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1-бөлім

ХАЛЫҚАРАЛЫҚ ҚАТЫНАСТАР МЕН ДИПЛОМАТИЯНЫҢ МӘСЕЛЕЛЕРІ

Section 1

QUESTIONS OF INTERNATIONAL RELITIONS AND DIPLOMACY

Раздел 1

ВОПРОСЫ МЕЖДУНАРОДНЫХ ОТШЕНИЙ И ДИПЛОМАТИИ

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THE KOREA-RUSSIA TRADE ACTIVATION WITH THE ARCTIC SEA ROUTE COOPERATION

The potential for development in the Arctic Circle is wide and it is fully predictable that the development of resources in the region will accelerate further exploration of the Arctic sea route. Russia is showing high interest in developing resources that are not in the economic sanction list. Moreover, the exploration and utilization of the so-called Arctic sea route across the regional ocean is recently receiving massive attention along with the climate change. Korea and Russia have expanded the economic cooperation and now the two countries are looking for a new model of the work. They can share the goals through the further development of Russian Arctic Circle with the rapid exploitation of resources due to climate change and technological development. Korean companies have begun to bring the real economic benefits, having positive effects on related industries such as the construction of transport and special ships. There are many ways for realizing the goal, but we can specifically propose a Korea-Russia FTA. In the process of pursuing it, the government should also consider various tasks, such as harmonizing with the FTAs Korea has been signing, and dealing with the domestic law in accordance with the new FTA, based on the previous experiences. From Russia's point of view, special circumstances such as the EAEU should be taken in consideration. The process of signing the FTA, which will serve as the international legal basis for cooperation between the partners, should be clearly marked for the purpose of 'Sustainable Arctic Development'. Furthermore, these propositions should be able to be digested in the process of utilizing FTAs and readjusting domestic and international regulations, as well as the joint respond to the emergence of new industries, markets, and even unforeseen issues. In Korea's perspective, it should consider the possibility that the FTA could be used in non-economic areas such as on the Korean Peninsula issue.

Key words: Korea, Russia, Arctic Circle, Arctic Sea Route, Free Trade Agreement (FTA), Eurasian Economic Union (EAEU).

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Арктикалық теңіз жолын ынтымақтастығы шеңберіндегі Корея-Ресей саудасының жандануы

Полярлық шеңберден тыс даму потенциалы жоғары, сондықтан аймақтағы ресурстарды игеру арктикалық теңіз маршрутын игеруді жылдамдатуы сөзсіз. Ресей экономикалық санкцияларға кірмейтін ресурстарды игеруге үлкен қызығушылық танытуда. Сонымен қатар, аймақтық мұхит арқылы арктикалық теңіз жолын зерттеу мен пайдалану соңғы кездері климаттың өзгеруімен бірдей назарға ие болып отыр. Корея мен Ресей экономикалық ынтымақтастығын кеңейтіп, жұмыстың жаңа моделін іздеу үстінде. Олар климаттық өзгеруі мен технологиялық даму арқылы ресурстарды жылдам эксплуатациялаумен қатар ресейлік Полярлық шеңберді ары қарай дамыту жолымен мақсаттарды бөле алады. Корейлік компаниялар көлік және арнайы кемелерді жасау сияқты жанама өндірістерге оң ықпал ету арқылы нақты экономикалық пайда таба бастады. Бұл мақсатты іске асыру үшін тәсілдер көп, бірақ біз еркін сауда бойынша Корей-Ресей келісімін ерекше ұсына аламыз. Оны іске асыру барысында үкімет алдағы өткен Кореямен жасалған ЕСК-ін ортақ қарастыру мен жаңа ЕСК-мен ішкі заңнамаларды сәйкестендіру сияқты түрлі мәселелерді қарауы қажет. Ресей тарапынан ЕАЭЫ сияқты ерекше жайттарға көңіл бөлген жөн. Серіктестердің арасында ынтымақтастықтың халықаралық-заңдық негізі болып келетін ЕСК-не қол қою процесі "Арктиканы тұрақты дамыту" мақсаттарында нақты белгіленуі тиіс. Сонымен қатар, бұл ұсыныстар ЕСК-ін қолдану процесін меңгеруге, ішкі және сыртқы ережелерді түзетуге және жаңа салалар, нарықтар мен күтпеген проблемалардың пайда болуына ортақ жауап қайтаруға қабілетті болулары қажет. Корея тарапынан ЕСК-ін Корея түбегіндегі сияқты экономикалық емес салаларда қолдану мүмкіндігін қарастыру қажет.

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Түйін сөздер: Корея, Ресей, Солтүстік полярлы шеңбер, Арктикалық теңіз жолы, Еркін сауда келісімі (ЕСК), Еуразиялық Экономикалық Ынтымақтастық (ЕАЭЫ).

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Возобновление Корейско-Русской торговли с сотрудничеством по арктическому морскому пути

Потенциал для развития торговли за Полярным кругом велик, и вполне предсказуемо, что освоение ресурсов в регионе ускорит дальнейшее освоение арктического морского маршрута. Россия проявляет большой интерес к разработке ресурсов, которые не входят в список экономических санкций. Кроме того, уделяется огромное внимание разведке и использованию так называемого арктического морского пути через региональный океан в последнее время, наряду с изменением климата. Корея и Россия расширили экономическое сотрудничество, и теперь две страны ищут новую модель работы. Они могут разделить цели путем дальнейшего развития российского Полярного круга с быстрой эксплуатацией ресурсов из-за изменения климата и технологического развития. Корейские компании начали получать реальные экономические выгоды, оказывая положительное влияние на смежные отрасли, такие как строительство транспорта и специальных судов. Есть много способов реализации этой цели, но в особенности мы можем предложить корейско-российское соглашение о свободной торговле. В процессе его реализации правительству следует также рассмотреть различные задачи, такие как согласование с ССТ, подписанными Кореей, и рассмотрение внутреннего законодательства в соответствии с новым ССТ на основе предыдущего опыта. С точки зрения России следует учитывать особые обстоятельства, такие как ЕАЭС. Процесс подписания ССТ, который послужит международно-правовой основой сотрудничества между партнерами, должен быть четко обозначен в целях «Устойчивого развития Арктики». Кроме того, эти предложения должны быть в состоянии усвоения в процессе использования ССТ и корректировки внутренних и международных правил, а также совместного реагирования на появление новых отраслей, рынков и даже непредвиденных проблем. С точки зрения Кореи, следует рассмотреть возможность использования ССТ в неэкономических областях, таких как вопрос о Корейском полуострове.

Ключевые слова: Корея, Россия, Северный полярный круг, Арктический морской путь, Соглашение о свободной торговле (ССТ), Евразийский экономический союз (ЕАЭС).

Introduction

Although there are several definitions on so-called Arctic Circle, which refers to the area upper 66-degree north latitude, is a long board line that geographically divide the polar regions and temperate climate regions in Northern Hemisphere. This boundary is also the criterion for the summer solstice and winter solstice at the same time, and during the summer time the white night where sun does not fall below the horizon is continued; accordingly, another definition for the Arctic Circle refers only to the latitude where white night goes on. However, generally, the Circle is used as a name for the northern high latitudes, which is centered to the poles.

The economic cooperation between Korea and Russia began in the early 1990s, along with changes in diplomatic ties and systems with the former Soviet Union. Currently, two countries are constantly developing the situation to share economic benefits through joint projects for resource development and explore diverse economic cooperation methods, not only staying within a simple commodity trade. In particular, as Russian federal government imply economic significance to Far East-Siberian region, attempt to provide support and development in this area could also be a major turning point for Korea-Russia economic cooperation.

Due to global warming, the possibility of developing Arctic sea routes has become realistic as glaciers in the Arctic have gone smaller. Accordingly, as the interest for Korean companies has rapidly increased, the related research targets are also converging on the development of the shipping routes and the establishment of global logistics networks. Researches regarding development and utilization of the Russian Arctic area and its resources, and expansion of the shipping or aviation routes and logistics routes are already underway in Korea. This trend is accelerating, especially in conjunction with Korean government's 'New Northern Policy'. Nevertheless, so far most of the domestic research achievements are short-term proposals, taking into account policies and political situations of the countries.

The relevance of the study

From Russia's point of view, the economic value of this particular region is enormous, that the Arctic can be considered as the stepping stone to overcome difficulties, such as international economic sanctions. (Kim 2017, 51-52) Furthermore, this area can provide Russia benefits in many aspects, including its national security, politics, military, technology, and environment, beyond the mere economic perspective of the region as a hub of resources. The Russian government is making great efforts for economic development while securing security awareness of the Arctic Circle. (Seidler 2010, 258)

However, in order to succeed, we need to prepare for the limitations of this possibility. In particular, in the Far East Russia region, there are major limitations for companies to operate finances through foreign exchange control, which includes the friction between the central and local governments, excessive tax investigations, environmental regulations, and control of remittance to overseas. There is also the risk of unannounced policy changes or tax and environmental investigation on companies, causing them to go bankrupt even though they are still in the black. The Korean government and companies must have sufficient risk management and capital procurement capabilities in common, in advance.

In terms of cooperation with the international community, sometimes the appropriate cooperation with the third countries, such as Korea, provides a clue to solving these complex internal problems. Of course, for now, the idea that Russia will solve its own problems in cooperation with the outside world might sound a bit infeasible, and that such efforts could also be an ambiguous or abstract in long-term perspective. Nevertheless, in the process of establishing Korea-Russia economic cooperation and the excavation of new industries, there will be the possibility of bilateral policy cooperation, or at least to extract the momentum of new industries.

In terms of pioneering the Arctic route, the Korean government and companies are paying attention on linking the ports in Russia's Far East area. It aims to connect Korean ports to the Arctic routes, continental railways, and the Russia's Far East ports in a bid to strengthen its logistics and energy network. The main reason that the government was focusing on the marine aspect was because the logistics market was mostly through the port. Given that the Eurasian logistics market accounts for about 28% of the worldwide logistics market, and that it is growing more than 11% annually, it is quite spontaneous that the region becomes the target of attention.

In this context, in order to expand exchanges between Korea and Russia related to the Arctic Sea Route, it is essential to establish a new bilateral normative system. This paper looks at the reality and prospect of the development of the Arctic Circle. Then, it moves to the review the bilateral international agreements that may be relevant to the Korea-Russia cooperation for the trade activities. The study finally seeks to derive legal challenges that could be discussed in the future, such as in the Korea-Russia Free Trade Agreement (FTA). The possible bilateral agreement can be used as a new legal infrastructure for their cooperation. However, it is hard to find the researches which have reviewed the legal challenges regarding this topic.

Theoretical-methodological bases of the article

With regard to the development of the Arctic Circle, the global interest in so-called Northern Sea Route (NSR) that runs through the Arctic Ocean, is also growing significantly. The NSR can be distinguished into the northwest one in the Canadian waters, linking North America and Europe, and the northeast one in Russian waters which links Asia and Europe (Yun 2009, 55). The Northeast route, especially, has the advantage that 1), is geographically shorter than the generally used current route, which connects East Asia and Europe through the Suez Canal and 2). Accordingly, it is able to greatly reduce the sailing days and logistics costs (Humpert & Raspotnik 2012, 281-283).

Now they are expecting to establish better legal environment for the cooperation, especially the Arctic Circle area or the NSR. Korea and Russia have often joined together in expanding multilateral treaties on the international stage while continuing their efforts on economic cooperation since the establishment of diplomatic ties. Although the multilateral international laws are important to the cooperation of the two partners, more direct legal infrastructures are still needed with the direct discussions and negotiations by the partner countries considering their own cooperation items. They have established the legal infrastructure relationship with many direct bilateral agreements for their economic cooperation. Now the partners are preparing the bilateral FTA for their cooperation.

Korea is focusing more on multilateral economic cooperation such as WTO, and also trying to establish preferential trade relations through FTAs.

The Korean government pursues diversification of trade and economic cooperation in international community while anticipating the improvement of trade environment by signing FTAs. At the same time, Korea is attempting to take advantage of FTAs to settle down its internal norms, to stabilize the Korean Peninsula, and to achieve non-economic purposes. So far, Korea has signed FTAs with various countries including the US, EU, China, ASEAN, India, and others.

Even after joining the WTO, Russia signed various FTAs with the Commonwealth of Independent States (CIS). Russia has maintained its long-standing economic dependence with these countries while providing special trade benefits through the FTAs, as well as strengthening its political influence based on this point. Furthermore, Russia has recently signed strategic FTAs with countries that do not belong to the CIS members, including Vietnam, to pursue diverse trade relations, economic benefits, and non-economic objectives. (Kim 2013, 12)

In order to establish the bilateral FTA relationship, suitable approaches must be considered by the partners. After the review of the previous rules on the related issues, they can do the discussion and negotiation works in right tracks. In particular, they should check various domestic and international legal challenges to the legal infrastructure building process. To this end, there should be legal discussions on a different level, more than simply securing the possibility and necessity of cooperation between Korea and Russia, and a cautious consideration of the FTA itself.

Although there are not many legal studies on the issue, Kim & Shin (2019) have recently conducted statistical analysis through institutional and government reports related with the Eurasian Economic Union (EAEU) and FTAs. Then, the research moved to the issues on the possibility of the Korea-EAEU FTA and finally proposed the FTA as the future way for the legal infrastructure on the Korea-Russia or the Korea-EAEU economic partnership. Based on the previous researches and theories, this study examines the more specific needs of the direct legal infrastructure in relation to the Arctic Circle area (or the NSR) and the legal challenges on the possible FTA.

Development of the Arctic Circle in Russia

Russia is being quite active in improving the innovative systems regarding the development and preservation of the Arctic Circle. Its move to introduce the 4th industrial revolution technology in the Arctic cities and to build smart cities can be one of the representative cases. At the federal level, Russia has steadily tried to forge partnerships with foreign companies and to implement advanced technologies with the aim of the sustainable development of the Arctic Circle. Russia, for instance, has already begun building Smart City Systems in certain cities, including Vladivostok by introducing technology from Japan. Of course, it will take considerable time and effort to realize visible achievements throughout Russia's entire Arctic Circle, but in the long run, the Russian government is anticipating to phase the smart city systems in the population dropping areas.

Recently, the use of the Arctic routes for economic purposes has gained attention with the global warming due to climate change, the development of science, communication, and shipbuilding technologies, and the growing demand for logistics as the development goes on in the Arctic Circle. In particular, the use of NSR is expected to expand significantly as the climate change affected glaciers are shrinking and ice-breaking technology is developing. Therefore, many countries are using the route in a dramatic manner. (Park 2016, 29-30) Korea explored the Arctic route as well with the research purpose icebreaker Araon and now continues to build foundation for its commercial use.

Although Antarctica is the land that does not belong to any country under international law and is known as Terrae Nulius, the Arctic Circle is home to countries such as Russia and Canada. Therefore, when ships pass through the Arctic Ocean, consents from these countries are important. The Arctic Ocean however faces difficulties such as, since it is frozen even in the summer, sailing in this area definitely requires icebreakers, and especially in the winter time, the sailing speed has to be maintained at extremely low velocity. Because even icebreakers are not enough for ships to follow the route, newly designed vessels are needed. There are still unknown risks for navigation, weather, and so on as accurate data is hard to collect.

A case in point related to the development of Arctic Circle and Arctic Route is the 'Yamal LNG (Liquefied Natural Gas) Project' invested by France and China for a further step in Yamal Peninsula, Russia. The region has reserves of about 2.5 billion tons of oil and 3.5 billion tons of gas. The core of the project is to build logistic bases to transport the exploited resources to Europe and Far East Asia region. The copper mines in the Chukotka area and the construction of the Kamchatka LNG transshipment terminal are also linked to such projects. (Hodges, Shiryaevskaya & Khrennikova, 2018)

The development of the Arctic Circle will provide opportunities for related industries to grow together. For example, resource exploitation remains as a highly anticipated area despite concerns that it will create several environmental problems. Especially, the Plant market with direct links to the resource exploitation is growing rapidly. The Russian Plant market, which stood at around $8.2 billion in 2000, had grown up to $15.8 billion in 2010, nearly double the figure in a decade. The attraction power of the Russian Plant market comes from the possibility of combining the orders for plants with Korea's resource development.

Heavy Industries department of Samsung has supplied Sakhalin with the world's largest 33 story ocean platform "Runsko-A," and has won orders for three 70 million tons of icebreaker for the Arctic shipping line from Russia's largest state-run shipping company Sovcomflot. Daewoo Shipbuilding & Marine Engineering also participated in a project to modernize 'Zvezda dockyard', which is under Russia's state-run shipbuilding group 'United Shipbuilding Co.', located in the Bolshoi Kamen area near Vladivostok. Daewoo Shipbuilding & Marine Engineering is co-participating in the process of manufacturing LNG tankers, floating plants, and drilling vessels. The company won all 15 orders for the first "Yamal Project" in 2014, which is worth a total of $4.8 billion.

This basically means that Korea's technology has opened the era of full-fledged LNG transportation to the Arctic and touched off for energy development in the region. For Russia, it has also been a trigger to have confidence in the development of Arctic energy and transport through the route. It is meaningful that the Yamal LNG project is carried out with the participation and support from foreign countries not only with Russia's own labor force, but also sustainably maintained under the economic sanctions. The project created momentum for Russia's development of the Arctic Circle, and gave Korea the motivation to participate in. (Kim 2017, 51-52)

The Russian government's interest in building smart cities in the Arctic region gives evidence for predicting the potential growth of related industries. This, of course, is fully linked to the companies' possibilities to participate. Many Korean companies already have information and communication technologies, along with accumulated experiences of applying them to smart city constructions. These related experiences by the companies are properly reflected in overseas construction sites, resulting successful smart city cases overseas.

The Russian government and society, however, have several challenges on the development of the Arctic Circle. For example, in the Arctic region there are ethnic minorities who have long lived on the ground, where the jurisdiction of the Russian federal government could not reach deep enough. These people are considerably vulnerable to changes in the environment and society following regional development. The challenges to care or control them internally are complicated tasks to find solutions even at the Russian Federation level.

Cooperation Possibility between Korea and Russia on the Arctic Route

As the development of the Arctic Circle goes active in the close future, it will ratchet the demand for ships and equipment up, which are needed for exploration and navigation of the route and mining, transport and storage of resources. Therefore, while investing in the development of related new materials and core technologies, Korea should attempt to hold joint research with Russian institutes and sustain the exchange. The climate change in the area and the deteriorated facilities are putting Russia's port infrastructure in urgent need. Approaching from the other side, it can be an opportunity for the Northeast Asian country to eagerly participate in modernizing the ports, reflecting the its own port development technology. (Jeh and Min 2014, 1-6)

The NSR has been commercially used in near 2010, which steadily increased the frequency from 41 times in 2011, 46 times in 2012, to 71 times in 2013. In 2017, 10.7 million tons of cargo were transported via the route, and even the 2018, the summer ship Maersk succeeded in navigating the first container ship, Venta Maersk, through the sea route without the assist of an icebreaker. Based on this route, Maersk has been considering to utilize this route through cooperating with a Russian icebreaker, however, it is still on the examination process of possible sailing days and the rising costs for breaking additional ice. (Baker 2019)

Bulk cargo is likely to be used early in the use of Arctic shipping routes, as long as the transport conditions are simple and the demands for specific goods are adequate. In the future, a direct transport demand for Arctic shipping routes to Northeast Asia will be generated in accordance with the exploitation of resources in the Arctic region, and natural gas and oil could flow in large scales into Japan, Korea and Taiwan through these routes. However, it is a mid-long-term consideration, since the typical container transport can only be carried out if it is

maintained sustainably. The global container shipping market is forming an economy of scale due to the growing size of ships. However, in the case of Arctic shipping routes, it is difficult to actually realize the economy of scale, because of the limited number of ships. Furthermore, as there is still a high risk, the economic feasibility is low due to the high insurance premium and navigation fee. (Park & Lee 2015, 244)

In 2010, the Korean government launched 'Eurasia Initiative Project', which encompasses Russia and Central Asia, as a way to unite the Eurasian continent into a single economic community and to build peace on the Korean Peninsula by inducing openness to North Korea. The Korea's domestic interest in Russian Arctic region and Arctic routes has also increased in the context of this project. In particular, as the climate change accelerates, Korea is planning to expand logistic networks using sea routes by exploring the Arctic routes. In the case of land routes, it takes a considerable amount of time due to the railroad and the agreement between countries to transport, compared to the advantages of the sea route.

In September 2013, Hyundai Glovis succeeded in commercial pilot sailing of the Arctic route for the first time in Korea. In addition, the Korean government prepared the basis for reducing fees for using port facilities from January 2014 and attempted to expand infrastructure, including the personnel trainings for sailing in polar areas. Currently, there are a number of domestic studies going on, including the ones from Korea Polar Research Institute (KOPRI). Furthermore, in addition to the studies in science and technology, topics in the humanities and social sciences have been conducted recently. Through these studies, Korea will be able to analyze the various existing problems within the commercialization of Arctic routes and eventually find the solutions.

Necessity of a New Legal Foundation for the Economic Cooperation

The two partners signed bilateral treaties for continuing their direct cooperation. These treaties are mainly for investment, resource exploitation, transport, and etc., but also include promises of military and security. The major bilateral treaties signed between two since 2000 are as follows.

Agreement between the Government of the Republic of Korea and the Government of the Russian Federation on Cooperation in the Fields of Energy (2000)

Agreement between the Government of the Republic of Korea and the Government of the Russian Federation on the Mutual Protection of Classified Military Information (2001)

Agreement between the Government of the Republic of Korea and the Government of the Russian Federation on the Prevention of Dangerous Military Activities (2003)

Agreement between the Government of the Republic of Korea and the Government of the Russian Federation on Cooperation on the Program of the Medium Range Surface-to-air Missile System (2005)

Air Service Agreement between the Government of the Republic of Korea and the Government of the Russian Federation (2003)

Agreement between the Government of the Republic of Korea and the Government of the Russian Federation on Cooperation in the Gas Industry (2006)

Agreement between the Government of the Republic of Korea and the Government of the Russian Federation on Technology Safeguards Associated with Cooperation in the Field of the Exploration and Use of Outer Space for Peaceful Purpose / Protocol to the Agreement between the Government of the Republic of Korea and the Government of the Russian Federation on Technology Safeguards Associated with Cooperation in the Field of the Exploration and Use of Outer Space for Peaceful Purpose of 17 October 2006 (2006)

Agreement between the Government of the Republic of Korea and the Government of the Russian Federation on Cooperation in Preventing Illegal, Unreported and Unregulated Fishing of Living Marine Resources (2009)

Agreement between the Government of the Republic of Korea and the Government of the Russian Federation on Temporary Labor Activities of Citizens of One State in the Territory of the Other State (2010)

Agreement between the Government of the Republic of Korea and the Government of the Russian Federation on Marine Transport (2010)

Agreement between the Government of the Republic of Korea and the Government of the Russian Federation on the Mutual Abolition of Visa Requirements (2013)

Agreement between the Government of the Republic of Korea and the Government of the Russian Federation on the Establishment and Operation of Cultural Centers (2013)

Agreement between the Government of the Republic of Korea and the Government of the Russian Federation on Cooperation in the Field of Maritime Search and Rescue (2016)

Agreement between the Government of the Republic of Korea and the Government of the Russian Federation on the Establishment of the Direct Secure Communication System (2017).

Bilateral treaties between the two partners, signed since the 1990s, have largely provided disciplines on the cooperation. Among them, such treaties as the 'Agreement between the Government of the Republic of Korea and the Government of Russian Federation on Economic Cooperation in the Republic of Sakha (Yakutia) 1995' cover areas of the Arctic Circle. The treaties also create new usability with the recent Arctic region issues. The legal infrastructure for realizing a new level of cooperation is also necessary to consolidate and harmonize various bilateral agreements that have been signed so far to discipline various areas of the cooperation. (Kim 2015, 421)

Now we need to pay attention to the previous FTA that it has signed between Korea and many other countries. The FTA promises to remove trade barriers, including tariffs on trade between signatories, while the latest deal calls for the removal of passive trade barriers, as well as providing special trade benefits to the partner. In the end, the FTA has become the most leveraged legal base among various international economic treaties, which most WTO member countries also are using as well. FTA signatories are now fully committed to its original purpose – to provide special trade benefits for the economic sake of the partner, however, they are also used for non-economic purposes. In such cases, the FTA serves to broaden the areas of cooperation between the countries concerned and can be used for various other purposes. (Kim 2018, 79)

The more Korea continues to put in efforts to expand efficient economic cooperation and market openness by signing FTAs with major global countries, the more essential it becomes to settle a stable legal foundation. Furthermore, in the recent international community, such legal bases usually start from signing FTAs; Korea has signed numerous FTAs to expand trade and economic cooperation with various countries so far. As Russia also moves forward from emphasizing only the economic ties with the CIS countries, the possibility of an FTA with Korea has increased. The two partners already started the official talk on the FTA relation mainly in the investment area.

However, even if these two sides have the will to sign for the FTA, it cannot be actualized right away; in order to conclude the treaty, various procedures such as investigation and negotiation are necessary. In particular, efforts are needed to build up the environment for the Korea-Russia FTA, while addressing various domestic and international legal challenges. To this end, there should be legal discussions on a different level, more than simply securing the possibility and necessity of cooperation between Korea and Russia, and a cautious consideration of the FTA itself.

The EAEU, a customs union that has Belarus, Kazakhstan, and Kyrgyzstan, was founded in responds to EU which is more focused on the Western Europe. According to this economic community's agreement on the establishment, all the member states must be included in the treaty, so long as one of the member states is willing to sign any economic agreements, such as FTAs, with third countries. In the end, the 'Korea-Russia FTA' will be expanded to 'Korea-EAEU FTA' negotiations under the regulation. Korea has already experienced similar situation while pushing for the FTAs with EU and ASEAN. The question is whether the economic effectiveness of the FTA with EAEU members, not Russia, is sufficient to cover up the potential adverse effects. (Kim & Shin 2019, 20-21)

Changes in domestic laws in response to the FTA are also critical. There were progresses made in the domestic law, as several FTAs were signed, and a legal basis was prepared for consistency of policy through the enactment of the Trade Procedure Act. Now, domestic legal actions and FTA regulations are required to reflect technical development or industrial structure changes related to the development of the Arctic Circle. It is also necessary to define the grounds and principles for resolving issues of damage and compensation in traditional term which might be caused by the Korea-Russia FTA.

It is desirable to specify the principle of general compensation and the decision-making procedure in the implementation regulations to carry on the FTA. This is because in each situation where the affected industry has been specifically revealed, it will be politically sensitive to legislate compensation, and it may be difficult to secure the equity and objectivity. Only when these laws secure the neutrality of compensation and support and ensure the predictability, we can reduce the unconditional opposition on openness for the vulnerable industries. It is also necessary to stipulate that compensation and assistance should be made within the scope of the WTO subsidy agreement, so that it does not escalate into any trade dispute. Such details are also

noted in special laws such as the FTA Special Act on Support for Farming and Fishing and the Trade Adjustment Assistance Act.

The FTA can also contribute on the security issues regarding the Korean peninsula. Inter-Korean economic exchanges have a specialty which is somewhat different from transactions with other countries or within the domestic. Article 26 paragraph 1 of the Act on Inter-Korean Exchange and Cooperation states, "When it comes to trade, which is not specifically stipulated in this Act, it shall be governed by the Foreign Trade Act as provided under the Presidential Decree". In paragraph 4, it notes "In compliance with other laws under the provisions of paragraphs 1 to 3, special cases may be set against them under the Presidential Decree". In this sense, for the Korea-Russia FTA, it is suggested that the specialty of the inter-Korea exchange, which implies that Korea and Russia's cooperation can have impact on peace for the Korean Peninsula.

Furthermore, it is also necessary for Korea to come up with a legal mechanism to recognize the granting preferential treatment through the FTA, considering its exchanges with the North as a special transaction within the nation – which is an exception to the principle of Most-Favored-Nation treatment in the WTO system. To this end, a special regional trade agreement can also be sought between the two Koreas on the basis of Article 9 paragraph 3 of WTO Agreement on Establishment. However, North Korea's entry into WTO must be managed beforehand in order to conclude a trade agreement between the two Koreas and obtain approval within the WTO rules. Since it is difficult to expect North Korea to sign for WTO at present, it is required to enact declarations through domestic laws, including the Act on Inter-Korean Exchange and Cooperation regarding the special relations between the two Koreas. (Kim 2018, 179-182)

Conclusion

Korea and Russia have expanded various areas of economic cooperation since they established diplomatic ties in the 1990s. Investment and commodity trade between the two have grown significantly, that seeing Korean products in the Russian market became a more common daily thing. Now that the two countries are looking for a new model of cooperation, to achieve further development of Russian Arctic Circle, the source of new marketability. Both Korea and Russia will be able to share the goals of regional development and transportation efficiency and create new markets through the development of the area.

As seen above, the two countries are already actualizing cooperation in broad spectrum for the region. With the rapid exploitation of resources due to climate change and technological development, Korean companies have begun to bring the real economic benefits, having positive effects on related industries such as the construction of transport and special ships. However, since there are some according troublesome aspects, measures that can lead to sustainable development through the supplementation of relevant norms are critical. Russia is also aware of these problems in obtaining economic benefits in the future; cooperation between the two countries should be extended to sufficiently cover this point.

The provisions of international law related to the Arctic Circle are vague and does not encompass every area. In addition, when it comes to the national interests, many situations rise from areas where international and national laws are not clearly harmonized. This is why international community's cooperation is essential; for example, there is a possibility of conflict between the international law regarding the Arctic shipping and domestic law of Russia. Therefore, efforts should be made to reflect the interests of both sides and to maintain economic benefits, in case Korea participates in Russia's development of the area, as well as for the legal foundation to reduce negative issues.

There are many ways for realizing what are mentioned a forehand, but we can specifically propose a Korea-Russia FTA. In the process of pursuing it, the government should also consider various tasks, such as harmonizing with the FTAs Korea has been signing, and dealing with the domestic law in accordance with the new FTA, based on the previous experiences. From Russia's point of view, special circumstances such as the EAEU should be taken in consideration. The two countries also have to conduct preemptive research on the efficient use of the FTA, which is the legal basis.

The process of signing the FTA, which will serve as the international legal basis for cooperation between the partners, should be clearly marked for the purpose of 'Sustainable Arctic Development'. Furthermore, these propositions should be able to be digested in the process of utilizing FTAs and readjusting domestic and international regulations, as well as the joint respond to the emergence of new industries, markets, and even unforeseen issues. In Korea's perspective, it should consider the possibility that the FTA could be used in non-economic areas such as on the Korean Peninsula issue.

