative public position of corps «B»: Only a state that highly values the values of a person and a citizen can flourish. Consequently, a state that can correctly implement the concept of multiculturalism is developing and thriving. In Kazakhstan, the unity of ethnic groups, peace in the country and beyond, and the preservation of national identity will lead to a bright future for Kazakhstan.

Scientists who have studied the concept of multiculturalism include: U. Kimlika, S. Benhabib, M. Vevierka, S. fish, M. Walzer (Mantu, 2009), and others. Currently, a number of domestic and Russian scientists are comprehensively studying the advantages, Advantages, harms and harms of implementing this concept. Among lawyers, cultural scientists and political scientists, there are quite a lot of supporters of multiculturalism, and others. Scientists who believe that the promotion of multiculturalism has no benefit often rely on the experience of developed countries such as the United Kingdom, France, and Germany. (Margot, 2003) German Chancellor Angela Merkel, former British Prime Minister David Cameron, former French President Nicolas Sarkozy said that multiculturalism in their countries has fallen and failed (Marochini, 2012). According to many scientists, European countries reject multiculturalism, so the country should avoid critical moments that hinder society, preserving national and spiritual values, and not forget about the special responsibility of the Kazakh people as the organizer of all Nations.

Lawyer, Professor G. Sapargaliev "since each national group has come under the influence of indigenous national culture, it goes beyond the unified cultural space of Kazakhstan. As a result, unnecessary ideological elements can be introduced into the culture of national groups. And it threatens inter-ethnic harmony. The risk may arise not only from these sources. Unfair use of mass media in the modern conditions of the information revolution is a source of threat to the culture and morality of the people of Kazakhstan, for which there is no concept of territorial state space, « the critical sides of

multiculturalism noted. The head of state in a recent interview dedicated to the unity Day – may 1, said that he is constantly worried.; «For 25 years, we have learned to live without conflicts, conflicts, but even the safest countries in the world become the target of terrorist attacks, so inter-ethnic and inter-religious relations are closely monitored,» he said. Stability and harmony are not formed with themselves, it must be a person, be a nation, society, state, labor-intensive work.

Nevertheless, on the basis of a balanced and far-sighted policy of the Head of state, the developed multiculturalism, cohabitation and interaction of ethnic groups within the same country have borne fruit: a special Kazakh (Eurasian) mentality has been activated, a special spiritual situation has emerged that does not perceive isolation, nationalism. The whole world is aware of our society, which lives under a peaceful sky, where there are citizens of different nationalities, where friendship and harmony between different peoples and ethnic groups reign. This indicates that Kazakhstan occupies a worthy place in the world community.

If you look at the history of multicultural development in the country, it is the tsarist government that begins with the implementation of the colonial policy of Kazakhstan. Due to the weakness of the administrative reforms of the tsarist government, starting from the sixties of the XIX century, it switched to the “most reliable” way of colonization, that is, the relocation of Russian and Ukrainian peasants to the Kazakh land. At the end of the XIX century, Uighurs and Dungans were resettled in Kazakhstan, during the Second world war-German, Korean, Ingush, Kurdish, Polish, Kalmyk, Karachay, Chechen, Balkar, Crimean Tatars, Meskhet Turks and others. The article deals with the issue of the origin of the Kazakh genera of the Elder Zhuz: suryoyo, Dulat, Alban, Suan, ysty, Shaprashty, Oshakty, Sergeli from the point of view of population genetics and data Shezhire. The tsarist government, through a totalitarian system, was called upon to destroy the national consciousness and lead the process forever. And politics during the great Patriotic war-this is the suspicion of those who exercised the Bolshevik power, go to the side of the enemy. In order to release this suspect, several nationalities were deported; the number of forcibly deported according to 1945 data was about

2 million 464 thousand (Olson, 2015). The threat of opposition to the Fatherland closely United all the peoples and peoples on the territory of the USSR, which formed fifteen Union republics. after the collapse of the USSR, the Kazakh land became closely connected and closely associated with the diverse culture of representatives of different nationalities who inhabited modern Kazakhstan.

