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and **Humanities**



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# I • HISTORY

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## INFORMATION AND COMMUNICATION TECHNOLOGIES AIMED AT INTELLECTUAL NATION FORMATION

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**Abstract:** The purpose of this study is to examine the role of information and communication technology (ICT) in enhancing community outreach, academic and research collaboration, and education services in an academic setting. The main aim of the study is to analyze the current ICT development trend in the formation of intellectual nation in Kazakhstan. The formation of “intellectual nation” is a way of modernization of society in the XXI century, when a creative person becomes the main source of development. For Kazakhstan, like for other developing countries, the most important strategic task is to conduct an overall modernization, under which not only institutions and mechanisms of modern society, but also the modern society itself will be created. Questionnaire development was initiated by asking participants involved in community outreach, academic, research, education, and support to provide feedback on current ICT issues and future recommendations for relevant ICT too.

**Аннотация:** Зерттеудің мақсаты – ақпараттық-коммуникациялық технологияларды (АКТ) қоғаммен байрланыстыруды, академиялық және ғылыми ынтымақтастықты, академиялық ортадағы білім беру қызметтерін кеңейтудегі рөлін зерттеу. Зерттеудің негізгі мақсаты – Қазақстанда интеллектуалды ұлт қалыптастырудағы ақпараттық-коммуникациялық технологияларды дамытудың ағымдағы үрдістерін талдау. «Интеллектуалды ұлттың» қалыптасуы – шығармашылық адам дамудың басты көзі болған 21-ші ғасырдағы қоғамды жаңғыртудың жолы. Қазақстан үшін басқа дамушы елдер сияқты, ең маңызды стратегиялық міндет – жалпыға бірдей модернизация жүргізу, оның шеңберінде заманауи қоғамның институттары мен механизмдері ғана емес, қазіргі заманғы қоғамның да құрылуы. Сұрақ-сауалнаманы әзірлеу (сауалнама) халықпен жұмыс істеу, академиялық қызмет, зерттеу, білім беру және қолдау көрсету, қазіргі АКТ проблемалары бойынша кері байланысты қамтамасыз ету және АКТ-ның тиісті құралдары бойынша болашақ ұсыныстарды ұсыну үшін оларға пайдалы болатын сұрақ қою арқылы басталды. жұмыс істейді және АКТ-ның қазіргі мәселелерін қамтиды. Зерттеу Қазақстанның әртүрлі дереккөздерінен алынған әртүрлі мәліметтер негізінде жүргізілді.

**Түйінді сөздер:** интеллектуалды ұлт, бұқаралық ақпарат құралдары, ақпараттық даму.

**Аннотация:** Целью данного исследования является изучение роли информационных и коммуникационных технологий (ИКТ) в расширении охвата сообщества, академического и исследовательского сотрудничества и образовательных услуг в академической среде. Основная цель исследования – проанализировать современные тенденции развития ИКТ в формировании интеллектуальной нации в Казахстане. Формирование «интеллектуальной нации» – это путь модернизации общества в XXI веке, когда творческий человек становится основным источником развития. Для Казахстана, как и для других развивающихся стран, важнейшей стратегической задачей является проведение общей модернизации, в рамках которой будут созданы не только институты и механизмы современного общества, но и само современное общество. Разработка вопросника(анкеты) была начата с того, что попросили участников, вовлеченных в работу с населением, академическую деятельность, исследования, образование и поддержку, предоставить отзывы о текущих проблемах ИКТ и будущие рекомендации по соответствующим инструментам ИКТ, которые будут полезны для них в их работе, и охватить текущие проблемы ИКТ. Исследование проводилось на основе разных данных, полученных о Казахстане из разных источников.

**Ключевые слова:** интеллектуальная нация, средства массовой информации, информационное развитие.

## Introduction

The choice of intellectual capital is the way of compliance to the requirements of entering the club of world competitive countries. Since this project is devoted to the problems of humanitarian technologies development aimed at investing in the development of Kazakhstan knowledge society, the researches on the economic development of the country through intellectual investment in the world policy are taken as the basis. Human intellectual potential in these scientific studies is considered as an investment. Therefore, it is very important to study and analyse the mechanisms of innovative tasks solutions to improve the competitiveness of social and economic sector of the country by attracting investments in the development of the country's knowledge society, development of methods for its effective implementation and evaluation system. The strategic objective for Kazakhstan, as well as for other developing countries, is to conduct an overall modernization, in terms of which not only institutes and mechanisms of modern society, but the modern society itself will be created. Nowadays a new division of labour is being formed – in the sphere of intellectual labour, in the sphere of scientific and cultural production and service – new knowledge economy and information society are being formed. Kazakhstan, in collaboration with its partners, can and should make every effort to enter the society of the future. Aggregate state competitiveness in the global economy and the ability of sustainable development depend on three strategic resources. The first strategic resource is natural wealth, namely: ground, water, mineral resources, woods, etc. The second strategic resource is material and technical base and financial capital; here the main points are existing production equipment, factory buildings, machinery, funds, quality and quantity of various material components of the country's activity. The third strategic resource is manpower resources – people. It is obvious that the level of human resources development, the level of education and culture are the main factors for economy and society development. Development of the world leading countries has led to the formation of post-industrial, and then to new economy – knowledge economy, innovation, global information systems, intellectual labour economy, science and latest technologies. The basis of this new economy is intellectual potential, which is a dominant of social and economic development of modern society. Today education becomes an economic sector, and human factor is the main resource for economy development where a person who can discover, create something new in industry, science, culture,

etc. is of great value. That is why the most important mission of higher education in Kazakhstan is preparation of intellectually developed, creatively working professionals – the citizens of the Republic of Kazakhstan.

The authors of this scientific publication have been working in three directions. The first one is an analysis of works of domestic and foreign authors on the study of humanitarian technologies. It was necessary to determine the definition of the concept of “humanitarian technologies” and their influence on the formation of intellectual society. Also systematic and comparative analysis of the works of prominent scientists who conducted the research in the field of intellectual investments, intangible assets, economic freedom, political freedom, mass communication and public interests, political discourse and metaphoric has been performed.

## Scope and methodology

Transition from industrial to post-industrial society has significantly strengthened the role of intellectual factors of production. Increasing of value added in the economy is happening today mainly due to intellectual activity, improvement of technological level of production and dissemination of modern information and communication technologies [1]. Analysis of achievements of developed countries shows that their high competitiveness and economic growth are mainly determined by the efficiency of processes of creation and use of knowledge. Currently in industrialized countries up to 80-95% of gross domestic product fall to the share of new knowledge embodied in equipment and technologies [2].

Under modern conditions new scientific discoveries, technological innovations, increasing quality of intellectual capital, dynamic development of information and computer technologies, e-commerce, mobile communications, and expansion of business space become important factors of economic growth. Modern economy based on advanced information technologies as well as on new scientific knowledge, is called “new”, “information-networking” economy or knowledge economy («knowledge industries») [3]. Widespread introduction of information and communication technologies to all spheres of the economy and everyday life is the most important technological feature of modern world economy development. In the process of informatization of economy, information and technological breakthroughs are closely intertwined in a single process, which has a tendency to self-acceleration. This means continuous development of information and communication

technologies (ICT), resulting in a qualitative upgrade of technological basis of production. In such a case, the attention focuses on the diversification of economy structure, development of non-capital intensive sectors, ICT, which should lead to acceleration of economic growth.

High technologies are a cutting edge of human thought, and the degree of responsibility of those who generates, develops, promotes, or borrows them is immeasurably high in terms of international integration [4]. Communicative incompetence borders with professional ignorance in the age globalization. The pace of international communications is extremely high and it requires high efficiency of interaction, mobility as well as impeccable accuracy of information transmitted. Man-made disasters are the highest fee for incompetence in the XXI century [5].

Thus, the globalization phenomenon is beyond purely economic frameworks, in which it tends to be interpreted by many researchers of the subject and which covers almost all spheres of public activity, including politics, ideology, culture, lifestyle as well as the very conditions of human existence [6]. The role of information technologies in the development of society is to accelerate processes of receipt, distribution and use of new knowledge by the society. A.K. Dzhilkibaeva, a senior finance expert of the Centre of Scientific Economic Expertise of "Economic Research Institute" JSC notes [7] that in the past decade information and communication technologies (ICT) in the society take up stronger positions, entering not only everyday life of the population, but almost all spheres of economic and social sectors. The role of information, knowledge and technology, which are the key components of information society, are growing rapidly. Developed and many developing countries, recognizing the importance of information society and development of information and communication technologies within long-term economic growth, take active positions in development of ICT sector as one of the key areas of public policy. The countries that have focused their efforts on the development of information and communication technologies today have provided themselves with increase of productivity and quality of governance. Moreover, the availability of a wide range of information services had a positive impact on the development of human capital, promoting the growth of competitiveness of the states [8].

One of the main objectives of the ICT industry is to create a digital transport environment to support informatization processes, to develop modern telecommunication infrastructure and its

integration with the infrastructure of other states. Therefore, development of transit potential in the field of information technologies and integration of national economy into the global environment also act as an important task and one of the priorities of infrastructure development indicated in the strategy [9].

Thus, the tasks, specified by the President in "Kazakhstan – 2050" strategy confirms the importance and role of ICT development in achieving long-term growth of the economy of our state. In terms of innovation, development institutions were established and a task of creating and implementation of industrial and innovation development was first set in Kazakhstan. All this was quite a strong base for initiating "Intellectual Nation-2020" program by the President of our country. One of the most important ways of bringing the state program aimed at formation of intellectual nation to people is Mass Media. Usually it is television. Due to visuality, presence effect and impact on emotional perception television has become one of the main allies of the state in the process of formation of intellectual nation. The Internet takes the second place. We cannot imagine modern processes of information transmission without the World Wide Web. Innovative processes in Kazakhstan education was reflected in the variety of types and models of educational institutions. Development of proprietary training courses was carried out. The range of educational developing technologies expanded, and contacts with foreign teachers were established. Knowledge is an essential factor human society development, and information technologies are the basic tools of society informatization. Development of information technologies, development of World Wide Web, global, regional and local computer networks have created a platform for knowledge management as an intangible asset.

Thus, modern information technologies are becoming a binding condition to simplify working with knowledge. They allow faster dissemination of knowledge, facilitate the effective operation of any organization due to employees' knowledge, and create new ways of knowledge management and generation. Researchers have identified three classes of working techniques with knowledge: technologies aimed at creating knowledge through processing and analysis of information, technologies aimed at discovering and studying knowledge by extracting knowledge from new sources of knowledge and technologies aimed at knowledge distribution within a system or a network [10].

Mass media is an independent industry, aimed at shaping public opinion, using organizational and



technical systems that provide rapid transmission of information and its mass replication. Mass media is a public facility. It not only informs consumers but also shapes public opinion, thus affecting propaganda and spread of the above mentioned indicators [11].

Mass media is of great importance in widespread political communication processes, in formation of necessary information and communication space, in successful implementation of public relations, in putting many of those discussions on the agenda.

But the mass media is considered as market more than as an activity of political communication. On the basis of this feature of the mass media, we can say that it is studied as the business market, providing the target audience with products of mass media [12]. However, this method does not disclose the actual activity of channels of mass information and communications in full.

In Europe, public means of mass communication began to lose their positions in information market. On the agenda was the question on reducing the number of public means of mass communication. At that time European Union Decree was signed, which says: since information is one of the forms of market goods, it should not be funded by tax revenues. But, as the world practice shows, the mass media of public orientation is still in demand [13].

It is known that in the future the number of new players in media sector will increase on global level. Restructurization in the field of mass media, elimination of state control is the main goal of politicians and political advisers, political technologists and other experts in the field of mass media.

Expansion of mass media field and moving aside the policy, reducing the number of public mass media have led to changes in methods and technologies, implementing information and communication processes [14].

Impact of global mass media on political, economic, scientific and technical factors of society and national characteristics in the information and communication space became the basis for the development of political communication in a new direction [15]. Further we will consider generality and particularity of international experience in the development of political communication studies.

Mass media affect national integration: provide internal and international market links; stimulate demand for modern services and goods; affect introduction of modern values and methods in everyday and healthy lifestyle, agriculture, industry.

Differences in power and possibilities of mass media of developed and developing countries create

not only conceptual, but political difficulties. The idea of “new global information order” is a good example of it [16].

The global system of mass communication is controlled by the developed Western countries. For example, the spread of world events is controlled by leading television networks as “Associated Press”, “United Press International”, “New York Times”, “Newsweek”, “CBS”, “CNN”, “NBC”, “ABC”. In addition, Western countries, managing technologies of production and distribution of television and radio programs, have a significant impact on the position of mass communication in developing countries.

Therefore, the concept of a “new global information order” in 1978 was considered at the international level and had been officially adopted in documents of UN General Assembly and General Conference of UNESCO. Communication, information and knowledge are the driving force of progress, contributing to improving the level and quality of life. ICT (information and communication technologies) whether their traditional or modern forms provide new and reliable development opportunities for the people around the world. Besides, many countries, especially the least developed, do not have full access to information and exchange of information, which deprives them of a chance on the prospects of long-term and sustainable development. Communication has a double challenge – to promote the development of economy and mentality. Its implementation is associated with multicultural factors and openness, sustainable development strategy, creation of the atmosphere of trust in the society. For Kazakhstan the development of information and communication technologies in general and satellite technologies in particular has become one of the key factors in resolving issues of competitiveness. As you know, one of the main areas in implementation the program of forced industrial and innovative development of the Republic of Kazakhstan till 2014 is the development of communicative technologies and training of highly qualified specialists in this field [17].

According to International Telecommunication Union (ITU), specialized UNO organization, defining standards in the field of information and communication technologies (ICT) Measuring the Information Society 2012, is one point in advance of Russia in the global ranking of the development of information and communicative technologies. Thus, according to ICT Index, Kazakhstan has taken the 55th place and Russia – 56th [18]. Sweden has taken the lead in the ranking; Singapore took the

second place and Finland – the third. The Index was developed in 2007 on the basis of 11 indicators; the International Telecommunication Union operates them in its assessment of ICT development. Index brings these indicators into a single criterion, which aims to compare the progresses in ICT development in countries around the world and can be used as a tool for comparative analysis at the global, regional and national levels. These indicators are related to ICT access, use of ICT, as well as practical knowledge of these technologies by the people of the countries surveyed. We note that in the framework of the strategy of communication development a Fund of information technologies development has been established in Astana city. Its mission is to help people of Kazakhstan implement innovative projects. This year already there will be a contest of “start up projects”. Winners will receive funds for implementation of the ideas as well as the possibility to complete intensive training course on the basics of entrepreneurship. Both teams and individuals, who have undergone the procedure of evaluation and proven the commercial potential of their product or technology solution, may participate. Such communication services providers as “Kazakhtelecom”, “Kcell” and “Kar-Tel” will help heavily the ICT development fund. Such funds have already been working successfully the United States and Europe. One of the demonstrative examples is “Y combinatory” in the USA. Having invested 18 thousand dollars to DropBox data storage service, the fund specialists have established a company, whose capitalization at present reached 4 billion dollars.

Mass media is a field that defines and shapes intellectual values. Therefore, country’s development, spiritual prosperity of people, nation’s consciousness-raising, improving mass thinking and examination of public opinion is at first performed, created and implemented through the Mass media [19]. In this regard, Kazakh press is entrusted to perform a specific mission, which is to determine information direction leading from intellectual potential to national intelligence, communication channel and communication mainstream. Today national publications have a priority direction – it is a loyalty to national goals and riches, fair treatment for people, care of spiritual values.

### Conclusion

Sovereign Kazakhstan showed impressive samples of new statehood, social stability, internal agreement and continuing development of economy and political system. It is an undeniable fact, proving

scientifically verification, foresight and continued success of the President’s political course, supported by all the people of Kazakhstan.

The problem of formation of intellectual society set new challenges to science; they involve the need for collaborative researches, interdisciplinary links between socio-humanitarian and socio-political sciences for the purposes of spiritual development of society.

Proceeding from the above, we can make the following conclusions:

1. Today’s youth see people received Kazakh education as the basis of future intellectual nation. It does not mean that education should be limited to one country; it should be aimed at the country’s prosperity. A model of intellectual nation must include patriotic aspects – people should know their native language and culture. These requirements especially emerged during the work with focus groups conducted in the regions. Young people spare no time and effort on detailed study of spiritual values of their country.

2. National mode of intellectual nation assumes integration in the global scientific and educational processes. That is, a representative of intellectual nation should not be closed within one country. In order to create intellectual potential all the best foreign experience including social, economic and cultural crisis situations all over the world has to be used. It is here where Informational and communicative technologies (ICT) should work, covering all the spheres of economic and social fields. The role of information, knowledge and technology, which are the key components of information society, should grow rapidly. Availability of a number of information services must increase, which positively affects the development of human capital and which will promote competitiveness of Kazakhstan.

3. A model of intellectual society must include the development of science and scientific-research institutions. It is impossible to form an intellectual nation without developing modern science and creating own scientific schools.

4. A model of intellectual nation implies continuing education starting from a kindergarden. The President of the Republic Nursultan Nazarbayev in his address clearly defined: “In order to become one of the world developed countries we need appropriate knowledge. Knowledge will make Kazakhstan one of the 50 developed world countries”. “Balapan” program is focused on complete coverage of preschool children. It is planned to open 20 intellectual schools with enhanced studying of natural history and mathematics for talented children; these

programs enable to lay the grounds for the formation of intellectual nation. The programs mentioned above are the beginning of our country's innovation development.

The organization of activities within these positions provides coordination of complex measures affecting the development of information policy of the country, equal access to information for all people, establishment of a sustainable dialogue between people and authorities, professional development of mass media means.

Besides, the studies conducted by the authors of this research work, have proved the readiness of Kazakh people to create intellectual nation and understanding the necessity of this historical choice. This is evidenced by young people's willingness to get a quality education, to develop, to become professionals in their field and to work honestly for the benefit of their Motherland.

Mass media only partially serve as a political tool of society and government i.e. can be considered this way only in terms of movement of politically relevant mass information. The degree of mass media information load in the space of power and thus the ability to activate the communicative potential interested in contacts with the authorities of the population should be a criterion for inclusion of mass media in the political sphere. Even having mass audience media usually works in another information field, outside the frameworks of political interests and behaviour of citizens. As for the other categories of media (e.g., private), their political component may have even more unstable value, mixing with the educational,

cultural and other components of their activities. All this certifies the fact that the media in Kazakhstan is not only a social institution, but a socio-political one.

Human capital – is the wealth of each state. Today a nation forming intellectual nation is a nation historically shaped and combined by spiritual, socio-economic, cultural and political ties. In order to form a national intelligence, we need knowledgeable and competitive at the international level citizens. And the media's role in this matter is difficult to estimate.

The results of this research can be successfully used in the development of scientific concepts in the sphere of intellectual society development and development of intellectual potential; in implementation of the national information policy aimed at shaping public consciousness of a citizen of intellectual society; in implementation of comprehensive programs on strengthening Kazakh model in the way of intellectual society in the process of modernization; to use the information and communication technologies affecting the development of Kazakhs political culture and form personal- national to mass public consciousness; in activities of national and international centres that use the achievements of humanitarian technologies social conflicts; in predicting prospects of becoming intellectual nation of the country.

Industrial and innovative development, establishment of an intellectual nation for Kazakh society is the truth, which will be implemented in the nearest future. From this perspective, Kazakhstan will not only accept intellectual values but also produce and develop them itself.