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SOME OBSTACLES OF BILETARAL BUSINESS RELATIONS BETWEEN KAZAKHSTAN AND CHINA

The main goal of the article is to reassess and analyze difficulties and obstacles in the way of business relations between the Republic of Kazakhstan and the People's Republic of China in the context of the international economic crisis. Kazakhstan and China are historically and geographically neighbors, and it is clear that we will enter into political, cultural, economic and military relations with a neighboring country, whether we want it or not. At present, Kazakhstan has such views as anti-Chinese sentiment, the "Chinese threat", and there are reasons for that. If we take into account our eternal neighborhood and close trade and economic relations, we should consider China, a country with huge economic potential, not only in terms of threats and fears, but also as a new opportunity for Kazakhstan, while maintaining the integrity and sovereignty of the country. Since gaining independence, Kazakhstan has established friendly and partnership relations with the People's Republic of China, having completely resolved the issue of the border between the two countries, and today has established relations as a new strategic partner. However, there are key problems between the two countries. We see that there are many political, legal, regulatory, cultural and ideological barriers to the development of business relations. This article can help us to understand some of them.

Key words: Republic of Kazakhstan, People's Republic of China, business relations, foreign policy.

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Қазақстан мен Қытай арасындағы екі жақты іскерлік қатынастардың кейбір қиыншылықтары

Халықаралық экономикалық дағдарыс жағдайында Қазақстан Республикасы мен Қытай Халық Республикасы арасындағы іскерлік қатынастарды қайта бір бағалау және оның барысындағы қиыншылықтар мен кедергілерге сараптама жасау мақаланың негізгі мақсаты болып табылады. Қазақстан мен Қытай тарихи-географиялық көрші және біз қаласақ та, қаламасақ та көрші мемлекетпен саяси, мәдени, экономикалық және әскерлік қатынастарға түсетініміз анық. Қазіргі уақытта Қазақстанда антиқытайлық көңіл-күй, «қытай қауіпі» сияқты көзқарастар бар және ондай жағдайдың қалыптасуына негіз де жоқ емес. Егер біз мәңгілік көршілігімізді, біте қайнасқан сауда-экономикалық қарым-қатынастарымызды ескерсек, Қытайға тек қауіп пен үрей тұрғысынан ғана қарамай, керісінше бірінші кезекте мемлекеттің тұтастығы мен елдің егемендік мәртебесін сақтай отырып, алып экономикалық қуаты бар мемлекетті Қазақстан үшін жаңа мүмкіндіктер деп те қарастыруымыз керек. Қазақстан тәуелсіздік алғалы бері Қытай Халық Республикасымен достық, серіктестік қарым-қатынас орнатып, екі мемлекет ортасындағы шекара мәселесін толықтай шеше отырып, бүгінгі күні жаңа стратегиялық серіктес мәртебесінде байланыс орнатып отыр. Бірақ, екі мемлекет ортасында түйінді мәселелер де жоқ емес. Іскерлік қатынастарды дамыту барысында көптеген саяси, құқықтық-нормативтік, мәдени-дүниетанымдық кедергілердің бар екендігін көріп отырмыз. Мақала солардың негізгі себептерін түсінуге мүмкіндік береді.

Түйін сөздер: Қазақстан Республикасы, Қытай Халық Республикасы, іскерлік қатынастар, сыртқы саясат.

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Некоторые сложности двусторонних деловых отношений между Казахстаном и Китаем

Основной целью статьи является переоценка и анализ трудностей и препятствий на пути деловых отношений между Республикой Казахстан и Китайской Народной Республикой в контексте международного экономического кризиса. Казахстан и Китай исторически и

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географически являются соседями, и совершенно очевидно, что мы вступим в политические, культурные, экономические и военные отношения с соседней страной, хотим мы этого или нет. В настоящее время в Казахстане существуют такие взгляды, как антикитайское настроение, «китайская угроза», и на то есть свои причины. Если принять во внимание наше вечное соседство и тесные торгово-экономические отношения, мы должны рассматривать Китай, страну с огромным экономическим потенциалом, не только с точки зрения угроз и страхов, но и как новую возможность для Казахстана, сохраняя при этом целостность и суверенитет страны. С момента обретения независимости Казахстан установил дружественные и партнерские отношения с Китайской Народной Республикой, полностью решив вопрос о границе между двумя странами, и сегодня установил отношения в качестве нового стратегического партнера. Однако между двумя странами есть ключевые проблемы. Мы видим, что существует множество политических, правовых, нормативных, культурных и идеологических барьеров при развитии деловых отношений.

Ключевые слова: Республика Казахстан, Китайская Народная Республика, деловые отношения, внешняя политика.

Introduction

No country in the world is as suspicious as China. China is one of the most important economic partners of Kazakhstan; however, the cooperation between the authorities of the two countries is not transparent enough. The issue of Chinese economic expansion in Kazakhstan is being discussed more and more actively. Opponents of expansion speak of a threat to national security; defenders call it the Kazakh-Chinese partnership.

People with persistent stereotypes of Sinophobia view the influence of China on Kazakhstan as a desire to seize Kazakh land, eradicate Kazakh statehood, and incline the country's population toward the Chinese civilization. This group is acutely critical of Chinese projects in Kazakhstan, considering such cooperation as a betrayal of national interests.

The business community and youth perceive China as a modern, dynamically developing state. They see their neighborhood as a good opportunity for business development and getting a decent education. The presence of Chinese enterprises and investments is assessed by them as a positive fact of bilateral cooperation. The expansion of economic ties is welcomed as a factor in the dynamic development of Kazakhstan. In addition, China is considered by these people as a counterbalance (creating a balance) to the influence of other great powers - Russia and the United States.

In spite of this, Kazakhstan is probably the only post-Soviet republic where anti-Chinese sentiments are very strong, have rather deep roots and have been expressed in various protests. Incidents of this kind, when official protests of the Ministry of Foreign Affairs of Kazakhstan are put forward, will kindle a bonfire of anti-Chinese sentiments in the republic.

"A meeting was held at the Ministry of Foreign Affairs of the Republic of Kazakhstan with the Chinese Ambassador to the Republic of Kazakhstan, Zhang Xiao, during which the Kazakh side protested against an article on the Chinese website www.sohu.com titled "Why Kazakhstan seeks to return to China," the statement said Press Service of the Foreign Ministry of the Republic of Kazakhstan.

The Chinese ambassador was told that the publication of such content does not correspond to the "eternal" spirit of a comprehensive strategic partnership reflected in the joint statement of the Republic of Kazakhstan and the People's Republic of China, which was signed by the heads of state on September 11, 2019 (Akorda, 2019).

It is noteworthy that the protest notes of the Ministry of Foreign Affairs of the Republic of Kazakhstan, which the department periodically presents to the Chinese side, do not negatively affect the development of relations between the two countries. If we are talking about the leadership of the two countries, then they pretend that nothing happened, and "unpleasant" topics in the negotiations do not rise. Neither the first president, Nursultan Nazarbayev, nor the second, Kasym-Zhomart Tokaev, have ever raised the topic of provocative publications. Moreover, Nazarbayev in his article "When we are united - we are invincible" noted that over the years of his presidency he has resolved all territorial issues.

Chinese analyst Sheng Siyu believes that the Kazakh Foreign Ministry should pay less attention to individual publications in the Chinese press. "You do not need to believe that the entire press is controlled by the Central Committee of the CPC (Central Committee of the Communist Party of China). Yes, such publications periodically appear in the Chinese Internet segment, but without the prompting of party authorities. I understand Kazakhstan's painful

attitude to this topic, but there are a number of state agreements according to which the border has been drawn, the border remains unchanged, and there are no official Beijing statements on this subject. So the problem is far-fetched. Although, on the other hand, I am sincerely glad that the Foreign Ministry of Kazakhstan has no more important tasks than paying attention to such publications. In general, it would be nice to apologize to Beijing for the wave of sinophobia that we have observed in Kazakhstan recently," said Sheng Siyu (Panphilova, 2019).

A Chinese analyst expressed the hope that the note of the Kazakh Foreign Ministry would not affect further cooperation between China and Kazakhstan.

Whatever it is, Kazakhstan and China are the eternal neighbor countries historically, geographically and also by destiny. In this case, we should not seek the disguised aggression toward each other; on the contrary we should look forward to find mutual beneficial cooperation. Experts believe that the influence of China on Kazakhstan should be thoroughly investigated, as it is multidimensional, has diverse contexts and history. From their point of view, this influence should be under vigilant control and be present only in those areas that can contribute to enhancing the functional power and economic well-being of Kazakhstan. Experts say that there should be equal cooperation and pragmatic interaction. And, of course, they advocate protecting national interests and constructively resolving bilateral problems, such as, for example, equitable sharing of transboundary water resources, environmental safety of ongoing joint projects, transparency of contracts and investment efficiency.

By the rule of Globalization, the business partnership is first and policy is second. Kazakhstani society likes or not China is the main business partner of Kazakhstan. We have to recognize it and try to make it as beneficial as possible. For that, we have to know each other very well.

Relevance

Since the 1991 when Kazakhstan and China have started their bilateral business relations, international news agencies, consultancies and academia have published news coverage, commentaries, reports, and research on the topic. Many of them are mere descriptions of known facts or presentations of opinions and commentaries published elsewhere; also today, we have had many research results, monographs of famous scholars and brainstorms of influential politicians. Even though, we cannot say that the academia circle has found an answer for describing the main impediment of the business relations between these two countries. We still have had so many unanswered questions about this issue. Notwithstanding, we can underline some of the important research papers in our state point below.

We decided to gather them for two groups: Scholars and experts from Kazakhstan and scholars and experts from China. Obviously, in academia circle we have had of lot of other scholars from different countries with very interesting views, but first of all for the clear understanding of this topic we should rely on the opinion of first two groups.

Askar Nursha, Ph.D., Dean of the School of State and Public Policy and Law of Almaty Management University, said that Sinology in Kazakhstan is experiencing a crisis in the format of think-tanks, but this opens up new opportunities. Many Kazakh scholars who actively investigated the China issue "passed" through the state analytical structure and now find themselves in an independent field. Nursha believes that the advantage of the independence of Kazakhstan experts in that they can now write objectively becomes more interesting to readers. At the same time, under the conditions of underfunding, there is a possibility that China itself will begin to finance Kazakhstan scholars through various projects and grants (Nursha, 2015).

Political scientist, head of the "Mir Eurasii" Public Foundation, Eduard Poletaev, said there are few conflict experts among China experts. Since the Chinese agenda is also associated with conflicts and indignation of a certain part of the population, in his opinion, sinologists with a bias on conflictology are needed. According to Marat Shibutov, political analyst, head of Transparency Kazakhstan, in the next few years, Kazakhstan will begin to enter the PRC market for certain goods and this will create a need for knowledge of Chinese law, the economy, negotiation skills and concluding agreements with the Chinese. Then there will be a need and a possible "rise" of Kazakhstan Sinology (Poletaev, 2020).

We cannot say that Kazakhstani academia is not writing about our topic, but still it is not enough. These two countries should know very well each other. In addition, we can underline interesting overviews in the papers of the following experts and scholars: Laumulin M.T. "History of Kazakhstan and Central Asia in World Orientalism" (Laumilin, 2015), Shaikhutdinov T.M. "China-US: G2 or the New Type of the Relationship between Major Powers" (Shaikhutdinov, 2014), Dosum Satbayev, Adil Kaukenov (Kaukenov, 2008), etc. Also, we can notice the impetuous efforts of the scholars at Al-Farabi Kazakh National University. For instance,

Gubaidullina M., "Between China and India: energy dimension of Kazakhstan" (Gubaidullina, 2012), Kukeeva F.T., "The SREB project in Kazakhstan: opportunities and threats" (Kukeeva, 2019), Baizakova K.I. "Kazakhstan-China strategic partnership under the 'Belt and Road Initiative" (Baizakova, 2020).

Second group of scholars have been investigating about Kazakhstan and China more widely than Kazakhstani experts. We can just emphasize some of them that we used during the writing our paper. Other ways we have to list them very long. Xing Guangcheng (2003), Guo Xuetang (2006), Sun Zhuangzhi (2015), Gan Junxian, Mao Yan (2016). From the research works of this group of authors we can find a very interesting state of view about the Chinese intention and concept of Chinese foreign policy.

Theoretical-methodological bases

The methodological basis of the project is supposed to be a multidisciplinary approach based on the use of elements of different theories and methods.

In the case of bilateral relations between Kazakhstan and China in is obvious that every country want to take more benefits through the keeping mutual recognition of national interest of each country. Realism is a straightforward approach to international relations, stating that all nations are working to increase their own power, and those countries that manage to horde power most efficiently will thrive, as they can easily eclipse the achievements of less powerful nations. The theory further states that a nation's foremost interest should be self-preservation and that continually gaining power should always be a social, economic, and political imperative.

Director of the Institute for International and Regional Cooperation of Kazakhstan-German University, chairman of the board of the "One Belt – One Road" Expert Club, Doctor of Historical Sciences Bulat Sultanov said that the country needs highly specialized workers in China with very fluent Chinese language. Sultanov emphasized that it is safer for experts to write works on the history and culture of China. It is difficult to write about China's modern problems, because they can immediately "stick" the label of Sinophobia or Sinofilia. He called on political scientists and experts to be extremely careful and rely on the principles of Kazakhstani diplomacy - multi-vector, pragmatism and protection of national interests (IWPR, 2020).

Also, for Kazakhstan and China is important their mutual recognition of each other. Kazakhstan should keep the principle of "One China"; China should keep the integrity and inseparability of the Kazakhstan's entire territory. In this case we attempt to use the theory of recognition and reciprocity. It can help us fairly estimate the concept of bilateral relations between these two countries.

This research paper relies mainly on the qualitative method of data analysis in identifying the different variables of the study from the related literature review. The same method was also used in the data collection, where the descriptive method has been utilized mainly in order to describe the variables of the study, while holding a comparison between such variables. The principle of objectivity in the study of the current economic crisis in international relations, the systematic approach to the study of international relations as a theoretical and methodological basis, the historical-analytical method aimed at studying the foreign policy and economic relations of states, the diversity of data and information required the use of sorting methods.

Discussion

Do Kazakhstan and China know each other enough? China is changing along the way. Any static characteristics against it do not work. Celestial Empire does not construct an ideal project: it adapts and forms its reality based on relevance. Many Kazakhstani experts complained that there is no real project, no understanding of what the Silk Road Economic Belt is. It was very Chinese.

The Silk Road Economic Belt is what you think about it and how you implement it. What you need in this area, we are ready to include everything here. For example, Kazakhstan would like to modernize its economy? Yes, this is part of the Silk Road. Would you like to build new roads? Yes, this is part of the Silk Road Economic Belt. Would you like to create a digital Kazakhstan? Yes, this is part of the Silk Road. "

The Chinese's flexibility is quite effective: it's not Putin's idea to restore a common historical destiny. The United States wanted to impose its liberal concept on Kazakhstan. China has a completely different approach. It implies independence, consistency and autonomy of participation. The Chinese are ready to create the product that is convenient for the partner. The imperiality of China is different from the imperialism of Russia and the West, which promote their formats. China reckons

with the formats of others, but incorporates them into its China sphere and carefully processes them.

On the one hand, Chinese approach is attractive and seems beneficial; one the other hand, Kazakhstani society feels economic and political expansion of China. Dosym Satpayev, Director of the Risk Assessment Group, lists six reasons for anti-Chinese mood in Kazakhstan. We want to announce and comment for some of them. He underlines the opacity of the economic relationship between Kazakhstan and China. Many of the signed treaties and agreements between the two countries were not publicly presented to the general public (Satbayev, 2019).

The Government of Kazakhstan announces grandiose plans to attract 51 enterprises. But at the same time there is no information about this business anywhere.

This desire, on the one hand, to get Chinese investment and technology, and on the other, the attempts to be very good, white and clean, surprises us. If there really is a question to create new jobs, then you just need to talk about it honestly, and discuss openly. And having received a social protest, we begin to go back. If the state began to speak honestly with its citizens, to explain, everyone would benefit from it. We don't have such a culture of honest conversation with our own population.

Next one of the anti-Chinese mood in Kazakhstan by D. Satbayev is a high level of distrust of the citizens of Kazakhstan to what the authorities are doing and saying, including regarding cooperation with China. At the same time, a significant risk is that a high level of corruption among Kazakhstani officials may prevail over upholding state interests in relations with any foreign investor (Satbayev, 2019).

The Forbes.com published the article called "Bad for Business? China's Corruption Isn't Getting Any Better despite Government Crackdowns" in March, 2018. In this article author mentioned that Chinese President Xi Jinping has called corruption the ruling Communist Party's biggest threat and vowed a "sweeping victory" over the problem. Graft in the world's second-largest economy has manifested as casino junkets, blow-out banquets and suspected collaboration with stock traders. Stopping it has been a key point for Xi, who got clearance Sunday to serve indefinitely in the country's highest office. But the country's corruption rankings in world surveys suggest that China has become chronically stuck mid-way between very high and very low scores for levels of graft. That's because of, and despite, five years of stepped-up crackdowns against thousands of public officials since Xi took power in 2012 (Jennings, 2018). It shows us not only in Kazakhstan the corruption is obstacle either in China it is. It can be the one of the main reason of misunderstanding between each other.

However, the Chinese business has its own specifics, which distinguishes it from Western companies. In particular, most Chinese companies are directly or indirectly associated with the state, which provides them with serious political and financial support, considering Chinese business as part of their policy to strengthen China's geopolitical and geo-economic positions in the world. At the same time, Chinese business is more adaptable to corruption schemes in other countries, which explains its rather active penetration into the economies of poor and most often corrupt countries in Africa and Asia.

Another key reason of anti-Chinese mood in Kazakhstan by D. Satpayev is the presence of a negative precedent in Central Asia: China has the first major debtors in the person of Kyrgyzstan and Tajikistan. Kazakhstan is also taking a loan from China. Maybe it is not so crucial as we realized, but unclear information about Kazakhstan debt in front of China has been rising sinohpobia in society.

A successful and wealthy neighbor is always disliked, this is a mentality, –We have a good attitude to the United Arab Emirates, to America, to Europe - to those who are far away.

The problem is not in China. First of all, we must change ourselves so that the view from the Wall is not so hostile. We should try to dialogue, create bridges of understanding, business communication.

We know China very poorly. We are forming a transformed idea of our eastern neighbor. There should be systematic work in relation to China, a systematic vision of the opportunities and threats emanating from this country. Kazakhstan itselves does not understand what it want from China. What is convenient for Kazakhstan, what does Kazakhstan need? What are the national interests of Kazakhstan in the Chinese case? Self-awareness is the problem!

The farther from the Chinese border, to the West of our country, the higher the level of Sinophobia. People from areas on the border with China, in any case, understand what role China plays in the life of Kazakhstan and the region in particular. In those regions, the attitude towards China is calmer and, one might say, more friendly. There are, of course, a number of factors, but remoteness from China also affects. in the East, East Kazakhstan, in Semey they said: "We eat Chinese products, wear Chinese things - why should we not love China?" In the West, they

generally argue differently, the image of China is perceived differently.

Expert Aidar Amarebaev talks about his participation in a press tour of Chinese enterprises in Kazakhstan. Journalists write a lot that mainly Chinese workers work in Chinese enterprises. This is not so, he refutes. The political scientist visited Kostanay, visited the Sary-Arka Auto workshop, a logistics center, reached the Aizuy agro-industrial company in the North Kazakhstan region, visited the Atyrau Refinery, evaluated the production capacities of the CASPI BITUM Aktau plant, and ended up at the former Shymkent "ШымкентНефтеОргСинтезе". He emphasizes that everywhere, in principle, work Kazakh workers.

Very strict legislation restricts the involvement of Chinese workers here in Kazakhstan. A head of the Aiju company offered a very pragmatic explanation to Mr. Amrebaev: “Why should I hire a Chinese employee, bring him here, equip his housing, solve food problems, answer for him? It's all very expensive. It’s easier for me to hire a local employee who for a penny will work at this enterprise. I will make more profit. " (Minulin, 2018).

It is clear that in Kazakhstan more sinophobia than sinophilia. But nothing is endless and in the case of last changes in international economic and political situation sinophilia is arising and strengthening in Kazakhstani society.

The change in attitude towards the China was recorded by experts. Chinese historian expert Ruslan Izimov noted in 2016 that it is becoming more and more positive: Beijing is perceived as a reliable economic partner, has no political claims to the countries of Central Asia, and does not require democratization from them. “Today, China is positively viewed not only by politicians, elites, but also by citizens,” he argued.

It is clear that for China, our republic is only one of the puzzles in the global game related to strengthening its economic and political positions. The investment policy of China in Kazakhstan is no different from the investment policy in other countries and regions of the world, whether it is Africa, Latin America or the Middle East. It is always based on the rigid upholding of the national and economic interests of the PRC. Moreover, the main task of Kazakhstan is to extract more advantages than disadvantages from the neighborhood with China.

To a large extent, this depends on a clearly developed strategy for cooperation with China in the short, medium and long term, taking into account all possible problems and benefits. And in order to increase public confidence in the state policy of cooperation between Kazakhstan and China, it is necessary first to conduct a public and transparent audit of those treaties and agreements signed with China that cause the greatest suspicion among citizens in terms of identifying risks for national interests of Kazakhstan.

Important business areas for cooperation. Cooperation in the oil and gas sector is the main priority of bilateral relations between Nur-Sultan and Beijing.

Its recovery began back in 1997, when the Agreement on cooperation in the field of oil and gas between the Ministry of Energy and Mineral Resources of the Republic of Kazakhstan and CNPC was signed, as well as the Agreement on the construction of an oil pipeline from Kazakhstan to China. Major acquisitions in the oil and gas sector were made by Chinese corporations (CNPC, Sinopec Engineering, CITIC Group) later, in the wake of the economic crisis (Popov, 2012).

Kazakhstan considers the rapprochement with China as a way to move away from Russia's monopoly on the transportation of Central Asian hydrocarbons and reduce dependence on Western multinationals, which are actively developing Kazakhstan’s resources since the 1990s. last century. Also, some representatives of the Kazakh establishment expect that in the future the republic will be able to become a convenient corridor for the transit of energy from Iran to China, although many experts are skeptical about this possibility.

For China, which has set a goal to diversify its sources of raw materials, Central Asia is of interest as one of several reserve raw material bases, along with deposits in Southeast Asia, Latin America and Russia, as well as projects to increase its own production. Compared to the countries of the Near and Middle East, which account for more than half of China's oil imports, Central Asia has limited opportunities.

In spite of the falling oil prices that reach less that 1$ per barrel cooperation in the oil and gas sector is the main priority of bilateral relations between Kazakhstan and China. Oilprice.com announced that oil prices crashed through zero, closing out the day at -$37 per barrel, an unprecedented meltdown (Cunningham, 2020). Nevertheless, we do believe that oil price will go up very soon when world economy will recover step by step after crisis of COVID-19 and Kazakhstan get own benefits from it.

In addition to the oil and gas sector, China has shown considerable interest in such a sector of Kazakhstan's economy as metal mining. In 2010,

the State Development Bank of China provided a loan of $ 2.7 billion to the Kazakh copper giant "Kazakhmys" for the development of the Bozshakol deposit and intends to allocate a loan of $ 1.5 billion for the development of the "Aktogay" mine. The latter is one of the largest undeveloped deposits in the world with a content of copper and by-products of 5 million tons (Popov, 2012).

In general, Beijing is most interested in the extractive industries of Kazakhstan, which open up access to the natural resources of the republic. However, unlike some other countries of the region, Nur-Sultan has the opportunity to more insistently demand from the PRC investments in the non-primary sector and the localization of production on its territory. The result of the efforts of the country's leadership undertaken in this direction was the inclusion on the agenda of the Kazakh-Chinese cooperation of such projects as the construction of the "Moinak" hydroelectric station, a gas chemical complex in the Atyrau region, a bitumen plant in Aktau, the high-speed Nur-Sultan-Almaty road, etc.

The second major area of Chinese economic policy in Kazakhstan is the creation of large-scale infrastructure facilities necessary for the export of raw materials and stimulating trade ties. The rapid development of infrastructure has contributed to making Kazakhstan the main trading partner of China in the region. Bur COVID-19 pandemic has already changed all situation. Certainly, both counties are ready to continue the cooperation on high level, but condition for this will not be same.

In this case, we have to think about digitalization of the business. Indisputably, China is our non-alternative technology partner (or the cost of the alternative is very high), and Kazakhstan business is primarily interested in this partnership.

Conclusion

The accessible strategic documents of China and the very logic of the development of international relations suggest that Beijing will strive to increase its presence in Kazakhstan and Central Asia as a whole. This is also indicated by announced plans to increase mutual trade turnover, throughput of cross-border infrastructure and Chinese credit lines.

Kazakhstan should be one of the main geostrategic partners of China in Central Asia. Beijing does understand it and has a strong tension to keep good condition of bilateral and multi-lateral relations with Kazakhstan. The historical mission of Kazakhstan is being as the main section of the huge artery of the Great Silk Road. In ancient and Middle Ages, endless wars went for control over the infrastructure of the Great Silk Road. When Silk Road is important and essential, every participant of this huge system should understand about the security and peace along the New Silk Road.

Kazakhstan is only one of the puzzles in the global game related to strengthening its economic and political positions of China. The investment policy of China in Kazakhstan is no different from the investment policy in other countries and regions of the world, whether it is Africa, Latin America or the Middle East. It is always based on the rigid upholding of the national and economic interests of the PRC. Moreover, the main task of Kazakhstan is to extract more advantages than disadvantages from the neighborhood with China. Foremost, we should not forget about the principles of Kazakhstani diplomacy - multi-vector, pragmatism and protection of national interests.

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THE CONCENTRIC DYNAMIC OF THE 'SHANGHAI COOPERATION' FOR IRAN AND THE ISSUE OF 'PAN-ASIA-CENTRISM'

This article is devoted to the study of the conceptual relationship between the concepts of "regional axis" between neighboring states and the concept of "Pan-Asia-centrism". On the example of Iran's foreign policy, these concepts and the possibilities of its foreign policy choice are considered taking into account the activities of regional groups. Two approaches to understanding the concept of "Pan-Asia-centrism" are considered. Based on the approach of prof. J. Ibrashev to the understanding of "Pan-Asia-centrism", the article analyzes three dimensions of the SCO, three concentric circles around the SCO. The first circle includes the closest dimension, neighbors on a territorial basis. The second circle involves exploring an expanded understanding of "neighbors." The third circle is an intercontinental dimension.

In Western political thought, reasoning is often held in terms of alienation or isolation. This is not suitable for understanding the dynamics of the development of non-Western countries in the 21st century. Around Central Asia, a broad forum is being formed with a concentric inclusion of the countries of East Asia, West Asia, and South Asia. This is a very important trend after the end of the Cold War. The article makes an attempt to consider a hypothetical analysis of the consequences of the development of this trend, to offer a number of possible scenarios and understand what the trend of the SCO expansion is.

Key words: International System, Foreign Policy of Iran, Neighbourhood policy, New regionalism, Merging of diplomatic interests, "Co-sovereignisation".

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Иран үшін «Шанхай Ынтымақтастықтың» шоғырландырма динамикасы және «Пан-Азия-центризм» мәселесі

Бұл мақала көрші мемлекеттер арасындағы «аймақтық дің» ұғымы мен «Пан-Азия-центризм» ұғымдарының концептуалды байланысын зерттеуге арналған. Иранның сыртқы саясаты мысалында, бұл ұғымдар және оның сыртқы саясатты таңдау мүмкіндіктері аймақтық топтардың қызметін ескере отырып қарастырылады. «Пан-Азия-центризм» түсінігін ғылыми деңгейде талдаудың екі тәсілі қарастырыла отырып, негізінен профессор Ж. Ибрашевтың көзқарасына негізделген. «Пан-Азия-центризм» түсінігіне орай, мақалада ШЫҰ-ның үш өлшемі, ШЫҰ-дағы үш концентрациялық шеңбер талданады. Бірінші шеңберге ең жақын өлшем, аумақтық негіздегі көршілер кіреді. Екінші шеңберге «көршілер» туралы кеңейтілген түсініктерді зерттеуді қамтиды. Үшінші шеңбер – бұл құрлықаралық өлшем.

Батыстық саяси көзқарастарда пайымдау көбінесе иелік ету немесе оқшаулану тұрғысынан қарастырылады. Бұл XXI ғасырдағы батыс емес елдердің даму динамикасын түсіну үшін жарамсыз. Орталық Азияның айналасында Шығыс Азия, Батыс Азия және Оңтүстік Азия елдерін әр түрлі орталықтандыру үдерісіне біріктірумен кең форум құрылып жатыр. Бұл қырғи қабақ соғыстың аяқталғаннан кейінгі маңызды бағыт. Мақала осы тенденцияның даму салдарын гипотетикалық талдауды қарастыруға, бірқатар мүмкін сценарийлерді ұсынуға және ШЫҰ кеңею трендінің не екенін түсінуге тырысады.

Түйін сөздер: Халықаралық жүйе, Иранның сыртқы саясаты, көршілестік саясаты, жаңа регионализм, дипломатиялық мүдделерін біріктіру, "Қатар өмір сүру".

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Концентрическая динамика «Шанхайского Сотрудничества» для Ирана и вопрос «Пан-Азия-центризма»

Данная статья посвящена изучению концептуальной связи между понятиями «региональная ось» между соседними государствами и концепцией «Пан-Азия-центризма». На примере внешней

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политики Ирана рассмотрены эти концепции и возможности его внешнеполитического выбора с учетом деятельности региональных группировок. Рассмотрены два подхода к пониманию концепции «Пан-Азия-центризма». На основе подхода проф. Ж. Ибрашева к пониманию «Пан-Азия-центризма» в статье проводится анализ трех измерений ШОС, трех концентрических кругов вокруг ШОС. Первый круг включает в себя ближайшее измерение, соседей по территориальному принципу. Второй круг предусматривает изучение расширенного понимания «соседей». Третий круг представляет собой межконтинентальное измерение.

В западной политической мысли зачастую рассуждения проводятся с точки зрения отчуждения или изоляции. Это не подходит для понимания динамики развития незападных стран в XXI веке. Вокруг Центральной Азии образуется широкий форум с концентрическим включением стран Восточной Азии, Западной Азии, Южной Азии. Это является весьма важной тенденцией после окончания «холодной войны». В статье сделана попытка рассмотреть некий гипотетический анализ последствий развития этой тенденции, предложить ряд возможных сценариев и понять, что же из себя представляет тенденция расширения ШОС.

Ключевые слова: международная система, внешняя политика Ирана, политика соседства, новый регионализм, слияние дипломатических интересов, «Сосуществование».