Great Britain is a long-term immigration country, largely recognized as a multi-ethnic state based on its colonial history and the Commonwealth system. However, after the EU expanded, especially after it expanded to the East, there were concerns about immigration. In 1992, after the creation of the European Union, all its member States, while retaining their citizenship, adopted EU citizenship.

Both civil and feudal advantages in Western liberal States, and inherited status that increases a person’s life opportunities.

The country where she obtains citizenship and accepts it has its own requirements and features. I believe that the issue of acquiring British citizenship, its advantages and disadvantages. How difficult is it to become a citizen of such a developed country? This is one of the most pressing issues in the modern legal system. Because in the conditions of modern globalization, the migration process takes its turn all over the world. Therefore, such issues as obtaining, accepting, and dual citizenship are relevant in every legal system. In General, I try to reveal the aspects, priorities and problematic aspects of accepting British citizenship.

Tensions in the UK, between Brits and other nationalities (especially Scots), the development associated with the European Union and the adoption of European citizenship, the absorption of immigrants (especially unlikely Muslims), the decline in the welfare of the population and the stress on the social rights of citizens (Tropey, 2000) - all this has affected the lively debate over British nationality and citizenship.

The legal regulation of civil relations in the UK differs significantly from the legal regulation of citizenship in the Republic of Kazakhstan, which is due to the presence of case law in the country’s legal system. A special influence on the formation of a special regulation of citizenship on the territory of great Britain is the historical formation of a country of a colonial character.

The concept of «nation» – in the citizenship act 1981 on citizenship, which characterizes citizenship as a defined legal relationship between a British citizen and the UK itself, as well as with all former Commonwealth of Otar States, the concept of «citizenship» - includes legal relations with a British citizen and directly with the UK and its dependent territories.

The national legislation of the United Kingdom regulates such methods of acquiring British citizenship:

- By birth (a child born in the UK, one of the parents is a British citizen or resident in the country, is considered a British citizen);
- By place of birth (if the child was born outside the country and one of the parents is a British citizen, the child is considered a British citizen);
- On naturalization (acceptance of citizenship). An applicant for adult British citizenship is strictly checked for compliance with the requirements of the citizenship act 1981. Citizens who wish to take British citizenship may be required to have knowledge of English, Scottish or Welsh, permanent residence in the UK, Royal service, etc. If a British citizen marries a citizen of another country and the latter seeks to obtain British citizenship, the requirements can be greatly simplified. Adults can apply for British citizenship for at least five years in the UK or three years married to a British citizen. It can be noted that becoming a citizen of a certain society is the process of discovering the natural essence, existence of a national group. This is a characteristic of naturalization. Thus, naturalization is largely carried out as an explicit expression of the process of nationalization (Urry, 2015).

Registration (in the case of a minor who has the right to do so but has not used it for various reasons; Registration of an adult resident in the territory of another state but under British protection and entitled to British citizenship under the citizenship act 1948; registration of an adult citizen of Islands belonging to Britain and territories that are British dependencies) (Varun, 2015).

A significant contribution to the legal regulation of citizenship in the UK is considered to be the adoption

of the citizenship act in 1948 (British Nationality Act, 1948). This law defines three statuses: - Citizenship of the United Kingdom and its colonial countries;

- Citizenship Of The United Kingdom;
- citizenship of dependent countries (Zhang, 2015).

Results and Discussion

The scientific novelty of the article consists in the author's approach to the study of the legal foundations of regulation and protection of human rights and freedoms. In the paper, from the point of view of globalization, the essence and significance of the legal status of the individual were investigated; features of the historical stages of the development of the status of a person are revealed; a comparative analysis of the legal status of a person in the Republic of Kazakhstan and the UK.