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## DEVELOPMENT OF INTELLECTUAL CAPITAL OF A NATION: COMMUNICATIVE, POLITICAL AND CULTURAL STRATEGIES

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**Abstract.** This research review studies the strategic objective for conducting an overall modernization, in terms of which not only institutes and mechanisms of modern society, but the modern society itself will be created. Nowadays a new division of labour is being formed – in the sphere of intellectual labour, in the sphere of scientific and cultural production and service – new knowledge economy and information society are being formed. Kazakhstan, in collaboration with its partners, can and should make every effort to enter the society of the future. The intellectual capital of a nation (or a region of nations as is the case for this paper) requires the articulation of a system of variables that helps to uncover and manage the invisible wealth of a country. Most importantly, an emphasis on human capital allows for a better understanding of the hidden values, individuals, enterprises, institutions, and communities that are both current and potential future sources of intellectual wealth.

**Key words:** intellectual nation, communication, political strategies, socio-political formations.

**Аңдатпа.** Бұл зерттеу қазіргі заманғы қоғамның институттары мен тетіктерін ғана емес, сонымен бірге қазіргі заманғы қоғамның құрылуымен қатар, жалпы модернизацияны жүргізу үшін стратегиялық міндеттерді қарастырады. Бүгінгі күні зияткерлік еңбектегі, ғылыми және мәдени өндіріс және қызмет көрсету саласында – жаңа білім экономикасы мен ақпараттық қоғам қалыптасуда жаңа еңбек бөлінісі құрылуда. Қазақстан өз әріптестерімен бірге болашақ қоғамға кіру үшін бар күш-жігерін жұмсауы және жасай білуі керек. Ұлттың интеллектуалды капиталы (немесе осы елдегі халықтардың аймағы) елдегі көрінбейтін байлықты ашып, басқаруға көмектесетін ауыспалы жүйені артикуляциялауды талап етеді. Ең бастысы, адами капиталға баса нағзар жасырын құндылықтарды, жеке тұлғаларды, кәсіпорындарды, институттарды, сондай-ақ интеллектуалды байлықтың болашақ және болашақ көздері болып табылатын қоғамдастықты жақсы түсінуге мүмкіндік береді.

**Түйінді сөздер:** интеллектуалды ұлт, қарым-қатынас, саяси стратегия, әлеуметтік-саяси қалыптасулар.

**Аннотация.** В данном обзоре исследований рассматривается стратегическая цель проведения общей модернизации, в рамках которой будут созданы не только институты и механизмы современного общества, но и само современное общество. В настоящее время формируется новое разделение труда – в сфере интеллектуального труда, в сфере научного и культурного производства и обслуживания – формируются экономика новых знаний и информационное общество. Казахстан в сотрудничестве со своими партнерами может и должен приложить все усилия, чтобы войти в общество будущего. Интеллектуальный капитал нации (или региона наций, как в данном случае) требует артикуляции системы переменных, которая помогает раскрыть и управлять невидимым богатством страны. Наиболее важно то, что акцент на человеческом капитале позволяет лучше понять скрытые ценности, отдельных лиц, предприятия, учреждения и сообщества, которые являются как текущими, так и потенциальными будущими источниками интеллектуального богатства.

**Ключевые слова:** интеллектуальная нация, общение, политические стратегии, общественно-политические образования.

## Introduction

The formation of “intellectual nation” is the way of modernization of the society of XXI century, when a creative person becomes the main source of development. Creativity is the process of a person’s self-realization. It presupposes personal spiritual wealth, individuality and originality of a person. Therefore, all the diversity of historical and cultural heritage from the remote past until recently is the spiritual foundation and source of the future, with the protection and increasing of which we have already started our way to the “intellectual nation”.

The improvement of the quality of human capital originates from activation and mobilization of national intelligence during the process of formation of Kazakhstan as a competitive country, nation and state. In the scientific research called “From an intellectual nation-to the intellectual potential: development of information and communication technology impacts on the masses” issues on development of information and communication technology impact on the public as a tool of analysis, determination of immediate future and effective implementation of information and communication processes to increase the intellectual potential and formation of an intellectual nation of Kazakhstan have been included in the agenda. As you know, intellectual nation is defined by the top priority of industrial-innovative development of the country, therefore information policy, predicting implementation of capacity of the country in a new direction must be developed.

As a well-known Kazakhstan political analyst D. Mynbay noted in his article “Laws of history”, “Many scientists, studying the phenomenon of globalization, conclude that modernization can be successful and can lead to effective development only in case of close relationship and mutual influence of its technological and cultural components. Cultural aspect of modernization is directly related to the spiritual life of society, its moral values and in fact represents people’s way of living. Therefore, for the successful modernization, covering all spheres of public life, it is necessary to ensure the proper social and cultural base. After all a man with his intellectual, cultural and creative potential is also a productive force, creating conditions for technological development of the society. For example, Protestantism at the time became the moral basis of Capitalism and then opened the way to technological development of western countries, while Japan, Malaysia, China, supported by their national and cultural matrixes, have taken firm positions in their development in

the competitive structure of the global economy”. It seems that Kazakhstan with its rich history and traditions will be able to solve this historical task and to build a new model of social and economic development of the society on the basis of respect of spiritual values.

During the period from June 20 to July 03, 2013, “Kazakh Eli” student scientific expedition from the Journalism Department of Al-Farabi Kazakh National University was conducting a research on the theme under the research work plan in the regions of Mangystau, Semey, and Kyzylorda. Three focus groups and three round table discussions with experts of the Department of Youth Policy and information policy of administrations of the above mentioned regions have been conducted as a part of this expedition. 500 participants were involved, including respondents, interviewers, and scientists of academic field, cultural figures, students, and secondary schools students. After considering the results of empirical researches, conducted among the people of the country, the perspective of development of intellectual nation in Kazakhstan was found out.

One of the main goals of the expedition members, visited Semipalatinsk, Mangystau and Kyzylorda regions from June 20 to July 03, was to see the opinion of young people from these regions about “Intellectual nation” project and to analyze the views of the younger generation for the future of nation. Questionnaires were handed out and focus group work was held. The most active participants got prizes. During the research, the difference of opinions and thoughts of young people from different regions has been noted. In addition, each group had different subjective views about today’s society and about the future. At the same time, youth groups showed a good awareness of events taking place in the society.

## Research methodology

For the first stage of the research educational and research institutes of Aktau, Semey and Kyzylorda cities were selected. At the second stage 500 residents of the above cities over 18 years old participated in the survey. Since the survey involved Kazakh and Russian speaking target groups, it was conducted in two languages. The level of possible falsity at 95% level of faithfulness reaches 4%.

Young people from Semey answered positively in a greater degree the question whether it is necessary to form intellectual nation in Kazakhstan: 60%–“yes”, 40%–“no. In Kyzylorda the audience was more categorical– 100% of the respondents answered that it is essential to form intellectual

nation. In Aktau opinions were divided as follows: “yes”– 29.2%, “no”– 70.8%. Answers to the question: “Could we form intellectual nation in Kazakhstan?” were also categorical. Young people from Semey answered: “yes”–20%, “no”–80%; from Kyzylorda–“yes”–35.5%, “no”–65.5%; from

Aktau–“yes”–29.2%, “no”–70.8%. At the same time, respondents from these three regions in the vast majority answered positively the question: “Are Kazakhstani people ready to the formation of intellectual nation”. Semey– “yes”– 60%, Kyzylorda – 67 %, Aktau–50%.

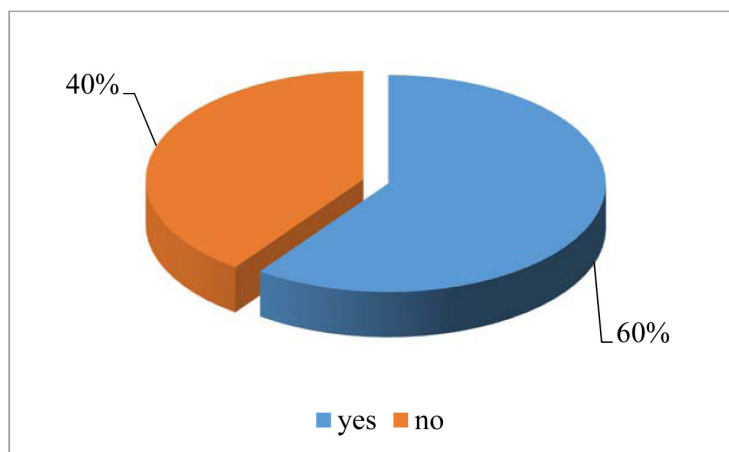


Fig. 1–Are Kazakhstan people ready to implement “Intellectual nation-2020” national project?–Semey (% of total respondents)

Such opinion is in turn based on the essential aspects of formation of intellectual nation, which includes the development of science, information technology, ensuring equal access to the intellectual foundations. In fact, in today’s world knowledge and information become defining categories of economic development as well as development of social and public life. Example of developed countries shows that the dominant tendency of their development is to focus on the knowledge as a strategic foundation of market economy, which stipulates the rapid

development of those industries and businesses into which the transfer of new technologies based on innovative approaches is carried out.

Nevertheless, knowledge alone does not transform the economy. To solve this problem, the complex of structures and activities is required, which allows not only to carry out production of knowledge and proper personnel training, but also innovative activity, broadly understood as realisation of scientific and education potential in the market of goods and services.

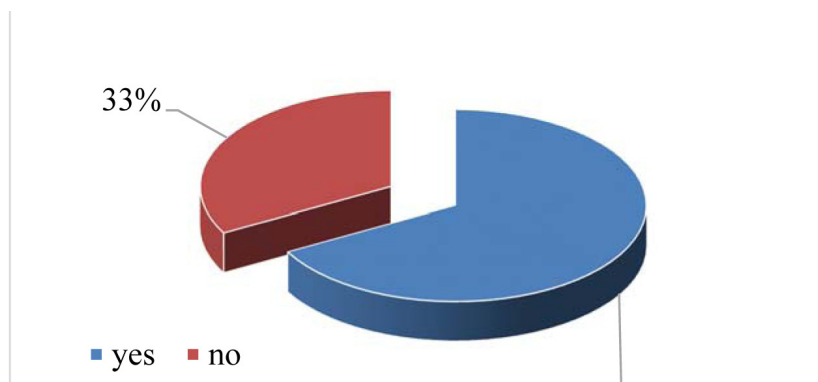


Fig. 2–Are Kazakhstan people ready to implement “Intellectual nation -2020” national project?–Kyzylorda (% of total respondents).

Legislative and regulatory framework stimulating this processes and appropriate macroeconomic situation, access to the sources of knowledge based on advanced innovation technologies and a number of other factors promoting innovations are of great importance. This significantly increases the role of universities as institutions of society, generating knowledge and providing pre-training of scientific-educational, technological, managerial and cultural elite, as well as structures of innovative type and information systems conceptually ready to deploy.

As we know, in order to form intellectual nation it is necessary to develop human capital. As intellectual resource in the aspect of formation of intellectual nation, most of the respondents assess human capital as “medium”. At the same time, the development of human capital is uppermost in post-industrial society. The President of the Republic of Kazakhstan Nazarbayev N. A. mentioned this fact in his lecture at Al-Farabi Kazakh National University, saying that increasing demand for the quality of human capital is the fifth tendency of the world post-crisis development.

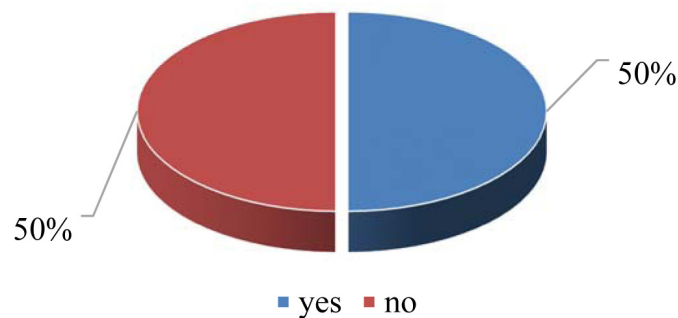


Fig. 3—Are Kazakhstani people ready to implement “Intellectual nation -2020” national project? – Aktau (% of total respondents)

In today’s world knowledge and information, become defining categories of economic development as well as development of social and public life. Example of developed countries shows that the dominant tendency of their development is to focus on the knowledge as a strategic foundation of market economy, which stipulates the rapid development of those industries and businesses into which the transfer of new technologies based on innovative approaches is carried out. But knowledge alone does not transform the economy. To solve this problem, the complex of structures and activities is required, which allows not only to carry out production of knowledge and proper personnel training, but also innovative activity, broadly understood as realisation of scientific and education potential in the market of goods and services. Legislative and regulatory framework stimulating this processes and appropriate macroeconomic situation, access to the sources of knowledge based on advanced innovation technologies and a number of other factors promoting innovations are of great importance. This significantly increases the role of universities as institutions of society, generating knowledge and providing pre-training of scientific-

educational, technological, managerial and cultural elite, as well as structures of innovative type and information systems conceptually ready to deploy.

Education and science in modern Kazakh society act as indicators for the formation of intellectual nation. Expert’s opinion on the development of science and education in Kazakhstan was divided as follows: if people from Semey and Kyzyloda defined this development at a medium level, respondents from Aktau rated it as high – 42.9%.

According to Kazakhstan scientists, in the context of Kazakhstan, quality improvement of human capital defines the need to take a step towards preconditions of intellectual investment in the future. In this regard we should notice “Intellectual nation – 2020” national comprehensive program-a historical document which states the need for intellectual revolution, awakening national potential and its development, which is considered to be a fundamental basis of the formation of intellectual nation.

Rise of cultural and political knowledge, intellectual consciousness of Kazakhstan people, love for their Motherland are the basis of the formation of intellectual nation.



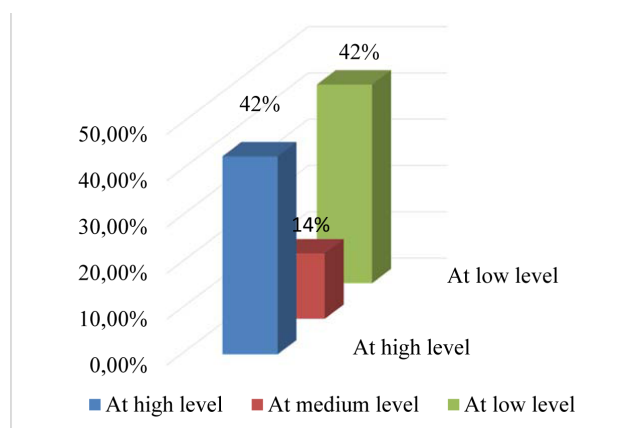


Fig. 4—At what level are the spheres of education and science as an indicator of the formation of intellectual nation developing? – Aktau (% of total respondents)

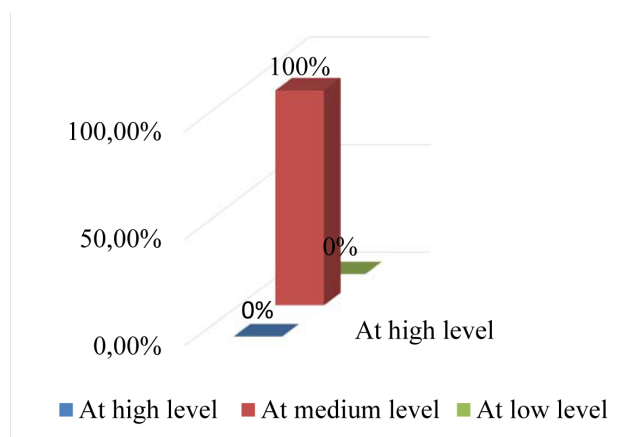


Fig. 5—At what level are the spheres of education and science as an indicator of formation of intellectual nation developing?—Semey (% of total respondents).

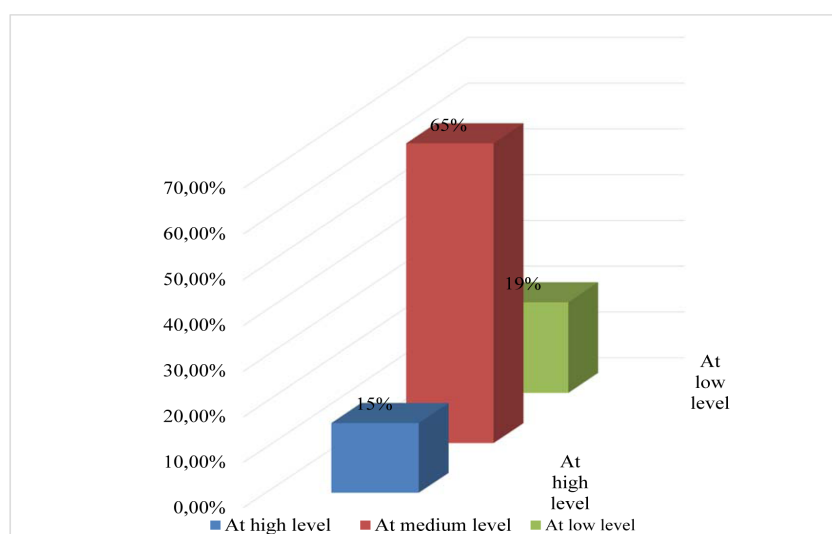


Fig. 6—At what level are the spheres of education and science as an indicator of formation of intellectual nation developing?—Kyzylorda (% of total respondents)

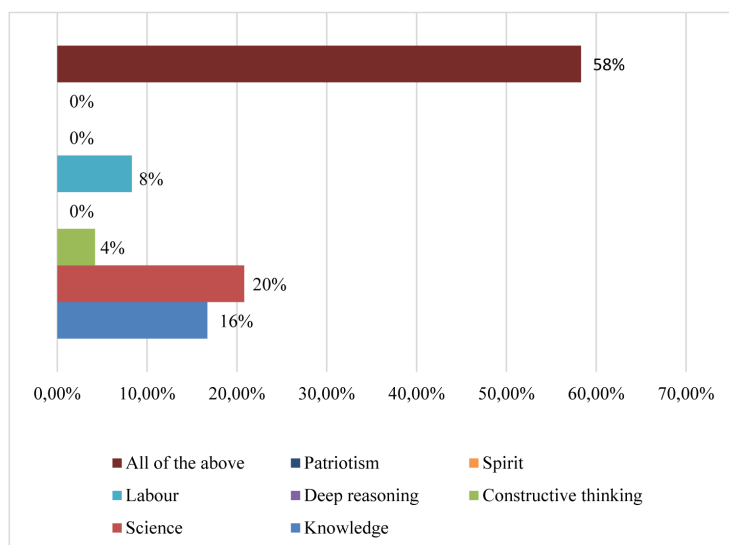


Fig.7-What values do you prefer as an intellectual citizen? – Semey (% of total respondents).