Introduction

This text explores at the same time a debate over the concept of a regional axis and the applied reality of the foreign policy choices of a country, here Iran, as well as of regional groupings. The conceptual link between i/ the notion of a "regional axis" among neighbours launching a novel form of common interaction and ii/ J. Ibrachev's concept of a "Pan-Asia Centrism" (J. Ibrashev 2006), first suggested in 2006, is simple enough to grasp. It concerns the regional version of the concept of *Heartland* as "pivot" originally provided by H. Mackinder in 1904 and, since then, widely used, disputed, updated.

There exist, however, two ways of understanding the concept of "Pan Asia Centrism". Either i/ the words "*Pan ASIA CENTRISM"* suggest that Asia is at the centre everywhere in the world and, thus, Asia is at the centre of Eurasia, and Eurasia is at the centre of the world. That is, in a reverse pattern from Mackinder's, Central Asia dominates the world. Or ii/ in another way to envisage things, the words *"PAN ASIA centrism*" mean something else: here Asia is "united" and becomes a centre among the several centres of a multi-polar world. Central Asia, thus, is "animated" – to use Ratzel's phrase – by a more realistic and credible project, that of a legitimate pole (M. Geoffrey J. and P.E. James, 1993).

This second manner of understanding J. Ibrachev's concept of "Pan Asia Centrism" inspires the present analysis applied to "SCO-centrism" and to the concept of a regional "axis", through three concentric circles around the SCO. These form the three sections of the paper. We thus look in succession at a first circle, that of the immediate neighbourhood dimension (I); at a second circle, that of the expanded "good neighbours" dimension (II); and at a third circle, that of the strategic inter-continental dimension (III).

I - First circle: the *immediate neighbourhood* dimension

That is, as we suggest, the various degrees of partnerships between SCO "member-states" and "observers" and/or "dialogue partners". In this paper, we will consider that the formal (legal and procedural) distinction between SCO "members" (Декларация, 2001), "observers" (Решение ШОС, 2004) and "partners" (Решение ШОС, 2008) is less relevant than the geostrategic meaningfulness of their common SCO "affiliation". Iran, being one of the early observers (Иран получил статус наблюдателя, 2005) and very early applicants (2006) to the SCO, qualifies very well for being the focus of this paper on "the concentric dynamic" of the SCO within the "New Asia". Two reasons at least support this view and more generally deserve "western" attention.

- On the one hand, one common mistake made by the western observers and negotiators of a nuclear "deal" (that is neither a deal - but a misperception of the post-cold-war dynamics - nor a negotiation on nuclear issues - but an imposition of power-relations over the Middle-eastern geopolitical space) is to consider that progress in a nuclear deal is an indicator of a positive impact of the West. It is in fact a disruptive factor in the "asianiation" dynamic under the influence of "the New Asia" and of China, or – to be more exact – under the combined Chinese-Russian-Centralasian influence. For instance, it is notably a confirmation of this view that recent meetings have been taken place in Astana, Kazakhstan, and not in the usual Geneva or other western capital as was the case as so often in the past when it came to "negotiating" international affairs.

- On the other hand, the factual evidence is one of the natural focus of Iran's foreign policy having shifted to the East, not by sheer chance but as a *consequence* of contemporary international dynamics. This, too, is under-looked by the West. Since this paper was presented at a conference held in Iran, there was in Tehran no need to detail a few points of reasoning. These however ought to be mentioned here. i/ While Iran's willingness to join the Gulf Cooperation Council (GCC) was turned down by several times GCC members (Vakil Sanam, 2018, 19), this led to the creation by Iran of the Economic Cooperation Organisation (ECO, 1984). ii/ While the western attitude towards Iran was "out of its constructive phase" more or less even since 1979 (until the *Joint Comprehensive Plan of Action* - JCPA, Geneva, 2015), soon to be jeopardised by the change of US leadership attitude after 2016, this led to Iran's foreign policy being confirmed as an insertion into the Shanghai Cooperation Organisation (SCO) circles of influence to the point of becoming one of China's favourites for full membership.

So, all taken in consideration, whether Iran, a neighbour to one SCO-member, one SCO-observer (Решение ШОС, 2005), three SCO-partners and one SCO-guest, becomes the 9th member of the SCO or the 10th … (after Belarus or Afghanistan, which would make more immediate sense to go along with the Organisation's "contiguity" criterion, Belarus contiguous to Russia, Afghanistan contiguous to four member-States – but Iran contiguous still to six "affiliates") makes less difference than indeed the "detachment" of Iran from "western Eurasian" affairs, one step further than its disengagement, and its insertion into the "neo-Asian" affairs. What will be lastingly changed is nothing less than decades of post-WW-II dynamics when the Western Eurasian actors progressed in influence towards the East (OSCE, NATO, EU, …) and will lose that influence to the East (SCO, CSTO, EAEU,…). And that is in Iran's interest, bearing in mind that, in their pursuit of international relations, as the phrase goes, States have "interests to pursue" more than "friends to entertain".

The logical conclusion of this first section is that the one surprising factor of the present times is the relevance of the relative silence of the Vienna-based International Atomic Energy Agency (IAEA). Yet, the IAEA has in the past vouched to the compliance of Iran's inspections with the requirements of the *Joint Comprehensive Plan of Action* (Joint Comprehensive Plan of Action, 2015). Thus, what ought to be debated is the foundation of the unilateral toughening of measures by the USA on Iran's oil exports, currency situation and macro-economic viability. This point is here of course not satisfactorily expressed by the paper's author in diplomatic terms. But as a free academic, not a diplomat, the paper's author only suggests that, intellectually speaking, a western change of policy towards more sanctions on Iran would be a contradiction in terms. To risk a provocative metaphor, it would mean for the West to severe negotiations with Iran rather than severing all links with a family cousin on account of a stubbornness of the part of the conservative family members vis-à-vis the progressive members of the family.

II - Second circle: the *expanded "good neighbours"* dimension

That is, a dynamic whereby SCO "affiliates" of all "categories" logically all look – each of them in its own way – for potential initiators to form "axes" of "collaboration". Having written, on previous occasions, on the concept of regional "axes", we feel justified to reflect here on a regional axis for "the New Asia" that would include Iran. But first, however, the very concept of a regional "axis" as suggested here should be made more specific. A regional axis can be defined as "*a privileged relation among two neighbour-partners that are prepared to "turn the page of history" containing tensions or even wars, in the name of the continuous stability of their region and around which that region, with other neighbours-partners, can construe itself in a stabilising and open-ended manner*" (author's definition).

This suggests analysing, together and along with the reader, which country, contiguous or not, could be Iran's "partner" to form such an "axis".

The first suggestion that comes to mind is that of the middle powers' drive toward regional cooperation and integration. We looked at this concept in Mongolia the very year (2004) when Mongolia inaugurated the category of Observers to the SCO (P. Chabal, 2005, 82-88). And bearing in mind the complementary concept of an "arc" of such middle-powers, including the cartographic line that extends from Mongolia, Kazakhstan, Turkmenistan to Iran and Turkey, we would like to share with Asian and Iranian colleagues some research issues as to which countries in Asia and Eurasian would, together with Iran, engage in such an opened and lasting form of region-building, irrespective of immediate considerations.

Bearing in mind that the reinforcing "axis" of the post-WWII European construction is that between France and Germany (Le traité de l'Élysée, 1963),

less than twenty years after the two countries were engaged in their third open war since 1870, history suggests that no impossibility exists in forming such an "axis". The logic is to decide i/ where to anchor the region and ii/ on which scale to strengthen it.

- An *Iran-China* axis might surprise many a reader as unusually envisaged. This is not to suggest that China is a middle-power but to underline rather the western Eurasian direction in which – and to which – China is looking, certainly "all the way West" to Iran, or Turkey or even Syria, nay Egypt. This axis would also provide Iran with an Eastern-most-reaching dimension into the continent. There needn't be more justification here of this deeply innovative rupture opened to neo-Asian decision-makers (!)

- An *Iran-Turkmenistan* axis would constitute or "finalise" the southern Caspian connecting "flank" to Central and East Asia, incidentally also the main corridor for energy-transportation by land from the Caucasus to China. Such a suggestion naturally runs against the grain of two obstacles. First, does Iran intend to share with a neighbour-partner a committing, privileged bond that, over time and despite the difficulties, will become what may constitute a pillar or Iranian strategic interests? Second, is Turkmenistan to alter its restricted-open-door policy since December 1991, immediately after independence, slightly re-oriented since December 2006, following a change of President, and confirm that the country can bi-lateralise its relations "beyond Russia" and form with Iran a "couple" that will be conducive to multi-lateralising relations in Eurasia ?

- An *Iran-Kazakhstan* axis, "on either side" of Turkmenistan and of the Caspian Sea, would be the most innovative among i/ the Iranian "gate" between the Turkic and the European worlds and ii/ the Kazakhstani "gate" between East-Asia and Russia (only Mongolia can be the alternative connection between China and Russia). Such an axis would provide the two partners with a "multiplicator" of their power-base as i/ Iran would no longer be on the "periphery" of Western interests but at its centre and in the heart of the new Eurasian strategies; and as ii/ Kazakhstan would benefit from an ultimate diversification from Chinese-Russian dimensions and from an Asia-Asian "centering", precisely the opening towards which Astana has been working since 1992.

In all, this brief section II opens an "axial" discussion of countries. Suc a discussion must be completed with the scenario of an axis among *organisations*, not necessarily only among two countries.

III - Third circle: the *strategic inter-continental* dimension

That is, as we have suggested, for the dynamic of the SCO-at-large in the central parts of the Eurasian continent, here, in Western Eurasia, advancing the view that leading *organisations* would form with the SCO such a privileged an inter-organisational kind of a transcontinental innovation.

Among these suggestive innovations, an organisation such as the *Economic Cooperation Organisation* (Agreement on Legal Status of the ECO, 1984) founded by Iran over twenty-five years ago, in 1984, is a case in point. The political and economic nature of this intergovernmental organisation corresponds rather well to that of other Eurasian organisations examined below. Founded by Iran, Pakistan and Turkey, its membership, under-looked in the West, comprises all relevant countries of the region, and its aim is to establish a single market, a similar and compatible aim with that of most other organisations in the region. Iran is in this sense as well equipped as most countries in the "new Asia" to play a significant role in this inter-*Organisations* game.

- Notably, the ECO membership corresponds by and large to that of these other regional organisations, in particular the *Shanghai Cooperation Organisation*. The ECO members comprise two SCO "dialogue partners" (Turkey, Azerbaijan), two SCO "observers" (Afghanistan, Iran), five SCO "member-States" (Kazakhstan, Kyrgyzstan, Pakistan, Tajikistan, Uzbekistan) and one SCO "guest attendant" (Turkmenistan), in total ten SCO "affiliates" out of nineteen. Thus, an axis between the ECO and the SCO is a logical one and should be taken seriously by non-regional observers. The rationale here is simple. If in 2007 an organic *rapprochement* was suggested between the secretariats of the SCO and that of the CSTO, why not envisage a similar dynamic between the SCO and the ECO, bringing together also the dynamics of East Asia (China) and West Asia (Iran)?

- Alternatively, an axis between the ECO and the *Eurasian Economic Union* (Договор о ЕАЭС, 2015) could be mentioned. Indeed, the EAEU comprises a number of countries involved in the ECO, namely two important regional actors: Kazakhstan and Kyrgyzstan. And EAEU members also include Armenia, Belarus and Russia. This spatial scope suggests, incidentally, that Iran could join the EAEU as part of the enhanced inclusion of Iran into Asian co-operations looking to the East. Here the main aims and ambitions of the two organisations,

the ECO and the EAEU, being similar, the complementarity is obviously one that would lead to the economic integration of an even much larger part of the continent.

- Finally, an inter-organisational axis between the ECO and the *Collective Security Treaty Organisation* could be envisaged, this time bringing together the economic focus of the ECO and the military focus of the CSTO. Members of the CSTO are Armenia, Belarus, Kazakhstan, Kyrgyzstan, Russia, Tajikistan, since Uzbekistan (1991-1998, then 2005-2012) pulled out in 2012. And so, the ECO-CSTO "overlap" comprises the following countries: Kazakhstan, Kyrgyzstan and Tajikistan, members of both organisations. This suggests that an "axis" between these two organisations and the subsequent admission of more countries into each organisation from the partner organisation, would make the "axis" capable of overseeing both the security and material stabilities of the region.

In total, an interesting fact should be pointed out. Differently from most if not all regional and global organisations, the Iran-created ECO has spread its institutions over several countries, namely basing its Secretariat and Cultural Department (SCD) in Iran, establishing its Economic Bureau (EB) in Turkey and locating its Scientific Bureau (SB) in Pakistan. This makes the ECO not only a very modern form of strategic institutional set-up but also an organisation capable of "functioning" and "thinking" *across* the continent.

Conclusion

In conclusion, the simple but main thrust of this paper is not policy-oriented. Academics ought to refrain from believing that they can advise governments or diplomats. The views expressed are simply a form of "thinking aloud" in the hope of sharing (with other academics) a view as to these dynamics and to some extent hypothetical forms of analysis of a *Weberian* inspiration. The well-established Weberian "*What If?*" approach consists of suggesting a number of possible scenarios, as ideal-typical constructs, and then analyse what their consequences would be.

Against the main grain of Western thought when it comes to non-Western realities, the reasoning in terms of exclusion or isolation, is not appropriate for understanding 21st century dynamics. The "New Asia" operates largely, by contrast, along *inclusive* lines and the 2018 conference held in Tehran, capital of ancient Persia, where this paper was originally presented, came at a welcome point to appraise the significance of the impact of the "extended" on the 21st century. Whether through formal extension (enlargement of membership) or by the merging of diplomatic interests, in a sort of "juxta-sovereignisation" (beyond mere co-operation by co-sovereignisation but not aiming for supra-sovereignisation), what makes more and more sense is the inclusion of sub-regions into a *common* dynamic.

The concentric inclusion of East Asia, West Asia and now South Asia into an encompassing forum around the New Central Asia is, to date, the most striking innovation of the post-cold-war. An innovation of which Iran is a cornerstone, whether the West understands this or not. And of which several other "pan-Asia" countries are part and parcel, again whether the West understands it or not.

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PROBLEMS OF INTERACTION AND INTERDEPENDENCE OF THE EU AND EAEU IN THE ENERGY SPHERE

The scientific article is devoted to the issue of interdependence in the energy sector between different regions of the world in the example of EU-EAEU cooperation. The purpose of this study is to analyze the role of the energy factor as a connecting and integrating element of regional economic interaction between the EU and the EAEU. Using the theoretical paradigms of realism, liberalism, constructivism, the article analyzes the relationship between the EU and the EAEU in the context of ensuring future stability in the energy sector in Europe related to the ability of the countries of the European Union (EU) and the EAEU to support the interdependence of the energy market. While writing the article, the author studied and summarized the studies of scholars of the realism paradigm, whose writings discussed the influence of economic interdependence on states' intentions to initiate conflicts, as well as neoliberal school followers like R. Keohane and J. Nye who conceptualize interdependence and define it as the existence of interdependence between international actors in various fields of their interaction. Based on the data obtained, it was found that an analysis of energy relations between the EU and the EAEU in recent years confirms the hypothesis that the political consequences of interdependence are not a simple function of growing trade and investment relations. By analyzing the political impact of energy interdependence, one can focus not only on existing or planned pipelines, the development of market conditions, the structure of energy prices, the dynamics of exports and imports, and the extent of interdependence.

Key words: EU, EAEU, interdependence, energy interests, cooperation, international relations

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ЕО пен ЕАЭО-ның энергетика саласындағы өзара іс-қимылы мен өзара тәуелділігі мәселелері

Ғылыми мақала ЕО мен ЕАЭО арасындағы ынтымақтастық мысалында әр түрлі аймақтардың энергетика саласындағы өзара тәуелділігіне арналған. Ұсынылып отырған мақаланың мақсаты ЕО мен ЕАЭО арасындағы байланыстырушы және интеграциаландырушы элементі ретінде саналатын энергетикалық фактордың рөлін саралау. Реализм, либерализм, конструктивизм теоретикалық парадигмаларының көмегімен ЕО мен ЕАЭО арасындағы қарым-қатынастар олардың энергетика саласындағы өзара тәуелділігін сақтау қабілеттілігі және болашақта Еуропадағы энергетикалық тұрақтылықты сақтау қабілеттілігі тұрғысында сараланады. Мақаланы жазу барысында авторлар реализм парадигмаларының көрнекті өкілдерінің еңбектерін зерттеу, топтастыру арқылы мемлекеттердің қақтығысқа бару мүмкіндігіне экономикалық өзара тәуелділіктің әсері, сонымен қатар, неолиберализм өкілдері Р. Кеохэйн, Дж. Най өзара тәуелділікті тұжырымдамалап, оны әр түрлі саладағы халықаралық субъектілер арасындағы өзара әрекеттесу ретінде айқындады. Зерттеу барысындағы алынған мәліметтер негізінде ЕО мен ЕАЭО-ның өзара тәуелділігінің саяси әсері жай ғана инвестициялық және сауда қатынастарының өсуінің функциясы еместігін көрсетеді. Энергетикалық өзара тәуелділіктің саяси әсерін саралай отырып, тек қазіргі және болашақтағы құбырларға, нарықтық жағдайдың дамуына, энергия тасымалдаушылардың бағасының құрылымына, экспорт және импорт динамикасына және өзара-тәуелділіктің ауқымына ғана емес, басқа да аспектілеге мән беру керектігі айқын.

Түйін сөздер: ЕО, ЕАЭО, өзара тәуелділік, энергетикалық мүдделер, ынтымақтастық, халықаралық қатынастар.

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Проблемы взаимодействия и взаимозависимости ЕС и ЕАЭС в энергетической сфере

Научная статья посвящена вопросу взаимозависимости в энергетическом секторе между различными регионами мира на примере сотрудничества ЕС и ЕАЭС. Целью данного исследования является анализ роли энергетического фактора как связующего и интегрирующего элемента регионального экономического взаимодействия между ЕС и ЕАЭС. С использованием теоретических парадигм реализма, либерализма, конструктивизма в статье производится анализ взаимоотношений ЕС и ЕАЭС в контексте обеспечения будущей стабильности в энергетической сфере в Европе связанных со способностью стран Европейского Союза (ЕС) и ЕАЭС поддерживать взаимозависимость энергетического рынка. При написании статьи авторами были изучены и обобщены исследования ученых последователей парадигмы реализма, в трудах которых обсуждалось влияние экономической взаимозависимости на намерения государств инициировать конфликты, а также последователей неолиберальной школы как Р. Кеохэйн и Дж. Най, которые концептуализируют взаимозависимость и определяют ее как существование взаимозависимости между международными субъектами в различных областях их взаимодействия. На основании полученных данных было выявлено, что анализ энергетических отношений между ЕС и ЕАЭС в последние годы подтверждает гипотезу о том, что политические последствия взаимозависимости не являются простой функцией растущих торговых и инвестиционных отношений. Анализируя политическое влияние энергетической взаимозависимости, можно сосредоточиться не только на существующих или планируемых трубопроводах, развитии рыночных условий, структуре цен на энергоносители, динамике экспорта и импорта, масштабах взаимозависимости.

Ключевые слова: ЕС, ЕАЭС, взаимозависимость, энергетические интересы, сотрудничество, международные отношения.

Introduction

The contemporary system of international relations is facing increasing global competition, the growing interdependence of states and regions has proved to be less stable, and therefore more susceptible to growing global and regional threats.

The inevitable depletion of hydrocarbon resources, the struggle for access to them and transport routes, the introduction of alternative and renewable sources, the use of nuclear energy, raising issues related to the energy policy of countries is commonplace.

Unique opportunities to ensure regional energy security, such as the ever-growing demand for energy, consumer solvency, the presence of existing potential energy producers, the existence of one energy transport system between the five post-Soviet states participating in EAEU on one hand, and the proximity of the EU's borders on the other hand, which is the main energy consumer in the region, creates new perspectives for cooperation.

This study focuses on the energy interdependence of the European Union and the Eurasian Economic Union. The proposed work is an attempt to comprehensively analyze various aspects of the energy policy of EAEU and EU member states.

The greatest opportunities for ensuring future stability in Europe are related to the ability of European Union (EU) and EAEU countries to maintain interdependence of the energy market. Interdependence, which ensures the reliability of supplies of mainly Russian energy to Europe, as well as the reliability of demand for these exports from Russia and Kazakhstan, will contribute to the stabilization of relations. Such interdependence will strengthen security in Europe only if European countries are convinced that their energy imports from EAEU are safe and that EAEU countries feel that the demand for their energy exports to European countries is guaranteed. Potential strategies for EU- EAEU interaction on energy security will be relevant in the future, as the EAEU common energy policy will not enter into force until 2025.

In contemporary international relations, all relations between countries and organizations are based on interdependence. The question therefore arises what is interdependence when the concept of interdependence appeared in international relations. This part is based on the belief that analyzing the importance of energy interdependence in EU and EAEU policies requires consideration of the origin and specificity of energy interdependence. That is why this chapter presents various positions of researchers in this matter. Secondly, it is equally

important to consider the specifics of energy interdependence.

Results and discussion

The essence of interdependence in international relations. Theories of international relations help to understand how interactions between countries are conducted. The general variety of modern theories is quite complex and includes many different theoretical explanatory, normative and methodological approaches.

Realism and liberalism are two traditionally opposed foundations of theoretical paradigms. These most prevalent positivists thought schools are usually considered basic and contrasting, but in order to provide a more syncretic and holistic view of trends and systems, they are complemented by ideas of constructivism.

Energy relations are fueled by the complexity of factors ranging from energy security policy to the notion of actors' dependence and interdependence. The theoretical pluralism of the main approaches to the theory of international relations is applied and the definition of liberalism and assumptions about interdependence, realism in terms of security and the neorealistic perspective of the Copenhagen School in the field of energy security complexes are used (Williams, 2008).

By adopting a liberal approach, international energy policy gives greater weight to the study of regimes and institutions, changing the potential of measures and standards of transparency. It tends to emphasize the value of cooperative behavior and the ability to overcome interstate conflicts through economic and political interdependence. On the contrary, realism gives priority to security research, geostrategic tensions and the geopolitical distribution of power in an international anarchic environment. It focuses on rational state-focused choices, resource values, and conflicts between countries that result from them. The Copenhagen School adopts a true security perspective and considers anarchy and state-centrism to be the main features of the international structure, although it calls for attention to the regional unit of analysis. In energy research, the region is theoretically interesting because it accepts the expression of energy security needs that is generated below the international level, but above the state level (Williams, 2008).

The concepts of security and interdependence are interrelated, and the analysis of both is successful only when discussed together in the context of this thesis. After the Second World War and the end of the Cold War, the globalization process has changed the structure of international policy in general and has diversified the concept of security in particular. Security is no longer defined solely in the military and geopolitical context; due to globalization, states have gained other security concerns in addition to geopolitical ones. The same applies to interdependence research, which, along with the development of international institutions, norms, regimes and trade liberalization, has turned military concentration into more complex systems (Kropatcheva, 2012).

The concepts of energy security and interdependence are interrelated, and the analysis of energy relations between the EU and EAEU (Russia, Kazakhstan) is only successful when discussing both. The concepts of dependence and interdependence have been widely discussed in primary schools of international relations since the 1960s and 1970s (Palonkorpi, Mikko, 2008).

The key argument of the liberal approach is that relations built in a "democratic peace" are primarily cooperative, and states do not wage wars with each other. The liberals say that a democratic regime matters to how actors conduct international politics and that global prosperity can be achieved if markets are "opened" and trade is liberalized (Burchill, 2013).

These concepts are consistent with fairly classic liberal views and are embedded in the practices and perversions of energy policy, economics and international relations. First of all, it is the promotion of liberal regional and international energy systems and institutions, such as the International Energy Agency (IEA) and the Energy Charter Treaty. A common liberal assumption is that the development and expansion of membership in liberal international energy regimes facilitates international interdependence and cooperation (Dannreuther, 2010).

This approach suggests that the key solution to energy security policy is maximized liberalization of energy markets. The liberals emphasize that most conflict practices and institutions are displacing imperfect markets. The main idea of economic liberalization is that if the liberalization of international energy were properly established and the principles of comparative advantage were properly established, energy resources would be provided not only in the most economically efficient way, but also without coercion of geopolitical competition and political conflicts (Dannreuther, 2010).

The European Union was the best example of liberalism, which proved that regimes and institutions

based on liberal principles of transparency and legally binding norms through economic and political interdependence can prompt antagonist entities to adopt cooperative attitudes and promote positive results (Burchill, 2013). A liberal approach to energy policy has been adopted and explicitly included in the European Union Ostpolitik, as well as in current energy strategies. Liberal theories suggest that gas trade played an important role in creating interdependence between the USSR and its western European neighbors during the Cold War (Krickovic, 2015).

Promoting energy trade was the European Union's favorite tool in expanding its economic commitment to the Eastern Bloc, believing that it could help dissipate the Cold War. The idea of interdependence and its calming effect were formulated by many prominent scholars. Kant and Smith discussed the impact of economic interdependence on the intentions of states to initiate conflict. The fear of losing economic benefits resulting from trade relations is deterring states from offensive policies. With the development of economic ties, national interests and security become more compatible with economic wealth than with military power (Doyle, 1997).

In their book, neoliberalists Keohane and Nye conceptualize interdependence and define it as the existence of interdependence between international actors in various areas of their interaction. Interdependence in world politics refers to situations characterized by mutual effects between states or between entities in different states. However, interdependence cannot only bring mutual benefits, but can limit the concept of interdependence to certain costs (Keohane, Nye, 1989).

Research distinguishes between symmetrical and asymmetrical interdependence. Under symmetrical interdependence, the two parties are equally dependent on each other and therefore lose equally by breaking a relationship. Asymmetric interdependence means that one state is much more dependent in a relationship and is therefore more damaged by a break. In asymmetrical interdependence, a less dependent partner gains political influence over a more dependent one. Under symmetrical interdependence, the parties have the opportunity to benefit from it without fear of being manipulated in asymmetrical relationships (Keohane, Nye, 1989). Much of the literature on energy relations between the EU and EAEU (most with Russia) is based on the interdependence between the two entities. One part claims that interdependence is asymmetrical and is bent towards Russia because European countries, especially in the Baltic Sea region and Eastern Europe, depend on Russian gas supplies are much higher. Other observers disagree with this statement and believe that both sides will be equally affected by the loss if they are unable to develop positive interdependence (Goldthau, 2008). Therefore, energy relations between the EU and EAEU (Russia) appear to meet the definition of symmetrical interdependence. There is another group of scientists who say that relations between the EU and Russia tend to tilt in favor of the EU, because trade with the EU accounts for a significant proportion of Russia's GDP (Krickovic, 2015).

The uncertainty and wide range of opinions result from the nature of the relationship between the EU and EAEU (Russia). According to Keohane and Nye, interdependence is difficult to measure in situations where it is asymmetrical or complicated. That is, when states depend on each other for various economic, political, social and security issues. The complex interdependence is scattered over many different dimensions and minimizes the risk of one party wanting to use the emerging asymmetrical dependency as a tool of political leverage, because it can itself depend on this state in another matter (Keohane, Nye, 1989).

The effect of globalization caused that both states and theories of international relations focused on military issues and gave a more complex character to relations between international actors, but the possibilities of explaining basic theories can still be applied to the situation. Considering the overall relationship between EAEU (Russia) and the EU in the field of energy supply, recurring patterns of the emerging security dilemma can be seen.

Interdependence theory argues that increased economic interdependence reduces conflicts between states. Most studies on the "peace effect" of economic interdependence pay less attention to cooperative and counter relations. However, the relationship between interdependence and conflict in the modern world may have another effect that the original liberal theorists did not expect (Doyle, 1997).

Scientists working in realistic traditions say that interdependence is a potential source of conflict between interdependent countries. Economic interests are always associated with the military and security problems of states, and like any other factor increasing contact and interaction between states, in fact stimulate conflict and defense mechanisms (Mearshimer, 1995).

According to Copland, the explanation of why interdependence produces peace in one situation and conflict in another lies in the calculation of countries

regarding the future of trade. Over time, the balance in symmetrical interdependence may be disturbed, and states may be afraid of being in an asymmetrical interdependence and yielding to the political leverage of a less dependent state (Copeland, 1996). States that are at risk of this possibility are more likely to implement adverse policies that reduce such dependence. Reducing dependencies without increasing the dependencies of the other party is less likely, which in turn threatens the security of another partner country. A classic security dilemma occurs when no country can gain security without threatening the security of others (Jervis, 1978).

The security dilemma is one of the most important theoretical ideas in international relations. The concept was developed by Hertz, Butterfield and Jervis. The security dilemma is a term traditionally used to describe the uncertainty and misperceptions of international entities that would lead to pre-conflict situations. Jervis explains that this situation arises when an increase in one's national security can reduce the safety of others (Jervis, 1978).

The general motive of the classic security dilemma is fear, which relates to Hobbesian culture. Fear, distrust and misunderstandings cause entities to strengthen their national interests against others, and thus may destabilize international systems. The emergence of a security dilemma can have a number of consequences ranging from the lack of interaction between actors in the security environment and the emergence of mutual distrust, to a dispute regulation system that does not work or works improperly. The security dilemma often leads to negative choices, increasing the tension between the parties. It seems that the case of EU-Russia relations in the field of energy supply is covered by this theoretical thesis in which the actions taken by each party to reduce dependence or increase dependence on others disturbed the relationship and caused security concerns. In a liberal security environment, states are to cooperate to avoid the dilemma of classic security (Booth, Wheeler, 2008).

In the event that the interdependence between the EU and EAEU (Russia) is characterized as symmetrical and complex, as suggested by Keohane and Nye theory, the trap of a security dilemma may be removed. Unfortunately, the relationship is not complex, and symmetrical interdependence is entrusted to only one field of energy trade. Although the EU is heavily economically dependent on gas imports of EAEU countries, overall data on trade relations underline the increased dependence of EAEU countries on the EU as an importer, technology exporter and investor (Keohane, Nye, 1989).

In fact, both the liberal school and the realistic school encounter difficulties in suggesting ways to overcome the security dilemma based solely on EU-Eurasian (Russian) cooperative interactions on gas.

In summary, this sub-chapter has formulated a theoretical framework that will contribute to analyzing the nature of patterns in energy research and identifying structural patterns. By analyzing a number of theories of international relations, one can calculate the way of interaction between states on energy matter. The issues of energy relations will be discussed through the lens of liberalism and realism, complemented by the observation of related ideas of constructivism.