In determining the legal status of a person, foreign experience is considered in the content of the work. In our opinion, we would like to make suggestions on improving the legislation of the country governing the area of the legal status of an individual, in particular: to administer justice in our country, we need to introduce the principles of English law, for which we use the practice of English in our judicial practice. This is a reflection of the exercise of the judiciary and human rights in developed democracies. The research is based on the need for further training of judges on the basis of British judicial practice, improving the judicial system in the country, preparing judges for international affairs, which increases the legal status of the individual, further development of the rule of law, civil society and legal awareness and culture of citizens. A scientific analysis of the application of English law in the legal practice of Kazakhstan was carried out. It has been argued that this process is necessary to ensure and develop the rule of law in the Constitution and international law.

An updated system that confirms the status of a person should be one of the fundamental principles of state and social structure. It should determine the list and content of fundamental and sectoral human rights, freedoms and duties, state goals, tasks and content of state bodies. These questions are carefully studied and recommendations are given in the article.

Conclusion

In the research the following scientific conclusions were reached by the author: Human rights were the result of a certain stage in the development of society, in which public consciousness reached a level of understanding of the importance of the preservation of each person for all social perspectives. Rights were also the result of a society that had conquered a certain socio-economic level that allowed it to meet human needs. Of course, the state, due to its weak economic, political, social and other development, cannot meet all the vital needs of man. However, for the development of a progressive rule of law and society, the perspective ideas implemented in the policy of the human state give grounds to say that the field of human and civil rights is inexhaustible and especially important.

The ways in which human rights and freedoms are enshrined and reflected in law vary, but in most cases their main source is constitutions. The issue of the status of the individual is one of the main issues in the content of the constitution. Constitutional regulation of the status of a person and a citizen is basic, fundamental, as well as primary, derivative, basic, as it determines the content of laws and other legal acts relating to the status of an individual.

In fact, for the first time the constitutional enshrinement of human and civil rights and responsibilities was enshrined in the 1937 Constitution of the Kazakh SSR. The next Constitution of the Kazakh SSR of 1978 further strengthened the legal status of man and citizen. However, the current Constitution of the independent Republic of Kazakhstan, adopted on August 30, 1995, for the first time declared man, his rights and freedoms as the highest value, became the basis not only for international principles of human and civil rights, but also for accession to a number of international conventions.

The creation of the legal status of a person and a citizen in the UK is associated with the formation of constitutional law. The fundamental rights and freedoms of various categories of citizens should be considered not only in the classical legal acts of the «unwritten» constitution of the United Kingdom, but also in the absence of a consolidated Constitution as constitutional acts in the Great Charter of Freedom in 1215, the Petition of Rights in 1628, the current European Convention on Human Rights, 1998

reflected in the Act on Human Rights (Howard, 1987).

International law promotes the formation of basic principles of civil law regulation, such as the right to citizenship, the prohibition of voluntary deprivation of citizenship. These general principles are aimed at the convergence of national legal systems on matters of citizenship, serve as a criterion for the legitimacy of domestic acts of citizenship and are the link between the institution of citizenship in constitutional and international law. In the UK, there are three types of specialized government human rights institutions dealing with human rights, working independently of each other - the Ombudsman (Parliamentary Commissioner), the Commission on Human Rights, and the Special Commissioner for the Protection of Certain Types of Subjective Rights and Legal Interests.

According to the legal doctrines of the Republic of Kazakhstan and Britain, the most important elements that form the basis of a person's legal status are citizenship, the principles of legal status and the basic rights and freedoms of direct citizens. The general principles of the legal status of an individual predetermine the basic boundaries of a person's legal status in all areas of the exercise of his legal capacity, regardless of the regulation of public relations in any public sphere. Fundamental rights, freedoms and responsibilities form the basis, core, core of the legal status of man, which is determined by the integrity of the norms of all areas of Kazakhstani and British law.