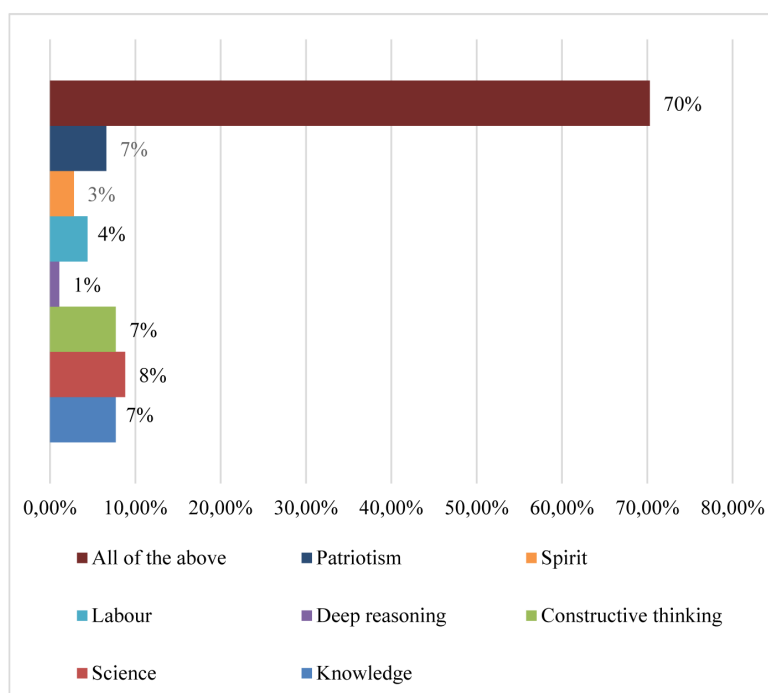


Fig. 8-What values do you prefer as an intellectual citizen?–Aktau (% of total respondents)

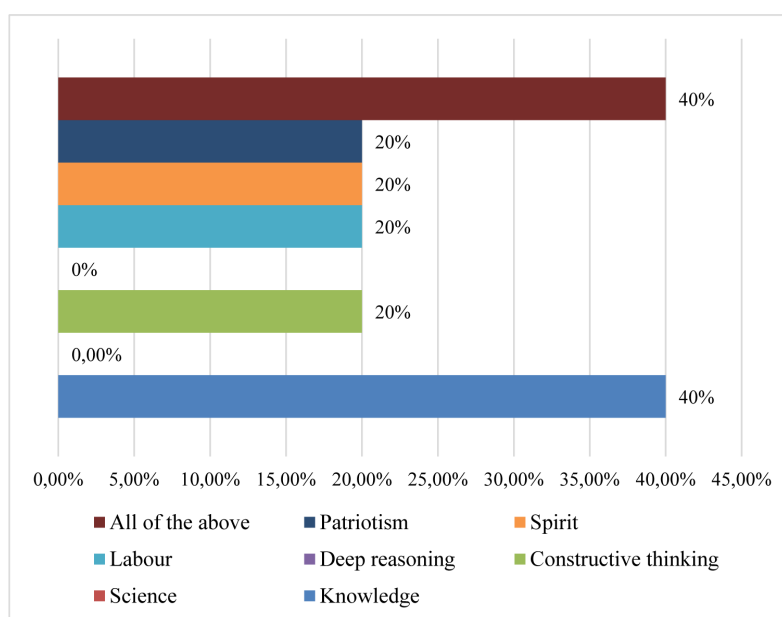


Fig. 9-What values do you prefer as an intellectual citizen? – Kyzylorda (% of total respondents)

During the study, young respondents were asked: “What values do you prefer as an intellectual citizen”? The following list of value orientations was proposed: “knowledge”, “science”, “constructive thinking”, “deep reasoning”, “labour”, “spirit”, “all of the above”. The interesting point was that the majority of the respondents chose “knowledge” as the predominant category—from 7.40 to 16.8%. From 7 to 20% of the respondents chose “constructive thinking”, and “labour”; “spirit” and “patriotism” were distributed on the scale from 0% to 20%. In addition, the respondents were asked to appraise the

policy of mass media in the formation of intellectual nation. In Semey people rated it as particularly important, in Kyzylorda this rate was given only by 26.4% of people and in Aktau—58.3%.

Of course, today when our life is becoming fast and even hard the mass media may set a general feeling. The mass media have a very responsible mission—to form a single national idea, to reflect public mood objectively and to change consciousness of people in positive direction. Moreover, of course, all the citizens of Kazakhstan should contribute to the creation of intellectual values with the help of mass media.

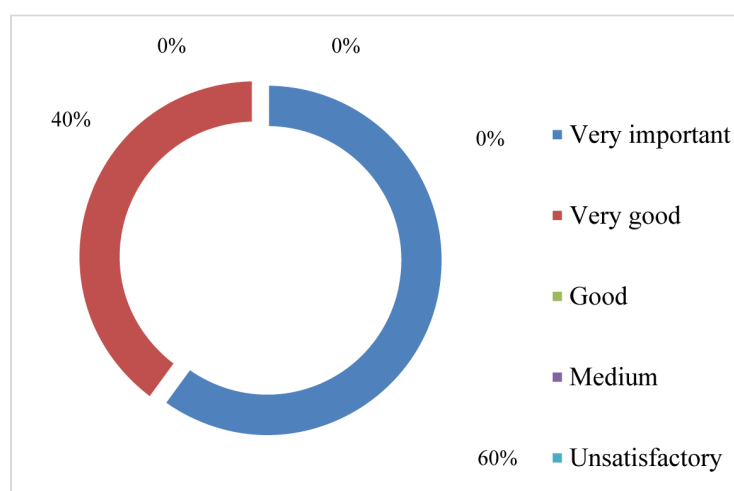


Fig. 10—How do you estimate information policy of Mass Media in the formation of intellectual nation? – Semey (% of total respondents)

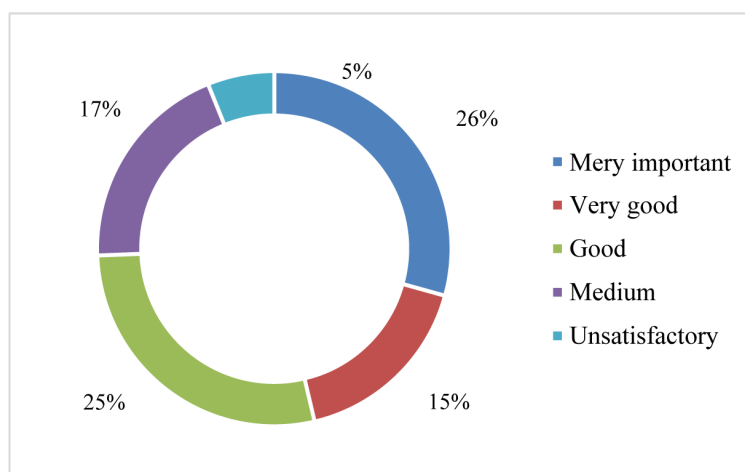


Fig. 11 – How do you estimate information policy of Mass Media in the formation of intellectual nation?–Kyzylorda (% of total respondents).

The following question in the questionnaire was very important: “What would you have contributed to the augmentation of the national intellectual potential?” Respondents from Semey highlighted

“knowledge” and “labour” – 60% and 20% respectively, and in Aktau and Kyzylorda percentage distributed among all categories: “labour”, “spirit”, and “mind”, “knowledge” all of the above.

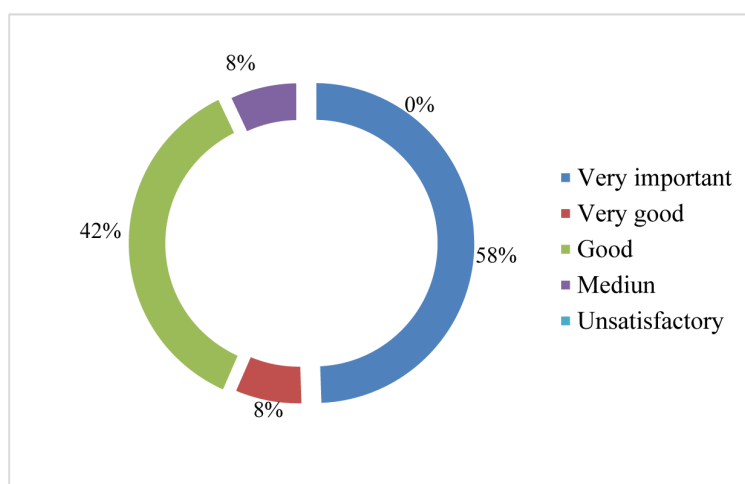


Fig. 12 – How do you estimate information policy of Mass Media in the formation of intellectual nation? – Aktau (% of total respondents)

“Intellectual nation – 2020” national comprehensive program is a historical document which states the need for intellectual revolution, awakening national potential and its development. According to sociological research results, the possibility of creating an intellectual nation in Kazakhstan was estimated equally as high and medium by the respondents.

### Research results

Such opinion is in turn based on the essential aspects of the formation of intellectual nation, which includes the development of science, information technology, ensuring equal access to the intellectual foundations. To solve this problem a complex of structures and activities is required, which allows carrying out not only

the production of knowledge and proper staff training, but innovative activity, understood as realisation of goods and services of scientific and educational potential in the market. As we know, it is necessary to develop human capital for the formation of intellectual nation. Most of the respondents believe this development to be medium – 70%, low – 10%, high – 1%. Among the factors influencing the development of intellectual potential in Kazakhstan, respondents identified the development of social, political and economic reforms-50%, operational development of information technology-25% and the formation of new attitude to the spiritual values-25%.

The respondents estimate the immediate future of implementation of “Intellectual nation-2020” project as medium-60%, high-25% and low- 15%. All the respondents are ready to contribute to the formation of intellectual nation. Knowledge and spiritual traditions are priority values. Kazakhstan’s mass media have a special responsibility for the formation of intellectual nation. It has been appreciated and is considered to be very important (60% of the respondents), satisfactory (20%), medium (10%), normal (5%) and null (5%). Kazakhstan’s mass media have a special responsibility for the formation of intellectual nation. It is considered to be particularly important (58.3% of respondents), good (42.9%), average (8.30%). It points to the fact, that Kazakhstan’s mass media should purposefully develop the sphere of formation of intellectual nation by promoting science, knowledge, spirituality and preservation of national traditions.

## Conclusion

In modern conditions of reforming Kazakhstan statehood and modernization of all aspects of social life, problems of development of cultural policy are actualized, which is adequate to the basic social and cultural vector of our country’s development based on communicative and humanistic paradigm contributing to the strengthening of civil society. It is known that Kazakhstan is often positioned as a country with large resources and raw materials, which are regarded as a leading factor of modernization. However, today this position loses its uniqueness as a number of countries have demonstrated the possibility of national modernization, when the main factors became social and cultural resources associated with the development of human capital, the ability to integrate modern technologies with the national spiritual values. Conducted scientific research has clearly defined the vector of development and formation of intellectual nation. First, these are socio-political and economic reforms. In addition, the formation of new views on spiritual values is the food for public thought. In order to study the technology of intellectual nation formation under the state program “Intellectual potential of citizens” the Department of press and electronic mass media of Al-Farabi Kazakh National University conducted an expert survey. Industrial and innovative development, establishment of an intellectual nation for Kazakh society is the truth, which will be implemented in the nearest future. From this perspective, Kazakh land will not only accept intellectual values but also produce and develop them itself.

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## II • LAW

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### ON THE CONCEPT AND CLASSIFICATION OF ORGANIZED FORMS OF COMPLICITY IN CRIME

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**Annotation.** This paper considers one of the problems of the General part of Criminal law, the issues of classification of forms of complicity and the degree of correspondence of the current legislative formulation to the theoretical and practical requirements of Criminal law.

The purpose of this article is to study the issues of classification of forms of complicity, the analysis of the legislation of the Republic of Kazakhstan on their compliance with the theoretical and practical requirements of the science of criminal law, as well as the proposal of the author's scientific definition of organized forms of complicity.

The scientific and practical significance of the work in the fact that in the theory of criminal law and law enforcement practice of our state and post-Soviet countries in general, one of the unresolved and debatable problems today is the distinction and identification of the most distinctive features of organized forms of complicity to the crime.

The research methods for studying this problem are the historical, comparative legal, logical and structural-functional methods of scientific cognition.

The main results and analysis, the findings of the research. The authors, drawing attention to the provisions of articles 31, 264 and 265 of the Criminal Code of the Republic of Kazakhstan, which establish the criminal responsibility for the creation and management of a transnational organized group, a transnational criminal organization, as well as the participation in them and the creation and management of a transnational criminal community and involvement in it, recognize the norms of articles 264 and 265 of the Criminal Code of the RK as superfluous. The reason for this assessment is the United Nations Convention against Transnational Organized Crime of 13 December 2000, which does not deal with the transnational nature of organized crime as an independent form of complicity. This document calls for international cooperation in combating organized criminal manifestations of an international character.

According to the authors, a transnational organized group, a transnational criminal organization and a transnational criminal community are recognized as independent forms of complicity if these terms represent "a way to realize a criminal plan in the form of joint criminal offense", which means the distinction between the forms of complicity in the science of criminal law.

The practical significance of the results of the research of the problem under consideration lies in the fact that the materials of a scientific article can be used for further research in this area, used in the educational process, in legislative activities that regulate issues related to the institution of complicity.

**Key words:** criminal law, form of complicity, a lower class, criminal community, criminal group

**Аннотация.** В статье рассмотрена одна из проблем Общей части уголовного права – вопросы классификации форм соучастия и изучена степень соответствия нынешней законодательной формулировки теоретическим и практическим требованиям уголовного права.

Целью данной статьи является изучение вопросов классификации форм соучастия, анализ законодательства Республики Казахстан по вопросу их соответствия к теоретическим и практическим требованиям науки уголовного права, а также предложение авторского научного определения организованным формам соучастия.

Научная и практическая значимость работы заключается в том, что в теории уголовного права и право-

применительной практике нашего государства и постсоветских стран в целом, одной из нерешенных и дискуссионных проблем на сегодняшний день считается разграничение и выявление наиболее отличительных черт организованных форм соучастия преступлений.

Методами исследования при изучении данной проблемы являются исторический, сравнительно-правовой, логический и структурно-функциональный методы научного познания.

Основные результаты и анализ, выводы исследования. Авторы, обращая внимание на положения статей 31, 264 и 265 Уголовного кодекса Республики Казахстан, устанавливающих уголовную ответственность за создание и руководство транснациональной организованной группой, транснациональной преступной организацией, а равно участие в них и создание и руководство транснациональным преступным сообществом и участие в нем, признают нормы статей 264 и 265 УК РК излишними. Причиной такой оценки служит Конвенция ООН против транснациональной организованной преступности от 13 декабря 2000 года, которая не рассматривает транснациональный характер организованной преступности как самостоятельную форму соучастия. Данный документ призывает к международному сотрудничеству в борьбе с организованными преступными проявлениями международного характера.

По представлению авторов транснациональная организованная группа, транснациональная преступная организация и транснациональное преступное сообщество самостоятельными формами соучастия признаются в том случае, если эти понятия представляют «способ реализации преступного замысла в виде совместного совершения уголовного правонарушения», что означает разграничивающий критерий форм соучастия в науке уголовного права.

Практическое значение результатов исследования рассматриваемой проблемы заключается в том, что материалы научной статьи могут быть использованы для дальнейших научных исследований в данной области, использоваться в учебном процессе, в законотворческой деятельности, регулирующей вопросы, связанные с институтом соучастия.

**Ключевые слова:** уголовный закон, форма соучастия, группа лиц, преступная организация, преступная группа.

**Аннотация.** Мақалада қылмыстық құқықтың Жалпы бөлімі мәселелерінің бірі, қылмысқа қатысушылықтың нысандарын топтастыру мәселесі қарастырылған және қазіргі заңның қылмыстық құқықтың теориялық және практикалық талаптарға сәйкестік дәрежесі зерттелген.

Бұл мақаланың мақсаты қылмыстық құқық бұзушылыққа қатысу нысандарын топтастыру мәселесін зерттеу, олардың қылмыстық құқық ғылымының теориялық және практикалық талаптарға сәйкестігі мәселесі бойынша Қазақстан Республикасының заңын талдау, сонымен қатар қатысушылықтың ұйымдасқан нысандары бойынша авторлық ғылыми анықтаманы ұсыну болып табылады.

Жұмыстың ғылыми және практикалық маңыздылығы, ол қылмыстық құқық теориясында және біздің мемлекеттің, бүтіндей алғанда посткеңестік елдердің құқық қолдану практикасында бүгінгі күндері шешімін таппаған даулы мәселенің бірі, қылмысқа қатысушылықтың ұйымдасқан нысандарын ажыратушы белгілерін келтіру және анықтау болып саналатындығынан көрінеді.

Бұл мәселені зерттеудің әдістері ғылыми танымның тарихи, салыстырмалы-құқықтық, логикалық және құрылымдық-функционалдық әдістері болып табылады.

Зерттеудің негізгі нәтижелері және талдауы, қорытындылары. Авторлар трансұлттық ұйымдасқан топты, трансұлттық қылмыстық ұйымды құрағаны және жетекшілік жасағаны, сонымен бірге оларға қатысқаны және трансұлттық қылмыстық қауымдастықты құрғаны және жетекшілік жасағаны, сонымен бірге оған қатысқаны үшін қылмыстық жауаптылық белгілейтін Қазақстан Республикасы Қылмыстық кодексінің 31, 264 және 265 баптарының ережелеріне назар аударып, ҚР ҚК 264 және 265 баптарының ережелерін артық деп санайды. Мұндай бағалаудың себебі ұйымдасқан қылмыстылықтың трансұлттық сипатын қатысушылықтың жеке нысаны ретінде қарастырмайтын, 2000 жылғы 13 желтоқсандағы трансұлттық ұйымдасқан қылмыстылыққа қарсы БҰҰ Конвенциясы болып саналады. Бұл құжат халықаралық сипаттағы ұйымдасқан қылмыстардың көріністерімен күресте халықаралық ынтымақтастыққа шақырады. Авторлардың түсінігі бойынша трансұлттық ұйымдасқан топ, трансұлттық қылмыстық ұйым және трансұлттық қылмыстық қауымдастық қылмыстық құқық ғылымында қатысушылықтың нысандарын ажыратушы критерийді білдіретін «қылмыстық құқықбұзушылықты бірлесіп жасау түрінде қылмыстық ниетті іске асыру тәсілі» болғанда ғана қатысушылықтың жекелеген нысандарын білдіруі керек.

Қарастырылған мәселе бойынша нәтижелердің практикалық маңыздылығы, ғылыми мақаланың материалдары осы саладағы ғылыми зерттеулерде қолданылуы мүмкіндігімен, оқу процесінде, қатысушылық институтымен байланысты мәселелерді реттейтін заң шығармашылық қызметтерде қолданылатындығымен анықталады.

**Түйін сөздер:** уголовный закон, қатысушылық нысандары, адамдар тобы, қылмыстық ұйым, қылмыстық топ.

## Introduction

The problem of classifying the forms of participation in relation to the Common Part of Criminal Law is one of the debatable ones. This conclusion follows from the analysis of not only the different approaches of researchers to this issue, but also legislation. Thus, the Criminal Code of the Republic of Kazakhstan dated July 3, 2014, rejecting the concept of “the form of complicity in a crime”, in Article 31 instead uses the concept of “Criminal responsibility for criminal offenses committed by a group”. The criminal law, in parts 1 and 2 of the same article, distinguishing a criminal offense committed by a group of persons on the basis of the presence and absence of a preliminary conspiracy, gives the third generalized concept of a “criminal group”. Hence, it can be noted that the criminal law, calling this criminal law institution “complicity in a criminal offense” of all its manifestations or forms, defines how the criminal behavior of various groups. Thus, the legislator does not take into account the specificity of this criminal law institution, which means that complicity was originally meant to commit a crime with the distribution of roles. The distribution of roles means the participation of the accomplice, organizer, instigator of the crime along with the performer.

Organized forms of complicity require increased attention in conditions where even the legislator sometimes demonstrates an incomplete understanding of the legal nature of the phenomenon and the resulting classification of such forms, which means the subject of this research.

Under the influence of globalization processes, the law enforcement function of the state begins to undergo certain changes, including acquiring an international character. This phenomenon is associated with the acquisition of many types of crimes of a transnational nature, which has become characteristic of such an institution as complicity in a crime.

Based on the above, the purpose of this research is to answer the question: is this classification accurate and perfect, provided for in Article 31 of the Criminal Code of the Republic of Kazakhstan, does it meet the criteria developed by the theory of criminal law?