Specificity of energy interdependence. Since the establishment of international relations, natural resources have been recognized as essential to the power structure of the international system of states. Although each country would prefer easy access to natural resources, countries sometimes had to compensate for the lack of natural resources through other capabilities, such as human capital and technological skills. In the modern world, energy resources play an important role because they form the basis of almost all aspects of human activity, and thus the potential wealth and power of each state.

The problem of bilateral energy interdependence and the resulting political implications are rarely discussed in the literature, as opposed to the systemic approach. There is no deep theoretical reflection, but there are many references in journalism, policy documents or analytical materials, but this mainly concerns EU-EAEU relations. Unfortunately, the most common interdependence exists as a phenomenon that does not require explanation, as an obvious thing, mainly as a tool for diagnosing the state of relations and justifying political recommendations. Energy interdependence in this respect is reportedly a factor stabilizing relations between partners (Roadmap. EU-Russia Energy Cooperation until 2050, 2013). In scientific publications, energy interdependence is studied more deeply, although rather unilaterally, usually by uncritically shifting the concept of complex interdependence between Nye and Keohan and using categories such as vulnerability, sensitivity or asymmetry to describe the relationship between producers and consumers. Much of this work has undoubtedly shed an interesting light on the role of interdependence, but they stop at a pace, suggesting as a starting point only one element of these researchers' considerations and the other - costs.

Although the discoveries of American scientists in many respects are still valid, it should be remembered that Joseph S. Nye and Robert O. Keohane see complex relationships between developed countries in complex interdependence. Meanwhile, energy interdependence affects countries, often very different in terms of level of economic development, system or institution features; in addition, countries whose relationships are often a function of energy relations. Meanwhile, both researchers clearly point out that a distinction needs to be made between deepening interrelationships and interdependencies, taking the costly effects of mergers and their changes as a criterion for cross-compliance.

On the one hand, there is no coherent conceptualization of energy interdependence, on the other, the discourse revolves around a thesis which is taken for granted that energy interdependence makes conflicts unprofitable and ensures friendly behavior. As a consequence, interdependence takes on the significance of a soft, two-sided relationship with positive accents. Daniel Yergin, for example, claims that "nowadays relations between producers and consumers are based more on interdependence and cooperation" (Yergin, 2005). Both of these phenomena are mutually deterministic. In other words, energy interdependence is simply considered synonymous with close relationships.

Energy interdependence is simply seen as a condition in which the consumer and producer depend on each other; the first of deliveries, the second from the market. On the one hand, the position of the supplier is analyzed, i.e. the role of income from energy exports in the economy of a given country, measured by indicators such as the ratio of income to GDP, their share in the state budget and total income from exports. On the other hand, from the point of view of the recipient, the importance of energy imports for its economy was shown, as well as factors affecting its position vis-à-vis the exporter. In fact, we are dealing primarily with an assessment of the scale of dependence in which there is an inaccurate reciprocity.

The division into categories of energy interdependence only makes sense if the change in the state of relations leads to significant economic and socio-political costs for both parties. Although economic costs are fairly easy to estimate due to the relevant indicators, it is difficult to clearly assess the political costs, which depend on the political and institutional conditions. The importance of interdependence lies in the fact that it influences the decisions of entities, forcing them to take action in response to specific political challenges.

Based on the adopted assumptions, energy interdependence in bilateral relations arises between the supplier and the recipient of energy carriers, when the change in the terms of cooperation leads to significant economic and political costs on both sides. The scale of these costs and their distribution over time depends on the existing and potential technical, economic and political conditions that determine the entity's ability to take actions that undermine the negative consequences of the partner's policy. Energy interdependence is not only an external phenomenon for relevant entities, but above all a process that they have created together to minimize the costs of possible changes in the terms of cooperation or maximize the costs of partners.

Although the issue of the relationship between global or sectoral (oil and gas) energy interdependence and bilateral relations is a separate issue, it is important to consider the context affecting state calculations. For example, the creation of an integrated gas market (by type of oil) and overcoming obstacles related to pipeline transport has an impact on the form and calculations carried out in the framework of bilateral relations, as it provides entities with new opportunities to reduce the costs of a possible accident in cooperation with an important energy partner.

Energy interdependence can lead to increased sensitivity to the strategic dimension, especially when supply sources are highly concentrated, when there is a high probability of supply disruptions with limited recovery possibilities and serious consequences. The strategic dimension of vulnerability applies to both importers and exporters of energy. For the first key, unlimited access to resources is crucial so that others have access to markets and the right price. In both cases, this applies not only to economic interests, but also to national security. In the current circumstances, energy self-sufficiency has become a chimera, so states have driven the search for common solutions, either in the form of supporting the open market or joining efforts within joint institutions. Therefore, they want to reduce their sensitivity to change, in other words, reduce operating costs in dynamic interdependence.

The problem with the conceptualisation of energy interdependence is also the result of rather modest research on a more general subject, that is, the importance of energy issues in international relations. The discussion has been going on continuously since the 1970s, but it has not crystallized subsequent approaches. Dichotomous market division and geopolitical approach dominate. Supporters of the former emphasize the importance of regimes,

institutions and interdependencies, others usually pay attention to the problem of import dependence, expansion through economic instruments, and emphasize the subordination of energy policy to geopolitical ambitions of governments.

An analysis of old and modern literature on interdependence reveals a huge variety of approaches, often accompanied by a rather loose approach to the phenomenon. In rare cases, when the problem is resolved autonomously, most often, interdependence reasons are in the background, serving as a background for other research or supporting materials. In fact, the prevailing assumption is that interdependence is more closely linked to economic relations that are difficult to find alternatives. All too often, however, the analysis ends, although in reality it should be just the beginning. As the first comprehensively about interdependence as a complex phenomenon, of course they considered by Joseph Nay and Robert Keohan, whose merits cannot be overestimated. To this day, their approach is the basis of most interdependence studies. Nevertheless, a more careful reading of their work «Authority and interdependence» reveals a number of restrictions, the most serious of which is to apply the concept of «complex interdependence» only to relations between highly developed countries and international regimes. Transferring these considerations to any relationship raises serious doubts that the authors of the theory wrote independently (Keohane, Nye, 1989). The analysis of interdependence studies has therefore been supplemented with a number of other studies, of which the ones that raised the issue of costs (real, acceptable, political) as an important category changing the perception and impact of interdependence deserve special attention. The cost category can be used as a transmission belt combining quantitative and qualitative research. In addition, it allows a better understanding of the political choices made by related organizations.

In this context, energy interdependence deserves special attention. As the era of energy self-sufficiency in countries and the purchase of energy began to require the establishment of appropriate relations with other entities, the political problem became an acceptable level of dependence on foreign supplies. In fact, the debate revolves around the tension between negatively perceived addiction and opposing interdependence. Therefore, the prefix «jointly» has been added or subtracted depending on political needs. Under these conditions, it is necessary to define this category more precisely to give it any cognitive value. The division into categories of energy interdependence only makes sense if the change in the state of relations leads to significant economic and socio-political costs for both parties. Although economic costs are fairly easy to estimate due to the relevant indicators, it is difficult to clearly assess the political costs, which depend on the political and institutional conditions. The importance of interdependence lies in the fact that it influences the decisions of entities, forcing them to take action in response to specific political challenges.

Thus, energy interdependence in bilateral relations arises between the supplier and recipient of energy, when the change in the terms of cooperation leads to significant economic and political costs on both sides. The scale of these costs and their distribution over time depends on the existing and potential technical, economic and political conditions that determine the entity's ability to take actions that undermine the negative consequences of the partner's policy. Energy interdependence is not only an external phenomenon for relevant entities, but above all a process that they have created together to minimize the costs of possible changes in the terms of cooperation or maximize the costs of partners.

Conclusion

Research into the relationship between the EU and EAEU over the past few years, meeting the basic conditions for cross-compliance, does not support the thesis that cross-compliance is an obstacle to conflicts. Over time, interdependence becomes a burden and a source of problems for both sides. Analysis of the evolution of the concept of interdependence and its place in the strategies of both actors clearly shows that the initial optimism of both participants has subsided. Even if there is still interdependence in the documents, it is usually accompanied by concepts such as independence, security and diversification. The next step or analysis of EU and EAEU actions and action plans shows that the perception of this phenomenon has changed qualitatively, which is reflected in the multiplication of disputes and efforts to reduce interconnectedness.

An analysis of the energy relations between the EU and EAEU in recent years supports the hypothesis that the political consequences of interdependence are not a simple function of growing trade and investment relations. Contrary to the generally accepted truth contained in various documents and statements, the tightening does not automatically lead to the disappearance of disputes. Bilateral economic and energy interdependence has different

political effects due to changes in the conditions of cooperation, real or perceived, depending on political characteristics. In other words, the interdependence of this scale and intensity will have a different impact on relations between democratic states and between a democratic and authoritarian state.

Analyzing the political impact of energy interdependence, one can focus not only on existing or planned pipelines, development of market conditions, energy price structure, export and import dynamics, scale of interdependence. Only the imposition of all these factors on the constantly changing political context in the EAEU and the European Union allows us to better understand the consequences of economic and energy interdependence.

Based on numerous sources, which absorbed a wide range of EAEU documents, EU and diplomatic agreements, based on conceptual concepts contained in the work of well-known European, Russian and Kazakh scientists (Movkebayeva, 2019; Baizakova, 2010, Gubaidullina 2018), the following conclusions were drawn from the study of energy interdependence:

1. The energy policy of EAEU and the EU is one of the dynamically and deliberately developing phenomena in the history of international relations. Its creation and implementation is filled with both a clear understanding of strategic goals and the inconsistency of the surrounding world and internal content.

2. The relationship between EU interests and the Russian Federation is based on the interdependence of interests based on the national needs of hydrocarbon imports.

3. The energy component is becoming an increasingly important argument in the global geopolitical scenario. To avoid tensions, stability and security must be achieved in this area as part of a comprehensive and coordinated international approach.

4. The EU should build a more functioning and more integrated energy market. The implementation of priority projects to connect existing energy islands should be accelerated and the goal of connecting at least 10% of the installed electricity production capacity should be achieved. By 2030, Member States should be on track to meet the 15% interconnector target.

5. The Union must limit its dependence on individual external suppliers, in particular by diversifying energy sources, suppliers and routes. The first step is to strengthen the partnership with Norway, accelerate the implementation of the southern gas corridor and promote a new gas hub in southern Europe.

6. Greater coordination of national energy policies is crucial to solving energy security problems. National decisions on the energy mix or energy infrastructure affect other Member States and the entire Union. Member States should better inform each other and the Commission in defining long-term energy policy strategies and preparing intergovernmental agreements with third countries.

7. EAEU countries must prepare for the unification of energy policy by 2025.

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ХАЛЫҚАРАЛЫҚ ҚҰҚЫҚТЫҢ ӨЗЕКТІ МӘСЕЛЕЛЕРІ

Section 2

TOPICAL ISSUES OF INTERNATIONAL LAW

Раздел 2

АКТУАЛЬНЫЕ ВОПРОСЫ МЕЖДУНАРОДНОГО ПРАВА

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ПРАВО НАЦИОНАЛЬНОЙ БЕЗОПАСНОСТИ И МИРОВОЙ ПРАВОПОРЯДОК: ОБЩЕТЕОРЕТИЧЕСКИЙ ДИСКУРС

В статье исследуются вопросы, относящиеся к формированию права национальной безопасности под влиянием международного права и мирового правопорядка. Принципы международного права являются основополагающими для практического решения вопросов обеспечения национальной безопасности. Право национальной безопасности находится под воздействием международно-правовой системы в целом и права международной безопасности в частности. Право национальной безопасности проявляет зависимость от состояния международно-правовой системы, мирового правопорядка. Национальная безопасность государства напрямую зависит от состояния международной безопасности на глобальном и региональном уровнях. Без решения проблем обеспечения международной безопасности в том или ином регионе мира, в межгосударственных отношениях двух или более государств, в социальном мировом пространстве нет оснований утверждать о возможности обеспечения национальной безопасности. Мировой правопорядок определяет состояние общественных отношений, стратегических коммуникаций по обеспечению национальной безопасности. В связи с этим становится важным определение линий взаимодействия права национальной безопасности с системой мирового правопорядка. Актуальность темы исследования определяется общетеоретическим пониманием особенностей влияния международно-правовой системы на состояние права национальной безопасности и формирование эффективного воздействия на решение задач по обеспечению национальной безопасности.

Ключевые слова: право национальной безопасности, мировой правопорядок, право международной безопасности, принципы международного права.

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National security law and world legal order: the general theoretical discourse

The article examines issues related to the formation of national security law under the influence of international law and the world legal order. The principles of international law are fundamental to the practical solution of issues of ensuring national security. National security law is influenced by the international legal system in general and international security law in particular. National security law is dependent on the state of the international legal system and the world legal order. The national security of the state directly depends on the state of international security at the global and regional levels. Without solving the problems of ensuring international security in a particular region of the world, in the interstate relations of two or more states, in the social world, there is no reason to assert the possibility of ensuring national security. The world legal order determines the state of public relations, strategic communications to ensure national security. In this regard, it becomes important to determine the lines of interaction of national security law with the world legal order system. The relevance of the research topic is determined by the general theoretical understanding of the features of the influence of the international legal system on the state of national security law and the formation of an effective impact on the solution of tasks to ensure national security.

Key words: national security law, world legal order, international security law, principles of international law.

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Ұлттық қауіпсіздік құқығы және әлемдік құқықтық тәртіп: жалпы теориялық дискурс

Мақалада халықаралық құқық пен әлемдік құқықтық тәртібінің ықпалымен ұлттық қауіпсіздік құқығын қалыптастыруға қатысты мәселелер зерттеледі. Халықаралық құқық қағидалары ұлттық қауіпсіздікті қамтамасыз ету мәселелерін практикалық шешу үшін негіз қалаушы болып табылады. Ұлттық қауіпсіздік құқығы тұтастай алғанда халықаралық-құқықтық жүйенің және атап айтқанда, халықаралық қауіпсіздік құқығының ықпалында болады. Ұлттық қауіпсіздік құқығы халықаралық-құқықтық жүйенің, әлемдік құқықтық тәртіптің жай-күйіне тәуелділігін танытады. Мемлекеттің ұлттық қауіпсіздігі жаһандық және өңірлік деңгейлердегі халықаралық қауіпсіздіктің жай-күйіне тікелей байланысты. Әлемнің белгілі бір өңірінде, екі немесе одан да көп мемлекеттің мемлекетаралық қатынастарында, әлеуметтік әлемдік кеңістікте халықаралық қауіпсіздікті қамтамасыз ету проблемаларын шешпей ұлттық қауіпсіздікті қамтамасыз ету мүмкіндігіне негіз жоқ. Әлемдік құқықтық тәртіп қоғамдық қатынастардың, ұлттық қауіпсіздікті қамтамасыз ету жөніндегі стратегиялық коммуникациялардың жағдайын айқындайды. Осыған байланысты ұлттық қауіпсіздік құқығының әлемдік құқықтық тәртібі жүйесімен өзара іс-қимыл желілерін айқындау маңызы туындап отыр. Зерттеу тақырыбының өзектілігі халықаралық-құқықтық жүйенің ұлттық қауіпсіздік құқығының жағдайына әсер ету ерекшеліктерін жалпы теориялық түсінумен және ұлттық қауіпсіздікті қамтамасыз ету бойынша міндеттерді шешуге тиімді ықпал етуді қалыптастырумен анықталады.

Түйін сөздер: ұлттық қауіпсіздік құқығы, әлемдік құқықтық тәртіп, халықаралық қауіпсіздік құқығы, халықаралық құқық қағидалары.

Постановка проблемы

Национальная безопасность государства напрямую зависит от состояния международной безопасности на глобальном и региональном уровнях. Без решения проблем обеспечения международной безопасности в том или ином регионе мира, в межгосударственных отношениях двух или более государств, в социальном мировом пространстве нет оснований утверждать о возможности обеспечения национальной безопасности. Мировой правопорядок определяет состояние общественных отношений, стратегических коммуникаций по обеспечению национальной безопасности. В связи с этим становится важным определение линий взаимодействия права национальной безопасности с системой мирового правопорядка.

Актуальность темы исследования определяется общетеоретическим пониманием особенностей влияния международно-правовой системы на состояние права национальной безопасности и формирование эффективного воздействия на решение задач по обеспечению национальной безопасности.

Состояние исследования. Общетеоретический аспект проблемы взаимодействия международно-правовой системы и права национальной безопасности рассматривался в контексте влияния международного права на национальные правовые системы, на национальное право, и здесь можно обратиться к трудам Г. Гегеля, Р. Давида, Р. Дворкина, И. Канта, Г. Кельзена, Н. Козюбры, Р. Леже, Л. Луць, Н. Марченка, В. Нерсесянца, других ученых. В науке международного права ученые достаточно активно исследовали проблему воздействия международного права на внутригосударственное право, чему уделили внимание В. Буткевич, М. Буроменский, В. Даневский, Р. Мюллерсон, О. Тиунов и другие представители науки международного права. В то же время научным разработкам проблемы взаимодействия международного права и права национальной безопасности в общетеоретической юриспруденции уделяется недостаточное внимание, что обуславливает особую значимость проведенного исследования.

Целью и задачей статьи является определение на общетеоретическом уровне рационального восприятия основных направлений и закономерностей взаимодействия международного правопорядка и права национальной безопасности в контексте правового обеспечения международной и национальной безопасности.

Дискуссия

Невозможность обеспечения национальной безопасности без учета сложившейся системы отношений между государствами очевидна, что

особенно проявляется в условиях информационной социетальности, в условиях глобализации, охватившей все стороны мирового существования государств, организованных сообществ. Актуальным такой вывод является для Украины. По мнению О.В. Задорожнего, геополитическое положение Украины сделало ее заложницей в отношениях между Россией и Европой, Россией и США, США и Европой, а поэтому, какими бы ни были внешнеполитические заявления (и действия - авт.) Украине, необходимо ускоренными темпами наращивать внутренние ресурсы безопасности, без чего государство не может быть воспринято как достаточно серьезный партнер в любых политических и правовых проектах (Задорожній, 2012: 113-114). Развитие исторических событий уже в краткосрочной перспективе подтвердило данный тезис – внешнеполитическая деятельность является предметом внимания международного права, где формируются условия для международной безопасности, а это, в свою очередь, должно подкрепляться всеобъемлющими мерами внутренней политики и деятельности по обеспечению национальной безопасности, что относится к предмету права национальной безопасности. Только в таком сочетании и реальном взаимодействии вопросы национальной безопасности могут быть успешно разрешены. Мировой порядок в правовом измерении – пространство, где действует международное право, и одновременно пространство отдельного организованного в государство общества, которое существует в общем мировом пространстве. На указанное обстоятельство обратили внимание представители международно-правовой науки еще в конце XX-го века и охарактеризовали мировой порядок как универсальный, общий, содержащий все характеристики сосуществования мирового сообщества в его социальном, культурном, экономическом, политическом, экологическом, военном и т.п. значениях (Шахназарова, 1986а: 40-41). Мировой порядок существует постоянно, но имеет свои темпоральные характеристики и ориентирован на будущее. Национальная безопасность является важной для каждого государства и для каждого общества, существующего в координатах мирового порядка, поэтому проблема обеспечения национальной безопасности решается государствами с учетом особенностей и социетального состояния мирового порядка в соответствии с геополитической и глобализационной парадигмами мышления (Кононенко, 2016). Мировой порядок – это борьба и единство ценностей, идей, общей и индивидуальной деятельности по развитию миропорядка. В этом упорядоченном социетальном бытии важными оказываются отдельные сообщества, отдельные народы, отдельные государства, которые действуют как будто обособленно, но в едином пространстве, где трудно избежать отношений, коммуникаций с другими сообществами, народами, нациями и государствами. Мировой порядок ориентирует государства, социетальные образования на присутствие других государств, других сообществ в мире, что важно, когда речь идет о национальной безопасности. Актуальность вопроса о состоянии мирового порядка существенно повышается, когда нарушаются его основания.

В современных условиях тревожными являются заявления политиков, ученых из России о том, что «сегодняшнюю ситуацию можно определить как переход от старого, ялтинско-потсдамского, к новому, пока еще не имеющему общепринятого обозначения, порядку… Говорим мы о «переходе» именно потому, что ожидаем появление новой, более устойчивой и упорядоченной миросистемы, которая продержится, сохраняя свою качественную определенность, сравнительно долгий срок» (Баталов, 2003). Что понимать под «новой» мировой системой и почему стоит ожидать изменения нынешнего почему-то «старого» и переходного мирового порядка, который существует после завершения Второй мировой войны и после окончания периода холодной войны – вопрос, который переносится в плоскость внешнеполитических отношений, где становится предметом не только международного права, но и права национальной безопасности каждого государства, для которых подобные заявления, а еще в большей степени – действия в соответствии с такими заявлениями, имеют значение в контексте обеспечения национальной безопасности. Миропорядок и право являются неотъемлемыми в своем существовании, поскольку право имеет многочисленные проявления, а мировой порядок как состояние упорядоченности международным правом и национальным правом может рассматриваться как мировой правопорядок.

В международном праве, в международной политике широко и традиционно используется понятие международного порядка, под которым понимают состояние динамического соответствия международных отношений, их организации качественным свойствам и соотношению сил на международной арене (Шахназарова, 1986б: 38). Необходимо отметить, что в юри-

спруденции порядок понимается именно как определенным образом урегулированное состояние общественных отношений (Шемшученко, 2002: 679). Международный порядок соотносится с международным правопорядком, который рассматривается как состояние фактической упорядоченности международных отношений, отражает практическую реализацию требований международной законности и международного права (Буткевич, 2002: 540).

Международный правопорядок является феноменом, который определяет фактическое состояние международно-правовых отношений, в оценке которого не стоит полагаться только на урегулированность международных отношений нормами и принципами международного права, но и обращаться к характеристике состояния реализации и выполнения предписаний международного права. Концепт международного правопорядка можно рассматривать более широко – не только как состояние международно-правовых отношений, которые имеют исключительно динамичный характер и довольно сложную конфигурацию. Ведь без учета деятельности по применению международно-правовых норм и принципов международным правосудием, без выполнения принятых международными судебными органами решений, и более того – без выполнения решений международных органов государствами сложно судить о фактическом состоянии международных отношений как соответствующих международному праву, а, следовательно, – и о состоянии международного правопорядка. Международный правопорядок должен свидетельствовать о международной безопасности – или в контексте глобального разрешения этой проблемы, или в региональном значении, или в отношениях отдельных государств между собой, что является предпосылкой обеспечения национальной безопасности.

Международный порядок рассматривается в историческом контексте, что предполагает следующий взгляд на его сущность и содержание, в частности, в США: «Образ миролюбивого, упорядоченного мира, где люди и нации решают свои разногласия без войны, где лев лежит рядом с ягнятами, преследовал человечество тысячелетиями. Римское право выражало пропасть между идеалом и реальностью достаточно кратко, противопоставляя условия человека, подчиняющегося ius naturale, естественным законам, в мире мира и гармонии, с состоянием человека, как это было на самом деле, подчиняющегося ius gentium, законам наций, условия которого предусматривали войну и конфликты…» (Encyclopedia.com). Важное значение для международного правопорядка имеет принятие международных актов, определяющих правила поведения в мире на глобальном и региональном уровнях. Одним из таких международных региональных актов является Глобальная стратегия внешней политики и политики безопасности Европейского Союза (A Global strategy). Вместе с тем необходимо отметить, что в период после Второй мировой войны принято более сорока международно-правовых актов (Дмитриев, 2013: 473-475), которые определили правовой характер международных отношений во многих сферах, а также отразились на формировании права национальной безопасности государств. Если в современном международном праве применяются, как правило, термины «международный порядок», «международные правоотношения» и «международный правопорядок», то более общими для использования, в том числе в юриспруденции, являются термины «мировой порядок», «мировой правопорядок», что подчеркивает общую значимость и социетальность упорядоченности мира социальными нормами и правом.

Последние исследования Збигнева Бжезинского о международной роли США в контексте международной и национальной безопасности содержат выводы о проблемах утраченной национальной безопасности в XXI веке. З. Бжезинский констатирует, что безопасность США должна рассматриваться в неразрывной связи с глобальной обстановкой (Бжезинский, 2004: 43). Позиция известного американского политолога достаточно понятна – национальная безопасность США является неотъемлемой от глобальной безопасности, от международной безопасности. Такой вывод остается актуальным для каждого государства, в том числе, и даже особенно, – для Украины с учетом ее нынешнего внешнеполитического положения. Международное право в целом, международное публичное право в частности, своим сущностным предназначением служит обеспечению мира, суверенных прав государств и других субъектов международного права, в том числе человека в международных отношениях. Международно-правовые нормы, содержащиеся в международно-правовых актах, многосторонние и двусторонние соглашения, международно-правовые обычаи, а также международно-правовые принципы преследуют цель согласовать поведение участников международных отношений настолько, насколько это

необходимо для реализации ими своих прав, исполнения обязанностей и обязательств, достижения мира и состояния безопасности, обеспечения прав и основоположных свобод человека. Международно-правовое обеспечение безопасности на всех ее уровнях – глобальной, международной, региональной безопасности основывается на принципах международного права, распространяется на деятельность по обеспечению национальной безопасности в той части, которая относится к международно-правовым отношениям с участием государств, реализации государствами своих суверенных прав. Консолидированной является позиция ученых о том, что при определении основных принципов международного права учитываются три источника, в которых государства прямо ставили цель сформулировать основные принципы международного права, а именно: Устав Организации Объединенных Наций (UN Charter), Декларация о принципах международного права, касающихся дружественных отношений и сотрудничества между государствами в соответствии с Уставом Организации Объединенных Наций (Declaration on principles of international law) (далее - Декларация о принципах международного права) и Заключительный акт Совещания по безопасности и сотрудничеству в Европе от 1 августа 1975 года (Conference on Security and Co-operation in Europe Final act). В этих международно-правовых актах закреплены следующие принципы международного права: неприменение силы или угрозы силой; мирного разрешения международных споров; невмешательства; сотрудничества; равноправия и самоопределения народов; суверенного равенства государств; добросовестного выполнения обязательств по международному праву; территориальной целостности; уважения прав человека; нерушимости границ.

Значимость основных принципов международного права для обеспечения мирового правопорядка оказывается в их системности, взаимосвязи, на чем акцентирует внимание О.В. Задорожний, и указывает на то, что грубые нарушения комплекса основных принципов и прежде всего тех, которые прямо касаются поддержания международного мира, становятся опасными для мирового сообщества в целом, а не только для соответствующего региона (Задорожній, 2015: 67). Основополагающие, исходные идеи и положения, которые закреплены и раскрыты в Декларации о принципах международного права, существенно влияют на способы и средства регулирования стратегических коммуникаций, соответствующих общественных отношений внутри государств, на национальном уровне, а не только в пространстве мирового порядка, принципы права национальной безопасности корреспондируют принципам международного права.

В международном публичном праве выделяют право международной безопасности, которое рассматривается как система международно-правовых норм, создающих правовые основы международного сотрудничества, направленного на сохранение, поддержание и восстановление международного мира (Ржевська, 2007: 19-20). Однако стоит обратить внимание также на необходимость более широкого подхода к пониманию права международной безопасности. Безопасность в мировом порядке охватывает значительный объем отношений, существующих не только в системе коллективной безопасности (глобального, мирового, межрегионального и регионального уровней), но также отношений между отдельными государствами, для которых, собственно, в первую очередь важны соответствующие международно-правовые институты международной безопасности. Здесь необходимо выйти на уровень национальной безопасности, поскольку правовое обеспечение национальной безопасности не может не основываться на требованиях и положениях принципов международного права.

Международно-правовая парадигма права государства на самооборону, на справедливую войну, то есть на противодействие агрессии позволяет более основательно раскрыть указанный достаточно важный институт права международной безопасности, где право государства на самооборону рассматривается как право на защиту, на применение адекватной военной силы, которая должна быть пропорциональной и непременно признанной международным правом для защиты государством своего суверенитета и национальных интересов (Ржевська, 2005: 202-208).

Международно-правовой институт защиты государств от агрессии (право государств на самооборону) наиболее чувствительно реагирует на положения права национальной безопасности. При решении этой проблемы ученые обращаются к авторитету Ганса Кельзена (Коваль, 2014: 68-71). Действительно, монистический подход Г.Кельзена к взаимодействию национального и международного права является продуктивным в решении значительного количества научных и прикладных проблем законотворческой

деятельности и правоприменения, что является достаточно важным для права национальной безопасности. Поэтому вполне понятна мысль Г. Кельзена о зависимости национального (государственного) права от международного права в их единстве (Кельзен, 2004: 355). Необходимо согласиться с научной позицией М.В. Буроменского о взаимодействии международного права и внутреннего права государств, где в части, касающейся применения международно-правовых принципов, норм, правил и договоров, государства должны соблюдать международно-правовые требования, что гарантирует не только международный правопорядок, но и утверждает национальный правопорядок на основе верховенства права (Тацій, 2013: 632-662).

Право национальной безопасности в своем формировании и в реализации своего институционально-функционального предназначения должно соответствовать основным принципам международного права в определении норм и правил социальных коммуникаций, в регулировании общественных отношений, в применении норм и правил при разрешении конфликтов, которые содержат в своей основе нарушение суверенных прав государства, использовании существующих национальных и международных механизмов, соответствующих общим подходам к развитию мирового порядка.

Вывод

Общетеоретический дискурс взаимодействия национальной и международной правовых систем свидетельствует о том, что мировой правопорядок оказывает существенное влияние на право национальной безопасности, на его возможности обеспечения правовыми средствами и ресурсами состояния национальной безопасности. В связи с этим определенные основными принципами международного права пределы применения силы, средств для обеспечения национальной безопасности являются пределом возможных правовых способов и действий, которые содержатся в праве национальной безопасности.

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INTERNATIONAL COOPERATION OF STATES IN OUTER SPACE EXPLORATION

State cooperation in space research is one of the priority topics of international space law. The calls for international cooperation contained in many documents on space law are aimed at preventing the transformation of outer space into a conflict zone. Space cooperation is a very effective way of the confidence-building, because it can reduce mutual suspicion, increase mutual trust and achieve mutual benefits. The space has become a powerful thruster of scientific and technological progress. This trend is one of many indicators pointing to the global trend involving key actors making a decision to make space activities a priority. Many countries come to the understanding that international cooperation is the best means of realization of space programs. At that, the issue of forms of such cooperation gains special importance. It is difficult to think of international space law and the governance of international affairs in isolation from international organizations. The states have joined their efforts in the framework of international organizations with the aim of cooperation in the space sector. In this article we will try to analyze the legal foundations of international cooperation of states in outer space exploration.