It is necessary to increase the number of institutions, bodies and organizations that protect human and civil rights and freedoms in the Republic of Kazakhstan. It is necessary to pay attention to the quality, function, optimal solution of issues in accordance with the law. It would not be wrong to say that the legal protection of any issue through appropriate legislation, the ratification of international legal treaties in the state, the opening of a large number of quality commissions to advise on the implementation of the law - a solid step towards improving human rights and freedoms.

There are some recommendations for the actual application of research results. The positive aspects of the institution of the Ombudsman of the United Kingdom should be introduced into the practice of our country. In particular, the Decree of the President of the Republic of Kazakhstan dated September 19, 2002. About the Commissioner for Human Rights,

approved by the Decree N 947 to include in the rules the position of “Parliamentary Commissioner for Administrative Affairs”, “Commissioner for Pensions”, “Commissioner for Press Complaints”, “Commissioner for Trade Union Affairs” to consider complaints of citizens against negative governance. It is necessary to introduce the principles of English law in the country for the administration of justice. The prestige of British judges is so high that they resolve not only domestic but also international disputes. British judges are considered to be the strongest judges in the world. We need to improve the skills of judges on the basis of improving the judicial system of the country, so that we can train judges to decide cases not only at the national level, but also at the international level.

Литература

- Амандыкова, С. (1998). *Конституционное право Республики Казахстан: Учеб. пособие для юрид. факультетов*. Караганда, Болашақ баспа. С.60.
- Brooks, T. (2013). *The Life in the United Kingdom Citizenship Test: Is it Unfit for Purpose*. P. 4.
- Coulton, N. (2012). God, the Bible and human rights. *Ecclesiastical Law Journal*. 14(2). P.284.
- Dorf, M. (1996). Incidental burdens on fundamental rights. *Harvard Law Review: JSTOR*. N109(6). P.1175-1180.
- Ewing, K. (2005). Tham Joo-Cheong. The continuing futility of the Human Rights Act. *Public law*. p. 693.
- Finnis, J. (1994). Natural Law and Legal Reasoning: in his Natural Law Theory. *Contemporary Essays*. Oxford. P.88.
- Fuller, L. (1956). Human Purpose and Natural Law. *The Journal of Philosophy*. N53(22). P.699.
- Goodpaster, G. (1973). The Constitution and Fundamental Rights. *Ariz. L. Rev. HeinOnline*. N 15. p.480.
- Howard, R. Donnelly J. (1987). What are Human Rights in International Handbook of Human Rights? *Greenwood press*. N 1 (36). P.2.
- Mantu, S. (2009). *Deprivation of Citizenship in the United Kingdom*. 181 p.
- Margot, E. (2003). Globalisation of Responsibility: Interdependence and Cooperation in the Protection of Human Rights in International Law. *The London School of Economics and Political Science*. p.55.
- Marochini, M. (2012). Indivisibility and Interdependence of Human Rights – Should There Be Limits to The European Court of Human Rights Reading Significant Socio-Economic Elements into Convention Rights? *The University of Dundee*. P.34-38.
- Olson, M. (2015). et al. Citizenship discourses: production and curriculum. *British Journal of Sociology of Education*. Vol. 36. No. 7. 1036 p.
- Tropey. (2000). The Invention of the Passport: Surveillance, Citizenship and the State. *Cambridge University Press*. p.159.
- Urry, J. (2015). Globalization and citizenship. *Journal of World-Systems Research*. Vo. 5. No. 2. 312 p.
- Varun Uberoi Tariq Modood. (2015). Multiculturalism Rethought: Interpretations, Dilemmas and New Directions. *EUP*. 5 p.
- Zhang, C., Lillie, N. (2015). Industrial citizenship, cosmopolitanism and European integration. *European Journal of Social Theory*. Vol. 18. No. 1. 95 p.
- Зиманов, С. (2008). *Қазақтың билер соты-бірегей сот жүйесі*. Алматы. 216 б.
- Сман, А. (2008). Правовое положение личности в Республике Казахстан (конституционно правовой аспект): автореф. д.ю.н.: 12.00.02. Алматы. С.8.