One of the traditional principal functions of a State in a sphere of national policy is the law-enforcement function which envisages the protection of human rights and freedoms of citizens, of all forms of property as well as the rule of order. Under the influence of globalization processes the

law-enforcement function of the state has undergone certain changes acquiring international character.

This phenomenon is connected with the fact that many forms of crimes are of transnational character which has also become inherent to such a notion as complicity in crime. Organized forms of co-participation (complicity) require much higher attention under the conditions when even a legislator sometimes demonstrates misunderstanding of the legal nature of the phenomenon and classification of such forms arising from it.

## Methodology

For forming the right understanding of organized forms of co-participation in crime and their scientifically grounded classification, it is necessary to carry out comparative analysis of organized forms of co-participation envisaged in the Criminal Code of the Republic of Kazakhstan (further RK) and dealt with in the works of scientists, as well as foreign legislative practice. By using the results of such comparative analyses it will be possible to formulate the exact proposals related to the notion and classification of organized forms of complicity.

## Discussions

### **The Convention of the UN against transnational organized criminality of 13 December 2000 and organized forms of complicity.**

Initially, we would like to note that it is difficult to consider the issue of classifying forms of participation, in particular, organized forms of it in relation to foreign legislative practice. The reason for this is the lack of a special rule or legal institution for the forms or types of complicity in the General part of the criminal law of many countries. Criminal laws of the USA, France, Germany, Spain, Poland, Switzerland in the General Part do not specify the forms or types of complicity. However, in the Special Part of the Criminal Code of these countries there is criminal liability for certain types of complicity in criminal offenses. For example, the Criminal Code of Germany specifies the responsibility for a group of persons, a criminal community, a gang (German criminal code). In US law, there is a responsibility for collusion of six degrees, an illegal gathering (U.S. Code Title 18. Crimes and criminal procedure U.S. Code). According to the Criminal Code of France, a criminal gang, conspiracy, gathering, battle group, union of criminals (Code pénal Version consolidée au 25 novembre 2018) is considered criminal. The Spanish Criminal Code provides for responsibility for the armed gang, formation, group (Spanish Penal Code), Criminal Code of Poland, organized

group, community (Criminal Code of Poland), Swiss Criminal Code gang, criminal organization (Criminal Code of Switzerland). Also, the Italian Criminal Law does not single out in the General Part of the Criminal Code a separate provision for the form of complicity in art. 416 of the Special Part of the Criminal Code provides for liability for the criminal organization of the mafia type (The Penal Code of Italy).

The Criminal Code of the People's Republic of China in the General Part mentions a criminal group and a criminal community (Art. 26), and in the Special Part identifies an armed insurgency and armed rebellion (Art. 104), a terrorist organization (Art. 120), an organization (Art. 125), group (art. 228) (Criminal Law of the People's Republic of China).

Any state enacting laws strives not simply to regulate public relations, due to which the society is formed and functions, but also to produce rules and norms of high quality.

The quality of legal norms is defined by such circumstances as the observance of theoretical requirements to the content of the law, the application of legal norms in the activity of law-enforcement bodies relating to the right qualification of the crime committed, as well as the observance of the legislative techniques. From the scientific point of view of the legislative techniques some doubtful provisions of criminal legal norms can be observed in the content of the institute of complicity. So, the Criminal Code of the Republic of Kazakhstan of 1997 (with subsequent amendments), has dealt with the transnational organized criminal group and the transnational criminal communities (Art 31) as an independent form of complicity in crime. The reason of appearing such forms of complicity in the Criminal Code is clear. For effective combating the organized criminality within the frame of standards recognized by international organizations special Conventions have been adopted. One of them is the Convention of the UN against transnational organized crimes of 13 December 2000, adopted in Palermo (Convention of the UN against transnational organized crimes of 13 December 2000). This convention was ratified by the Republic of Kazakhstan on 4 June 2008 by adopting the Law of the RK №40-IV "On the Ratification of the UN Convention against Transnational Organized Crimes". The Convention consists of 41 Articles and contains certain provisions which are necessary for international cooperation in combating transnational organized crimes. The Convention, dealing with the principal notions used in its content, in Article, 2 gives the following definition of an organized criminal group:

«Organized criminal group means a structurally formed group which consists of two or more persons existing during a certain period of time and functioning jointly in committing one or several serious crimes or crimes recognized as of that in conformity will the current Convention, in order to get, directly or indirectly, financial or other material profits».

The current Convention does not consider the notion «transnational organized group» as an independent form of complicity, but the word combination «transnational organized crime» is given in the title of the Convention. And it is expedient, as the norms of international law, including the present Convention, are applicable to neutral zones, i.e. to the territories of neutral waters or to the international air space, as well as to the offenses concerning which several states have grounds to apply their own jurisdiction. That's why the notion «transnational organized crime» used in the title of the Convention means the activity of organized criminal groups of international character, i.e. we observe the direct indication to transnational character of organized crime.

In compliance with this the criminal responsibility of a master-minder and participants of the organized criminal group or criminal community, which have committed crime on the territory of a foreign state or on other grounds claiming to apply the jurisdictions of more than one state, is determined by an international treaty. The analogous study is recognized by other scientists. In particular, Komissarov V.S. and Ensebaeva M.B. dealing with the issues of combating organized crimes by perfecting Criminal legislation, write as follows: "In this context it is understood that the main characteristic feature of transnational organized criminality is the specific activity, which has alongside with the organized, transnational nature» (Komissarov, 2013: 118). However, to our regret, these scholars have not considered the notion "transnational organized criminality» in relation to the forms of complicity. That's why it is not quite clear whether they recognize transnational organized criminal activity as an independent form of complicity. Foreign scientists as Pierre Hauck and Sven Peterke referring to numerous national and international documents including the Convention of the UN against Transnational Organized Criminality, consider the notion «transnational organized criminality» as a legal notion (Pierre Hauck, 2013: 407-436). One can agree with this point of view with a certain reservation, because the usage of this or that term in national law or in international relations turn this term into a legal notion. But it should be kept in mind that Criminal law and other branches of law



close to it must use those notions and terms which really exist in the world and designate the names of the subjects or characterize humans behavior. It is exactly in this point that Criminal law differs from criminology. In criminology, unlike Criminal law, only those notions and terms are used which designate the aggregation of similar phenomena. For example, if the notions «organized criminal group», «criminal organization», «criminal community» are recognized as criminal-legal notions and are used in private cases, but in criminology they are designated with the only term «organized criminality». It is exactly in this meaning the notion «transnational organized criminality» is presented as the notion referring to criminology, as by this notion we always mean an organized group, organized community whose activities have foreign elements.

It should be noted that transnational organized criminality and organized criminality in general are the phenomena of present days, as there is no reliable information from ancient sources on crimes of organized character.

In ancient times complicity in crimes in an organized form took place during the seizure of power or during the attempts made on the lives of leaders of states.

Over the subsequent centuries, since the establishment of banning slavery and slave trade by European states, the world has already known about organized criminality of transnational character as slave trading.

That's why we can assert that organized forms of complicity in crime have started and spread since the XIX century, being a characteristic feature of criminality of some nations and regions.

According to the assertions of some scientists, organized forms of complicity with started in certain regions of the world their specific features, and later spread over other states. Thus, Stefano Maffei and Isabella Merzagora Betsos in the article under the title «Crime and Criminal Policy in Italy» state that Italian Mafia organizations evolved as regional ones and much later they spread all over Italy and even abroad. In their opinion, besides the worldwide known Sicilian mafia stemming from the XIX century, there are some other organizations as «Kamorra» (in Kampania), «ndrageta (in Calabria), «saka corona unita» (in Apulia). In the paper under discussion these scientists note that at present organizations of a mafia type, besides traditional crimes as extortions in department stores and local enterprises, are engaged in other profitable activities such as drug, cigarette and people trafficking and international smuggling of arts items (Stefano Maffei, 2011: 470).

Focusing on traditional organized crimes of this or that nation, we can dwell upon the Chinese type of organized crime. T. Wing Lo and Sharon Ingrid Kwok Sharon state in their article that the Chinese criminal world is evolving in two directions:

structural and territorial triads and criminal groups set up by entrepreneurs (Wing Lo, 2017: 589). Triad is a Chinese mafia originally created on the grounds of religion and patriotism, later transforming into a criminal syndicate and spreading over other countries.

From the point of view of the above mentioned authors, at present Triads are establishing their economic territories and are actively making impact on the entrepreneurial activities.

The analogous opinion is expressed in the paper of Paolo Kampana. He analyses the two points of view on the movement of Mafia groups: organized criminal groups, including mafia, which move and extend their business becoming more and more localized. According to the second point of view, such criminal groups can easily migrate.

Based on the analysis of these points of view, the author comes to conclusion that organized criminal groups have become a kind of flexible organization which can easily migrate, relocate its business and use every opportunity all over the world (Paolo Kampana, 2011: 213-228).

Analyzing the data from foreign sources and taking into consideration the peculiarities of organized crime in Kazakhstan, it can be concluded that most of organized criminal groups relate their activity with the economy.

It is natural that the leaders of such groups focus their attention on the principal flow of the capital into the economy and use every opportunity in this direction.

Such kind of conclusion can be made despite the existence of some criminal organizations whose activity is connected with people trafficking or drug trafficking, as well as terrorist or extremist organizations whose criminal activities are based on national, religious or political convictions.

It should be noted that acquiring transnational character of organized crime must not be recognized as the circumstances aggravating criminal responsibility. In our opinion, the transnational character of organized crime is a natural phenomenon for many states. One of the reasons of this is the fact that state boundaries are open for tourism and entrepreneurship. Organized criminal groups are not slow to take advantage of such a situation. In other words, such forms of crimes as people or drug trafficking pose a real threat to society, no matter

whether they have been committed within one state or on the territories of several states. In the criminal legal doctrine the gravity of criminal acts and the extent of responsibility are determined by the incidence of crime, i.e. the object of encroachment, means, techniques, circumstances, time, place, motives and purposes of committing criminal acts.

Thus, by determining legally this or that symptom as a circumstance aggravating criminal responsibility, a law-maker must take into consideration more frequently committed crimes or their peculiar symptoms. For example, Seigny Eric and Allen Andrea assert that 7 percent of drug users carried guns while committing crimes, and for this they were incarcerated. They also state that there are a number of factors stipulating drug market participants to obtain guns (Seigny Eric, 2015: 435).

### **Organized Forms of Complicity in Crime in the Criminal Code of the Republic of Kazakhstan (RK).**

The Criminal Code of the RK of 2014 in its Articles 264 and 265 has designated criminal responsibility for «setting up and guidance of transnational organized groups, transnational criminal organization and participation in them» and «setting» up and leadership of transnational criminal community and participation in it as well.”

The scientific substantiation of these forms of complicity is not so considerable, that's why there is no need to differentiate the symptoms of organized groups and transnational organized groups envisaged in Chapter 3, article 31 of the Criminal Code of the RK, as well as criminal community and transnational criminal community as indicated in the same article.

The content of Chapter 3, article 31 of the Criminal Code of the RK runs as follows: “A crime is recognized having been committed by a criminal group, if this crime has been committed by an organized group, criminal organization, criminal community, transnational criminal organization, transnational criminal community, terrorist group, extremist group, gangs, or illegal military formations».

Galiakbarov R.R. suggested to consider as “an organized group» any «criminal group» generalized according to the forms of complicity and having, as minimum, the symptoms of stability (Galiakbarov, 1980: 30-32). At present the analogous standing is observed not only in the Kazakhstan legislative practice, but in the writings of some Russian scientists as well.

In particular, Arhipova M.V. and Redkina E.A. dealing with this issue express the following: “Correspondingly, the notion “Criminal group»

denotes three organized forms of complicity. If these persons have agreed upon in advance to commit crime and are seeking to find accomplices, then they are considered to be a group of persons on preliminary agreement. If such kind of group is stable, then it is an organized group; if it is stable and is aimed at committing grave or much gravest crimes, then it is a criminal community. The above mentioned assertions give the grounds to consider a criminal group in a generic sense related to the forms of complicity (Arhipova, 2008: 17).

Unlike this scientists, Kazakhstani legislative practice includes into the notion “criminal group» not only organized forms of complicity but also other types of complicity as gangs, military formations, terrorist groups, which are directly considered the forms of complicity possessing the symptoms of stability.

Referring to the correlation of notions “organized group, criminal organization, criminal community, transnational organized group, transnational organized organization, transnational criminal community, envisaged in Part 3, Article 31, as well as in Articles 262-265 of the Criminal Code of the RK, we can observe the following: “If in conformity with Paragraph 36, Article 3 of the Criminal Code of the RK, an organized group is regarded as a stable group of two or more persons united with in advance with the purpose of committing one or several criminal offences, then, according to paragraph 35 of the same Article, a transnational organized group is characterized as an organized group pursuing the aim of committing one or several criminal offenses on the territories of two or more states or one state while masterminding the perpetration of criminal acts from the territory of another state involving the participants of another state.

The Criminal Code of the RK defines the notion «criminal community» as an association of two or more criminal organizations having agreed upon to commit jointly one or more criminal offences as well as creating conditions for committing one or several criminal offenses by any of these criminal organizations on their own [ Paragraph 23 Article 3 of the Criminal Code of the RK]. Paragraph 33 of the same Article envisages the following definition for the transnational criminal community: transnational criminal community is an association of two or more transnational criminal organizations.

Analyzing the classification of the forms of complicity, some discrepancies or even wrong perceptions of the forms of complicity by the law-makers can be observed. The Criminal Code of 1997 of the RK considered the criminal organization as

an alternative name for the criminal community. The Criminal Code of the RK of 2014 considers the criminal organization and transnational criminal organization as independent types or activities of criminal groups.

For clarifying the correlation of an organized group, criminal community and criminal organization the definition of a criminal organization is given. In conformity with Paragraph 25 of Article 3 of the Criminal Code of the RK a criminal organization is an organized group where participants are placed organizationally, functionally and territorially in separate groups (structural subdivisions). As far as transnational criminal organization is meant, the following definition is given in paragraph 34, Article 3 of the Criminal Code of the RK: transnational criminal organization is a criminal organization pursuing the aim of committing one of several criminal offences on the territories of two or more states or one state while masterminding the commitment of some criminal act from the territory of another state involving participants of another state.

Focusing on the characteristics of a transnational organized group, transnational criminal organization and transnational criminal community, it can be observed that these forms of complicity can be depicted in three variants. First: committing, crime on the territories of two or more states irrespective of participants citizenship;

Second: masterminding of committing crime from the territory of another state; third: committing some criminal acts on the territory of another state by citizens of another state. It should be noted that in accordance with such characteristics it is not desirable to consider a transnational organized group, transnational criminal organization and transnational criminal community as independent forms of complicity, the territory where crime is to be committed and citizenship of persons who are guilty do not stipulate the ways of implementing criminal intentions with the participation of two or more persons. These notions, if the ways of implementing criminal intentions jointly were available, would present an independent form of complicity.

Besides, the citizenship of offenders and the territory where crime is committed, must not make impact on the degree of public danger.

Part I of Article 262 of the Criminal Code of the Republic of Kazakhstan regulating responsibility for setting up the organized group or criminal organization envisages the deprivation of liberty to the term of 7-12 years. But Part 1 of Article 264 of the Criminal Code for the same fact of setting up

and masterminding transnational organized group, transnational criminal organization brings the verdict of punishment to the term of 10-15 years.

It is hard to agree to such differentiation of criminal responsibility, as, firstly, the citizenship of the offender and the territory where the criminal offence is committed (the place of committing crime is the territory in Kazakhstan) in conformity with general rules of Criminal law are not recognized as the circumstances aggravating criminal responsibility. Secondly, Article 262 of the Criminal Code of the RK providing for responsibility of leaders of an organized group and criminal organization in one part of the Article, does not differentiate their responsibility. The question may be posed: if these types of criminal groups are not differentiated according to the degree of public danger, then what is their peculiar feature?

In our opinion, paragraphs 36 and 25 of Article 3 of the Criminal Code of the RK are too vague in differentiating an organized group and criminal organization. If to refer to the characteristics of an organized group, it may be noticed that it occurs to be a stable group of persons united beforehand with the purpose of committing one or several offences, while a criminal organization may be characterized as the activity of an organized group where the participants are placed in organizational, functional and structural subdivisions which may be applied in an organized group as well.

Paying attention to the characteristics of these notions, it may be observed that a legislator considers a criminal organization as something between an organized group and a criminal community, between which, in fact, there are no specific differences.

If to take into consideration the classification made by the scientists having researched the problems of complicity, it may be concluded that none of them distinguished an independent form of complicity in a kind of organized group or criminal community. But some of them used the notion «criminal organization» instead of a criminal community. Thirdly, Articles 262, 263, 264 and 265 of the Criminal Code of the RK relate to the general norms of the Special Part of the Criminal Code. It means that these Articles while qualifying crimes may be applied in cases when there are no special qualification elements for the creation and guidance of an organized group, criminal organization, transnational criminal organization, criminal community and transnational criminal community as well as for the participation in the activities of such criminal groups. Fourthly, over the last years, crimes acquire transnational character.

The Criminal Code of the RK contains a rather sufficient number of criminal offences which possess characteristic transnational coloring and for combating them international cooperation is required. These criminal offences are qualified as crimes of international character. They are as follows: people trafficking, trafficking of drugs and psychotropic substances, smuggling of confiscated things and items limited in circulation, economic smuggling, producing and sale of counterfeit money and securities, acts of terrorism, etc.

In most cases the crimes are committed not by individuals but by an organized group or criminal community. That's why even in the absence of Articles 264 and 265 in the Criminal Code, the leaders and other members of a transnational organized group and transnational criminal community for committing the above mentioned crimes, would not be spared and left outside of responsibility and punishment. These acts fully correspond to the contents of Articles 262 and 263 stipulating responsibility for setting up organized groups and criminal communities for the participation in the activities of such criminal groups. It should be noted that in general in the law-making process one should avoid excesses while drafting legal norms.

### **Distinctive Features of Organized Forms of Complicity.**

In the theory of Criminal Law and of law-enforcement practices one of the unsolved and debatable problems of today is differentiation and revealing of the most distinctive features of organized forms of crime complicity. If one group of scientists recognize "criminal organization" as the most aggravated form of complicity (Grishaev P.I., Kriger Y.A.). (Grishaev, 1959: 56-63); Piontkovski A.A. (Piontkovski, 1970: 466); Telnov P.F. (Telnov, 1974: 132), the others use the notion «criminal community» Trainin A.N. (Trainin, 1941: 79), Burchak F.Y. (Burchak, 1986: 126-128), Kurinov B.A. (Kurinov, 1984: 151). The question is whether these two notions are independent forms of complicity or they are just synonyms?

But there exists the third direction, according to which the notions "criminal organization" and «criminal community» are not included into the forms of complicity but they are designated independently (Kovalev, 1962: 227-237). In Part 4, Art 31 of the Criminal Code of the RK of 1997 these two, notions were given the common definition, considering them as synonyms. The criminal community was considered the form of complicity (the notion «criminal organization" was placed next to it in brackets).

If to analyze the positions of the current law and the points of view of scientists, it seems to be hard to differentiate the criminal organization from the criminal group and criminal community. It is hard to do it not because of the criteria by which one form is differentiated from another, but because of symptoms characterizing the criminal organization and criminal community. For example, Grishaev P.I., Kriger Y.A., including unity as one of the symptoms of the criminal organization, consider that it is possible to set up a criminal organization for committing crime (Grishaev, 1959: 11). Kovalev M.I. suggests almost the same definition, asserting that "The criminal organization is a group consisting of two or more persons set up for committing one or a number of crimes being engaged in criminal activities» (Kovalev, 1962: 231).