Key words: international space law, legal regime of the outer space, international responsibility of states, space activities of mankind, global role players.

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Ғарышты игерудегі мемлекеттердің халықаралық ынтымақтастығы

Ғарыштық зерттеулер саласындағы мемлекеттік ынтымақтастық – халықаралық ғарыш құқығының басым бағыттарының бірі. Ғарыш құқығы туралы көптеген құжаттардағы халықаралық ынтымақтастық туралы үндеулер ғарыш кеңістігінің қақтығыс аймағына айналуын болдырмауға бағытталған. Ғарыштық ынтымақтастық – бұл сенімді қалыптастырудың өте тиімді әдісі, өйткені ол өзара күдікті азайтуға, өзара сенімді арттыруға және өзара тиімділікке қол жеткізуге мүмкіндік береді. Бүгінгі таңда мемлекеттердің назары ғарышты игеруге бағытталған. Бұл тенденция ғаламдық үрдісті көрсететін көптеген индикаторлардың бірі болып табылады, бұл кезде негізгі қатысушылар ғарыш қызметін басымдықты етуге шешім қабылдады. Көптеген елдер халықаралық ынтымақтастық ғарыштық бағдарламаларды жүзеге асырудың ең жақсы тәсілі екенін түсінеді. Сонымен қатар, мұндай ынтымақтастық нысандары туралы мәселе ерекше мәнге ие. Халықаралық ұйымдардан оқшауланғанда халықаралық ғарыш құқығы және халықаралық қатынастарды басқару туралы ойлау қиын. Ғарыш саласындағы ынтымақтастық мақсатында мемлекеттер халықаралық ұйымдар шеңберіндегі күштерді біріктірді. Бұл мақалада біз мемлекеттердің ғарышты игерудегі халықаралық ынтымақтастығының құқықтық негіздерін талдауға тырысамыз.

Түйін сөздер: халықаралық ғарыш құқығы, ғарыш кеңістігінің құқықтық режимі, мемлекеттердің халықаралық жауапкершілігі, адамзаттың ғарыш қызметі, жаһандық рөлдік ойыншылар.

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Международное сотрудничество государств в исследовании космоса

Сотрудничество государств в исследовании космоса является одной из приоритетных тем международного космического права. Призывы к международному сотрудничеству,

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содержащиеся во многих документах по космическому праву, направлены на предотвращение превращения космического пространства в зону конфликта. Космическое сотрудничество является очень эффективным способом укрепления доверия, поскольку оно может уменьшить взаимные подозрения, повысить взаимное доверие и добиться взаимной выгоды. Космос стал мощным двигателем научно-технического прогресса. Эта тенденция является одним из многих индикаторов, указывающих на глобальную тенденцию, когда ключевые участники принимают решение сделать космическую деятельность приоритетной. Многие страны приходят к пониманию того, что международное сотрудничество является наилучшим средством реализации космических программ. При этом вопрос форм такого сотрудничества приобретает особое значение. Трудно думать о международном космическом праве и управлении международными делами изолированно от международных организаций. Государства объединили свои усилия в рамках международных организаций с целью сотрудничества в космической сфере. В этой статье мы попытаемся проанализировать правовые основы международного сотрудничества государств в освоении космоса.

Ключевые слова: международное космическое право, правовой режим космического пространства, международная ответственность государств, космическая деятельность человечества, глобальные ролевые игроки.

Introduction

With technology development, the humankind came to realization of the fact that it has become within its powers to bring artificial objects and then people to the outer space. The global character of the space activity has called for appearance and development of the international space law.Currently, the attention of states has increased to the unique possibilities of using outer space for economic, defense and scientific purposes. Scientists from different states took part in the International Geophysical Year (1957-1958) to establish collaboration with scientists developing problems related to space exploration (Dodds, 2010:239).

During the past years we have already seen tremendous changes in the international space activities based upon flexible space policy. It is not only the rapid growth of the number of launches and satellites and other artificial bodies, which have been placed in outer space. It is also the number of actors as well as the variety of actors which makes space activities today a completely different setting than during the first decades following Sputnik. One of the most notable changes is the advent of private actors, which do not only stress the commercial aspects of spaceflights but which also require new approaches for regulation – new approaches which are necessary since the traditional space law is primarily based on regulating the activities of states in outer space.

Influence of the space law upon the cooperation manifests itself in creation of the common legal regime of outer space. The norms of international space law are contained in a number of international legal sources, primarily in international treaties.

The principle of cooperation between states in space exploration implies, first of all, the obligation of states to facilitate the implementation of joint programs in accordance with international law, i.e. not to impede the establishment of international contacts in the field of research in space, to take into account the interests of other states, take measures aimed at developing and expanding international cooperation, follow the political and legal principles in interstate relations that determine the space regime, and strengthen the rule of law in space.

The term “legal personality” describes the fact that subjects (individuals or entities such as companies, organizations or states) possess rights and duties enforceable by law. In other words: legal systems recognize that certain subjects are the holders of legal rights and duties and thus they have legal personality (Soucek, 2015:104).

The development trends of cosmonautics are increasingly determined by economic factors. The involvement of outer space in the orbit of international relations is becoming increasingly important, which necessitated the international legal regulation of space activities. The legal bases of international cooperation of the state in use of outer space for peaceful purposes are: the key principles and norms of the international law, including the main principles of the United Nations Charter (peaceful settlement of international disputes, non-interference in internal affairs of the states, respect of state sovereignty).

International space cooperation is based on mechanisms which are chosen according to their suitability for a given case or even required in a given system: bilateral or multilateral agreements (international treaties, other forms of legally binding agreements (contracts, etc.); implementing arrangements; memoranda of understanding (in various forms); letters of mutual intent; technical guidelines and standards; the establishment of non-govern-

mental organization or another type of institutional structure (forums, working groups, committees, etc.). As an instrument, cooperation is purpose and goal-oriented; its goals are often defined in national or institutional space policies. The forms of international cooperation of the states in outer space exploration are joined bilateral and multilateral activities based upon relevant international treaties. Apart from the inter-state cooperation, international cooperation carried on by international organizations got widespread occurrence. Space-related international organizations can be classified as follows: regional or specialized international organizations dedicated to: the management of space program (e.g. ESA, APSCO); the management of space applications (e.g. telecommunication, meteorology); the UN system as a facilitator of space cooperation. Increase of the number of international organizations covering issues of space activity is a proof of increase of the role of the international space law, widening of the sphere of its regulation, demonstration of the main, with all its time deviations, vector of development of international relations. The term 'international organizations' is used as applied both to inter-state (inter-governmental) and to non-governmental organizations. However, their legal nature is different.

Significant contribution in the development of international cooperation in the outer space exploration is made by international non-governmental organizations. Significance of these organizations, created in the late 50s - early 60s for the purpose of development of contacts in the space research was especially weighty in the period when international inter-governmental organizations were not created yet or were in the stage of organizational formation. Committee on Space Research (COSPAR), which was created in 1958, laid the foundation of efficient international cooperation in the practical outer space exploration. Among COSPAR's objectives were the promotion of scientific research in space on an international level. Having become the first international organization of the non-governmental character, which was specially created for widening of international contacts and development of cooperation in the area of space exploration, COSPAR was a stimulus for creation and some other non-governmental agencies in the sphere of astronautics. The activity of the committee of COSPAR encouraged wide exchange of information and strengthening of international cooperation of the states. The important trends of the multilateral scientific cooperation on the non-governmental level were first of all, space communications and meteorology, space medicine, biology, etc.

States keep up playing the key role in the legal regulation of applied kinds of outer space use, since only states and international organizations created by them carry on law-making and law-enforcement activity on the international level (Martinez, 2001:307).

Methods

In conformity with the objectives of the article, the authors apply methodological tools; the authors use the historical method of data analysis, permitting to trace the processes of legal regulation of states cooperation in exploration of outer space; formation, functioning, and development of space organizations and their role in development of international cooperation of the states. In connection with it, works of domestic and foreign scientists as well as documents of specialized agencies of the United Nations have been studied.

Discussion

When the space age began, the international community immediately realized that it was essential to formulate international rules and regulation for the conduct of human activities in outer space because this new frontier was outside the bounds of existing international law. Krishna Rao (India) noted, in one of the first United Nations legal meetings held on this matter, that: the problems of outer space were fortunately not those of modifying an existing regime but of fashioning a new pattern of international behavior (Jasetuliyana,1969:95).

Many researchers had urged that international cooperation is the only means to achieve and guarantee peaceful use of space and travel therein. They urged that immediate steps be taken toward achieving such cooperation. Jenks C.W. (1956) wrote that it would be entirely fitting, that control of space activities should be a world responsibility and every effort should be made to apply such a solution to the problem from the earliest stages of development. Jenks C.W. suggested that if legislative authority over human activity beyond the atmosphere of the Earth were to be regarded as vested in the United Nations General Assembly (UNGA), it would be possible for the UNGA to evolve progressively the necessary rules on the subject. Horsford C.E. (1956), Cooper J.C. (1956) wrote that the political consequences of any substantial conquest of space are so far-reaching that international body would seem to be essential, so great would be the need. Cocca A.A. (1954) had urged, that international cooperation be

the basic approach to spaceflight, so that the interests of all men would be collectively represented. As Cocca A.A. wrote "if the studies, plans, tests, and knowledge are under a universal public dominion, the vehicle that emerges from these studies should obtain the same juridical status. In which case the conquest of interplanetary space will be a conquest by humanity. Musto C. (1956) wrote that the attempt of man to explore space even if attempted by individuals, is an attempt to explore by the collectivity of mankind and will benefit the collectivity. Some basic principles are derived from this observation, wrote Musto C. the absolute freedom of overflight, freedom of flight after landing, financial support by all states, and the obligation of all states to assist, protect and favor the flyer (astronaut/cosmonaut) no matter what state he represents (Doyle,1997:4).

After the successful launch of the first satellites, the General Assembly set up the Ad Hoc Committee on the Peaceful Uses of Outer Space COPUOS in 1958. COPUOS and its two subcommittees have become the main center of international cooperation and coordination in the exploration of outer space. Scientists from different countries often during their speeches pointed out the need to pay special attention to the issues of monitoring the actions of states in space, as well as about making decisions on the main issues related to space research. The scientific work of many foreign lawyers outlined the issue of transfer of the outer space to the United Nations with all its authority and control over the activities of states in outer space (Clark, 1962:289). The expanding scale of cooperation between states in the exploration and use of outer space predetermines the need to search for new, more advanced forms and methods of international cooperation in space exploration. The UN (1958) recognized the need to coordinate space activities of states, which entails the need to develop an international mechanism for cooperation between countries and the use of various organizational legal forms of coordination in this area for peaceful purposes only (Hobe, 2007:442). The legal regulation of the activities of states arising in connection with space regulation promotes the peaceful use of outer space for the benefit of all states, noted in a resolution of the UN (1961) (Ribbelink,2016:64). A series of UN General Assembly resolutions, particularly the Declaration on International Cooperation in the Exploration and Use of Outer space for the interest of all states further materialize the principle of international space cooperation. The Charter of the United Nations, the most important legal instrument of international law, is also the most important international treaty for the purpose of maintaining the international cooperation of states. The UN Charter declares the principle of peace to be one of the key principles in international relations, and states that the most fundamental purpose of the United Nations is to maintain international peace and security.

So, the goal of many international organizations was to maintain peace and cooperation among states. Creation of both organizations: European Launcher Development Organization (ELDO) and European Space Research Organization (ESRO) were directed to the practical use of technologies for scientific purposes. The goal of ESA (1975) was to maintain scientific cooperation among member states (Massie, 1986:237). ESA cooperated not only with such traditional space powers as the United States of America, Russian Federation, and Japan, but also with new space countries, as well as with developing countries It develops and realizes jointly with new space countries and with developing countries projects that are of mutual interest, helps them to develop space activity. ESA closely cooperates with some other international organizations in Europe, especially with European Union, whose space activity becomes more and more active. The important forum of ESA is the United Nations Committee on the Peaceful Uses of Outer Space, where ESA has the status of observer. European Center for Space Law (ECSL) was established in 1989 in assistance to progressive development of the international space law. It is founded on the basis of a Charter. It is necessary to note among international organizations whose goal was development of international cooperation of states in the area of space exploration, specialized UN agencies: United Nations Educational, Scientific and Cultural Organization; World Health Organization; International Telecommunication Union; International Maritime Organization; World Meteorological Organization.

The benefits of space and space technology are well-known. Participation in a space mission or national satellite launching can be a great source of pride to a country struggling with many problems of development. In modern times, the states, relying on the space branch potential created for decades, must strive to efficiently use its achievements in the process of solution of urgent problems of the XXI century. So, the priority now is to maximally develop technological potency of the humankind to explore the outer space and to search resources useful for us. One of the recipes for success in it is integrating efforts of the state and the society based on growing in the whole world activity of private organizations

in the direction of the outer space study and exploration. New opportunities for attracting investments and capital into the cosmic sphere have sprung up.

Currently, cooperation between countries already actively working in space is increasing, and cooperation between developed and developing countries is growing. Therefore, it is important that the international community relies upon the best achievements of the space powers and takes certain steps to further strengthen the mechanisms of international cooperation in the space sector. It's also important that new opportunities open up to attract private and corporate investment and capital in the space industry, the introduction of the latest technological solutions in the space sector. Leading space powers today are increasing investment in the space industry. In addition to expanding the composition of the space club, commercialization of such areas of space activity as satellite communications and navigation, Earth exploration, introduction of new system and technical solutions and integration of various in their end use programs has become another cornerstone of the modern development of the space industry. On the whole, the following stable processes are seen in the cosmic sphere: widening of the circle of countries carrying on scientific research projects in the industry of space services, cooperation of states in issues of outer space exploration, which requires the improvement of its legal mechanism.

Conclusion

Since 1957, the space activities of states and the number of space powers have been growing steadily. The most remarkable achievement in the early years of the space age is that countries collaborated to preserve the outer space for peaceful uses. The customary international law demands that all states behave in such a way as not to do harm to the environment outside jurisdiction of any state (Mirmina, 2005:158). It was always important that all states comply with the basic principles of international space law when carrying out activities in outer space. These principles act as a criterion for the validity of all special norms of international space law. Currently, outer space should also be governed by the principle of peaceful exploration and use. This principle is declared in the texts of outer space law.

Analysis of modern tendencies of development of the outer space activity witnesses that leading countries of the world put out considerable effort to increase their space potential. (Gerardine, 2007:164). The United Nations has promoted and facilitated International cooperation in the exploration of outer space.

For joint activity in space, the states unite their efforts in the framework of international organizations. The activity of space organizations whose goal was development of international cooperation between states in the area of space research is a confirmation of an attempt to create international space organizations controlling issues related to the space sphere. The objective need for joint actions of various states in the study of the Universe and the solution of global scientific problems are one of the main prerequisites for modern international cooperation in outer space. The scales of research in the area of outer space exploration have increased. Space and space technology have become useful tools, not just of the select few, but of many countries, used to improve the living standards. Satellite communications technology now represents a basic elements of a country's economic infrastructure. Achievements in different spheres have resulted in widening of international cooperation. Space science has also been conducted on the basis of extensive cooperation and sharing of date. Scientific research has always had a strong element of international cooperation and exchange and this has been even more true for space research than for other fields.

Outer space is an important arena for international cooperation of states. Space cooperation is a very effective way of the confidence-building, because it can reduce mutual suspicion, increase mutual trust and achieve mutual benefits. Nowadays, the international integration in the space sector and the participation of an increasing number of states in it have become sustainable global trends. The development of space activities can not only bring greater authority and pride to a state but also stimulate the rapid development of technology, and produce great practical value in the economy and society. A huge market related to the space. Space activity is a perspective sphere of activity, making significant investment to economies of different countries and regions.

International space cooperation can promote national scientific, technological, economic and even political interests. Participation in a multilateral space project increases the diplomatic influence of participating states upon each other. The scientific and practical interest in studying issues related to space activities of countries is explained by the ongoing evolution of space activities: from solving purely research problems to the wider economic use of space technology, creating an international market for the sale and purchase of space technology and services.

The peaceful use of outer space is complicated by the physical realities associated with the space environment and the legal status of space as a global resource (Hitchens,2018:3). Changing opportunities and challenges resulting from globalization also contribute to rising aspirations and heightened competition between global role players. More and more countries are developing space programs and technologies.

Currently, the human's space activities have brought a serious of new legal issues to International Law. Moreover the Law of Outer space is growing further by following each important break-through of human's space activities. International law is in a process of change with serious confrontations in all fields dividing the international community (Williams, 1987:142).

The Law of Outer Space is a new branch of existing International Law. In this regard, there are still a lot of unsolved problems with space activities of mankind, and there will be many new legal issues which will be occurred in the future. It is no doubt that the Space Law has a large space of development with broad prospects.

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THE PROBLEMS OF PROTECTING THE RIGHTS OF HEIRS OF INTELLECTUAL RIGHTS IN COURT

This article is devoted to the analysis of problems arising in the process of judicial protection of intellectual property rights of heirs. The article, on the basis of doctrinal and legal sources, confirms the absence of the right for the heirs of the author to demand moral compensation in case there is a limit to the work of the author or the artisans, which is one of the practices to protect the judiciary.

In addition, the authors determined that in the presence of a judicial dispute concerning the privacy rights of a particular individual, this fact could be verified. by any evidence, including an alienation agreement, and the presence of the corresponding state registration. Also, during the preparation of this article, the authors have made a decision that status of the heir of exclusive rights is determined by the conceptual difference in the rights included in the estate, that is, property rights or non-property, and also directly depends on the limits of rights and duties of the testator, which determines the methods used judicial protection. At the same time, the study made it possible for us to realize that, despite the presence in the Republic of Kazakhstan of a number of legislative provisions regulating the issue the scope on the rights of each holder of exclusive rights to judicial protection, it remains an urgent problem.

Key words: protection, court, author, intellectual property, exclusive right.

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Сотта зияткерлік құқық мұрагерлерінің құқықтарын қорғау мәселелері

Бұл мақала мұрагерлердің меншіктік құқығын сот процесінде қорғау мәселелерінің сараптамасына арналған. Мақалада доктриналды және құқықтық қайнар көздер негізінде автор мұрагерлерінің автордың немесе туынды орындаушысының жеке меншіктік емес құқықтарының бұзылуы кезіндегі моральдық өтемақы талап ету құқығының соттық қорғау тәсілдерінің бір түрі ретінде жоқтығы расталады.

Бұдан басқа, авторлар нақты адамға айрықша құқықтың тиесілігі туралы сот дауы болған кезде, бұл факт кез келген дәлелдемелермен, оның ішінде иеліктен шығару шартымен және тиісті мемлекеттік тіркеудің болуымен расталуы мүмкін. Сондай-ақ, осы бапты дайындау кезінде авторлар айрықша құқықтардың мұрагері мәртебесі мұрагерлік массаға кіретін құқықтардың, яғни мүліктік құқықтардың немесе мүліктік емес құқықтардың тұжырымдамалық айырмашылығымен анықталады, сондай-ақ мұра қалдырушының құқықтары мен міндеттерінің көлеміне тікелей байланысты болады деген қорытындыға келді, бұл сот қорғауының пайдаланылатын тәсілдерін айқындайды. Сонымен қатар, жүргізілген зерттеу Қазақстан Республикасында сот қорғауына айрықша құқықтардың әрбір иесінің құқықтарының ауқымы туралы мәселені реттейтін бірқатар заңнамалық ережелердің болуына қарамастан, өзекті мәселе болып қалатынын түсінуге мүмкіндік берді.

Түйін сөздер: қорғаныс, сот, автор, зияткерлік меншік, айрықша құқық.

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Проблемы защиты прав наследников интеллектуальных прав в судебном порядке

Данная статья посвящена анализу возникающих в процессе судебной защиты интеллектуальных прав наследников проблем. В статье на основе доктринальных и правовых источников

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подтверждается отсутствие права у наследников автора требовать моральной компенсации в случае нарушения личных неимущественных прав автора или исполнителя произведения, как одного из способов судебной защиты.

Более того, авторами определено, что при наличии судебного спора о принадлежности конкретному лицу исключительного права данный факт может подтверждаться любыми доказательствами, в том числе и договором отчуждения, и наличием соответствующей государственной регистрации. Также, при подготовке данной статьи авторы пришли к выводу, что статус наследника исключительных прав определяется концептуальным различием прав, входящих в наследственную массу, то есть имущественные права или неимущественные, а также напрямую зависит от объема прав и обязанностей наследодателя, что и определяет используемые способы судебной защиты. В то же время, проведенное исследование дало нам возможность осознать, что, несмотря на наличие в Республике Казахстан ряда законодательных положений, регламентирующих вопрос о масштабах прав каждого обладателя исключительных прав на судебную защиту, остается актуальной проблемой.

Ключевые слова: защита, суд, автор, интеллектуальная собственность, исключительное право.

Introduction

Current civil law regulates all legal relations in the field of rights and obligations of authors, their heirs and other subjects of inheritance relations. However, given the various approaches to the legal status of these entities, various features in the implementation of protection mechanisms, including judicial protection of the intellectual rights of authors and their heirs, problems arise, the solution of which depends on both the national legislation of the Republic of Kazakhstan and the norms of international law arising from from international documents to which the Republic of Kazakhstan is a party.

Research methodology

The methodological basis of this research consists of such General scientific methods as dialectical and deductive methods, system approach and analysis, methods of epistemology, formal logic, and social management.

In addition, special research methods were used: comparative legal and statistical methods, which include a detailed analysis of the existing practice of developed countries with a reorientation of the main conclusions to the Kazakhstan's legal system, as well as specific sociological and formal legal methods.

Discussion

The issue of inheritance of exclusive rights is known to all legal systems, which is confirmed, among other things, by the legal doctrine, and also by the judicial practice concerning the comics Spawn, Captain America, Wonder Woman, and Superman, the ownership of which became the subject of lawsuits (Spelman K.). All disputes are caused by imperfect legal provisions and the absence of the testator's legitimate desire for exclusive rights.

Proper planning of the transition of exclusive rights from the testator-author to the heirs or other rights holders will allow you to control the process of selecting the subjects of inheritance of the analyzed rights, namely: who will own and manage the intellectual property of the author after his death (Haskins J.).A similar need is dictated by the fact that after the death of the author, a person who has received the exclusive right to a work has the right to use it. However, it is immediately necessary to stipulate that such a right will not be realized to the extent that the author himself could or could do it. This view is supported by Jeffrey Evans Stake (Jeffrey Evans, 1998) and other authors (Robert E., 2008,; Kelly Casey, 2013C:\User\Downloads\ SSRN-id2704057.pdf; Eva E. Subotnik 2015: 77-125; Nordemann, J. B., Czychowski, C., &Gruter, A. W., 1998: 99-105.; Naomi Korn, 2005: 35).

Judicial protection is a universal mechanism for ensuring human and civil rights, including the intellectual rights of the author and his heirs.

The current Civil Code of the Republic of Kazakhstan contains general provisions on intellectual property (Articles 961-965, Articles 968, Articles 969 of the Civil Code of the Republic of Kazakhstan), as well as special provisions on the protection of exclusive rights (Article 970 of the Civil Code of the Republic of Kazakhstan). In addition, the protection of exclusive rights is carried out not only by the norms of the Special Part of the Civil Code of the Republic of Kazakhstan, but also by the norms of such laws as: Law of the

Republic of Kazakhstan "On Copyright and Related Rights" dated June 10, 1996 No. 6-1. As amended by the Law of the Republic of Kazakhstan dated 24.11.2015 No. 419-V // Bulletin of the Parliament of the Republic of Kazakhstan, 1996, No. 8-9, Art. 237., Patent Law of the Republic of Kazakhstan (Patent Law of the Republic of Kazakhstan dated July 16, 1999 No. 427.In edition of Law of RK dated 07.04.2015 n 300-V // Bulletin of the Parliament of the Republic of Kazakhstan, 1999, No. 20. - Article 718; 2004-no. 17. - St. 100.), The law of the Republic of Kazakhstan on trademarks [the Law of the Republic of Kazakhstan "on trademarks, service marks and names of places of passage of goods" of July 26, 1999 N 456In edition of Law of RK dated 07.04.2015 n 300-V // Bulletin of the Parliament of the Republic of Kazakhstan, 1999, No. 21. - Article 776; 2004-no. 17. - Article 100), law on topology (Law of the Republic of Kazakhstan" on legal protection of topologies of integrated circuits " of June 29, 2001 No. 217. In the wording of the RK Law dated 12.01.2012 № 537-IV // Bulletin of the Parliament of the Republic of Kazakhstan, 2001, № 13-14. - St. 181], the Law "On protection of selection achievements" (the Law of the Republic of Kazakhstan "On protection of selection achievements" as of July 13, 1999 # 422-I. In edition of law of RK dated 27.11.2015 No. 424-V // Bulletin of the Parliament of the Republic of Kazakhstan, 1999, No. 19. - Article 655; 2004-no. 17. - article 100.)and others.

According to the norms of these legal acts infringed intellectual property rights of authors and their heirs are restored through judicial protection in various forms, starting from recognition and ending with payment of compensation (article 9 of the RK civil code, article 49 [the Law of the Republic of Kazakhstan "On copyright and related rights" of June 10, 1996 № 6-1. In edition of Law of RK dated 24.11.2015 No. 419-V // Bulletin of the Parliament of Kazakhstan, 1996, No. 8-9, article 237.], article 14 of the Law "on legal protection of integrated circuit topologies " [law of the Republic of Kazakhstan" on legal protection of integrated circuit topologies " dated June 29, 2001, No. 217. In the wording of the RK Law dated 12.01.2012 № 537-IV // Bulletin of the Parliament of the Republic of Kazakhstan, 2001, № 13-14. - V. 181]).

The process of choosing a particular protection method is based on two aspects, namely: it is directly provided for in a specific legal act of the state or is determined by the specifics of the protected law and the nature of the violation. But it is important that the right holder makes a direct choice of one or another method of protection, and this rule is a general principle in the subject under study. This point of view is not only traced in the norms of current legislation, but also supported by civil scientists (Simkin L. S.,1997:78; Andreev Yu. N., 2010: 30-51).

Despite the existence of a significant amount of legislated provisions aimed at protecting exclusive rights, the issue of protecting the rights of heirs of exclusive rights remains open, which causes discussions and difficulties in law enforcement.

Currently existing as in the Russian Federation (Polozova D., 2014:21-28.), as in the Republic of Kazakhstan, the system of methods of judicial protection of intellectual rights to which testators-rights holders apply is also used by persons who are heirs of intellectual rights. According to paragraph 11 of the regulatory decree of the Supreme Court of the Kazakhstan "On application by courts of any regulations of the legislation to protect copyrights and related rights" of December 25, 2007 No. 11 (Regulatory Statute of the Supreme Court, 2007 No. 11 and also in article 9 of the RK civil code (Civil code of the Republic of Kazakhstan, (1994: CC of the RK (Special part), (1999.)

In this case it is important to emphasize the reality of that, according to paragraph 30 of the above statutes, the author's heirs are not entitled to claim moral damages in case of infringement of moral rights of author or performer, and this is the explanation arising from the nature of moral rights (Normative resolution of the Supreme Court, 2007 No. 11).

If there is litigation about a specific person the exclusive rights, this fact can be confirmed by any evidence (article 63 Civil Procedure Code of the RK). Therefore, such evidence may include a contract of alienation, and the availability of appropriate state registration in cases provided for by article 1006 of the civil code of the Republic of Kazakhstan (Civil code of the Republic of Kazakhstan (Special part), 1999,).

Registration of the exclusive right to a work that passes in the order of inheritance it is implemented in accordance with Article 40 of the laws of the Republic of Kazakhstan "on notaries" (Law of the Republic of Kazakhstan "on notaries",1997; "Rules for notarial actions by notaries"; Guidelines for providing practical assistance to notaries in solving certain issues related to inheritance., 2016).

However, when analyzing these provisions, there is some uncertainty as sociated with the fact that the modern legislation of the Republic of Kazakhstan and regulatory decisions do not directly indicate

the need to request any documents confirming the existence of an exclusive right that is part of the inheritance to the work created by the testator.

As you can see, there is a conflict between the provisions of the civil code of the RK, Law of RK "On notary" (1997), the Rules for the performance of notarial acts by notaries [Order of the Minister of Justice, 2012 No. 31, No. 7447, and the Guidelines for the provision of practical assistance to notaries in resolving individual issues (Guidelines for the provision of practical assistance, 2016).

Another equally interesting aspect of judicial protection of intellectual property and right to intellectual activity results is the protection of the right of heirs to patents and trademarks. In foreign practice, the Institute of proving that they have inherited or are in the process of inheriting rights to patents and trademarks is actively used. In particular, under UK law, where heirs by law who are in the process of defending their rights in court also provide relevant evidence (Denoncourt J., 2015: 199.).

As for the meaning of the court decision on the transformative claim, it will consist in the direct confirmation of the subjective right, the state of which before the court decision was uncertain and unclear. From this we can also conclude that the heirs of exclusive rights, when entering into inheritance, may be able to file a claim for compensation, despite the fact that the author-testator during his life filed a statement of rejection of this kind of claim.

Upon further analysis of the national legislation of the Republic of Kazakhstan, we determine that paragraphs. 3 p. 1 art. 970 of the Civil Code of the Republic of Kazakhstan (Civil Code of the Republic of Kazakhstan (Special Part), 1999) there is a provision aimed at protecting exclusive rights to the results of intellectual activity and to means of individualization, including by the heirs in all ways that are provided for in the legislation in force at the time of appeal to the court.

According to subparagraph 1 of paragraph 1 of art. 970 of the Civil Code of the Republic of Kazakhstan, dedicated to the methods of protection of exclusive rights, the court may seize tangible objects through which exclusive rights were violated, and tangible objects created as a result of such a violation. Moreover, according to subparagraph 2 of clause 1 of article 970 of the Civil Code of the Republic of Kazakhstan, there is a mandatory publication of a violation, including information about who owns the violated right (Civil Code of the Republic of Kazakhstan (Special Part), 1999).

The provisions enshrined in Art. 9, Article 970 of the Civil Code of the Republic of Kazakhstan (Civil Code of the Republic of Kazakhstan (Special Part), 1999), as well as the norms of special laws (Article 14 of the Law of the Republic of Kazakhstan on topology and Article 48 of the Law of the Republic of Kazakhstan "On Copyright and Related Rights" dated June 10, 1996 No. 6-1. As amended by the Law of the Republic of Kazakhstan dated 24.11. 2015 No. 419-V // Bulletinof the Parliament of the Republic of Kazakhstan, 1996, No. 8-9, Article 237.]) provide the heir with the opportunity to claim damages and satisfy his property interests using the specified method of protection, allowing the use of other means that provided by law (except compensation for non-pecuniary damage).