Piontkovski A.A. characterizing the criminal organization as the most dangerous and complicated form of complicity, stated the following: «Such organizations have their own tasks. They may be anti-Soviet organizations, gang organizations, etc. Even the fact itself that such kind of organization has been set up, is a real crime. In other forms, the creation of a criminal organization means the stage of preparation» (Piontkovski, 1970: 446). Besides those crimes mentioned in the Articles of the Special Part, the Criminal Code of the RK does not exclude the possibility of existing an organization on other crimes. The suggested definitions of Piontkovski A.A. and of the other above mentioned authors are identical where they point to the possibility of existing a criminal organization for committing one crime. It should be perceived with understanding because Criminal Law of that time contained such types of crimes where there was the word "organization», for example, anti-Soviet organization. Besides, there was special literature dealing with such types of criminal organizations for committing the acts which undermine the activity of penal institutions, smuggling, etc (Beljaev, 1968: 606-607).

Among the scientists who researched the problems of complicity in crimes is Telnov P.F. He also characterized a criminal organization as a kind of independent form of complicity. In his opinion independent "a criminal organization is a stable association of two or more persons united for committing criminal acts jointly» (Telnov, 1974: 132). This definition does not show the difference between a criminal organization and an organized group.

He considers the organization and stability of the group as the obligatory symptoms of an organized group. Just the fact that the existence of a criminal



organization is mentioned in the Articles of the Criminal Code of the RK as a special norm can be regarded as the difference between the two notions in this interpretation.

The analogous point of view is expressed by Eleskin M.V. who asserts that "A law-maker, in fact, has mixed the two criminal structures: a criminal organization (whose activity is aimed at committing certain crimes) and a criminal community (whose activity, first and foremost, is aimed at strengthening the joint actions against the state combating crimes); creation of the most favourable conditions for promoting criminal activities, etc» (Eleskin, 1998: 17). The above mentioned standings of the authors may lead to the wrong solution of the issue because while classifying the forms of complicity related to its organized forms, it should be taken into consideration not the types of crimes envisaged in the Special Part of the Criminal Code of the RK but the joint criminal activity of two or more persons having certain peculiarities on objective and subjective symptoms.

Not recognizing a criminal organization as an independent form of complicity, we think that the wording of Article 31 of the Criminal Code of the RK is wrong which considers these two notions «a criminal organization» and «a criminal community» as synonymous. The reason of such kind of approach lies in the fact, firstly, because of their being interchangeable. If in the early researches «a criminal organization was recognized as the gravest and the most complicated form of complicity, in the latest writings the notion «criminal community» was used.

Consequently, referring to the researches carried out earlier, it seems to be impossible to reveal the correlation between the notions «a criminal organization» and «a criminal community».

Secondly, while classifying the organized forms of complicity, the application of judicial procedural materials as well as taking into account the types of criminal offences envisaged by the Special Part of Criminal law characterized with the symptoms of stability and structurality are considered to be more effective. Criminal law of 1959, as it has been mentioned above, used the notion «organization», in particular, referring to such elements of crime as, for example, «setting up of an anti-Soviet organization», which showed that such kind of form of complicity existed.

In the Criminal Code of the RK of 1997 and 2014 we can come across the notion «organization» while describing the actions of accomplices, for example, the organization of illegal military

formation (Art 236, now Art 267), organization and upkeep of dens for using drugs (narcotics) and psychotropic substances (Art 264, now Art 302). It should be taken into consideration that Criminal law uses other notions as well, related to complicity in these crimes except qualified elements of crime providing for responsibility for the crime committed by an organized group or criminal community where the exact forms of complicity in crime may not be named, for example, in such crimes as piracy, armed rebels, etc. We should treat such a position with understanding, because the law-maker does not consider as the main task of his activity to determine to what form of this type of complicity belongs, but the investigation of crime describing the objective symptoms of the elements of criminal offences. Answering the question to what form this type of complicity is to belong is the task of the next stage, i.e. paying attention to the presence or absence of the symptoms of stability and structurality in crime, we recognize the form of complicity envisaged in Art 31 of the Criminal Code of the RK article 31 of the Criminal Code of the RK being the norm of the General Part of the Criminal Code is the general normative provision for the norms of the Special Part. It should be noted here, that the main practical requirement of Article 31 is the extent of all criminal offences committed in complicity, irrespective of the fact whether this act is regarded as a form of complicity in Criminal law.

In other words, any criminal offence committed in complicity must correspond to one of the forms of complicity. If some criminal offence committed in complicity, due to its peculiar characteristics does not comply with any forms of complicity envisaged in Art 31 of the Criminal Code of the RK, then this norm is considered imperfect.

Besides, it should be noted that one and the same criminal offence committed in complicity must not comply with two forms of complicity simultaneously, because each form of complicity represents and is designated for separate criminal offences committed in complicity.

We, in this part of the analysis, shortly speaking, we want to state our decision regarding complicity, where the perpetrators, without creating an organized group, implement the criminal intent by distributing roles and without assigning roles, i.e. in the form of co-performance. In accordance with the theory of the qualification of criminal offenses, it cannot be qualified as a crime committed by a group of persons in such a case, when in it one of the accomplices is limited to performing the role of organizer or instigator, and the rest are all performers. In this



case, the participation of at least one person in the form of an organizer or accomplice changes the form of complicity in the direction of complex complicity. The meaning of complex complicity is that the crime was committed, and it was attended by persons who perform other roles besides the performer. In general, the question of the classification of forms of complicity should always be borne in mind that the initial value or reason for the emergence in the criminal law of such a thing as "complicity in a crime" is the fact that a crime was committed, and someone involved in this crime as a persuader accomplice or organizer, and they should be punished.

One of the reasons why the notion "a criminal organization" is given preference compared with the notion "a criminal community" is its extent and volume. Under the present conditions, when organized criminality has acquired the transnational or interstate character, we think, it is desirable to use the term «criminal community». The term "criminal organization" due to its content and meaning can not cover such a wide range of forms of organized criminality.

That's why it can be asserted that in a criminal community it is not mandatory that the leadership of all the groups must be carried out by one person. It is possible that the leaders of several organized criminal groups may unite. The pure sense of the word "community" is the unification of several communes united for the attainment of common ends.

We should also pay attention to the proposal of Jurov A., who asserts that the term «community» has a wide meaning and is close to the notions of social character rather than to the notion «organization». He suggests to change the term «community» into the term «criminal organization» (Jurov, 1990: 259). But we do not support this idea, because, if we add the word "criminal" to the notion, it changes its social and political meaning. Here not only the notion "community" but also «organization» both have social significance and meaning. There exist such word combinations as public organizations, state organizations, international organizations, etc.

The analysis given above may lead to the conclusion that the group which does not belong to any communities engaged in criminal activity irrespective of the types of crimes committed (whether they are identical or not) is considered an organized group or a criminal organization.

**The possibility of transforming of an organized group into a criminal community.** Considering the mentioned aspect of complicity in criminal offence, we should dwell upon the possibility of transforming

of an organized group into a criminal community in the process of committing crimes relating to the category of grave or gravest. There is not such kind of trend in the researches carried out earlier, but in the criminological encyclopedia and in the Criminal Code of the Russian Federation we can find such a trend (Alekseev, 2000: 568-569). That's why it is reasonable to ask what symptom is, first and foremost, characteristic of a criminal community: the purpose of committing grave or gravest crimes or structurality and stability. The answer may logically be derived from the following judgments. Let's assume that the association of organized group have committed a series of crimes, but these crimes on the degrees of their public danger do not belong to the grave ones. Can we assert that it is not a criminal community? We think we cannot.

In such cases the systematic engagement and the organized character of criminal activities amplify the responsibility and the degree of public danger inflicted by their criminal acts.

In general, the purpose of committing grave crimes is not a typical symptom of the criminal community and does not reveal the nature of such form of complicity. This symptom is a typical factor for various manifestations of crimes, including criminal offences committed by non-permanent forms of complicity as well as by other individuals.

In our opinion, the characteristic features of the criminal community is the unity and structurality or unification of several organized criminal groups. It should be admitted that the availability or the lack of structurality of groups is the criterion discriminating a criminal community from an organized group, but a characterizing symptom of an organized group are the permanency and stability of the group.

**Defining of the notion "Criminal community".** Describing the questions relating to the organized forms of complicity the scientists who researched the problems of complicity in crime, suggested different definitions of the criminal community.

These definitions in many cases corresponded to the definitions of organized groups or criminal organizations, proposed by other scientists. For example, Kovalev M. defined a criminal organization as the group consisting of two or more persons, set up in advance for committing one or several crimes (Kovalev, 1962: 231). Grishaev P.I. and Kriger Y.A. put forward the similar definition of an organized group. Liychmus U. who considered a criminal community as an independent form of complicity, suggested the following definition: "a criminal community is a permanent association of two or more persons

united for the joint criminal activity» (Liychmus, 1985: 34). Further the commented: «Participants of the criminal community can commit many socially dangerous acts, but the criminal community may also be organized for committing the only criminal act, for example, terrorist attack» (Grishaev, 1959: 27).

The above mentioned definitions show that in the 1960 s -80 s there was no common opinion on the criminal organization, the criminal community and the organized group. Analyzing the researches of the recent times, including the researches of Kazakhstani scientists, we can underline that now there is the unanimity of standings and approaches to the earlier debatable issues on certain forms of complicity. The Kazakhstani scientists, who researched the issues relating to the organized forms of complicity, have recognized banditism as one of the forms of the organized groups, though such kind of provision was not given in the previous Criminal Code of the RK [Sudakova R.N.] (Sudakova, 2002: 392-393), Verbovaya O.V. (Verbovaya, 2000: 16). If to focus on paragraph 36, Art 3 of the Criminal Code of the RK where the notion «organized group» is defined, it becomes clear that banditism, being organized, stable and socially dangerous, is the variety of an organized group.

Normative resolution №2 of the Supreme Court of the RK of June 21, 2001 «On several issues on the Application of the Legislation on Responsibility for Banditism and other crimes committed in complicity» has recognized gangs as a variety of an organized criminal group (paragraph 6 of the same resolution). In general, we also stick to such a decision.

Summing up various points of view on the issues of organized forms of complicity, we think that the notion «criminal community» has not been given the precise and scientifically grounded definition yet in the current Criminal Code.

Proceeding from the definitions given above, we put forward the following editing of paragraph 23, Art 3 of the Criminal Code of the Republic of Kazakhstan: A crime is considered having been committed by a structurally united association of several criminal groups which have been brought together for the joint criminal activities.

### Recommendations

Critically relevant to the current criminal law, it is advisable to bring your own solution to this problem. Article 31 of the Criminal Code of the Republic of Kazakhstan should reflect all the circumstances of the joint criminal activity of two or more persons. All the circumstances of a joint criminal activity of two or more persons should be understood as forms of complicity, which in their sense represent ways of satisfying the criminal intent in the form of complicity in a criminal offense. They may be:

- the commission of a crime by a group of persons (or simple complicity);
- committing a crime with the distribution of roles (or complex complicity);
- organized group;
- criminal community.

From this classification of the forms of complicity it is clear that the presence or absence of prior collusion between the accomplices is not taken into account, since the commission of a crime by a group of persons and the commission of a crime with the distribution of roles can be committed without prior collusion and with prior agreement. The reason for refusing to use preliminary agreement on the classification of forms, in our opinion, is the impossibility of determining the degree and nature of the public danger of a crime, as well as the rules for qualifying criminal offenses through these signs. For example, the murder was committed with preliminary agreement or without preliminary agreement, from which the degree of public danger of the crime does not change and, accordingly, its qualification does not change.

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### III • INTERNATIONAL RELATIONS

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#### SUSTAINABLE INFRASTRUCTURE DEVELOPMENT PROBLEMS IN CENTRAL ASIA

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**Abstract.** This article is devoted to the 9th goal of the POST 2015 Programme – creation of resilient infrastructure, facilitation of inclusive and sustainable industrialization and foster innovation. The condition and development level of transport infrastructure is an essential factor in formation and acceleration of sustainable development of regions and their effective cooperation. Issues of resilient infrastructure development bear peculiar traits in Central Asia region, because they are in need of overcoming geographic isolation, solving the problem of being inaccessible and dependent on countries, which provide them an avenues to world markets. Successful solution of infrastructure issues gives Central Asia states opportunities to diversify the resources of state revenues, create new sectors of economy and reduce dependence on raw materials export. As for the Kazakhstani government, it prioritizes promotion of competitiveness on the global market of services, and correspondingly, stimulation of trade flows growth through its territory.

**Keywords:** Central Asia, infrastructure, railway, highway, transport corridors, TRACECA.

**Абстракт.** Эта статья посвящена 9 цели Программы POST 2015 – Создание прочной инфраструктуры, содействие обеспечению всеохватной и устойчивой индустриализации и внедрению инноваций. Состояние и уровень развития транспортной инфраструктуры является важным фактором в формировании устойчивого развития регионов и эффективного их взаимодействия. Развитие транспортной инфраструктуры ускоряет развитие регионов. Для региона Центральной Азии вопросы развития прочной инфраструктуры, имеют свои особенности. Прежде всего, странам региона необходимо преодолеть географическую изоляцию, решить проблему закрытости региона и зависимости от стран, обеспечивающих им доступ к мировым рынкам. При успешном решении вопросов развития инфраструктуры, государства Центральной Азии получают возможность диверсифицировать источники государственных доходов, создать новые отрасли экономики и снизить зависимость от экспорта сырья. Если об РК, то на рубеже нового этапа социально-экономической модернизации приоритетной задачей для Казахстана в области развития национального транспортно-коммуникационного комплекса является обеспечение его конкурентоспособности на мировом рынке услуг и, соответственно, стимулирование роста торговых потоков через территорию республики.

**Ключевые слова.** Центральная Азия, инфраструктура, железная дорога, автодороги, транспортные коридоры, ТРАСЕКА.

It is known that sustainable development is a broad concept, and the concept of sustainable development is linked to the modern strategy of socio-economic development, sustainable economic growth and access to available resources.

This article will draw our attention to the 9<sup>th</sup> goal of POST Program 2015 – Building a solid infrastructure, the promotion of inclusive and sustainable industrialization and innovation (2015: 11). And it is not accidental. The state and the

level of development of transport infrastructure is an important factor in shaping the sustainable development of the regions and their effective interaction. Development of transport infrastructure accelerates the development of the regions.

So, it is important for each region, but for the Central Asia issues of the solid infrastructure development have their own features. First of all, the countries of the region need to overcome geographic isolation, solve the problem of region's closed nature



and dependence on the countries providing them access to world markets.

### 1. NECESSITY OF INFRASTRUCTURE DEVELOPMENT IN CENTRAL ASIA

The Central Asian countries apply their own efforts for the development of transport infrastructure, seeking to integrate into the international geo-economic structure, solve their common economic and trade issues, maintain stability and develop comprehensive cooperation. In the case of successful solution of infrastructure development issues Central Asian countries get an opportunity to diversify the sources of government revenue, create new industries and reduce dependence on raw materials exports.

Currently, each of the five republics of the region adopted the state programs aimed at the development of the transport sector, which should allow them to access to international trade routes. (Ordabayev 2012: 9).

As for the Republic of Kazakhstan, on a boundary of a new stage of socio-economic modernization a priority task for Kazakhstan in the field of development of the national transport and communication complex is to ensure its competitiveness in the global market of services and, thus to promote the growth of trade flows through the territory of the republic.

The importance of the development of transport and logistics infrastructure in Kazakhstan indicate a number of strategic documents.

In May 2012, the President of Kazakhstan Nursultan Nazarbayev announced the launch of a large-scale project «New Silk Road». «Kazakhstan should revive its historic role and become the largest business and transit hub of the Central Asian region, unique bridge between Europe and Asia ...», – said the head of the state (Nazarbayev 2012: 5).

The program «Nurly Zhol – the Way of the Future» envisages increasing the country's export potential; the formation of macro-regions on the basis of the hubs; necessity to continue the creation of a logistics hub in the east and sea infrastructure in the west of the country (Nazarbayev 2012: 6).

One more adopted «One hundred concrete steps of President N. Nazarbayev» document notes the necessity of Kazakhstan integration in the international transport and communication flows (2016: 13). For the development of road and transport infrastructure, the launch of a project to create a «eurasian transcontinental corridor» multimodal transport corridor, which allows to carry out free transit of goods from Asia to Europe, and others the government set tasks to attract strategic investors.

As a result, Kazakhstan can become a hub country in the Central Asian region, the integrator of intraregional economic ties, the attraction center of capital and investments, and the place of regional industries or branches of the world's largest companies oriented on the Central Asian market providing international services. According to Kazakhstani experts, in the future Kazakhstan may serve as an important link in a transcontinental economic interaction between European, Asia-Pacific and South Asian economies (Ibraimova 2016: 3).

Therefore, the Republic of Kazakhstan is now in the process of transit policy active building, the improvement of its direction and the formation of new vectors. Properly using its position, Kazakhstan will be able not only to receive income from transit, but also to develop the regions on the basis of their involvement in the exchange of goods, establishing local production of those goods which are in demand in foreign markets.

So there are all necessary preconditions for the further development of transport and transit potential of the region. On the one hand, because of its unique geographic position Central Asia is able to become one of the most important sites of world trade.

On the other hand the implementation of these plans can prevent a whole range of internal and external factors.

To evaluate the transport capacity and infrastructure in Central Asia (CA) is quite difficult. First of all, because there are different approaches to similar estimates (different criteria and indicators).

Every two years The World Bank counts Logistics Performance Index (Logistics Performance Index – LPI). According to the latest published data for 2014 year, out of 163 evaluated countries the overall logistics performance index of Kazakhstan took the 88th place, Tajikistan – 114, Uzbekistan – 129, Turkmenistan – 140 and Kyrgyzstan – 149 place (Turayeva 2014: 16).

One of the problems of an internal character is poor infrastructure. However, analysis of the infrastructure projects implemented in the countries of Central Asia and those which are at the stage of implementation and development shows the absence of any coherent and collaborative policy development of common infrastructure.

From researcher M. Turayeva's perspective, it is generally accepted that «the interaction between the republics of Central Asia slows exports similar nomenclature, the competition for the international agricultural markets, political disagreements between the leaders of some countries, transport

isolation of the poorest countries in the region and the destruction of existed in Soviet times a single economic system» (Turayeva 2014: 17).

Even based on the generalized figures, we can conclude that the value of intra-regional trade is still very small, and for the past three years, a stable positive dynamics in this area is not observed. The main factors of development of transport infrastructure in these conditions are trade relations with third countries and between them. In this regard, transport cooperation is an important activity of many regional and international organizations, which involve the Central Asian countries.

## **2. EXTERNAL PARTNERS GEOPOLITICS INFLUENCE ON CENTRAL ASIA INFRASTRUCTURE**

Meanwhile, the main trend of development of the sector under consideration in Central Asia is a focus on international transport corridors (ITC).

With regard to the external factors, the distinguishing feature is that for the Central Asia region infrastructure issues solution geopolitical and geostrategic factors are very important, the choice of which depends on their further development. In fact, it's a question of its competitiveness, issues of its integration into the world economy and more.

Currently in active stage is the process of transformation of the Central Asian region from the peripheral region to a region where more insistently intersect the interests of several major countries.

According to Kazakh experts, today there are three competing geopolitical projects in Central Asia – American project «New Silk Road», Russian project «Eurasian Union» and the Chinese project «Economic zone along the Silk Road» (EZSR). All three appeared almost simultaneously, and they had been conditioned by the policy change initiated by their countries towards Central Asia (Syroyezhkin 2016: 14).

### **2.1. Eurasian Project**

China and Russia offered their vision of the development of transport routes in the region – within the EAEU and EZSR. Each of them has its own conceptual basis and has a number of pros and cons.

We can agree with the opinion of Kazakhstani expert K.Syroyezhkin, that one of the main problems of the EAEU is a difference in vision the ultimate goals of the Eurasian integration. For Russia it is a predominantly geopolitical project. For Kazakhstan it is solely an economic project. For Belarus, Kyrgyzstan and Armenia is the desire to receive from Russia as many economic privileges as possible.

From a number of issues for further development of the EAEU, we can not omit Sanctions Western policy towards Russia, which, albeit indirectly, affect the economies of other member states and makes further integration with Russia unattractive (Syroyezhkin 2016: 15).

Historically the basis of Russia's transit potential is, on the one hand, the proximity to the EU, on the other – the neighborhood with the Asian countries. The formation the EAEU Russia automatically got the function to protect the interests of the whole space of this association. Therefore, in addition to strengthening the partnership with the countries of the southern borders of the former Soviet Union, it is necessary to understand that the importance the availability of funding sources for the development of the national transit systems in these countries – it is a delicate issue, which should be under the control of the appropriate government agencies.

And, despite the fact that the consequences of the sanctions and changes in foreign economic policy have a negative impact on the Russian economy, the development of regional transport and logistics routes should be made to the list of priority.

### **2.2 Silk Road Economic Belt**

Experts note that «the prospect that promises EZSR, identified by global trends».

Lately, the initiative which was put forward is not just a concept but a major international project that represents a huge economic interest not only for China, but for all the countries located along the Great Silk Road, including the Republic of Kazakhstan.

Trade and economic relations of Kazakhstan and China have a sustained, mutually beneficial and dynamic character, based on the strong foundation of cooperation between the two countries, accumulated over previous years.

Chinese initiative «Economic zone along the Silk Road» and the new economic policy of Kazakhstan «Nurly Zhol», in terms of content complement each other, as they are aimed at the development of infrastructure, particularly transport and communications.

Due to the cooperative practical realization of both strategic initiatives, which are harmoniously combined their synergetic effect will be more significant and profound for economic development of Kazakhstan. Moreover, they contribute to diversification, industrialization and modernization of the national economy (Nurseitov 2015: 7).

The practical implementation of pairing Chinese initiative «One zone one way» to NEP



“Nurly Zhol”, the prospects for the formation of a cooperation mechanism between the “brain centers” and scientific institutes of RK and China in the field of trade and economic, politics, investment, infrastructure cooperation were discussed in March, 2016 in Beijing.

For Kazakhstan, like other Central Asian countries, it is important to participate in the implementation of the Chinese initiative «Economic zone along the Silk Road», and effectively use emerging new possibilities and advantages of regional cooperation, ensuring at the same time minimizing risks and threats.

The project «Economic zone along the Silk Road» creates new opportunities for Kazakhstan’s participation in the regional division of labor and cooperation, international business and investment, the development of goods trade and services, as well as to create new working places.

China’s leadership for its part, considers Kazakhstan as a major and long-term trade and economic partner in Central Asia. Moreover, Kazakhstan has the largest economy in the region and accumulates more than 70% of China’s trade turnover with the countries of Central Asia.

For the purposes of the practical implementation of initiative “The economic zone along the Silk Road” China together with the Asian countries concerned creates two important financial development institution: Asian Infrastructure Investment Bank (AIIB) and the Fund of the Silk Road.

The establishment of these two institutions is a powerful aspect of the Chinese initiative which is of great importance for the strengthening of multilateral cooperation in the Silk Road countries. This will ensure the financing of joint projects in the sphere of energy, transport, communications and other industries.

At the same time, according to Kazakh experts, the formation of Silk Road Economic zone will be restrained due to:

- the existing differences in the level of socio-economic development and life of the country, located along Silk Road,
- insufficient development of transport and logistics infrastructure in Central Asia,
- low level of forwarding service,
- low efficiency of rolling stock of transport,
- unpreparedness of local businesses to international competition and entering foreign markets (Nurseitov 2015: 8).

One of the threats for Kazakhstan may become inability to preserve the raw material orientation of the national economy, as investment projects of Chinese companies are primarily linked to oil and

natural gas.

The practical implementation of the initiative of the Chinese «Economic zone along the Silk Road» can lead to the formation of the new global economy around Eurasia, where the main link becomes Central Asia. In particular, a strategically important place will be Kazakhstan.

Under the leadership of China and with its financial support the Economic zone of the Silk Road will provide implementation of the various investment projects and programs in Central Asia.

The main problem is how to create conditions for the two project – EAEU and EZSR and which should not be viewed as competitive, but complementary. The first step in this direction was taken during the visit of Xi Jinping, in May 2015, in Kazakhstan, Russia and Belarus, where the documents about pairing of these projects were signed.

Pairing of the national program «Nurly Zhol» is not in the triangle with the EAEU and EZSR but with each of the concepts individually. The main emphasis is placed on the pairing of EZSR and «Nurly Zhol».

Directions of pairing EZSR and «Nurly Zhol» were not only found, but gained real outlines in the form of specific projects, and the main thing that they have already ensured financially.

Unfortunately nothing can be said about EAEU, neither in terms of investment nor in terms of specific large-scale projects.

There is one more significant fact that, in contrast to the EAEU and Russian policy EZSR and China’s policy in Central Asia begin positively assessed by the Western countries.

For Kazakhstan, which is not only one of the core members of the EAEU, but also its founder, the question of how to combine EZSR and «Nurly Zhol», without entering into conflict with Russia, and without destroying the Russian-Kazakh relations is quite topical.

### 2.3. «New Silk Road» initiative by USA

Taking into account the energy resource potential of Central Asia, the United States shows a great interest in the development of transport infrastructure of the region to the west (Euro Asian corridor, East-West route).

Cooperative initiative of Afghanistan, the United States and Germany, “New Silk Road”, in which countries in the region of Central and South Asia, as well as a number of other interested states and international organizations intend to promote a comprehensive, long-term economic strategy to help Afghanistan.

Many experts, both post-Soviet countries and Western countries understand that the need for economic development is crucial to resolve issues of stabilizing Afghanistan and regional security issues.

The current state of Afghanistan gives reason for moderate optimism about the processes occurring in the country's transition to peace and recovery of its economy and social sphere. All governmental and international programs for economic revival of Afghanistan look ideal only on paper. Economically the state is helpless and relies only on foreign investment and private initiative.

We can agree with the opinion of the Russian President's special representative Z. Kabulov about Afghanistan that so far the Afghan economy, held relatively well on several «whales». The first «whale» is the service sector. In Afghanistan there were placed about 150 thousand foreign soldiers. The second «whale» is drugs. The third «whale» – economic assistance to Afghanistan. But it «dries out». Still, it turns out that the economy is somehow able to hold only on the foreign infusions and drug revenues (Kabulov 2015: 4).

One of the main directions of development of the Afghan economy is a question of development of the transport system, primarily railways. The construction of railways in Afghanistan began in 2008 and already the first successes in this area confirm that the railways can become not only the basis for the growth of commodity production and export, but also the basis for the further development of core industries. Thus, the railways of Afghanistan can become a key point of economic development.

One of the most successful transport projects is the opening in 2011 the railway Hairatan to Mazar-i-Sharif, the construction of which was financed by the Asian Development Bank. The width of the railway track is 1524 mm, which makes it compatible with the roads of Uzbekistan and other Central Asian countries (2015: 2). The development of trade with the countries of Central Asia and Russia created opportunities for economic development of the northern region of Afghanistan.

Afghanistan has a unique position as it borders with the countries that use the three different types of railway track: European, Soviet and Indo-Pakistan. Experts believe that in this technological environment railways of Afghanistan should be developed on the principle of «three joint track» that involves the development of overload goods system goods and cargo from one type to another railway route. In the estimation of experts, ensuring «three joint track» scheme's effective functioning, which is supported by the three greatest in the world railway

systems, guarantee Afghanistan a big transit flow of cargoes (Verkhoturov 2014: 18).

A project to build a railway corridor Turkmenistan – Afghanistan – Tajikistan (TAT) is also of great importance to the strategic, political and economic interests of all the member countries of the project.

It is anticipated that Afghan railways can provide an easy and direct access to South Asian countries in the Central Asian, Russian and European markets. The implementation of such projects contributes to the development of the economy, as well as the interest of all member countries in establishing and maintaining security in the Afghan-Pakistani territory. This is a good opportunity to raise the level of economic cooperation between the Central Asian countries (SCO) and formulate a mechanism of multilateral cooperation between them.

On the other hand, we can assume that Central Asian countries consider the construction of Afghanistan infrastructure to connect the country to the outside world, to help Afghanistan to be re-involved in the international community (Baizakova et al. 2014: 1).

The strategy of «New Silk Road» which announced US Secretary of State Hillary Clinton can according to American analysts provide a significant economic growth and trade to Afghanistan's neighbors, including all Central Asian countries.

According to US Deputy Secretary of State Robert Hormats: active participation of Afghanistan and its neighbors the process would lead the initiative of the New Silk Road to reach its full potential (2015: 10).

The transformation of Afghan into a regional crossroads of a new network of economic and trade relations will allow the country to take responsibility for their own economic future and ensure a more stable financial prospects for the Afghans, their neighbors and international partners. Deputy Secretary of State also underlined the «key role» of private investment in the construction of the «New Silk Road».

«New Silk Road» should consist of three main parts – energy trade, construction of infrastructure and the exchange of ideas,» – said Juan Miranda (Juan Miranda), the general director of the Department in Central and West Asia of the Asian Development Bank. The expert notes that Afghanistan has many natural resources, which could be exported. Today the international community has a task to implement an idea about a new way to reality, defining a program of action, as well as short-term and long-term goals, he said (2015: 12).

Experts agree that today the strategy of «Silk Road» is facing important challenges. In particular,

the lack of infrastructure, high customs duties, as well as the conflict situation in some parts of the region complicate the construction of the economic ties between the countries.

The main pivots in the economic revival of Afghanistan, US analysts see large regional projects, such as CASA-1000 (supply infrastructure project for electricity to Afghanistan and Pakistan) gas pipeline construction project TAPI (Turkmenistan-Afghanistan-Pakistan-India), the railway construction project China-Kyrgyzstan-Tajikistan-Afghanistan-Iran and others.

Considering the latest events in the Middle East, we can say that the United States has not left the tries to realize these “mega-projects” in terms of medium term planning. Thus, the integration of Central Asia as a unified region in the Euro-Atlantic area remains on the agenda of the American long term strategy.

Obama administration continues the policy laid by its predecessors, although it is making corrections, usually associated with the sharp changes in the current situation. The main components of this strategy include consideration of CA from the perspective of the problems of Afghanistan, supporting pipeline projects avoiding Russia and Iran.

The new politics of Barack Obama in Central Asia is a caution and account of the interests of Russia. In the future, we should expect an increase Washington’s concern for strengthening the positions of China and Iran in the region. It is possible that this factor will contribute to the convergence of US and Russian positions in the region.

Thus, the United States intends to use as a method of «smart» power – a combination of «hard» and «soft» force; more willing to choose the political, economic methods, diplomacy, cultural relations, rather than military force.

Furthermore, in its strategy in CA United States have to take into account the Chinese factor. Washington is exploring possibilities for cooperation with China in the region. On the other hand, the United States really wanted China to participate actively in the reconstruction of Afghanistan.

#### **2.4. EU collaboration projects**

Talking about other geopolitical players, it be mentioned the European Union. For example, the fundamental interests of the European Union in Central Asia are in the field of ensuring the energy

security. Brussels has developed INOGATE program which focuses on deepening cooperation in the oil and gas industry and reducing Europe’s dependence on Russian energy.

The aim of another program the TRACECA is put the development of transport infrastructure and the EU access to China through Central Asia avoiding Russia.

TRACECA is positioned as a program of international cooperation in the field of transport between the European Union and partner countries for the development of a transport corridor from Europe through the Black Sea, the Caucasus, and the Caspian Sea with access to the Central Asian country.

Also an interesting TRACECA project “Silk Wind» (Silk Wind), aimed at increasing transit rail and sea routes in the direction: the border of China Kazakhstan – Georgia – Azerbaijan Turkey’s western border. Project participants (Azerbaijan, Georgia, Kazakhstan and Turkey) plan to use a high-speed train route in multimodal transport, introduce a unified rate for the transport of goods, simplify customs and border procedures, and reduce transit time and travel time.

Representatives of the research field and experts on infrastructure projects in the region characterize the efficiency of TRACECA activities quite skeptical. Their estimates are based on the high level of corruption among officials in charge of national agencies and the general unjustified transit project.

However, countries which interact with the EU as part of its transport project, their dependence on external financing of national transport and logistics networks and readiness of leadership of these countries to sign agreements for the provision of technical assistance, the prospects for the development of the TRACECA projects throughout the Silk Road are rather favorable, providing continuation of their funding policy.

Either way, the two European programs can have an impact on the economic situation of the region, which is actually a “buffer” between Europe and the Muslim world.

#### *Conclusion*

Complex, systematic solution of the Economic problems in the geopolitical context of the global crisis, security issues, ensuring social stability require bringing together leading scientists, theoreticians, researchers, practitioners and specialists.

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## AFGHANISTAN'S PATH TO RECOVERY: CENTRAL ASIAN DIMENSION

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**Abstract:** This paper closely looks at the current state of affairs in Afghanistan and its relations with countries of Central Asia. It also highlights little progress made by national Afghan government since 2014 after NATO withdrawal. Such issues as border security, regional cooperation, international community's development assistance are discussed. Most importantly paper attempts to answer the question whether there is indeed imminent threat emanating from Afghanistan to its neighbours in the North. It is getting increasingly clear today that United States is failing to succeed in Afghanistan yet again. Failure is happening across many various dimensions: political, military, social, economic and regional. Today Afghanistan is widely perceived as a war-torn country with continuous fighting and a little prospect for the peace. One can say that Afghanistan truly became a platform for clash of civilisations with Western powers trying to create liberal democracy against deeply traditional, rural and tribalistic society the country presents. In this context, it is hard to imagine how the path to comprehensive recovery should look like.

**Keywords:** Afghanistan, Central Asia, Taliban, foreign fighters, regional security, Islamic State Khorasan, NATO

**Аңдатпа:** Бұл құжат Ауғанстандағы қазіргі жағдайды және оның Орталық Азия елдерімен қарым-қатынасын сипаттайды. Мақалада сондай-ақ Ауғанстан ұлттық үкіметінің НАТО ұйымына мүше елдердің контингенттері шығарылғаннан кейін 2014 жылдан бастап біршама ілгерілеу туралы айтылған. Шекара қауіпсіздігі, аймақтық ынтымақтасты және халықаралық қоғамдастықтың дамуына көмек сияқты мәселелер талқылануда. Ең маңызды мақала Ауғанстанның аймақтық көршілері үшін, сондай-ақ алыс көршілер үшін шынымен де туындайтын қауіп бар ма деген сұраққа жауап беруге тырысады. Бүгінгі таңда АҚШ Ауғанстанда қайтадан жетістікке жете алмағаны айқындала түсуде. Сәтсіздіктер әртүрлі деңгейлерде болады: саяси, әскери, әлеуметтік, экономикалық және аймақтық. Бүгінгі таңда Ауғанстанды үздіксіз соғыстарға ұшыраған ел ретінде және қазіргі кездегі басты проблемалардың бірі ретінде қабылдайды. Ұзақ уақытқа созылатын бейбітшіліктің болашағы әрдайым мүмкін емес сияқты. Ауғанстан шынымен де батыстық державалармен өркениеттер қақтығысы үшін нақты алаңға айналды деп айтуға болады, бұл елдің терең дәстүрлі, ауылдық және рулық қоғамына қарсы либералды демократия құруға тырысады. Осыған орай Ауғанстанды жан-жақты қайта құрудың жолы қандай болуы керек екенін елестету қиын.

**Түйін сөздер:** Ауғанстан, Орталық Азия, Талибан, шетелдік күрескерлер, аумақтық қауіпсіздік, Хорасан Ислам мемлекеті, НАТО.

**Аннотация:** В этом документе подробно рассматриваются текущее состояние дел в Афганистане и его отношения со странами Центральной Азии. Статья также подчеркивает незначительный прогресс, достигнутый национальным правительством Афганистана начиная с 2014 года после вывода контингентов стран-членов НАТО. Обсуждаются такие вопросы, как безопасность границ, региональное сотрудничество, помощь международного сообщества в развитии. Самое главное статья пытается ответить на вопрос, существует ли действительно неизбежная угроза, исходящая из Афганистана для его региональных соседей. Сегодня становится все более очевидным, что Соединенным Штатам вновь не удастся добиться успеха в Афганистане. Неудачи происходят на уровне многих различных измерений: политическом, военном, социальном, экономическом и региональном. Сегодня Афганистан широко воспринимается как раздираемая войной страна с непрерывными войнами. Перспектива установления прочного мира кажется зыбкой и маловероятной. Можно сказать, что Афганистан действительно стал платформой для столкновения цивилизаций с западными державами, пытающимися создать либеральную демократию против глубоко традиционного, сельского и племенного общества, которое представляет собой страна. В этом контексте трудно представить, как должен выглядеть путь к комплексному восстановлению Афганистана.

**Ключевые слова:** Афганистан, Центральная Азия, Талибан, иностранные бойцы, региональная безопасность, Исламская Республика Хорасан, НАТО



## Introduction

It is getting increasingly clear today that United States are failing to succeed in Afghanistan yet again. Failure is happening across many various dimensions: political, military, social, economic and regional. The idea of Greater Central Asia with Afghanistan included failed to find its real representation amongst its neighbours. If nothing, all five Central Asian countries regard Afghanistan with caution, sometimes even bordering with suspicion and heavy security concerns.

Today Afghanistan is widely perceived as a war-torn country with continuous fighting and a little prospect for the peace. Taliban, it seems, is as strong as ever and twice as confident to attack Afghanistan's Northern provinces, not far away from the border with Central Asian republics.

At the same time the EU as well as the US is making attempts to bind Afghanistan to regional cooperation and integration via different projects, such as CASA-1000, TAPI and the Chabahar port construction. It is expected that both Central Asia and South Asia, two regions that are sandwiching Afghanistan from both sides would also join the reconstruction efforts in order to assist their most turbulent neighbour. It is worth mentioning that so far none of the projects are fully functional.

Moreover the security situation in the country is too dire to describe: authorities today are facing not only reinforced Taliban, but also few thousand Daesh/ISIS forces alongside the remnants of Al Qaeda scattered all across the country. Despite the presence of NATO's Resolute Support Mission their numbers are too small to seriously contribute into establishing solid security nation-wide. For example almost immediately after NATO's International Security Assistance Force withdrawal at the end of 2014, Taliban managed to gain control over one fifth of Afghanistan's territory. (Guistozi)

Major threat for Central Asian countries is presented by ISIS branch located in Afghanistan. Islamic State Khorasan or IS-K is even more dangerous than militant groupings currently left in Syria and Iraq, as it is much closer to home. And it is no secret that among IS-K fighters there are Central Asian nationals who after the defeat of ISIS in the Middle East were directed back to their home countries. Among Central Asians who fought alongside IS in the Middle East, most were killed, captured, or detained. Tiny portion of them returned back to their countries of origin, where under specific terms and conditions some were pardoned and integrated back to society. Others fled to the most

convenient, geographically close and affordable place: Afghanistan. There they joined back into ranks of Afghan branch of ISIS – IS-K.