Compensation should be distinguished from compensation for damages. According to paragraph 6 of article 1032 of the civil code of the Republic of Kazakhstan (Civil Code of the Republic of Kazakhstan (Special Part), 1999) for means of individualization, in case of violation of an exclusive right, the heir has the right to demand compensation from the violator for violation of the specified right instead of compensation for damages. As for copyright and related rights, as well as rights to topology, this option is provided by the PP.6 item 1 of article 48 of the law of the Republic of Kazakhstan "on copyright and related rights" of June 10, 1996 No. 6-1. In edition of Law of RK dated 24.11.2015, No. 8-9, article 237. and PP.6 item 1 of article 14 Of the law of the Republic of Kazakhstan on topology (Law of the Republic of Kazakhstan" on legal protection of topologies of integrated circuits ", 2001). These provisions are reflected in the doctrine [Andreev Yu. N. Mechanism of civil protection. - Moscow, 2010. p. 30-51].

Also, measures to protect the analyzed rights of the author and his heirs, according to article 9 of the civil code of the Republic of Kazakhstan [10], PP.7 item 1 of article 48 of the law of the Republic of Kazakhstan "on copyright and related rights" of June 10, 1996 No. 6-1. In edition of Law of RK dated 24.11.2015 and PP.4 item 1 of article 14 Of the law of the Republic of Kazakhstan on topology, refers to the legally established ability to claim compensation for moral damage, and the suppression of any actions that cause or may cause damage to the rights of the author or his heirs.

However, the Civil Code not specified, entitled to the protection of moral rights in the way the subjects specified in article 9 and in article 970 of the civil code of RK and the above the norms of the special laws of the Republic of Kazakhstan. The

legislator followed the path of listing ways to protect the author's personal non-property rights. However, the methods of protection that can be provided to the heirs of the author or the executor of the trust who has been entrusted with the protection of his rights is not defined in any particular way. On the issue of copyright as a person of interest, along with the heirs of the author or the executor of the will, to apply for the protection of the rights of individuals without property is also not clearly resolved.

An example from court practice is illustrative, when the claim was satisfied in the part of compensation for moral damage, the rest of the claim was refused. So, on June 04, 2018, in district court No. 2 of Almalinsky district of Almaty, having considered in open court the civil case on the claim of A. and N. the Intellectual property rights Committee on of the Ministry of justice of the Republic of Kazakhstan, the Kazakhstan copyright society on copyright protection and compensation for moral damage, on the basis of the above, guided by article 223-226 of the CPC, the court decided the claim of A. and N. to the Center for preparation for testing for public service "Orleu" in the person of Director D. to prohibit the training, distribution, use authoring "courses for the training of candidates for the RK legislation knowledge for successful completion of state testing" (a work of literature) an exclusive property right in an object which was for A., according to the certificate on the state register of rights to the printed item No. 2041 dated August 18, 2017.

To collect from the center for preparation for testing for the state service "Orleu" in the person of the Director D. in favor of A. compensation for moral damage in the amount of 100,000 (one hundred thousand) tenge (Decision of the district court No. 2, 2018.).

Results

Thus, it is once again confirmed that the legal nature of the author’s personal non-property rights does not allow the heirs to file a claim for compensation for moral damage in their favor. The significance of the judgment will be the direct confirmation of subjective law, the state of which before the judgment was uncertain and unclear. From which we can also conclude that the heirs of exclusive rights, upon entering into the inheritance, may be able to file a claim for remuneration, despite the fact that the testator during his life filed a petition to refuse such a claim. However, they have the right to use other methods enshrined in the current legislation.

It is believed that the heir has the right to demand from the violator of personal non-property rights, along with the termination of illegal actions, as well as compensation for moral damage. However, this only applies to the author. That due is to the fact that the heirs of the copyright holder can not experience any moral suffering, it is quite obvious that the position of the legislator is obvious, which is reflected in p. 30 of regulation, which expressly States that heirs neither by law nor by will have the right to claim compensation for moral damage their will, in violation of the non-personal rights of the authors and other authors, is subject to protection in other ways provided by law.

The current legislation of the Republic of Kazakhstan contains provisions according to which the rights of the heirs of exclusive intellectual property rights should be limited in the area of the ability of the heirs to make changes, reductions or additions to the work, except in cases where the consent of the testator was expressed in writing. Nevertheless, there is no indication of the possibility of making any changes that are not creative in the work, if there is a direct prohibition of the testator. In this regard, we believe that the need to create a reserve is justified, according to which the heirs will have the right to make changes caused solely by the need to eliminate actual, grammatical or other errors made by the author and not caused by the creative intention of the testator himself and the artistic features of the work.

Thus, we can formulate a conclusion, according to which, judicial protection of the rights and interests of heirs, as well as notarial protection are intended to protect inheritance rights when entering the inheritance mass of exclusive rights to intellectual property rights, as well as the protection of privacy and other intellectual property rights in disputes, protection of private rights and other intellectual property rights (judicial confirmation)) recognition of the testator's exclusive intellectual property rights and personal style, as well as an injunction against the corresponding actions of the defendant-offender, etc.), which have already been inherited by succession, and also involves ensuring the protection of the testator's personal non-property rights initiated by the heirs.

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PROTECTING THE RIGHTS OF INDIGENOUS PEOPLES IN INTERNATIONAL LAW

This research paper investigates a broad understanding of the concept of protecting the rights of Minorities and Indigenous peoples as one of the development practices in international law. In particular, the research will deal with the protection and rights of Indigenous peoples which is already enshrined in the United Nations Declaration on the Rights of Indigenous Peoples. Consequently, it is regarded to be a legal document of these communities in order to develop themselves and protect their rights as regards land, resources and others. The another aim of this paper is to critically discuss the issue concerning the rights of lands and property of indigenous peoples, and also according to international provision whether state can launch economic project on the territory of indigenous peoples without their consent. Further, the study showed that the UN international instruments also helped for the protection of indigenous people and minority rights. However, still the international order needs certain enhancement in the international covenants and international organizations role in this regard is very crucial.

Key words: minorities, Indigenous peoples, international law, self-determination, consent, declaration, provision.

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Халықаралық заңға сәйкес байырғы халықтардың құқықтарын қорғау

Бұл мақалада ұлттық азшылық мен байырғы халықтардың құқықтарын қорғау және оларға халықаралық заң алдында қолдау көрсету зерттеледі. Атап айтқанда, тарихи әділетсіздік пен әлеуметтік кемсітудің құрбанына айналған байырғы халықтардың құқықтарын тану және көтермелеу және олардың бостандығын қамтамасыз ету мәселелері көбірек қарастырылады. Олардың құқықтарын қорғайтын және заңды түрде ұлттық азшылық пен байырғы халықтарды қолдайтын акт, ол Біріккен Ұлттар Ұйымының нормативті Декларациясы болып табылады. Бірақ қазіргі заманда біраз мемлекеттер бұл халықаралық құқықты орындамауының себебінен, санаулы қайшылықтарды туғызуда. Сонымен қатар, мақаланың көбірек талқыланатын тұсы байырғы халықтардың мәселесі, яғни олардың арасында қазіргі немесе бұрыннан келе жатқан жағдайы – оларға деген дискриминацияның болуы, айта кетсек өздерінің аумағындағы жер, жер байлығы, жалпы олардың өз-өзімен ұлт болып даму құқығын кейбір мемлекет органдарының қолдамауы, бұл халықаралық заңның бұзылуы болып табылады. Сонымен қатар, мақалада БҰҰ-ның кейбір халықаралық заңнамалары ұлттық азшылықтар мен байырғы халықтардың құқықтарын қорғауға көмектесетіні көрсетілген. Алайда, халықаралық тәртіп халықаралық шарттарды жетілдіруді қажет етеді және бұл ретте халықаралық ұйымдарға өте маңызды рөл беріледі.

Түйін сөздер: ұлттық азшылық, байырғы халықтар, декларация, халықаралық құқық, келісім, өз анықтамасы.

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Защита прав коренных народов в международном праве

В данной статье исследуется более широкое понимание о защите прав национальных меньшинств и коренных народов. В особенности больше рассматривается признание и поощрение прав коренных народов и обеспечение их свободы, которые стали жертвами исторической

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несправедливости и дискриминации социального общества. Делается вывод о необходимости выполнения и признания Декларации Организации Объеденных Наций о правах коренных народов, а также других договоров, которые позволяют коренным народом контролировать за событиями, затрагивающими их и их земли, ресурсы и территории и сохранить свои институты, образования, культуры и традиции. А также рассматриваются проблемы касательно эксплуатации земли коренных народов иностранными инвесторами и правительством не согласованно с международным законодательством, которое требует от государство добросовестно консультировать и сотрудничать с коренными народами относительно принятия решений по вопросам земли, ресурсов и других внутренних дел коренных народов. В то же время, в статье указывается на то, что некоторые нормы ООН помогают в защите прав национальных меньшинств и коренных народов. Однако, международный порядок еще нуждается в улучшений международных договоров и в этом очень важная роль возлагается на международные организаций.

Ключевые слова: национальные меньшинства, коренные народы, международное право, декларация, конвенция, самоопределение, соглашение.

Introduction

Can States launch development projects on indigenous peoples' lands without the latter's consent? The concept of the rights of Indigenous peoples is one of the development practices in international law. It is crucial to have this concept in order to interpret and develop a separate way of human rights of Indigenous peoples. According to Anaya, indigenous peoples are recognized as a powerful sector of societies and distinct communities whose ancestral roots are profoundly embedded in their environment and lands where they live (Anaya, 2004). In other words, it might be understood that Indigenous peoples exist in several parts of the world and they are recognized as group of people and tribes or other communities whose descendants were living on their lands and consequently, they are pre-invasion inhabitants of that place. The protection and rights of Indigenous peoples is already enshrined in the United Nations Declaration on the Rights of Indigenous Peoples and it is regarded to be a legal document of these communities in order to develop themselves and protect their rights. Nevertheless, it is important to note that in the modern period, the concept of indigenous peoples can be controversial issue due to their marginalization and also discrimination by state governments. For instance, there are some critics about a few states that not comply with the legal framework of the UN Declarations and abuse the rights such as land and property of indigenous peoples in some particular regions (UN Declaration, 2004). It can be argued that governments may realize to build some factories or make investment projects with foreign investors on the lands of Indigenous communities. Consequently, it can possible arise the issue that without the consent of the indigenous people governments can do what they wish. Since, from the side of some states there is the violation of the concept of normative framework on Free, Prior and Informed Consent which is affirmed in the UN Declaration as one of the legal provisions of the indigenous peoples in protecting their rights. The aim of this paper is to critically discuss the issue concerning the rights of lands and property of indigenous peoples, and also according to international provision whether state can launch economic project on the territory of indigenous peoples without their consent?

Background and the legal international standards

Since early fifteen and sixteen centuries the existence of indigenous peoples has been evidenced throughout the history. As Vitoria stated that in the period of medieval time, there were considerable enslavement and massacre of indigenous peoples in the sixteen century (Anaya, 2004, p. 16). It meant that indigenous communities were mainly assimilated in the dominant society and according to some other authors they were excluded or marginalized by colonial powers that used their lands and resources for political or economic purposes (Niezen, 2003). Though, Niezen added that indigenous communities had failed on claiming their rights due to the lack of awareness of international forums or treaties that could help to deal with their grievances about the acquisition of lands and resources and also the breach of their rights by state government (Niezen, 2003, p. 3). However, the expansion of some organizations, regarding the indigenous peoples' rights had changed crucially indigenous communities' belief and hope within the nationhood in the mid-nineteenth century. For example, the presence of the British Empire created the chance for indigenous peoples to redress

any issue by appealing to the monarch and after that series of application were undertaken by Canadian Indians and the New Zealand Maori (Clarke, 2012, p. 24). Thus, it can be seen that since the early medieval period indigenous peoples have been struggling with nationhood to protect their lands rights, property rights and other relevant right issues, as well as an existence of them as whole communities.

Further development provisional attempt in protecting of the rights of indigenous communities was the creation of the League of Nations and also the promise of the Woodrow Wilson about self-determination for nations which provided the opportunity to protect the right of minorities as well as to regard the right of indigenous peoples too. However, in some cases, the indigenous peoples were faced a considerable impediment when they would not have a sufficient power in decision of their political issues in territory of dominant state. It can be seen in an example of Deskaheh who was a chief the Cayuga Nation and spokesperson of the Six Nations of Grand River. He made contribution to keep sovereignty for aboriginal communities in Canada, though it caused the political disorder in the country (Belanger, 2007, pp. 23-49). That is to say Canadian officials were reluctant to interact with the Council of Six Nations Hereditary regarding the political issues of the country. The same position was demanded by aboriginal communities, unwilling of intervention into their territorial matters. As a result, over the time the campaign of Deskaheh was divided by those who supported Canadian officials known as 'modernists' and those who not supported called the 'traditionalist', they preferred the full self-government rather than to maintain the integration with Canadian officials.

It is true to say that the League was reformulated into the United Nations and since that time there were more favorable conditions created to protect the rights of indigenous peoples. One of these conditions to promote and protect human rights was the adoption of the Universal Declaration of Human Rights in 1948. This development document on protecting the human rights was generated to further international human right provision such as the International Covenant on Economic, Social and Cultural Rights and the International Covenant on Civil and Political Rights. Moreover, these provisions reasonably changed the substantial meaning of the international law in relation to protection of human rights. Consequently, by David Held it is stated that: "less concerned with the freedom or liberty of states and ever more with the general welfare of all those in the global system who are able to make their voices count" (Held, 1995). In other words, this address may touch on those who are needed to be heard their voices, feelings and of course, their rights too. Similarly, the period of decolonization process brought more environments of freedom and free choices such as self-determination of indigenous peoples. However, contrary to the legal claim of the right to self-determination, there were a number of cases in relation to the unilateral and remedial secessionist claim of sub-national groups who might recognize themselves as indigenous peoples (Crawford, 2000, p. 7).

Article 32 and the concept of Free, Prior and Informed Consent (FPIC)

It can be argued by some scholars that the right to self-determination of indigenous peoples is openly said in the International Covenant on Civil and Political Rights (ICCPR) and also the International Covenant on Economic, Social and Cultural Rights (ICESCR). They affirm that: "[a]ll peoples have the right of self-determination. By virtue of that right they freely determine their political status and freely pursue their economic, social and cultural development" (ICESCR, 1967). By interpreting of this clause that it possibly implies communities of indigenous peoples that may belong to the class of peoples and as a result, they have to be entitled to the right of self-determination. If it is true, in that case they can claim all rights and aspects of self-determination. That is to say indigenous peoples may have the right to control over the lands, recourses and territories to develop their economic and cultural life of their communities. Nevertheless, opponents of this view have restrained of this concept particular to the indigenous peoples because many states may fear of raising the peoples and groups by claiming the concept of secessionism within the territory of host state (Borgen, 2009, pp. 1-33). Certainly, that was controversial issue and raised many attempts for indigenous community claiming the right of self-determination. Moreover, Article 32 of the UN Declaration on the rights of Indigenous Peoples that has been criticized and ignored by many states too. As article 32 and paragraph 2 of the Declarations states that:

"States shall consult and cooperate in good faith with the indigenous peoples concerned through their own representative institutions in order to obtain their free and informed consent prior to the approval of any project affecting their lands or territories and other resources, particularly in connection with the development, utilization or exploitation of mineral, water or other resources" (UN Declaration, 2004).

In other words, it says that states, before undertaking any decision about the land and other political issue on the territory of indigenous peoples, they shall consult with local indigenous peoples and ask their consent about any project before utilizing their lands and territories; otherwise it can be the breach of law under international human rights. This is because that Article 1 affirms that the rights of indigenous peoples can be collectively or individually enjoyed with fundamental freedoms as it is provided by the Charter of United Nations, the Universal Declaration of Human Rights. However, from the perspective of the states due to the global market demands such as exploiting the natural resources and increasing the potential infrastructures which may considerably affect on the development of indigenous peoples' life. Specifically, regarding to this issue there is another legal provision known as Free, Prior and Informed Consent that can give the right to consult and participate in relations to any development projects on the lands of indigenous peoples.

It is clear to note that dispute on the concept of Indigenous communities' consent (FPIC) mainly touches on the life of indigenous peoples (Ward, 2011). Furthermore, United Nations Permanent Forum on Indigenous Peoples deliberately emphasized each concept by giving the right interpretation (Barelli, 2012, pp. 1-24). 'Free' should be interpreted as no coercion, intimidation or manipulation. Further, 'Prior' should be implied as consent can be sought satisfactorily in advance of any authorization or commencement of activities and that appropriate representatives should assure enough time for the indigenous consultations/processes to realize. Another clause is 'Informed' that can imply indigenous peoples should be provided by sufficient information in relation to the nature, size, pace and scope of any suggested project and engagement. As well as, indigenous peoples should know the aim or reason of expecting the projects and duration of this project. In addition, they should be prevented from the potential risks of the activity which can affect on the locality of areas. Overall, a preliminary assessment of the economic, social, cultural and environmental impact as well as any general procedure of project should be informed by indigenous peoples. Finally, 'Consent' should be interpreted as crucial concept of the process of consultation and participation which should be carried out in good faith. Moreover, the parties of the consultation should find an appropriate decision by establishing the atmosphere of mutual respect in good faith (Report of IWM, 2005).

As noted above, elaboration of FPIC identifies various aspects and an intended process of consultations and participations between indigenous peoples and state government. According to Laplante and Spears, consequently FPIC obliges states to attain consent from the indigenous peoples prior to authorizing or initiating some development projects on their lands. This is because, most of the development projects are situated on the land of the indigenous communities whose ancestors have lived in that territory for many centuries (Laplante., Spears, 2008, p.69). Nevertheless, some scholar argue that a number of states may not recognize the concept of FPIC, because they do not allow for those communities to have an authority to make barrier for states' development projects which is considered as significant for the development of the whole country and interests of their citizens (UN Doc., 2000). Even though, as Article 26 states: "Indigenous peoples have the right to the lands, territories and resources which they have traditionally owned, occupied or otherwise used or acquired" (2000, Art. 26), and also Article 29 which affirms that: "Indigenous peoples have the right to the conservation and protection of the environment and the productive capacity of their lands or territories and resources" (2000, Art. 29), that means it is the choices of indigenous peoples to manifest or develop and how to manage with resources or lands in terms of characterization of existence as whole. Therefore, the main reason to be respected and recognized of indigenous peoples that is they are primarily attached to their lands due to the embedded tradition and customs, as well as due to the protection of cultural element and values.

Importantly, the significant jurisprudence regarding to the rights of indigenous peoples is the Inter-American Court of the Human Rights which is the advanced and substantive organ on the rights of Indigenous peoples and has been developed since the early 2000s (Pasqualucci, 2008, pp. 281-322). One of intended purposes of this system has been focused on collective rights of indigenous peoples to lands and natural resources. In addition, the Court has considered that the land rights of indigenous peoples in the framework of Article 21 of the American Convention can be respectively provided by them and this recent development of normative organ (IACtHR) also secures the rights of indigenous communities to manifest and own ancestral lands (Inter—American Convention of HR, 1969). Recognizably, the UN Declaration is considered as a soft law which is not binding for all states, however the American Convention is legally binding treaty, therefore states should recognize the jurisdiction of the Court and its decision on the considered issues has to be obliged on the Parties to this treaty.

This normative interpretation in relation to the land right of Indigenous Peoples had been firstly met with the case of *Mayagna (Sumo) AwasTingni Community v. Nicaragua* and later introduced with other number of cases in terms of connection of indigenous peoples with their lands. This case has been examined the situation that the land, which is traditionally used by the Awas Tingni Community, has been allowed to foreign companies by the Nicaragua government for mining and logging businesses without any effective participation and consultation process with host community. As a result, the Awas people complained this issue to the Inter-American Court of the Human Rights and court came to the solution that the government of Nicaragua indeed, violated the rights of the Awas Tingni community in accordance with the Article 25 on the land right and Article 21 on the right to property of the American Protection. More precisely, the Court found that the Nicaragua breached the Article 25 by not having effective consultations with local people that indigenous communities' lands could be titled and delimited. Thus, it is possible to say that this was the first binding judgment which acknowledged the collective property rights of indigenous communities and the fundamental judicial framework of the Inter-American Convention.

By decision of the Court that it ordered to the government of Nicaragua to accept the need domestic legal measures to establish the effective mechanism for titling and delimitating of the property which belongs to the indigenous properties in accordance with customary law and its values (Page, 2004, pp. 16-20). It is also important to note that under the international treaty, apart from the concept of collective rights and self-determination which are foundational legal norms, the FPIC normative within the Human Rights is also legal consideration that takes place in the existence of whole indigenous peoples. Consequently, the community has to be informed that how it can be ruled and consent should be therefore agreed due to the respecting values of Indigenous peoples and considering this case that is also customary law.

Another case is the *Mary and Carrie Dann v. United States* (2002) which can be explained in a way that the Dann community and members of the Western Shoshone Nations filed the petition against the United States regarding the rights of indigenous peoples. Historically, the Western Shoshone people used and occupied the most area of the Western America for many years before European colonization (2002, p. 17). The argument of Dann peoples was explained that their rights to land have never been extinguished and they used it for cattle grazing and other activities. However, the US claimed that this was legal dispute not violation of the human rights, because the lands have been extinguished via administrative procedure by indigenous communities (2002, p. 76). Nevertheless, the Commission came to the decision that the United Nations had breached right to equality, the right to a reasonable trial and the right to property of the indigenous peoples and concluded that the United State had an abortive decision in relation to "fulfill its particular obligation to ensure that the status of the Western Shoshone traditional lands was determined through a process of informed and mutual consent on the part of the Western Shoshone people as a whole." (2002, p. 141). Thus, it can be understood that normative solution by the Commission may determine the land right of indigenous peoples has to be based on fully informed consent of the entire community and based on having the opportunity to participate.

Yet, another case that the IACtHR dealt with norm of FPIC and feasible example of the development projects by states in the lands of indigenous peoples is the *case of the Saramaka people vs Suriname* (Saramanka vs Suriname, 2007). This case described that one of the six Maroon peoples who living in Suriname and French Guiana. The government of Suriname allowed to Chinese companies to arrange mining and logging businesses in the lands of Saramaka indigenous peoples without having a consultation with them. Consequently, Saramaka representative organizations submitted this case to the Inter-American Commission on Human Rights, and after considering the case by the Commission who then, requested the Court to decide the international responsibility of the Suriname government for the violation of 'Articles 21 (Right to Property) and 25 (Right to Judicial Protection)'. Moreover, the Commission asked the Court to order the State a reparation measures for the used and exploited lands. However, despite the violation of the rights of indigenous peoples, the state argued the case and submitted several preliminary objections, referring to the Article 44 of the American Convention which states: "Any person or group of persons, or any nongovernmental entity legally recognized in one or more member states of the Organization, may lodge petitions with the Commission containing denunciations or complaints of violation of this Convention by a State Party" (American Convention on HR, 1969). In other words, the article allows any group of people to lodge the complaints in relation to violations of the rights in Convention and victims should file the petition before the Inter-

American Commission. Nevertheless, the Court dismissed the preliminary objections including other followed seven and was in favor of the Saramaka people to protect their abused rights.

As regards the duty of consultation that the government of the Suriname has to oblige to effectively consult with Saramaka communities and to be ensured about its member's participation. Moreover, the Saramaka communities have to be consulted through the culturally relevant procedures correspondingly with their own traditions in the beginning of the development plan. Similarly, the UN Special Rapporteur on the occasion of protecting the central freedoms of indigenous peoples has observed that:

"[w]herever [large-scale projects] occur in areas occupied by indigenous peoples it is likely that their communities will undergo profound social and economic changes that are frequently not well understood, much less foreseen, by the authorities in charge of promoting them. […] The principal human rights effects of these projects for indigenous peoples relate to loss of traditional territories and land, eviction, migration and eventual resettlement, depletion of resources necessary for physical and cultural survival, destruction and pollution of the traditional environment, social and community disorganization, long-term negative health and nutritional impacts as well as, in some cases, harassment and violence" (UN Special Rapporteur, 2002).

Thus, Special Rapporteur defined that the legal norm of the FPIC and it is the crucial acquisition of the rights of indigenous peoples in terms of substantial development projects and the Court found that if the state would not ensure with the effective participation and consultation during the major investment projects, it had deeply impacted on the members of the Saramaka and to their property rights.

It is also important to note that after the accepting the UN Declarations on the Rights of Indigenous Peoples, another attention need to be paid to the international environmental law. This can be explained that the substantial economic development projects can be impacted by mining and logging other activities which directly affect to the ancestral lands of indigenous peoples (McGoldrick, 1996, pp. 796-818). Thus, it can be suggested that states must be agreed with indigenous peoples in relation to intended development projects before utilizing and affecting environmental damage to their lands.

Similarly, according to principle 22 of the Rio Declaration, affirms that: "Indigenous peoples and their communities, and other local communities, have a vital role in environmental management and development because of their knowledge and traditional practices. States should recognize and duly support their identity, culture and interests and enable their effective participation in the achievement of sustainable development" (Rio Declaration, 1992). It means that indigenous communities play a significant part in reasonable participation and for states; interest of communities should be maintained in attaining the sustainable development.

ILO Convention N. 169 and the African Commission on Human and Peoples' Rights

It is broadly accepted that the Convention No, 169 is an amendment of early Convention treaty No. 107 which dealt with Indigenous and other Tribal and Semi Tribal Populations in Independent Countries. It is possible to say that it is only international instrument regarding the rights of indigenous peoples and its legally binding obligation is open to further ratification (Anaya, 2004, pp. 54-56). Nevertheless, the limited number of the ratification members has been affected to the process in playing a significant role and the right of indigenous peoples. The meaningful promise of the ILO 169 is to recognize and protect the special ties between indigenous peoples and their lands. For example, Article 13 provides that the government shall appreciate the special significant for the indigenous peoples in terms of cultural and spiritual values regarding their territories.

One of the relevant provisions for the FPIC is the Article 6 which affirms that entitlement of indigenous peoples to be consulted and freely participated in the process of decision-making when the development projects of state or private companies may affect them. It is crucially understood that if state maintain the ownership of mineral rights, it must consult with indigenous peoples to define whether their will would be damaged prior to initiating the exploitation of recourses of the communities. In addition, Article 15 deals with the resource rights which sets up the indigenous communities may have right to utilize their mineral resources and their lands should be protected, as well as any management and conservation should be effectively informed and consent. Even though, this provision was criticized by governments that observed national constitution was provided in another way that all resources and minerals belonged to the government. However, the requirement of the provision on the right of indigenous peoples is just to consult with them if states want utilize their lands, if not, it could affect to their cultures, quality of life and livelihood.

The difficulties of provision can be covered in Article 16 which says: "removal from the traditional lands". Indigenous and tribal communities can be a subject to being relocated from the lands they attain and their ancestral root used for many centuries. This convention deal with the assertion that indigenous and tribal peoples shall not be relocated, but it took place for particular reason in some states, especially in African region where small communities might be relocated regardless their consent in relation to their lands and territories. One of the cases relating to the removal of indigenous peoples from the their land is *the Centre for Minority Rights Development (Kenya) v. Kenya case* (2010).

In 2010, the African Commission on Human and Peoples' Rights produced significant decision in relation to the Kenya case. The claim has been said that the Government of Kenya relocated the Endorois peoples from their ancestral and own lands, by conducting no direct consultation and possible compensation, and also the rights of property, natural and mineral resources. However, all rights are covered in the Charter on Human and Peoples' Rights such Articles 21, 14 and 22 (1982). It is true to say that this meaning of Charter may allow the Commission to consider the issue of Endorois indigenous communities in a way that traditional land of indigenous peoples is the entitlement to demand of official recognition of property title. In addition, the Commission made also clarification that the members of Endrorois communities who lost or unwillingly left their lands and possession, they entitled to compensation and to reach their lands of equal extension and quality (Gilbert, 2011, pp. 245-270). Moreover, according to Article 21 of the African Charter, the Commission affirmed that an indigenous person entitled to natural resources, in other words, as Article says: "Indigenous peoples have the right to freely dispose of their wealth and natural resources in consultation with the State" (Gilbert, 2011).

In the aim of this article, it can be said that the central findings regards to violation of Article 22 which is the right to development. Accordingly, the Commission stated that the state has obligation not only to consult with Endorois indigenous communities, however also has a duty to reach their an informed consent in accordance with international legal document, because development or business projects would affect their cultures and territories. Given the general standards to the case has been explained that government of Kenya had not achieve the prior, informed consent of communities prior to initiating their lands and commencing their relocation activity. It is clearly taken the view that the Commission supported the norm of FPIC as a given basic rights of indigenous peoples.

Similarly, one of the first human right treaty bodies in relation to indigenous peoples' issues is the Human Right Committee. It is assigned to control in accordance with the International Convention on Civil and Political Rights (1966). The HRC supports a progressive interpretation of the right to Article 27 which is to protect the right of indigenous peoples and to carry out traditional activities with lands and resources where they live. It is suggested that the HRC prudently approached to the FPIC and the Committee also paying attention to rights of indigenous community regarding the FPIC. For instance, in the purpose of the study by the Human Right Committee by which can be shown one of the cases known as the *case of Ilmari Lansman et al. v. Finland* (Finland case, 1994). It described the situation where the Central Forestry Board of Finland government allowed to a private company to arrange the stone activities such as mining and quarrying in the place of indigenous locals known as Sami community who do a reindeer herding activities. As a result, this contract violated the right of Sami community which gives them to enjoy culture and own tradition on reindeer farming as enshrined in Article 27 of the ICCPR. However, HRC found that this provision had not been violated by Finland, because he noted that the process of consultation and their interest were considered during the proceedings. The HRC approached to the decision that there is no violation of the Article 27 rather it was the only restricted impacts on the communities' way of life. Thus, it can be suggested that the HRC took more privileging approach to the FPIC which accentuating not merely on consultation, but their free and informed consent rather than considering the Article 27 of the ICCPR.

Conclusion

Many scholar attempted to discuss the concern of the rights of Indigenous community and this issue might touch on their culture, lands and traditions. The acknowledgement of international human rights law also ensures that the mineral and natural resources and their protection become significant in order to secure and develop the existence as a whole community of indigenous peoples. However, the problem arose when the states initiated and dealt with international companies to exploit the resources in the lands of indigenous communities in order to develop their strategic interests. In this respect, the international normative frameworks has clearly

created the principle of FPIC within the United Nations system in order to encourage the rights of indigenous peoples regards to their lands and natural resources and they may enjoy with the right which must be not only consulted by parties, but freely informed and consent form indigenous communities before the state does initiate any political and economic measures. In addition, the FPIC deals with many aspects in relation to how to conduct consultation, the way of mutual respect has to be considered and any potential risks should be informed before development projects will be implemented. Nevertheless, it was also criticized by states that they can authorize and initiate development activities on indigenous lands without their permission, because it is the land of whole citizens and intended development projects should be implemented in favor of whole citizens. However, the indigenous peoples claim that they have also right to self-determination and the control of own lands and territories which were used and occupied by their ancestors, entitle to only them. Furthermore, this study is submitted that a normative approach to FPIC was enshrined in Article 32 of the UN Declaration on the Rights of Indigenous communities and several the Commissions were considered in relation to relevant case of different regions and aspects of issues such as the Inter-American Court of Human Rights, the African Commission on Human and Peoples' Rights and other regional bodies. As a result, the fact that several situations on effective decision and consequences of the government projects implies that the consideration of further matters is crucially required explicit and relevant legal judgment to protect the rights of Indigenous peoples as observed in the case of Endoroise community.

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3-бөлім

ТАРИХ ЖӘНЕ ӘДІСНАМА МӘСЕЛЕЛЕРІ

Section 3

ISSUES OF HISTORY AND METODOLOGY

Раздел 3

ВОПРОСЫ ИСТОРИИ И МЕТОДОЛОГИИ

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HISTORICAL RELATIONS BETWEEN THE ARAB GULF COUNTRIES AND RUSSIA

Russia began making contact with Gulf States back in 1932, when the USSR became one of the first countries that formally recognized Saudi Arabia and established diplomatic relations with the state. Shortly after, due to the change in the Soviets' party line (conversion to a new ideology and development of a moderate stance towards regional conflicts), the relations were suspended. The aggravation of international relations in the region was also the result of the competition between the Great Powers, and their respective political ambition. In the light of "West—East" political-military confrontation, the Soviet Union took immediate interest in the latest regional developments.

This article used descriptive approach to the specificity of the problem of the study, which aims to study relations and differences, where this method is concerned with the study of what is the object and interpretation and determine the relationships between the facts.

The results of the study reached that Russia is one of the largest oil and gas producers in the world, and the largest oil exporter outside OPEC, as it usually seeks to maintain high energy prices despite tensions and conflicts in the Middle East, as it has caused huge losses to the economy of the Gulf countries due to lower oil prices. The volume of trade exchange between Russia and the countries of the Cooperation Council is very low compared to the Gulf's trade relations with China. This may be due to the fact that Russia is futile in trade, although the latter is working to correct this deficit, but the desired results may take some time.

In the changing world, Moscow's allies are not necessarily Washington's foes, and vice versa. Cooperation between Russia and Gulf States is based on their shared interests, in particular, fighting international terrorism.

Key words: Russia, Arabian Gulf, GCC, Syria, Saudi Arabia, UAE, international relations, oil.

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Араб шығанағы елдері мен Ресейдің арасындағы тарихи қатынастар

Ресей Парсы шығанағы мемлекеттерімен 1932 жылы байланыс орната бастады. Сол кезде КСРО Сауд Арабиясын ресми түрде ел ретінде мойындап және мемлекеттер арасында дипломатиялық қатынастар орнатыла басталды. Көп ұзамай Кеңестердің партиялық құрамының өзгеруінен кейін (жаңа идеологияға көшу және аймақтық қақтығыстарға қатысты қалыпты ұстанымның дамуы) қатынастар тоқтатылды. Аймақтағы халықаралық қатынастардың шиеленісуі ұлы державалар мен олардың тиісті саяси амбицияларының арасындағы бәсекелестіктің нәтижесі болды. Батыс пен Шығыстың әскери-саяси қақтығысы аясында Кеңес Одағы аймақтағы соңғы оқиғаларға бірден қызығушылық танытты.

Бұл мақалада қатынастар мен айырмашылықтарды зерттеуге бағытталған зерттеу мәселесінің ерекшелігіне сипаттамалық көзқарас пайдаланылады, мұнда бұл әдіс объект болып табылатын нәрсені зерттеуге, фактілер арасындағы байланысты түсіндіруге және анықтауға байланысты.

Зерттеу нәтижелері Ресей әлемдегі ең ірі мұнай және газ өндірушілердің бірі және МЭЕҰ-нан тысқары ірі мұнай экспорты болып табылатындығын көрсетті. Ол әдетте Таяу Шығыстағы шиеленістер мен қақтығыстарға қарамастан жоғары қуат бағаларын ұстап тұруға тырысады. Парсы шығанағы елдері мұнай бағасының төмендеуіне байланысты бұл экономикаға үлкен зиян келтірді. Ресей мен Ынтымақтастық кеңесі елдері арасындағы сауда биржаларының көлемі Парсы шығанағы мен Қытай арасындағы сауда қатынастарымен салыстырғанда өте төмен. Бұл Ресейдің саудада пайдасыздығына байланысты болуы мүмкін, ал соңғысы бұл тапшылықты түзету үшін жұмыс істеп жатыр, бірақ қажетті нәтижелер біраз уақыт алуы мүмкін.

Өзгеріп жатқан әлемде Мәскеудің одақтастары Вашингтонның жаулары емес және оған керісінше де емес. Ресей мен Парсы шығанағы мемлекеттерінің ынтымақтастығы олардың ортақ мүдделеріне, атап айтқанда, халықаралық терроризммен күреске негізделген.

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Түйін сөздер: Ресей, Парсы шығанағы, ГКК, Сирия, Сауд Арабиясы, БАӘ, халықаралық қатынастар, мұнай.

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Исторические отношения между странами арабского залива и Россией

Россия начала вступать в контакт с государствами Персидского залива еще в 1932 году, когда СССР стал одной из первых стран, которые официально признали Саудовскую Аравию и установили дипломатические отношения с государством. Вскоре после изменения партийной линии Советов (переход к новой идеологии и развитие умеренной позиции в отношении региональных конфликтов) отношения были приостановлены. Обострение международных отношений в регионе было также результатом конкуренции между великими державами и их соответствующими политическими амбициями. В свете военно-политической конфронтации между Западом и Востоком Советский Союз сразу же заинтересовался последними событиями в регионе.

В данной статье использован дескриптивный подход к специфике проблемы исследования, которая направлена на изучение отношений и различий, где данный метод связан с изучением того, что является объектом, и интерпретацией и определением отношений между фактами.

Результаты исследования показали, что Россия является одним из крупнейших производителей нефти и газа в мире и крупнейшим экспортером нефти за пределами ОПЕК, поскольку она обычно стремится поддерживать высокие цены на энергоносители, несмотря на напряженность и конфликты на Ближнем Востоке, поскольку она может нанести огромный ущерб экономике стран Персидского залива из-за снижения цен на нефть. Объем торгового обмена между Россией и странами Совета сотрудничества очень низок по сравнению с торговыми отношениями Персидского залива с Китаем. Это может быть связано с тем, что Россия бесполезна в торговле, хотя последняя работает над исправлением этого дефицита, но желаемые результаты могут занять некоторое время.

В меняющемся мире союзники Москвы не обязательно являются врагами Вашингтона, и наоборот. Сотрудничество между Россией и государствами Персидского залива основывается на их общих интересах, в частности, борьбе с международным терроризмом.

Ключевые слова: Россия, Персидский залив, ССЗ, Сирия, Саудовская Аравия, ОАЭ, международные отношения, нефть.

Introduction

The Gulf countries are considered to be entities with high geo-economics' status, which has always made them vulnerable to external interventions, especially after increasing rates of production of oil and gas, and high oil reserves in the countries of the region, in addition to the region playing a major role in the global capitalist economy, in the sense that the global leadership system It cannot give up its hegemony over these countries even if it is forced to use force, as happened in Kuwait, Iraq and Iran, so the Arab Gulf region is more integrated with the global system. Russia's relations with Arab countries, is a priority of foreign policy in the Middle East. Russian-Arab relations have a long history and distinct traditions. Nevertheless, the Middle East plays a very important global role, and for a long time there was a belief that the economy of the Arab countries was still based on oil only, but in reality the financial markets and global financial centers such as the World Trade Center in Dubai are formed.

During that time, there is cooperation, exchange of views and discussion between Russia and the Arab Gulf countries to strengthen the relationship and partnership. However, the countries of the region face a number of serious problems, and the economy of many Arab countries, such as the Russian economy, suffers from dependency on developments in the oil market. Indeed, the Arab countries are forced to solve the same problems that Russia faces, and the latter feel jointly that there is a lack of foreign investment and the necessity Search for new markets for the sale of Russian goods (Salman, 2010).

President Putin has a basic view, "Russia and the Gulf Cooperation Council countries are energy allies and not competition in meeting the needs of global energy markets. It is also necessary to build Arab-Russian strategic cooperation in the field of oil, as Russia and the Arab countries are the focus of international powers, especially the United States. President Putin has previously expressed his country's desire to direct part of its foreign investment to the Arab Gulf countries.

Methodology

The study used descriptive approach to the specificity of the problem of the study, which aims to study relations and differences, where this method is concerned with the study of what is the object and interpretation and determine the relationships between the facts. The descriptive approach as a research methodology in the social sciences does not depend on the collection and classification of data and information, but exceeds. This was explained by the methodology of field surveying, data analysis and reasoning as a research method. There are two main research approaches to collect and analyze the data information. The first one is qualitative approach and the second one is quantitative approach. In the first approach, researchers concentrate on understanding a phenomenon from a closer perspective (Creswell, 2013).

Literature Review

Russia began making contact with Gulf States back in 1932, when the USSR became one of the first countries that formally recognized Saudi Arabia and established diplomatic relations with the state. Shortly after, due to the change in the Soviets' party line (conversion to a new ideology and development of a moderate stance towards regional conflicts), the relations were suspended. The aggravation of international relations in the region was also the result of the competition between the Great Powers, and their respective political ambition. In the light of "West—East" political-military confrontation, the Soviet Union took immediate interest in the latest regional developments.

During the Cold War, the Soviet government viewed Gulf States as the United States' allies, and consequently, Moscow's adversaries. The Kremlin-Riyadh relations became especially strained after the introduction of Soviet troops on the territory of Afghanistan. In 1990s, the Kingdom's support of separatism in Kosovo and Chechnya became a large stumbling block in the two states' relations. At the time, however, due to a growing rapport between Moscow and the West, Russia—Saudi Arabia relations shifted to the background of the global arena.

In the 2000s, Russia renewed its rapprochement with Gulf States, which was based primarily on mutual economic interests. In 2006, when Russia served as a host nation for a G8 summit for the first time, Moscow leaders suggested including problems of "energy security" in the agenda for negotiations and declared their determination to play a key role in this sphere across the globe and, in particular, in Eurasia. They also came up with the concept of an "energy superpower", describing Russia as such, and stated that this is how Moscow would like to be perceived by its G8 partners. The reaction of the leading states of the globe was immediate and extremely negative. Thereafter, the Russian government never officially referred to this concept again. At the same time, a number of policy documents in various fields of homeland security approved by Russian President Vladimir Putin after 2006, were based on the recognition of overriding importance of the energy sector in Russia's growing economic power. Russian policy in the energy sector is also driven by the need to control "key positions" in order to guarantee the country's economic security and maintain its status as a nuclear superpower. In spite of having large energy resources, the Arab Gulf monarchies are greatly dependent on the oil market, and, essentially, they have to face the same challenges as Russia.

Today, the Gulf countries are passing through their most historical stages; political and economic changes. Moreover the challenges of the Arab spring and the internal popular movements demanding comprehensive political reform. On the economic front, the Gulf countries are facing the development benefits and the unemployment problem that started to appear in spite of the high growth rates that they achieved thanks to the large and prolonged boom in oil prices. On the strategic level, the Gulf states face the threat of Iranian expansion that started in Lebanon and Iraq and then Syria, and ended in Yemen, leaving the Gulf states besieged by Iranian influence either through direct existence or by proxy through Shiite militias that owe them loyalty (Nasser, 2017).

The Gulf region is automatically turning into a key player in the process of making Russian foreign policy, as a result of several factors see (Zedan, 2013), (Al Tahlawi, 2014):

The Gulf region is the largest single source of energy resources for production and export in the world, and Saudi Arabia, Kuwait, the United Arab Emirates, Iran and Iraq are among the largest oil exporters in the world.

The Gulf region - and the Gulf Cooperation Council countries in particular - is one of the most importing regions of the world.

The importance and place of the Gulf region; it is also the center of Islamic civilization, and a wide space for intellectual dialogues about relations between civilizations. It is also the source and field

of sectarian competition and its implications for regional, international and politics.

The Gulf Cooperation Council made the Arab Gulf a sub-region in international and regional politics, and stepped up its importance on the Palestinian issue in Middle East relations.

Russia's efforts to return to the Middle East, and the Gulf has become the most important gateway to it, and in it there is more than one approach directly to the question of Iran, and indirectly the issue of Syria

Russia believes that stability in the region is the cornerstone in protecting its growing interests, and that the Arab Spring revolutions brought nothing but chaos and instability, unlike the United States, which sees chaos as a guarantee of its interests, and although Russia has made extensive efforts to arrange its conditions in the region, Russian officials With many visits to the Arab region, but soon the winds of change blew in the Arab world, which posed a grave danger to the future and interests of Russia, and therefore Moscow must reconsider its foreign policy towards those countries. These challenges that Russia and the Gulf states face can serve as a basis for cooperation between the two parties. It is an opportunity for Russian-Gulf cooperation. It also represents the common interests, especially in the energy sector, as a basis for cooperation between them.

Despite the long history of unconstructive relations between Russia and the Gulf countries, many points of convergence remain. There are reliable and cooperative opportunities to rebuild constructive and fruitful relations for both parties. this does not require changes and a waiver of their principled positions on important fateful issues on the other hand It is known that Russia is passing through the most difficult conditions today and is facing the most difficult challenges. On the economic front, the decline in oil prices and Europe's efforts to reduce dependence on Russian gas imports represent a major challenge for the Russian energy sector (John & Vladimir , 2004).

It is well known that Russia and the Gulf countries are among the most important producers of traditional oil in the world. This means that coordination between them is extremely important for the oil market and its stability. The energy field is one of the most important areas of mutual interest that requires Russia and the Gulf countries to cooperate with the oil sector. It also represents a special importance for the two parties in which opportunities for cooperation appear great, especially at the present time. As the oil market passes through a period of fundamental change due to the American shale oil boom. After, some countries relied on shale oil as an energy source. So the need for close cooperation between the traditional oil producers, whether from inside or outside of OPEC, in order to maintain a price level below the cost of shale oil producers. Cooperation and coordination between Russia and OPEC countries is necessary for the interests of both parties, especially since Russia and the Gulf countries are still dependent mainly on oil, and need to maximize their returns despite market conditions that do not support high levels of prices as the previous ones in the past years (Al Aqabi, 2010).

In the field of economic cooperation between Russia and the Arab Gulf countries, the first conference was held in Jeddah in 2003, with the participation of businessmen from the countries of the Gulf Cooperation Council and Russia, and the conference touched on expanding trade and investment relations for basic industries such as petrochemicals, oil and gas refining, minerals, food, medicine, electricity and water. The Russian trade relations with the UAE have also evolved, and as evidenced by this, the RIA Novosti Agency held a press conference on the topic of "Russia - UAE: new attitudes towards developing economic, cultural and commercial relations. The Emirati-Russian relations witnessed a great convergence in political visions, interests and positions, which prompted the two parties to enhance them strategically, especially in the economic track through the conclusion of a number of commercial, investment and tourism exchange agreements. In the summer of 2013, he established the Russian Investment Fund (RDIF) and the Abu Dhabi Investment Exchange Company ($ 2 billion) to search for investment opportunities within Russia to attract more Gulf investors. The positive developments that have taken place in many Emirati-Russian relations, including many economic fields, are a driving force and a catalyst for expanding the role of the private sector to contribute to developing cooperation and enhancing strategic partnership with beneficial investments for both countries (Sheikh, 2014)

The Result

Russia launched an initiative to improve relations with the Middle East, which fell significantly under Gorbachev and Yeltsin. The relations between Russia and the countries of the Gulf region were marred by a bit of Luke warmness during a certain period of time for purely political reasons, but

they returned again to their first life, and we are witnessing several activities of existing cooperation between Russia and the Gulf countries, whether in the political, commercial, economic, tourism, and investment fields.

Russia has established good working relationships with all major actors in the Middle East: Islamic governments hostile to the United States (Iran and Syria), as well as those that support the United States such as (Saudi Arabia, Egypt and Qatar) in addition to (Iraq and Afghanistan); as well as Israel and Fatah Even Hamas. Russia aims through its relations with the countries of the Cooperation Council to influence the policies of the Gulf countries towards other issues in the Middle East, as it wants to take a lead in international situations such as: the Syrian conflict, and the Iranian nuclear negotiations (Abdelrazek, 2004).

Russia's Lukoil and Saudi Aramco established in 2004, the joint "Luxar" company to discover and invest gas fields in the northern part of the Rub Al-Khali desert.The participation of the Russian "Oil" and "Lukoil" companies in the development of the four northern Kuwaiti oil fields, which are projects that cost between $ 7-8 billion. In UAE, The "Al Taweelah - Fujairah" gas pipeline, which has a length of 240 km [2], is being implemented by Russia's Stroy Trans Gas, and was completed in 2009.

Russia cooperated with the Sultanate of Oman in the framework of the "Consortium" project to build a pipeline in the Caspian Sea to transport oil from Kazakhstan through Russian territory to the Russian port of Novorskiysk on the Black Sea. On the level of nuclear energy projects, the Gulf Cooperation Council countries cooperated with Russia to be the accredited body for the construction of these energy structures. This is similar to what is currently happening in Iran and India. After Russia regained its economic power, it began dealing with the world with new innovative strategies and clarity, rejecting the unipolar world.

Russia is one of the largest oil and gas producers in the world, and the largest oil exporter outside OPEC, as it usually seeks to maintain high energy prices despite tensions and conflicts in the Middle East, as it has caused huge losses to the economy of the Gulf countries due to lower oil prices. The volume of trade exchange between Russia and the countries of the Cooperation Council is very low compared to the Gulf's trade relations with China. This may be due to the fact that Russia is futile in trade, although the latter is working to correct this deficit, but the desired results may take some time (Al Khazar, 2008).

Conclusion

The Russian-Arab relations in general, and the Gulf in general, need more documentation and interdependence with Russia, because there is a balance between the powers in the Middle East region, so that the United States is not unique to the region and is practicing a policy of alignment for Israel, also to ensure the diversity of sources of food, medicine, and weapons. at the same time, Russia is as keen on its relations with the Arab Gulf states as it is on the relationship with Iran. The lack of mutual trust between the two sides threatens the interests of the countries of the region, and he suggested launching a process that would allow the start of dialogue between the two parties, and an international meeting on ensuring security in the Gulf region.

In the changing world, Moscow's allies are not necessarily Washington's foes, and vice versa. Cooperation between Russia and Gulf States is based on their shared interests, in particular, fighting international terrorism.

Communication between Russia and Gulf States regarding the Syrian problem was progressing rather unevenly. The sides adopted diametrically opposed positions in respect of the incumbent president's fate and in regards to which Syrian opposition groups should be considered moderate. At the same time, both Russia and the Gulf Arabs were seeking settlement to a conflict which destabilized the regional situation and boosted the threat of terrorism. Russia and Gulf States concur on the future of Syria's state system, supporting its territorial integrity, secular identity and protection the rights of ethnic and religious minority groups. The two parties are also united by the common goal of combating world terrorism, in particular the Islamic State, the liquidation of which is seen as the priority mission of the global anti-terrorist campaign.

Both sides today are going through a critical stage in their recent history. Russia today is targeted and threatened by the Western expansion, whether economic expansion through the European Union or military expansion through NATO. This is in addition to the direct American military presence in Afghanistan and some Central Asian republics. As for the Gulf countries, they suffer an unprecedented strategic return. They are besieged by the Iranian expansion in Iraq, Syria and Yemen, as they suffer the consequences of the "Arab Spring" and the popular movements demanding reform that have taken their effects on the expansion into the Gulf. These

challenges and the economic and strategic risks faced by Russia and the Gulf states can represent good ground and nucleus for normal relations and constructive cooperation between the two parties.

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DIGITALIZATION IN THE SOCIO-ECONOMIC SPHERE: CONTENT OF DEVELOPMENT, FOREIGN PRACTICES AND RESULTS

The article presents the main aspects of the development of digital technologies in the framework of social and economic development, outlines modern trends in the development of digitalization in these areas, their impact on the conditions of human life. The work also examined the issues of digitalization of the public administration system, reveals the experience of foreign countries actively implementing digitalization processes. An important aspect of the study was the problem of digitalization in the field of human resources management, justified by the increased demand and the selection of competent employees. The article discusses promising areas of research and development in the digital economy, identifies relevant problems, shows the "pros" and "cons" of this process, taking into account the domestic specifics of public administration in the scientific field.

The article also discusses international practices of state support for the development of the digital economy; different points of view and assessments on the development of the digital economy and digitalization in general.

Key words: digital economy, human resources, digitalization of science and education, business models, digital technologies, artificial intelligence, economic and social development.

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Әлеуметтік-экономикалық саладағы цифрландыру: даму контенті, шетелдік тәжірибе және нәтижелер

Мақалада қоғамдық және экономикалық даму аясындағы цифрлық технологияларды дамытудың негізгі аспектілері, осы салаларда цифрландыруды дамытудың заманауи бағыттары және олардың адам өміріне ықпалы қамтылады. Сондай-ақ, мемлекеттік басқару жүйесін цифрландыру мәселелері және цифрландыру үдерістерін белсенді түрде жүзеге асырып жатқан шет мемлекеттердің тәжірибесі қарастырылады. Адам ресурстарын басқару саласындағы цифрландыру мәселесі зерттеудің маңызды аспектісі ретінде сараланып, жоғары сұраныс және білікті қызметкерлерді іріктеу мәселелері негізделеді. Мақалада цифрлық экономикадағы ғылыми зерттеулер және талдамалардың болашақ бағыттары сараланып, оған қатысты мәселелер анықталады, сондай-ақ, ғылыми саладағы мемлекеттік басқарудың отандық ерекшеліктерін ескере отырып, осы үрдістің артықшылықтары және кемшіліктері көрсетіледі. Сонымен қатар, цифрлық экономиканың дамуын мемлекеттік қолдаудың халықаралық тәжірибесі талқыланып, цифрлық экономика және жалпы цифрландыруды дамыту бойынша әртүрлі көзқарастар сарапталады.

Түйін сөздер: цифрлық экономика, адами ресурстар, ғылым және білімді цифрландыру, бизнес-үлгілер, цифрлық технологиялар, жасанды интеллект, экономикалық және әлеуметтік даму.

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Цифровизация в социально-экономической сфере: контент развития, зарубежные практики и результаты

В статье представлены основные аспекты развития цифровых технологий в рамках общественного и экономического развития, обозначены современные тренды развития цифровизации по данным направлениям, их влияние на условия жизнедеятельности человека. В работе также проработаны вопросы цифровизации системы государственного управления, раскрывается опыт зарубежных стран, активно внедряющих процессы цифровизации. Важным аспектом исследования выступили проблемы цифровизации в сфере управления трудовыми ресурсами, обосновываются повышенный спрос и подбор компетентных сотрудников. В статье рассмотрены перспективные направления развития исследований и разработок в условиях цифровой экономики, выявлены соответствующие проблемы, показаны «плюсы» и «минусы» данного процесса с учетом отечественной специфики государственного управления в научной сфере.

Также в статье рассмотрены международные практики государственной поддержки развития цифровой экономики; различные точки зрения и оценки на развитие цифровой экономики и цифровизации в целом.

Ключевые слова: цифровая экономика, кадровый потенциал, цифровизация науки и образования, бизнес-модели, цифровые технологии, искусственный интеллект, экономическое и общественное развитие.

Introduction

The proliferation of digital technologies over a long period determines the paths of socio-economic development, which ultimately leads to fundamental changes in human life.

At the present stage of socio-economic development, the digital economy begins to play a dominant role in public life, having a significant impact on almost all of its components. The "digital trend" implies that human activities in the production, exchange, distribution and consumption of public goods are directly associated with the creation, processing and use of a large array of information and knowledge presented in digital form.

In recent years, there has been a clear trend in digitalization models in business and the social sphere, caused by the advent of a new generation of digital technologies, which received such names as artificial intelligence, robotics, Internet markets for goods and services, wireless technologies, etc. Widespread adoption of new digital technologies estimates of foreign organizations that can increase labor productivity in companies by 40%; and their effective use is to determine competitiveness both within individual companies and at the country level (WEF, 2018a).

Thus, what the World Bank determines, thanks to the development of digital technologies in the economy and social sphere, there will be an increase in labor productivity, competitiveness of companies, lower production costs, creation of new jobs, reduction of poverty and social inequality (World Bank, 2016).

Important challenges have also become that the development of the digital economy is one of the priority areas for most countries - economic leaders, including the USA, Great Britain, Germany, Japan, etc. These countries are characterized by a long period of implementation of priorities in organizing digitalization - from building a basic information and communication infrastructure until the formation of a coordinated policy in this area and support programs for the widespread adoption of digital technologies (NRU WB, 2019).

Today, at a new stage in the development of digital technologies, one of the main challenges are various transformations that will require people to have new skills and competencies, a willingness to use new technologies in everyday life.

Literature review

There are numerous studies of the problematic issues of digitalization and its development, the impact on the living conditions of man and society as a whole, including the positive and negative aspects of this process. In this regard, the definitions of the meaningful characteristics of digitalization, the justification of content in order to indicate

government support and promising areas for the development of the digital economy are significant.

So, in international practice, there is still no unambiguous definition of the digital economy. When describing the digital economy, most foreign sources focus on digitalization technologies - either specific types of technologies, or trends in economic processes in the field of digitalization. The following are examples of determining the content of the digital economy in foreign practice. Digitalization is determined as a global network of economic and social activities supported by platforms such as the Internet, as well as mobile and sensor networks (Australian Government, 2009).

We cannot ignore the fact that the digitalization of the economy is linked to markets based on digital technologies that facilitate the trading of goods and services through e-commerce on the Internet (Fayyaz, 2018). In another view, the digital economy is one that can provide high-quality information technology infrastructure (ICT infrastructure) and mobilize ICT capabilities for the benefit of consumers, business and the state (The Economist, 2014).

There are a number of other definitions, among which the digitalization of the economy is defined as the economy based on digital technologies, which to a greater extent means the implementation of business operations in markets based on the Internet and the World Wide Web (British Computer Society, 2013). Other content of the digitalization process rests on the presence of a complex structure consisting of several levels (layers), interconnected by an almost infinite and constantly growing number of nodes (European Parliament, 2015).

A broader interpretation is the digitalization of the economy as a form of economic activity that arises from a billion examples of networking between people, enterprises, devices, data and processes. The basis of the digital economy is hypersensitivity, i.e. the growing interconnectedness of people, organizations, and machines, shaped by the Internet, mobile technology, and the Internet of things (Deloitte, 2019); in other words, European experts add, this is an economy dependent on digital technologies (European Commission, 2014).

One cannot disagree with the opinion of World Bank experts assessing the digitalization process as a new economy based on knowledge and digital technologies, within the framework of which new digital skills and opportunities are emerging in society, business and the state (World Bank, 2016a).

It should also be noted that the digital economy is characterized by reliance on intangible assets, massive use of data, the widespread adoption of multilateral business models, and the difficulty of determining the jurisdiction in which value creation occurs (OECD, 2015a). Another position rests on the fact that the digital economy is the main source of growth, which will stimulate competition, investment and innovation, which will lead to better services, more choice for consumers, and creation of new jobs (European Commission, 2018a).

From the above analysis it follows that the universal concept of the digital economy does not yet exist, although in the above definitions you can isolate the keywords related to the digitalization process - this is a new economy; business operations in markets based on the Internet and the World Wide Web; economic activity and improving the quality of services; mass use of data; widespread adoption of multilateral business models; high-quality information technology infrastructure; a form of interconnectedness of people, organizations, machines, etc.

Materials and methods

The study of the digital economy is accompanied by the need for processing and analysis of

Table 1 - Descriptions of content in relation to the conceptual apparatus for digitalization *

Definitions	Content
1	2
Digital economy	Activities to create, disseminate and use digital technologies and related products and services; Digital technologies are technologies for the collection, storage, processing, search, transmission and presentation of data in electronic form.
Neurotechnology	Cyberphysical systems that partially or completely replace / supplement the functioning of the nervous system of a biological object, including those based on artificial intelligence.

Definitions	Content
Artificial Intelligence	A software and / or hardware system capable of perceiving information with a certain degree of autonomy, learning and making decisions based on the analysis of large amounts of data, including imitating human behavior.
Distributed Registry Technologies (Blockchain)	Algorithms and protocols for the decentralized storage and processing of transactions, structured as a sequence of related blocks without the possibility of their subsequent change.
Quantum technology	Technologies for creating computer systems based on new principles (quantum effects) that allow radically changing the methods of transferring and processing large amounts of data.
New manufacturing technologies	Digitalization technologies for production processes that increase the efficiency of resource use, design and manufacture of individualized objects, the cost of which is comparable to the cost of mass-produced goods.
Additive technology	The technology of layer-by-layer creation of three-dimensional objects based on their digital models («doubles»), allowing to produce products of complex geometric shapes and profiles
Supercomputer Technology	Technologies providing high-performance computing through the use of the principles of parallel and distributed (grid) data processing and high throughput
Cross-cutting digital technology	Technologies used for the collection, storage, processing, search, transmission and presentation of data in electronic form, which are based on the use of software and hardware and systems that are in demand in all sectors of the economy, creating new markets and changing business processes.
Big data	Technologies for the collection, processing and storage of structured and unstructured arrays of information, characterized by a significant volume and rapid rate of change (including in real time), which requires special tools and methods for working with them.
Augmented Reality Technologies	Visualization technologies based on adding information or visual effects to the physical world through the imposition of graphic and / or sound content to improve the user experience and interactive capabilities
Virtual reality technology	Technologies for computer modeling of a three-dimensional image or space through which a person interacts with a synthetic («virtual») environment, followed by sensory feedback.
5G	Fifth generation wireless technologies, which are characterized by high bandwidth (at least 10 Gb / s), network reliability and security, low data transfer latency (not more than one millisecond), making it possible to use big data effectively
Wireless technology	Data transmission technology through a standardized radio interface without using a wired network connection
Sensory	Technologies for creating devices that collect and transmit environmental information through data networks
Robotics components (industrial robots)	Production systems with three or more degrees of mobility (freedom), built on the basis of sensors and artificial intelligence, able to perceive the environment, control their actions and adapt to its changes
Industrial Internet	Data transmission networks connecting devices in the manufacturing sector, equipped with sensors and capable of interacting with each other and / or the external environment without human intervention
Computer engineering	Technologies for digital modeling and design of facilities and production processes throughout the life cycle

** Note: compiled on the basis of data (NRU WB, 2019)*

information on digitalization, which is associated with a description of the content in relation to the conceptual apparatus (Table 1):

The conceptual apparatus for digitalization presented in Table 1, the content of concepts and a description of terminological boundaries will allow building a unified multifunctional system of statistical measurement of the digital economy for its full-scale monitoring, substantiation and evaluation of policies in this area. The need to develop a system of key definitions, to consolidate the terminological description of its content is associated with achieving the goal of developing methodological approaches to assessing the digital transformation of socio-economic sectors.