It is well known today that infamous Islamic Movement of Uzbekistan, whose initial goal was to overthrow the secular regime of Uzbekistan's first President Islam Karimov, pledged their allegiance and joined IS-K.

Currently there is an ongoing debate among regional and international experts as to whether Central Asian governments should expect any Islamist incursion from Afghanistan. Both Taliban and IS-K are strengthening their positions in the country, as can be seen from regular Taliban attacks within Northern Provinces where Afghanistan borders with three Central Asian republics: Tajikistan, Turkmenistan and Uzbekistan. Border skirmishes became regular and intensive. (Ibrahimi & Shahram)

For example on 3 November, 2016 Afghan National Forces and the US conducted joint operation in Afghanistan's northern district of Kunduz with at least 30 civilians killed and 25 injured. The operation targeted Taliban leaders who planned additional attacks in Kunduz. Another purpose was to clear Taliban positions and disrupt the organization's operations in Kunduz. Operation was widely reported in the media due to severe human losses: two US Special forces members killed and two more injured; four members of Afghan special forces killed and six more injured. From the Taliban side 28 insurgents were killed and 10 others wounded including a top commander. (Najim Rahim and Rod Nordland)

There were also unofficial reports that local residents were caught up during the fight that claimed civilian lives, mostly women and children. The fact is that in most cases Taliban infiltrates residential areas and starts using civilians as human shields, thus multiplying the casualties of peaceful population.

After the emergence of Islamic State in the Middle East, Central Asia was proclaimed as intrinsic part of Islamic Caliphate under the name of Khorasan Province. At present the gravest concern is the idea that after failing to establish full-fledged Islamic Caliphate in the Middle East, IS leaders plan to create its version on the territories of Central Asian states.

Information about the fact that Central Asian extremists were assigned with orders to go back to their home countries and launch disruptive terrorist activities against secular regimes of the region has right to exist. (Менджович)

Some of these former soldiers of Jihad try to integrate back to society and go legal; some of them



might even appear to repent their actions; and some of them form “sleeping cells” to strike when least expected and strike hard.

One of the United Nations latest documents clearly explains that along with Taliban, Al-Qaeda and its affiliated Eastern Turkistan Islamic Movement maintain significant presence in Afghanistan's Badakhshan Province that borders Tajikistan. Worse, according to the same document over 500 fighters from Kyrgyzstan, Tajikistan and Uzbekistan are operating under Taliban in that Province. (UNSC document)

This facts suggest that there are hidden channels functioning between these three CA countries, Afghanistan and perhaps Middle East that facilitate communications, movement of the extremists and possible funding. However the fact that nationals from CA countries are present within the ranks of Taliban does not necessarily mean a planned incursion into Central Asia. Taliban itself time and again stressed that their main objectives are primarily to do with Afghanistan's internal affairs and that they do not intend to cross the borders.

At the same time Taliban and IS-K are two different forces with different strategic objectives, who also regularly clash with each other. (Seldin)

IS-K holds few training camps in Afghanistan where predominantly foreign fighters with Syrian background train the new recruits. Tajik law enforcement official went as far as stating that there are over 6000 foreign fighters and over 30 training camps functioning in the Northern Provinces of Afghanistan belonging to IS-K, Eastern Turkistan Islamic Movement and Jamaat Ansarullah. (Менджович)

The question to be asked is how credible this information might be about Eastern Turkistan Islamic Movement being run and funded by militant Uighurs who fight against China? (Colin and Rexton Kan) Do all these groups share common goals or are they forced to stay together as there is one common enemy? Taliban fights both official government in Kabul and any foreign presence, both military and civilian. It is also reported that Taliban is waging war against IS-K due to different visions of the future of the country along with different objectives. So far it is rather explicit that Taliban is fighting virtually everyone including its own government.

At the same time Taliban's single official office abroad in Qatar and its representatives are circling between great powers (US, Russia, Iran, etc) in an attempt to strike a deal. Can it be that Taliban is hopelessly split within itself and its different factions determine to achieve different set of goals?

It has been long known that among Taliban's various factions there are moderate, peaceful wings who plan to settle the conflict and want to establish peace in the country.

Currently Taliban is actively engaging in negotiations with both Moscow and Tashkent attempting to get both political and diplomatic support from two capitals. Both capitals insist on talks with Kabul as legitimate party to be involved. However the progress is stalled in terms of agreement with official Kabul.

Both sides are claiming unattainable goals. For Taliban it is complete withdrawal of all foreign troops; release of prisoners and adoption of new Constitution based on Sharia law. President Ashraf Ghani well understands that accepting these demands equals the suicide of his regime. Without advanced foreign troops, their training, assistance and particularly funding entire country might end up at the mercy of the radicals. Kabul would lose its political credibility in front of the West and NATO by complying with Taliban. If Taliban wins it is very likely that Ghani would no longer be President and entire government will change. If the country would adopt new Constitution based on Sharia law, there will be no space for building a democracy that NATO powers struggled to achieve for 18 years.

No one at this stage can provide a guarantee that total removal of the foreign presence from the country might bring everlasting peace should the government comply with Taliban demands. On the other hand, one can argue that poor peace is better than current state of affairs with constant Taliban attacks and massive casualties of both civilians and the military.

### **International community's attempts to assist**

Both United States and international community have over the years been heavily investing and supporting Afghan economy in order to construct a viable state. Numerous conferences were held to attract more international donors.

For example on 4 and 5 October 2016 Brussels hosted an international conference to promote financial aid to Afghanistan until 2020. It was attended by over 70 countries and 30 international organizations and agencies. (Semple) In 2012 at the similar conference in Tokyo over 70 donors pledged to provide 16 billion US dollars. In 2016 in Brussels, Kabul was promised 15.2 billion US dollars until 2020 if Afghan authorities adhere to a number of specific terms and conditions, like following the provisions of the Self-Reliance through Mutual

Accountability Framework (SMAF) adopted in 2015. (Semple)

At the NATO Summit in Warsaw in 2016 member countries agreed to provide security assistance of roughly 1 billion US dollars per year until 2020.

It remains painfully obvious that international community cannot continue observing Afghanistan further destabilising itself after almost two decades of exacerbating military engagement. Providing financial support was deemed crucial to bring about a new strategic shift towards stabilization and peace. However the results of this policy appear to be almost non-existent.

Still European Union acknowledged small scale of progress in terms of human development, like improved rights of women, anti-corruption measures and revenue collection. Nevertheless the country remains largely fragile entity facing numerous political, security and economic challenges.

The gravest and strongest of those challenges is undoubtedly a corruption that stretches across the entire society, governmental institutions and various structures in charge of running the country. The corruption can be fully considered as an inherent part of social and political life of Afghanistan, deeply embedded into the mindset of people. It is a threat no foreign government or any other external force is equipped to fight and win. It is partially due to corruption than anything else that contribute to disrupting national security forces, including ANA and ANSF. It serves as deterrent factor to investments, economic growth and prosperity.

In 2015 Transparency International ranked Afghanistan as number 166 out of 167 countries in its Corruption Perceptions Index. Kabul's response was to adopt new Anti-corruption strategy and the Anti-Corruption Justice Centre. The results of these measures remains to be seen. (Semple)

The overarching goal international community struggles to achieve is to make Afghanistan a self-sufficient country with the solid and healthy rule of law, strong adherence to the human rights and institutional capabilities to deliver quality services to Afghan population. Following the idea of NATO member states who sent national military contingents to Afghanistan, suffered casualties and donated millions of euro/dollars, the country ought to obtain at least a tiny resemblance to the liberal democracy: a vision which would probably never come true.

The World Bank estimated that Afghanistan had to stay connected to foreign assistance lifeline up until 2030 and perhaps even beyond that mark. Country's economy is lagging behind significantly with the World Bank's Ease of Doing Business

in Afghanistan Report ranking it 177 out of 189 economies in 2016. (UNSC document)

However, there are chances and opportunities for Afghanistan to rise and prosper. Interest towards natural resources of Afghanistan were demonstrated by China Metallurgical Group Corporation and the Jiangxi Copper Company Limited concerning Mes Aynak copper mine. (Mohsin Amin)

Country is also blessed with plenty of water resources which it can use to bargain with its immediate neighbours in the region.

If anything, Kabul well understands that it would most likely need reliable partners and donors to continue funding and most importantly to deliver the promised aid. However the aid is steadily dwindling and it is high time for Afghanistan's leadership to grasp that they too must work towards progress and implement the required reforms.

### **Central Asian neighbourhood: for better or worse**

One can say that Kazakhstan being located further from Afghanistan than its other neighbours is less impacted in terms of security dimension. However, as part of Central Asia and being tied to other CA countries by more than just borders, Kazakhstan is as much concerned about Afghanistan's future as its immediate neighbours. There are strong political, economic, social, cultural and humanitarian ties that connect Kabul and Nur-Sultan nowadays. (Сафранчук)

Russia as regional power having significant influence over Central Asian politics, is currently involved in the dialogue with both official Kabul and Taliban. Ensuring safety and stability at the southern borders of Central Asian Republics has always been one of Moscow's top priorities. Moscow is mostly applying political and diplomatic tools by organising conferences and negotiations related to Afghanistan. (Сафранчук)

Fully comprehending the wide range of regional threats and challenges Russia is busy trying to beef up both border and general security of three CA countries: Kyrgyzstan, Tajikistan and Uzbekistan. With Tajikistan Russia conducted joint military exercises in July 2018 in Gorno-Badakhshan Autonomous Region (News.tj) There are also ongoing talks and discussions about opening of the second base in Kyrgyzstan. (Stratfor) And 201 division based in Tajikistan is stepping up its general security measures as well as paying close attention towards Tajik-Afghan border.

The other interesting fact is that border clashes between Afghanistan and Central Asian states occur primarily at the Tajik-Afghan border. This can be explained mostly due to increasing drug trafficking from Afghanistan. Since Taliban's fall in 2001 drug production as well as drug trafficking became lucrative business and almost the single source of funding for the movement. (Jones)

The clashes at the Tajik-Afghan border as mentioned earlier happen because it is major drug trafficking route. There are warlords and organised crime structures on both sides of the border that control it. It is them who set the rules and break them. Local warlords share conflict of interest concerning either territory or volumes. There might be other reasons involved too, like the difference between the value of the currencies: Tajik somoni and Afghan afghani. Also religious preferences matter: Tajiks have Shia Muslim minorities, while Afghanistan consists of mainly Sunni Muslims.

With NATO closing its Liaison Office for Central Asia in Tashkent in March 2017, the level of interest had significantly dropped. The office has been functioning since March 2013. NATO officials explained it was closed due to internal review of the Alliance's budget and other bureaucratic considerations. At the time there were speculations that it might somehow be politically motivated. Starting from April 1, 2017 communication between Central Asian governments and NATO is conducted directly from Brussels.

The office in Tashkent has been acting as NATO's fully accredited diplomatic mission facilitating NATO's relationship with Central Asian Republics in such areas as defence planning and review, defence education and training, civil emergency planning, public diplomacy, cooperation on science and environmental issues and others. The office used to coordinate NATO activities throughout the entire region. However NATO worked with each country bilaterally, offering tailor-made programs and projects concerning modernization of the army, operational planning, medical issues and participation in the United Nations peacekeeping operations and other. (Jones)

One of the key issue on NATO agenda towards Central Asia is to engage all five Republics (Kazakhstan, Kyrgyzstan, Tajikistan, Turkmenistan, and Uzbekistan) in the process of Afghanistan's future development where the Alliance still maintains its limited presence. Opened in 2013 the office was tasked with coordination of the alliance's activities in the region, including the logistics in regards to Northern Distribution Network, a reverse

transit route designated to withdraw the military equipment, armaments and other combat related material from Afghanistan. (UNSC document)

Today NATO runs Resolute Support mission in Afghanistan: it is a non-combat mission designed to provide training, advice and assistance to the Afghan National Army, its security forces, institutions and the police. (Seldin)

US military's main task after NATO withdrawal remains to train, advise and assist Afghan National Army and Police which in 2015 succeeded NATO's role in preserving peace in the country. That year alone these forces suffered severe casualties: roughly 5,000 were killed and another 15,000 wounded. (Jones)

It quickly became clear that NATO trained Afghan national army (ANA) and Afghan national security forces (ANSF) are struggling badly against Taliban's offensive. In most cases they failed to win back the territories fallen under Taliban control.

It is estimated that beginning from January 1 until August 19 in 2016 already 5,523 Afghan police and troops have been killed all over the country (Sample)

At regular intervals Washington gets slight hints from its allies about possible new surge, however Washington is demonstrating procrastination in this issue. It is also possible that private military companies might get involved as was the case in Iraq and Syria. (Ibrahimi & Shahram)

## Conclusion

Today Afghanistan remains predominantly agrarian, backward country with the focus upon shadow economy. Main Afghan export items being drugs and radical Islam ideas. It also has a lot to do with corruption, poor management, lack of the rule of law, ceaseless civil war and very little perspectives the country can offer to its young generation. One can say that Afghanistan truly became a platform for clash of civilisations with Western powers trying to create liberal democracy against deeply traditional, rural and tribalistic society Afghanistan really presents.

If indeed incursion might occur, Central Asia have two great powers to turn to: Russia and China both of which have high stakes within the region as well as political and economic interests. But this is the matter of separate and more detailed report. So far no serious evidence emerged about Taliban's plans to invade into the region, despite high level of scaremongering flowing from both the West and North.

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## IV • PEDAGOGICS

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### THE STRUCTURE OF THE PROJECTIVE COMPETENCE: CHARACTERISTICS OF CONTENT AND COMPONENTS

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**Abstract.** The projective activity is one of the main activities of the graduates along with scientific-research and organizational-administrative ones. Therefore, the formation of the projective competence of the students is a topical problem in the system of university education. The article analyzes the content, the componential structure and the nomenclature of the skills and abilities of the projective competence necessary for the students. The analysis of the various scientific and pedagogical sources shows that the the problem of the projective competence formation in the future specialists is not developed sufficiently. The authors demonstrate the results of the questioning, which formed the basis of four components of the projective competence: administrative, emotionally personal, creative and intellectual. The respondents were the graduates and undergraduates of the “Pedagogics and Psychology”, “Social Pedagogics and Self-cognition specialties. The total number was 52 persons.

The substantial analysis of the questionnaires allowed to group each component of the projective competence with the help of skills and abilities selected by students.

The interesting answers were the answers, which demanded the selection of the strong and weak points in the formation of the projective competence on the basement of self-assessment. At the same time, any of the “strong” points did not collect even a third of the respondentst, which testified the necessity of the formation of the projective competence, since it would not be developed spontaneously on the basis of the increasing of the quantitative or age characteristics of the students.

The results of the questioning showed a peculiar awareness of the graduates and undergraduates about comprehension of the content of the projective competence and its importance for the future professional activity. At the same time there is an extreme necessity of the social and pedagogical support for the formation of the main components of the projective competence within the frame of the university education. The forms of the support have to be harmoniously included into educational and extracurricular activities of the students.

**Key words:** competence-based paradigm, characteristics of content, competence-based model of education, projective activity, projective competence, demand of the specialists, administrative skills, efficiency, social and pedagogical support, the process of the formation of the projective competence.

**Аңдатпа.** Жоғары оқу орындарының түлектері дайындалуы қажет іс-әрекеттер қатарында ғылыми-зерттеу, ұйымдастырушылық және басқарушылық жұмыстармен қатар жобалау іс-әрекеті де аталады, бұл тұжырымға сәйкес, студенттердің жобалау құзыреттілігін қалыптастыру университеттің білім беру жүйесінде өзекті мәселе ретінде ерекшеленеді. Мақалада жобалау құзыреттілігінің мазмұнды аспектілері, көп жағдайда студенттердің жобалау құзыреттілігінің мазмұнды негізін құрайтын қажетті дағдылар мен қабілеттердің, компонент құрамының тізімі қарастырылады. Авторлар әртүрлі ғылыми және педагогикалық дереккөздердің талдауы маманның келешектегі жобалау құзыреттілігін дамыту мәселесінің жеткіліксіз екенін көрсететінін нақтылайды. Авторлар жобалау құзыреттілігінің төрт құрамдас бөлігін анықтау үшін негіз болатын сауалнама нәтижелерін ұсынады: басқарушылық, эмоционалды-тұлғалық, шығармашылық және зияткерлік. Сынаққа қатысушылар ретінде «Педагогика және психология» және «Әлеуметтік педагогика және өзін-өзі тану» мамандықтарының бакалавриат және магистратура мамандықтарында оқитын студенттері болды, олардың жалпы саны 52 адамды құрады.



Сауалнамалардың мазмұнды талдауы студенттердің құзыреттілігі мен қабілеттерінің жиынтығын пайдалана отырып, жобалау құзыреттілігінің әрбір компонентін топтауға мүмкіндік берді.

Өзін-өзі бағалау негізінде жобалау құзыреттілігін дамытудағы күшті және әлсіз жақтарды бөліп көрсету ұсынылған сұраққа жауаптар ерекше қызығушылық тудырады.

Сонымен бірге «күшті» ұстанымдардың ешқайсысы сынаққа қатысушылардың үштен бірін жинамады, бұл талап етілетін құзыреттілікті қалыптастыру үдерісіне араласу қажеттігін көрсетеді, өйткені ол студенттің сандық немесе жас ерекшеліктерінің жоғарылауы негізінде өздігінен дами бермейді.

Зерттеу нәтижелері студенттер мен магистранттардың жобалау құзыреттілігінің маңызды аспектілерін түсіне білуі мен оның келешектегі кәсіптік қызметтің маңыздылығы туралы хабардарлығын көрсетті. Сонымен қатар жоғары оқу орнында білім беру саласындағы құзыреттілік компоненттерінің әртүрлі компоненттерін қалыптастыру үдерісін әлеуметтік-педагогикалық қамтамасыз ету қажеттілігі айқын анықталды, студенттердің оқу және оқудан тыс іс-әрекеттеріне сүйемелдеу түрлері тығыз байланыста енгізілуі қажет.

**Түйін сөздер:** құзыреттілік парадигмасы, білім берудің құзыреттілік моделі, жобалық іс-әрекет, жобалық құзыреттілік, мамандардың сұранысқа иелігі, басқарушылық білік, тиімділік, әлеуметтік-педагогикалық сүйемелдеу, жобалық құзыреттілікті қалыптастыру үрдісі.

**Аннотация.** В числе видов деятельности, к которым должны быть подготовлены выпускники высшей школы, наряду с научно-исследовательской, организационно-управленческой, называется проектная деятельность, согласно этому утверждению, формирование проектной компетентности студентов выделяется как актуальная проблема в системе университетского образования. В статье рассматриваются содержательные аспекты проектной компетентности, в частности компонентный состав, необходимый перечень умений и способностей, составляющих содержательную основу проектной компетентности обучающихся. Авторы утверждают, что анализ различных научно-педагогических источников показывает, что уровень разработанности проблемы развития проектной компетентности будущего специалиста не является достаточным. Авторами приводятся результаты анкетирования, послужившие основой для выделения четырех компонентов проектной компетентности: управленческого, эмоционально-личностного, творческого и интеллектуального. Респондентами выступили обучающиеся бакалавриата и магистратуры специальностей «Педагогика и психология» и «Социальная педагогика и самопознание, общая выборка составила 52 человека.

Содержательный анализ анкет позволил скомпоновать каждый компонент проектной компетентности с помощью отмеченного обучающимися комплекса умений и способностей

Особый интерес представляют ответы на вопрос, в котором было предложено выделить самые сильные и самые слабые стороны в развитии проектной компетенции на основе самооценки. При этом, что ни одна из «сильных» позиций не набрала даже трети респондентов, что свидетельствует о необходимости вмешательства в процесс формирования искомой компетентности, т.к. она не развивается стихийно на основе нарастания количественных или возрастных характеристик обучающегося.

Результаты анкетирования продемонстрировали своеобразную осведомленность студентов и магистрантов в области понимания содержательных аспектов проектной компетентности и ее значимости для будущей профессиональной деятельности. Вместе с тем была обнаружена ярко выраженная необходимость социально-педагогического сопровождения процесса формирования тех или иных компонентов проектной компетентности в условиях университетского образования, формы сопровождения должны быть органично включенными в учебную и внеучебную деятельность обучающихся.

**Ключевые слова:** компетентностная парадигма, компетентностная модель образования, проектная деятельность, проектная компетентность, востребованность специалистов, управленческие умения, эффективность, социально-педагогическое сопровождение, процесс формирования проектной компетентности.

## Introduction

The demand for specialists, who can perform the projects is confirmed by inquiries of the employers binding this type of activity with such qualities and abilities as initiative, independent thinking, creativity and business efficiency.

The foreign researchers in the collection of the articles of the “21st Century Skills for Students and Teachers”, emphasize that the decision-making, the joint use of information, the cooperation, the innovation and the tempo are very important characteristics for today’s enterprises. Today, the successfulness demonstrates the ability to report,

divide and use information for solving complex problems; an ability to adapt and introduce the innovations in response to the new demands and changes of the society; an ability to command and dilate the potential of the technologies in creation of new knowledge. That is why the following groups of competences can be suggested: the skills of critical teaching and innovative skills (it includes communication and cooperation, critical thinking and the problem solutions, creativity and innovation); life and professional skills (it includes leadership and responsibility, productivity and the system of reporting, social and cross-cultural skills)



(Pacific Policy Research Center 2010). The designers of the competence-based model of education by competence understand a certain integrated ability to solve the specific problems arising in various spheres of the life. According to A. A. Verbitsky, the competence is the competency, which was realized in practice (A.A. Verbitsky, 2010). The main intension of this approach is to strengthen the practical orientation of education, to be beyond the frames of “knowledge, skills and habits” educational space. Therefore, the projective activity is one of the main activities of the graduates along with scientific-research and organizational-administrative ones. The formation of the projective competence and its subsequent social and pedagogical support during the learning process is an actual problem in system of university education.

The concept of “the projective competence” in the context of a modern educational paradigm represents a quite difficult phenomenon. On the one hand, it is connected with the problem of understanding of this concept from the position of the scientific achievements, on the other hand it is connected with the identification of the psychological conditions of the competence development as the subjective characteristics of the person (N. V. Matyash, Yu.A.Volodina, 2011). Therefore, the analysis of the content of the projective competence for its subsequent formation, social and pedagogical support in terms of future specialists training deserve a special attention.

#### **The characteristics of content by the projective competence**

The analysis of the various scientific and pedagogical sources shows that the problem of the projective competence formation in the future specialists is not developed sufficiently. The theory and the practice of the professional training at the institutes of higher education do not present the consistent works revealing and concretizing the essence of the projective competence of the students; the works, which would define the content, the structure, the pedagogical terms and technology of the projective competence formation in educational process.

From our point of view, the projective competence has to be defined by the readiness of the students for the projective activity, by their individual abilities and motivated intention to learn independently, to develop the culture of thinking and professional activity. The experience of the projective activity can be acquired in the process of the project fulfillment. The solution of the educational and cognitive tasks or situations, the development of the projective way

of thinking, the analysis of the own projects and the participation in exhibitions, competitions contribute a lot to the acquisition of appropriate skills and habits.

The projective activity develops the research skills (the ability to analyze the problematic situation, to reveal the problems, to select necessary information, to observe the situation, to fix and interpret the results, to build the hypotheses, to generalize and make the conclusions). It teaches how to work in a team (the students understand the importance of the teamwork for getting an effective results, the role of the cooperation and joint activity), how to communicate (V. N. Kormakova, 2011).

In order to formulate the definition of the projective competence, we will present the typology of the projects (E.S. Polat, 2009) and specify the nomenclature of the skills necessary for the formation of the above mentioned competence:

1. The dominating activities in the process of project fulfillment are research, creative, role, applied (practically focused) and introductory-oriented ones.
2. The subject –content area includes the mono project (within a specific area of knowledge) and interdisciplinary project.
3. The nature of the coordination of the project is immediate (rigid, flexible), hidden (implicit, imitating the participant of the project).
4. The nature of the contacts (among the participants of the specific institution, city, region, country or different countries of the world).
5. The number of the participants of the project.
6. The duration of the project fulfillment.

According to this typology, we also allocated those types of projects, which are feasible in educational process within the frame of the dominating activity:

– The research projects are the projects demanding the reasonable structure, the designated aims and the relevance of the object of the research for all participants, the social importance, the appropriate methods, including experimental works and the methods of the result processing. They are completely subordinated to the logic of the research having approximate or completely coinciding with the authentic scientific research structure. This type of projects assumes the argumentation of relevance of the research theme, the formulation of the research problem, the subject and object, the tasks in a sequence of the accepted logic, the identification of the research methods, the information sources, and the choice of the research methodology. It assumes the formulation of the hypotheses of the solution

of the designated problem, the development of the ways of the problem solving, including experimental ones, the discussion of the results, conclusions, the designing of the research results and the indication of further development of the research.

– The creative projects assume the appropriate designing of the results; such projects, as a rule, do not have the detailed structure of the joint activity of the participants. They are planned and developed on the basement of the genre of the result, the logic of joint activity accepted by group and the interests of the project participants. The participants of the project, as a rule, discuss the planning results and the form of the project representation (the joint newspaper, the composition, the video movie, dramatization, sport game, a holiday and expedition). However, the designing of the project demands the reasonable structure in the form of the script of the video movie, dramatization and the program of a holiday, the plan of the composition, article, the reporting and the layout of the headings of the newspaper, almanac and album.

– *Role or game projects* – such projects outline the structure, which can be modified during the process. The participants assume the certain roles of the character or the content of the project. It can be the literary characters or the invented heroes imitating the social or business relations stipulated by the situations, which have been invented by the participants. The results of such projects are discussed at the beginning of the project fulfillment or appear only at the end. The degree of the creativity is very high, but the dominating type of activity is a role-game after all.

– *The introductory-orienting (informational) projects* – the projects, which are aimed at the collection of information about some object and phenomenon. The participants of the project should become familiar with collected information, its analysis and the generalization of the facts intended for the wide audience. Such projects, as well as research ones, demand a reasonable structure, a possibility of a systematic correction during the work.

– *Practically focused (applied) projects* deal with the social interest of the participants (the document made on the basis of the research results of the acquired disciplines, for example, the program of actions, the recommendations to avoid the disharmonies in a society, the draft law, the reference material and the dictionary). Such project demands the careful structure, even the scenario of all activities of the participants with the definition of their functions, clear conclusions, the designing

of the project activity and the participation of everyone in designing of the final product. Here the organization of the coordinated work of the stage-by-stage discussions, the correction of the joint and individual efforts during the presentation of the results, possible ways of their introduction into the practice and the systematic external assessment of the project are very important.

There are other types of the projects in educational university process with different subject-content sphere including mono projects (within the frame of one discipline), interdisciplinary, literary and creative, natural scientific, ecological and linguistic and the culturological ones. It would be interesting and convenient to use personally oriented projects in educational process (between two partners, who are in different schools, regions and countries); dual (between pairs of the participants); group (between groups of the participants) projects. Indicating the temporary prospects of the projective activity, we recommend the short-term and the medium-term projects in the process of education.

The analysis of the research in the field of the systemically-activated, personally-focused and competence-based approaches in education and the typology of the educational projects allowed us to conclude that the projective competence of the student has to integrate the administrative (K. Heldman, 2007), emotionally personal and creative-intellectual components, which would reflect its essence as the professionally-significant, integrative quality of the person. This person would be characterized by the assimilation of the set competences connected with the development of the project, the assessment of the educational and cognitive tasks during the fulfillment of the project, with the selection of the means, methods and forms of the projective activity organization according to specific features and a trajectory of training.

The features of the projective method characterize the projective competence as well. Therefore, the projective activity can be considered as the reaction of the students to the real world problems from the position of the long-term perspective; as the complex activity, which can be individual or group demanding the final practical result (Cook and Weaving, 2013). There is another definition of the projective teaching – it is a method of teaching by means of which the students obtain knowledge and skills, working for a long period of time to investigate the complicated issues. At the same time, the following features of the projective teaching are distinguished:

- The significant content – the project is focused on assimilation of knowledge and skills, which

are the standard and key notions of the academic disciplines

- The competences of the 21st century – the students acquire the competences valuable for the modern world, such as the solution of problems, the critical thinking, the collaboration, the communication, and the creativity/innovations.

- The profound inquiry – the students are engaged in expanded and strictly controlled process, with clear tasks, using resources and the development of the answers.

- The open question – the project work is focused on the open question, which is understandable and intriguing for students.

- It is necessary to know – the students feel the necessity to obtain knowledge, they understand the concepts and apply their skills to solve the problem and create the product of the project, starting with “input event”, which generates the interest and curiosity.

- The voices and the choices – the students have a chance to make a choice of the products, the mode of their work, the amount of the time and the teacher’s guidance depending on their age and experience.

- The critical analysis and revision – the project includes the information about reactions to the quality of their work and necessary modifications of the project process.

- The public audience – the students present their works to other people, out of the auditorium and group (BIE (2014)).

### Materials and methods

In order to identify the necessary skills and abilities of four components we questioned the graduates (second-year, third-year and fourth-year students) – 33 people and undergraduates (first-year and second-year students) of the “Pedagogics and Psychology”, “Social Pedagogics and Self-cognition specialties. The total number was 52 persons.

The questionnaire had 12 questions, which required marking out the qualities and the skills necessary for the development of the different projects and the abilities necessary for the formation of the projective competence. The questionnaire required to define the main qualities of the person for successful development and implementation of the project. The questionnaire contained a peculiar scale of the lie – the counterfactual questions (the 9th and 11th questions) for the reverification of the answers to other questions. **The results of the questioning on identification of the components necessary for the formation of the students’ projective competence**

Based on substantial processing of the questionnaires, we grouped the complexes of the marked-out skills and correlated them with four above-mentioned components: administrative, emotionally personal, creative and intellectual (Figure 1).

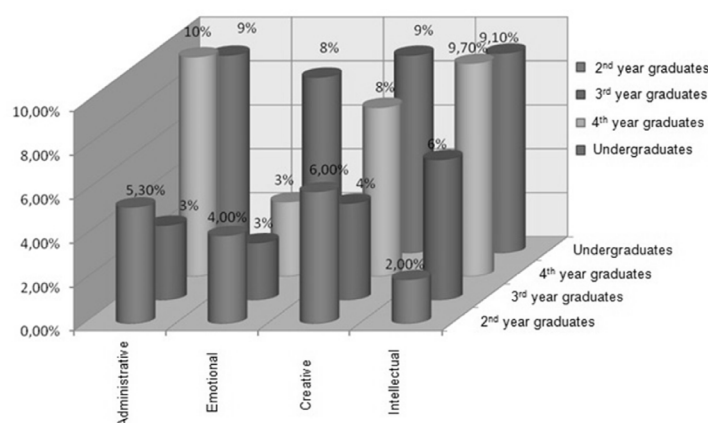


Figure 1 – The results of the correlation of the allocated complexes of skills and abilities with components of the projective competence, received on the basement of the questioning of the graduates and undergraduates of the “Pedagogics and Psychology” and “Social Pedagogics and Self-cognition” specialty

The preliminary results are the following: the biggest part of the initial courses respondents (second-year students particularly) note the

importance of the qualities of mental activity (the intellectual component) and the creative abilities (the creative component). The third-year, the fourth-year

students and undergraduates in most of the cases note the importance to delegate the responsibilities, to cooperate and distribute the academic and cognitive activity, to correct the undesirable results of the project (the administrative component).

In order to identify the foreground support of the projective competence in terms of educational process of the university (i.e. the identification of the necessity to develop these or those skills or abilities) the questions 10, 12 contained the demand to select or to formulate independently those skills and abilities, which are not developed or developed poorly and required the correction from the part of the teachers. In addition, it was necessary to select the educational and extracurricular forms of activity of the development of these qualities and skills.

Some answers of the graduates confirmed the necessity to obtain skills how to convert the educational-cognitive problem into personal one because the project, fulfilled by them in the process of academic disciplines acquisition, is not an end in itself (answers: “we do not know why we should make a project”, “it is not clear why the mini-project was done”). In addition, there were answers, which identified the inability of the students to show the empathy, the democratic character and tactfulness in communication if “incompatible” students work with each other (answers: “it is bad when teachers do not take into account the personal characteristics of the students during the fulfillment of the projects”. “There would be less problems with project fulfilment if we had a chance to work with those who want and can work with me”).

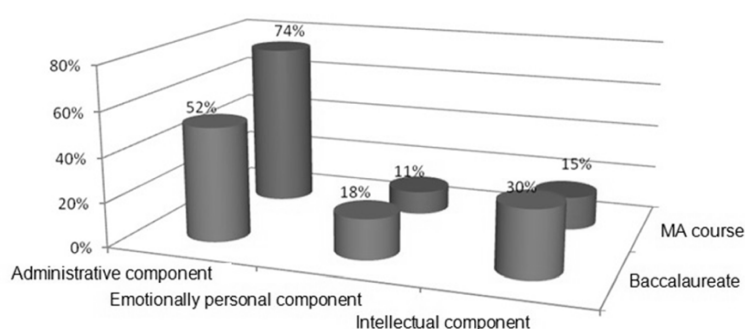


Figure 2 – The comparative histogram of the foreground support of the projective competence’s components in terms of university educational process  
(According to the level of learning)

The histogram shows that undergraduate students realize the necessity of the administrative component’s support (74%); the graduate students also understand the importance of the administrative component’s support but in a less degree (52%). In addition, the students mark out the difficulties demanding the social and pedagogical support of the skills and abilities referred to the intellectual component (30%). They need the support in the development of the planning abilities (6, 1%); the abilities to correlate new information with well-known aspects in the project (18, 2%), the abilities to predict the expected results (3%), the abilities of the maximum use of the intellectual resources (2, 7%).

Identifying the educational and extracurricular forms of activity in terms of active participation, these qualities and abilities can be developed.

The graduates allocated the volunteer work, the participation in «LOGOS», in the scientific Olympiads and competitions, connected with scientific-research. Undergraduates allocated various courses of qualification improvement, seminars and practicum of the famous psychologists. From their point of view, it is possible to obtain the administrative skills and abilities during the trainer’s work and coaching due to the acquisition of elective disciplines in the sphere business management. The results of the questioning showed a peculiar awareness of the graduates and undergraduates in the field of comprehension of the content of the projective competence and its importance for their future professional activity. At the same time, we revealed the extreme necessity of social and pedagogical support of the formation of



the main components of the projective competence in terms of university education and the forms of the support must be harmoniously included into the educational and extracurricular activities of the students.

**The content of the components of the projective competence allocated during the questioning**

The substantial analysis of the questionnaires allowed to group each component of the projective competence by means of selected skills and abilities.

So, the administrative component (K. Heldman, 2007) is characterized by:

- the ability of the student to define the real aims of the project, to choose the ways of achieving them with coordination of the planning and forecasting procedures;
- the ability to organize the microgroups during the projective activity;
- the ability to distribute and cooperate educational and cognitive work, to delegate the responsibilities and functions during the projective activity;
- the ability to regulate the projective activity;
- the ability to correct the undesirable results of the project, to analyze and use the didactic materials in the context of the projective activity.

From our point of view the emotionally personal component has to include the following characteristics of the students:

- the desire to work in microgroups (during the fulfilment of the project) and show interest in a positive results of the projective activity;
- the ability to convert the educational and cognitive task into personal one, the competence to establish the subject – subject relations, the ability of the personally-oriented interaction during the projective activity;
- the emotional stability during the whole process of the projective activity;
- the ability to organize the joint activity, to assess the situation of the participants' interaction during the project fulfillment, to provide the success during the work;
- the competence of self-assessment and mutual assessment of the intermediate results of the project;
- the ability to show empathy, democratic character, tactfulness in the process of communication and the reflexive abilities;
- the literacy, oratorical skill, the skills of public presentation of the results of the project.

The creative component of the projective competence has to include:

- the ability to solve the problems creatively in the process of the project fulfillment;
- the creativity, the feeling of novelty, the sensitiveness to contradictions, the predilection for risk and the originality;
- the intuition – it is a possibility of the intuitive decision in ordinary situation, arising in consciousness in the form of a key of the decision (V. N. Frolov, 2015);
- the ability to solve the problem independently and efficiently on the basement of innovative technologies (I. Pintosevich, 2014);
- the ability of the identification of new approaches for non-standard decisions (S. M. Kolomiyets, 2010).

The intellectual component has to include:

- the abilities to develop and realize the projects;
- the qualities of the mental activity: inventiveness, flexibility, criticism, originality, independence of thinking;
- the abilities of integration and planning of the project;
- the abilities of correlation of new information with well-known aspects in the project, the ability to predict the expected results of all participants of the project;
- the abilities of the maximum use of the intellectual resources.

Nowadays we have good tools for the assessment of the students' projective competence. There is a method of the assessment of the students' projective competence by N. V. Matyash, Yu. A. Volodina 2011. The method of the assessment of human resources, including projective and creative ones by J. Bastian 1993, Francoise Delamarele Deist 2005, Ingrid Böhm 1995. The methods of the assessment of the development and formation of the projective competence in different spheres of future professional activity by A. V. Derevitskaya 2011, P. N. Medvedev 2011, T.A. Parfyonova 2015, Muhatayeva D.I., Bulatbayeva A.A., Kassen G. Mukhatayeva D.I., Bulatbayeva A.A., Kassen G. and other 2016.

In spite of a wide range of investigations and practical manuals in this field, the structural components of the projective activity, which are the substantial basis in educational process of the university representing the multisectoral educational institution, are not presented sufficiently. Relying on the experience of the above-named scientists, we will develop the content and the model of the social and pedagogical support of the process of the formation of the projective competence in the system of university education.



### Discussion

This mini-research is dedicated to solve the whole complex of the problems connected with the analysis of the content of the projective competence. In our subsequent work, we will analyze the continuity of the professional training of the college and university students, the professional training of future specialists in the sphere of education on the basement of project technology. There are topical issues of the projecting and the development of new mechanisms of educational institutions' interaction with the social partners in terms of social and pedagogical support of the projective competence formation.

### Conclusion

The graduates of the university have to possess the qualities of the personality, who is thinking creatively, assimilating knowledge continuously and developing their successfulness in life. These qualities and abilities are substantially inserted into the main components of the projective competence. We prove it by means of the results of questioning, carried out by us among graduates and undergraduates of two pedagogical university specialties. In spite of a small number of the respondents, the processing of the received answers testifies the importance of four components of the projective competence (administrative,

emotionally personal, creative and intellectual) for future specialists. The substantial analysis of questionnaires allowed to group each component of the projective competence by means of the selected skills and abilities.

At the same time, to date, there is a significant amount of research on the problem of formation of project competence of students; project competence is defined as a complex and multidimensional phenomenon; its diverse interpretation is given on the basis of scientific interpretation of the concepts of "competence" and "project activity"; the content, structure, pedagogical conditions and technology of development of project competence in the educational process of higher school; the universities develop extensive experience in the organization of single-subject and interdisciplinary, regional and international, individual and group, short-term, medium-term and long-term projects; the teaching staff of universities sees the importance of the project activities of students in its impact on the important for the future professional socialization of quality and professional competence.

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