Discussion and results

Digital services and a modern approach to the development of "smart" spaces are changing the human condition for a more comfortable one. A "smart" space is a physical or digital environment in which people and technological systems openly interact in connected intelligent ecosystems. Examples of this kind include smart cities, smart homes, digital workplaces and factories (NRU WB, 2019).

The digital economy sets the path for the transformation of traditional sectors of the economy, the emergence of new markets and niches. New business models are customer-oriented, which completely determines their structure: from a value proposition aimed at solving the predicted needs of the client, timely delivery (just-in-time) and revenue streams based on the time the client used the product.

The key source of value creation is high-speed processing of big data, as transactions occur in real time and often simultaneously. Customer data is becoming the main asset of digital companies, and access to large arrays of them increases the assessment of market value. In the financial sector, the implementation of this concept is the Open Banking system, which provides third parties with the opportunity to analyze or use data, integrate various applications and services, thereby improving the quality of customer service (Rusbase, 2017).

New digital technologies expand business opportunities to optimize many processes and improve decision-making. Thus, the Internet of things market optimizes data collection and storage, and machine learning technologies and methods allow for deep processing, construction of behavior algorithms and predictive models (Tesco, 2019).

Applications of the Internet of things market are also a driver for the development of a model for optimizing service services, as they allow us to evaluate the parameters of product use and the effects achieved. This principle is based on the popular Rolls-Royce TotalCare model, under the program of which aircraft engines are supplied to customers, but payment is made for the hours during which the engine is running. The service provided includes monitoring of work from the Rolls-Royce data center and engine maintenance (BCG, 2017b).

On the example of the introduction of digitalization in the industry, it should be noted here that, despite the success of many enterprises in the automation of production processes, the implementation of distributed control and monitoring systems, most companies do not yet sufficiently realize the potential of big data analytics and artificial intelligence (AI) decision-making algorithms. At the same time, AI technologies have the greatest transformational potential in industry, which is especially important for companies with significant tangible assets. According to a survey, almost 50% of industrial companies rated AI as a critical element on the path to success over the next five years.The development of the appropriate infrastructure requires the creation of innovation centers at enterprises, attracting highly qualified specialists, and a significant increase in investments in cybersecurity (Forbes, 2018).

Another example: a production management system integrated with user experience data allows you to track information throughout the entire product life cycle. As a result, manufacturers provide customers with comprehensive personalized services, and pricing is possible based on the result.

Consider the experience of digitalization of the economy, using the example of the Russian platform solutions market, namely Yandex and Mail.Ru, which seek to create their own ecosystems that can compete with such major companies as Amazon, Apple, Facebook, etc., including by joining capital of high-tech startups.

For example, the largest Russian Sberbank, in addition to introducing new elements of the digital economy into its business model (crowdfunding and crowdfunding platforms), is improving its ecosystem by developing digital e-commerce and sharing platforms (providing customers with unified access to all platforms through the bank's mobile application)

The foreign practice of digitalization of industrial production involves the integration of a number of breakthrough technologies: virtual modeling, the

Internet of things, robotics, artificial intelligence, big data, etc. Digitalization is carried out both within the framework of production process control systems and further maintenance (NRU VB, 2019).

The technology of "digital doubles", combining the industrial Internet of things and digital modeling, is actively introduced in developed countries at all stages of the product life cycle (GC) - from development to operation. By 2021, approximately half of the large industrial companies in the world will use this technology (Medium, 2018). The introduction of "digital doubles" for modeling and evaluating various scenarios will reduce the number of equipment failures by an average of 30% (PTC, 2019).

The decline in the cost of technological solutions over the past decade has become a significant incentive for the widespread penetration of digital technology. The cost of sensors, which is one of the most significant components of the Internet of Things systems, has shown a steady decrease from $ 0.95 in 2008 to $ 0.44 in 2018 (IoTONE, 2016). The cost of industrial robots has also halved over the specified period, and its further decline is expected (ARK 5 Internet of things, Internet of things. Invest, 2017).

There are examples of the introduction of digital technologies in such a socially significant sphere as medicine. Thus, the introduction of new technologies and radical changes in the life sciences (bioinformatics, synthetic biology, etc.) make it possible to modernize and personalize modern medicine by constantly monitoring the health status of each person, increasing the speed of medical care and selecting individual therapy options. All this makes it possible to treat previously incurable diseases; the development of bioinformatics allows the analysis of new DNA or protein sequences only through innovative methods, which significantly reduces the time and material costs of experiments.

Such models in medical practice as neurotechnologies help not only to create systems similar to the human brain in algorithms, but also to study the mechanisms of behavior and the potential for brain development. In the future, this will contribute to the development of a person's cognitive abilities, increase his working capacity, and overcome the negative consequences of stressful situations (Tremblay et al., 2017).

Organ-on-a-chip technology (Wyss Institute, 2018), which is an artificially created biomimetic system that mimics the functions of human tissues, will accelerate drug safety testing and will eliminate the use of experimental animals for these goals. In the future, such technologies may serve to restore the lost functions of individual organs, and other examples of digitalization in the medical industry.

Digitalization is causing technological complication and the disappearance of a number of traditional professions due to the automation of the corresponding labor operations and at the same time the emergence of new professions and the growing demand for highly creative work. A significant part of labor relations and entire segments of employment is moving into the virtual environment, the flexibility of forms of which is significantly increased (the share of non-standard, partial and unstable, one-time employment, etc.). The digital economy is a large set of opportunities for creating conditions that significantly facilitate certain types of activities through the use of information technology. But the more humanity strives for relief, the more difficult it is to regulate relations in which the digital economy often takes place and the more the need for their legal regulation increases (Loshkarev A.V., Tarasov V.V., 2018).

The Republic of Kazakhstan adopted a number of regulations aimed at the development of the digital economy: Plan of the nation "100 concrete steps" (Plan of the nation "100 concrete steps", 2015), Message from the President of the Republic of Kazakhstan to the people of Kazakhstan "Third modernization of Kazakhstan: global competitiveness" dated January 31, 2017 of the year (Message of the President of the Republic of Kazakhstan to the people of Kazakhstan "Third Modernization of Kazakhstan: Global Competitiveness", 2017), the State program "Digital Kazakhstan" was developed, Decree of the President of the Republic of Kazakhstan dated February 1, 2010 No. 922 "On Strategic Plan e development of the Republic of Kazakhstan until 2020 "(Decree of the President of the Republic of Kazakhstan" On the Strategic Plan for the Development of the Republic of Kazakhstan until 2020 ", 2010), the State Program" Information Kazakhstan 2020 ", approved in 2013 (State Program" Information Kazakhstan 2020 ", 2013) , Message of the President of the Republic of Kazakhstan N.A. Nazarbayev "Growth of the welfare of Kazakhstanis: increasing income and quality of life" dated October 5, 2018 (Message from the President of the Republic of Kazakhstan N.A. Nazarbayev "Growth of the welfare of Kazakhstanis: increasing income and quality of life, 2018).

The state program "Information Kazakhstan 2020", approved in 2013, became the foundation for the digital transformation of the country's economy and contributed to the development of the following factors: the transition to the information society,

improving public administration, the creation of "open and mobile government" institutions, and the increase in the availability of information infrastructure only for corporate structures, but also for citizens of the country. The state program "Information Kazakhstan 2020" includes 83 target indicators and 257 events. According to the results of three years of implementation of the State program "Information Kazakhstan 2020", 40% performance has already been achieved. However, the rapid development of information technology on a global scale dictates its own rules and requires an adequate and timely response from our government. Therefore, it is necessary to take the next step - to initiate in time the process of transformation of key sectors of the national economy, education, healthcare, as well as the sphere of interaction between the state and society and business.

At the end of 2017, the state program "Digital Kazakhstan" was adopted, according to which the share of electronic commerce should grow to 2.6%, electronic government services - up to 80%. At the same time, due to digitalization, it is planned to create 300 thousand new jobs. And all this - by 2022. As NursultanNazarbayev noted, "due to digitalization, the Kazakhstani economy should increase by 30%, in monetary terms this will amount to more than 2 trillion tenge" (State program "Digital Kazakhstan, 2017).

The purpose of the State program "Digital Kazakhstan" is to improve the quality of life of the population and the competitiveness of the economy of Kazakhstan through the progressive development of the digital ecosystem. The program aims to develop the following areas:

1. The Digital Silk Road - the creation of a high-tech digital infrastructure by providing broadband Internet access in rural areas; development of a telecommunication hub; ensuring information security; building data centers, etc.

2. Creative society - the development of human capital by increasing the digital literacy of the population, improving the skills of specialists in the field of information and communication technologies, developing creative thinking, etc.

3. Digital transformations in economic sectors - the development of the digital industry by automating the country's transport and logistics system; introduction of digital technologies in agriculture, industry; implementation of analytical systems in the field of energy conservation and energy efficiency; e-commerce development; improving mineral accounting systems; ensuring the safety and accessibility of geological digital information; implementing technologies to create smart cities.

4. A proactive state - the formation of digital government through the further development of electronic and mobile government; increase in public services provided in electronic form; the formation of an open government; developing a national spatial data infrastructure, etc.

The program was developed in accordance with the Message of the President of the Republic of Kazakhstan N. Nazarbayev to the people of Kazakhstan "Kazakhstan's path - 2050: Common goal, common interests, common future", short-term anti-crisis strategy "100 steps", infrastructure development program "NurlyZhol", laws of the Republic of Kazakhstan "On electronic document" and electronic digital signatures ","" On Communications ","" On Informatization ". According to these documents, improving the quality of life of citizens, developing the economic, socio-political and cultural spheres of society, as well as improving the public administration system are the main principles and vector for the development of digital transformations offered by this Program.

Currently, the e-commerce market in Kazakhstan is regulated by the Rules for the implementation of electronic commerce, approved by order of the acting Minister of National Economy of the Republic of Kazakhstan dated November 25, 2015 No. 720 (Rules for the implementation of electronic commerce. By the order of the acting Minister of National Economy of the Republic of Kazakhstan, 2015) .. It should be noted that in Kazakhstan, transactions concluded in the process of electronic commerce are regulated by the same documents as traditional transactions.

The World Bank names three important categories of problems that are signs of the possibility of digital transformation: legal regulation, the availability of skills among the population and the creation of appropriate digital management institutions.

Having analyzed the regulatory documents, we can identify the problems of the digital economy in Kazakhstan:

- The issues of the existing technological lag of individual sectors of the economy and the social sphere and the ways to eliminate it from the point of view of the introduction of digital technologies have not been worked

- the problems of regional differentiation of the level of readiness for implementation and the potential for using the capabilities of the digital economy have not been studied;

- the personnel potential for digitalizing the

economy of Kazakhstan requires the introduction of new educational programs.

To improve the regulatory regulation of the digital economy of the Republic of Kazakhstan, it is proposed to adopt the Law "On the Digital Economy", standards for the development of the digital economy, and a digital code. With the adoption of these documents, barriers to existing legislation will be removed.

It is also necessary to create a state body that directly performs such functions as: monitoring the use of acts in the field of the digital economy, developing programs to clarify the provisions related to the application of legislation in the field of the digital economy and establishing posts in accordance with various areas of the digital economy (for example, a specialist on cybersecurity with this body). Therefore, in order to transform the economy into a digital one, it is necessary to create an appropriate regulatory framework for electronic business, reform the education system and involve citizens in government through electronic services, transparency and control over the spending of budget funds.

The digital economy in the Republic of Kazakhstan should be implemented in areas that include: the digital transformation of traditional industries, the development of human capital, the digitalization of government bodies, the development of digital infrastructure. This will ensure in the Republic of Kazakhstan the transition to digital governance of the state and the economy on the basis of a unified system of intellectual knowledge, advanced information technologies and special software systems as the most important factor in solving existing socio-economic problems of the country, increasing the efficiency of the public administration system, and carrying out the necessary reforms in education science and economics.

Thus, the formation and development of the digital economy in Kazakhstan can be achieved through the creation of a digital environment, the development and approval of regulatory documents, the translation of legal norms into algorithms and databases for specific areas of activity in various sectors of the economy.

Analysis of the development of the digital economy in the Republic of Kazakhstan.

The main driving force for the formation of the digital economy is the level of development of the information and communication technology industry. In 2016, Kazakhstan ranked 52 out of 175 in the key global ICT Development Index (ICT Development Index), without changing its position since 2015. As a result of the implementation of the Program and other strategic measures, the country should rise in ranking to 30th place by 2022, 25th place by 2025 and 15th place by 2050 (Liu Z, 2001). To assess the degree and direction of the impact of the processes of digitalization of the economy on the results of its effectiveness, it is necessary to compare and conduct a comparative analysis of the performance indicators of the ICT industry and general indicators of the national economy (Table 2):

Table 2 – Average annual growth rate of the main indicators of the functioning of the ICT industry in Kazakhstan *

Indicators	The analyzed period, years	Average annual growth rate,%
Total costs of information and communication technologies, mln. tenge	2007-2017	109,8
Volume of electronic retail trade, mln. tenge	2013-2017	118,2
Volume of electronic wholesale trade, mln. tenge	2013-2017	106,4
The number of transactions conducted outside of Kazakhstan through the Internet using payment cards of Kazakhstan issuers, units	2013-2017	136,8
The volume of transactions conducted outside Kazakhstan through the Internet using payment cards of Kazakhstan issuers, mln. tenge	2013-2017	131,4
The number of computers in organizations, units	2004-2017	111,9
Number of organizations using the Internet	2004-2017	113,7
The volume of industrial production in the field of information and communication technologies, mln. tenge	2007-2017	102,7

Indicators	The analyzed period, years	Average annual growth rate,%
The volume of industrial production in the field of information and communication technologies, mln. tenge	2007-2017	99,5
Share of the total volume of manufacturing industrial products,%	2007-2017	97,7
Volume of information and communication technology services in actual prices, mln. tenge	2005-2017	116,9
The volume of information andcommunication technology services at basic prices, mln. tenge	2005-2017	111,9
* Note: compiled by the author		

For the period from 2007 to 2017. the share of ICT industry products in the total manufacturing output decreased from 0.42% to 0.26%. In the ICT industry, the volume of output at current prices is increasing annually by an average of 2.7%, but at base prices (base - 2006) there is a decrease by an average of 0.5% per year. (Varavin I.V., Samusenko E.A., 2013) - Table 3:

Table 3 - the Dynamics of ICT costs from 2007 to 2017

№	Year	Amount, mln. Tenge
1	2007	53 485,8
2	2008	78 159,4
3	2009	126 597,2
4	2010	147 538,3
5	2011	214 179,7
6	2012	309 821,2
7	2013	220 847,7
8	2014	237 079,4
9	2015	375 600,4
10	2016	269 526,7
11	2017	349 943,6
* Note: compiled by the author		

For the period from 2007 to 2017. an average annual increase in costs in the information and communication technology industry.

The summary table 3 presents the indicators of the total population, the number of Internet users, as well as the growth rate of Internet users in the context of five countries (Table 4):

Table 4 - The number of Internet users, taking into account the population of 2010-2019

Year	Total population	Number of users	The number of users per 100 people	Internet users growth rate (%)
Kazakhstan				

Year	Total population	Number of users	The number of users per 100 people	Internet users growth rate (%)
2010	16310624	5154157	32	75,9%
2011	16554305	8376478	51	62,5%
2012	16821455	8968471	53	7,1%
2013	17099546	9233755	54	3%
2014	17371621	9535283	55	3,3%
2015	17625226	9784837	56	2,6%
01.06.2016	17855384	9961519	56	1,8%
31.12.2017	18403860	14063513	76	41,1%
31.12.2018	18 608 079*	*14,669,853 (06.2018)*	79	4,3%
2019 (estimated)	18,592,970	14669853 (30.06.2019)	79	-
* Note: compiled by the author				

The small increase in subscribers is explained by the lack of coverage in extremely remote areas. A number of other basic annual indicators are summarized in table 5:

Table 5 - Indicators characterizing the infrastructure of the information technology sector

Country	Mobile subscription (units/per 100 people)	Bandwidth of international Internet connection Bit/s per each Internet user	Households with computers (%)	Households with Internet access (%)
	2017	2017	2017	2017
Kazakhstan	145,4	69,8	76,2	84,9
* Note: compiled by the author				

The analysis shows a lack of digital security development in the studied region, and a correspondingly reduced level of consumer confidence in Internet commerce, which is a constraining factor for the development of electronic commerce.

The most important elements of the digital economy are: e-commerce; electronic banking; electronic payments; Internet advertising; internet games. In most countries, today the most developed (judging by the cost indicator of turnovers) such type of digital economy as electronic commerce. For the successful operation of electronic commerce in Kazakhstan, it is necessary to have a comprehensive impact, one legal mechanism is not enough, as logistics, infrastructure and the development of IT technologies (domestic) are poorly developed (I.V.Varavin, 2013, E.A.Samusenko, 2013)

As noted in the Digital Kazakhstan state enterprise in the long run, the successful implementation of measures will lead to a gradual change in the structure of the economy, with an increasing role for e-commerce, ICT and the financial sectors, as well as the sectors of the "new economy" (Svetunkov I.S., 2019).

Weaknesses in the implementation of electronic commerce in Kazakhstan:

- lack of competition as such in the domestic (domestic) market for electronic commerce;
- incomplete awareness of business entities about new ways of electronic commerce activities.

From the foregoing, conclusions and suggestions follow, which is necessary:

- training;

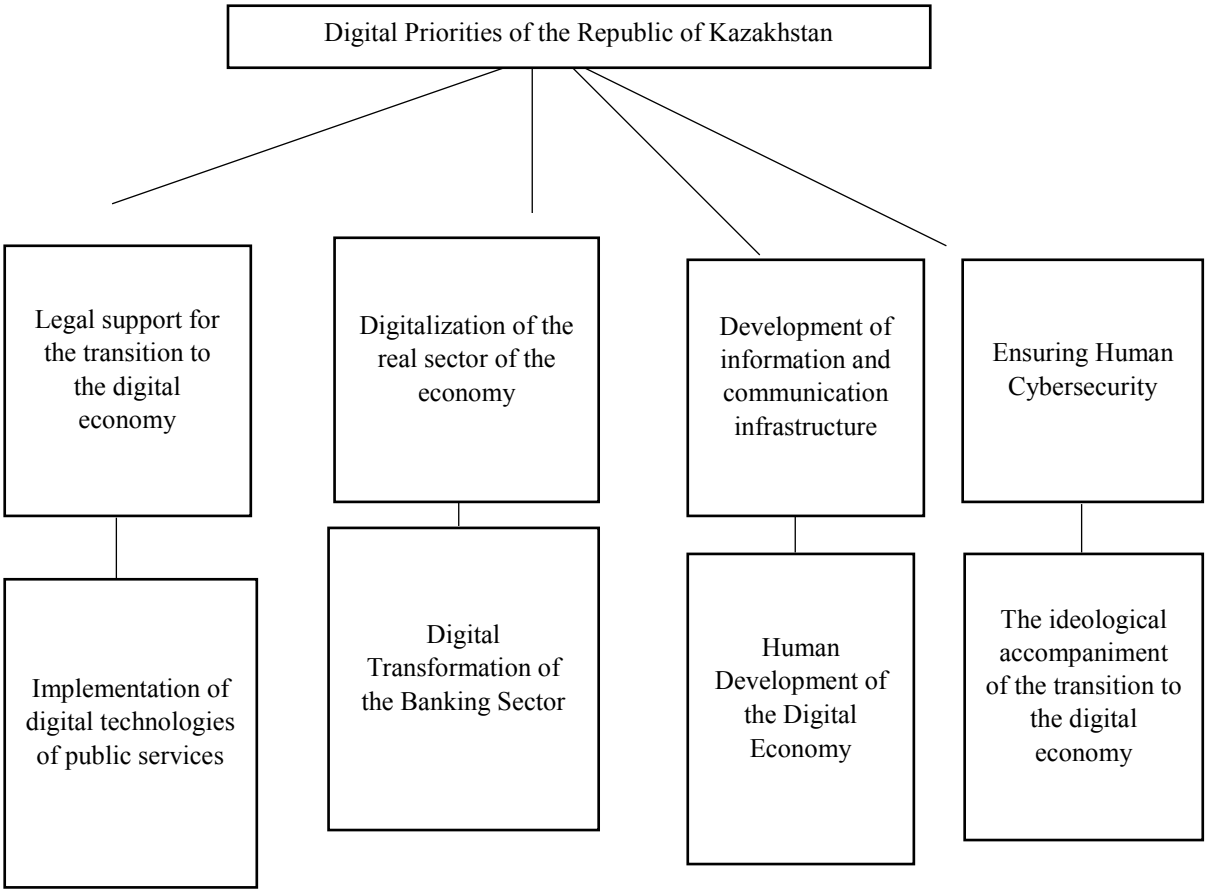
– adoption of the concept "Kazakhstan model of electronic commerce" with a clearly regulated form of protection for all participants in electronic commerce, regardless of their country of origin;

– an increase in the growth of the number of domestic, online stores, retail and wholesale online sales;

– establish transport logistics for the timely delivery of goods to consumers;

– expanding the consciousness of society by increasing open access to the Internet, ensuring an effective information society, while maintaining information security (Kozhakhmetova S.G., 2019).

In this regard, we will determine the priorities for the development of the digital economy for the Republic of Kazakhstan (Figure 1):



* Note: compiled by the author Figure 1 - Priority areas for the development of the digital economy *

The widespread introduction of new technologies and the chosen path to the digital economy will provide the country with increased efficiency and transparency in government, in the field of employment, as well as improve quality in education and healthcare, and will improve the investment climate.

Conclusion

Despite the fact that the introduction of digital technologies over the past decades in many countries has acquired the status of a "traditional" direction of development both at the state and corporate levels, the current stage of the digital economy is creating fundamentally new technological and organizational and managerial challenges.

As for the transformation of human living conditions, it should be noted here that digitalization provides fundamental transformations in all spheres of human life and activity. Technology is becoming not only an engine for the development

of new industries, but also gaining important social roles, making a significant contribution to solving social problems, such as aging populations, social stratification, environmental problems and climate change. With the help of advanced science and technology, a “smart” society arises, based on new values of orientation to human needs, flexibility, creativity.

Under the influence of digitalization, the labor market, healthcare, education, and spatial development are radically changing (NRU WB, 2019).

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ISSUES OF RENDERING MILITARY TERMINOLOGY WITHIN THE FRAMEWORK OF MILITARY DISCOURSE

This article takes an attempt to review the complexity of rendering military terminology in two languages and its subsequent identification of structure-forming features.

The processes of globalization are incredibly intense, the military services of the world powers have to communicate with each other using military terminology in the course of hostilities and in the framework of military cooperation (competitions of military personnel, all kinds of military forums).

The armed forces and the army are one of the most important social institutions and apparatuses in many countries. In the zones of local military conflicts, with the assistance of the armed forces, missions and humanitarian convoys are carried out aimed at establishing and maintaining a ceasefire and normal life. That is why, this research focuses on the study of military discourse and its functional components taking into account the increasing demand for developing multilingual vocabulary and speech strategies owing to current international conflicts.

Key words: military discourse, military terminology, military vocabulary, transformations.

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Әскери дискурс шеңберінде әскери терминологияны аудару мәселелері

Бұл мақалада әскери терминологияны екі тілге аударудың күрделілігін және оның құрылым құрушы белгілерін одан әрі анықтауды қарастыруға әрекет жасалды.

Әлемдік державалардың әскери қызметтері жаһандану дың керемет қарқынды процестері жағдайында күнделікті әскери іс-қимылдар барысында және әскери ынтымақтастық шеңберінде әскери терминологияны пайдалана отырып (әскери қызметшілердің конкурстары, барлық мүмкін болатын әскери форумдар) бір-бірімен араласуға мәжбүр екендігі талқыланды.

Қарулы күштер мен әскер күші көптеген елдердегі маңызды әлеуметтік институттар мен аппараттардың бірі болып табылады. Қазіргі уақытта түрлі саяси режимдердің жақтастары әлемнің көптеген елдерінде бір-бірімен қақтығысып жатыр, күштілер саяси жағдайды тұрақсыздандыруға және бірқатар мемлекеттердің конституциялық құрылысын бұруға тырысатын террористік топтарды жою жөнінде арнайы операциялар жүргізуде. Жергілікті әскери қақтығыстар аймақтарында қарулы күштердің жәрдемімен азаматтық халықтың да, соғушы тараптардың да атысты тоқтату және қалыпты тіршілік ету режимін белгілеуге және қолдауға бағытталған миссиялар мен гуманитарлық айдауылдар жүзеге асырылады. Сондықтан да осы зерттеуде қазіргі халықаралық қақтығыстардың көптілді лексикасы мен сөйлеу стратегияларын әзірлеуге сұраныстың артуын ескере отырып, әскери дискурс пен оның функционалдық компоненттерін зерттеуге басты назар аударылады.

Түйін сөздер: әскери дискурс, әскери терминология, әскери лексика, трансформация.

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Проблемы передачи военной терминологии в рамках военного дискурса

В данной статье предпринята попытка рассмотрения сложности перевода военной терминологии на два языка и последующего выявления ее структурообразующих признаков. Процессы глобализации невероятно интенсивны, военные службы мировых держав вынуждены общаться друг с другом с использованием военной терминологии в ходе военных действий и в рамках военного сотрудничества (соревнования военных кадров, всевозможные военные форумы). Вооруженные силы и армия являются одними из важнейших социальных институтов и аппаратов во многих странах. В зонах локальных военных конфликтов при содействии вооруженных сил

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осуществляются миссии и гуманитарные конвои, направленные на установление и поддержание режима прекращения огня и нормальной жизнедеятельности. Поэтому в данной работе основное внимание уделяется изучению военного дискурса и его функциональных компонентов с учетом возрастающего спроса на разработку многоязычной лексики и речевых стратегий в условиях современных международных конфликтов.

Ключевые слова: военный дискурс, военная терминология, военная лексика, трансформации.

Introduction

Recently, the problem of the use of military terminology in military discourse has received considerable attention. This is due to the current extralinguistic situation, which is characterized by political and military conflicts. According To J. Michaels, "in conflicts, discourse plays an essential role, both direct and indirect, and the principles of warfare are inseparable from the war language" (J.Michaels, 2013, p.1).

Military discourse is a special kind of speech organization of the worldview of military personnel, which has such properties as correlation with the speech military situation, the surrounding situation of the military sphere, specific military chronotopy, intentionality, integrity of the speech elements used, coherence, military factual information, procedural intertextuality, authority of military-theoretical and military-historical sources, anthropocentricity of the military worldview, ability to interact with other institutional-type discourses (Ulanov A.V., 2014). Military discourse contains the types of communication that have developed in society and reflect the relevant social institution, namely, the need for security and order. Military discourse changes historically: from time to time integral parts of the structure of the army are being reorganized – some may disappear or appear in certain military units, ranks, and insignia. Despite its historical impermanence, it has a number of advantages that characterize arguments within the army hierarchy. In the army, the concept of subordination regulates the status and service relationships between the participants (members) of discussion.

Subordination is a fundamental element of military discourse. It is due to the clarity of structure, manifested in the daily routine, the formulation of orders and relations between soldiers. It can be seen not only in the process of informal communication, but also in the texts of military documentation and military-diplomatic documents.

Thus, in a broad sense, military materials are considered to be military journalistic, military scientific, military technical materials and acts of military administration. Moreover, military materials include all scientific and technical materials and management acts containing information about the life of the troops and military institutions of the armed forces. This forms a formal part of military discourse.

Literature Review

For a long time, translation has been inextricably linked with the performance of the important social function that ensured inter-language communication between people. The implementation of the translation was closely intertwined with the problems of stylistics, linguistics and sociological adaptation of the text. While translating, one cares not only about the logical essence of the text in a foreign language, but also he is interested in the way of conceptual expression of information, of one or another character in the native language. Translation always attracted the attention of scientists and researchers, causing a lot of opinions and unique points of view. In the last century, there was a conscious necessity for translation activities to bring into the system and scientifically substantiate the results of the vast experience in this field. Many researchers have observed the concept of translation and given different definitions to it. Thus, according to the Russian professor of linguistics L.Barkhudarov, translation can be described as "interlanguage converting or transforming text from one language into another language" (L.Barkhudarov, 1975).

Another Russian translator I.Alexeyeva gives the following interpretation of the process of translation: "Translation is an activity that consists of invariable reexpression, transcoding of the text from one language into another language provided by the translator" (I.Alexeyeva, 2004). Translation requires understanding of the term "discourse" since it is "a continuous stretch of especially spoken language larger than a sentence, often constituting a coherent unit, such as a sermon, argument, joke or narrative (D.Crystal, 1992). What is more, G. Cook defines discourse as "stretches of language perceived to be meaningful, unified, and purposive" (G.Cook, 1989). This research is going to focus on military discourse – a special type of discourse that arise in the military sphere and everything interacts with it. Military discourse has its own criteria and components of formation.

The first component of military discourse is its participants – employees of military and power departments of all posts and ranks. The chronotope of military discourse includes closed and open meetings of military departments, military units, military bases, army collectives, etc. Military discourse is aimed at accomplishment of assigned tasks, including military actions and victory over the adversary. While discussing the peculiarities, it is necessary to point out that one of the most significant features of military discourse is pursuing the values of appealing to the qualities necessary for warfare: discipline, foresight, respect for people senior in rank (subordination), compliance with military traditions, honor, bravery and courage. The subject of military discourse is military conflict, principles and tactics of warfare, subordination (relationship "boss – subordinate"). The strategy of presentation is used in its genres and types: orders, decrees, instructions, directives, recommendations.

The characteristics of the armed forces as a separate social institution are subordination of all bodies of the military departments and personnel, as well as authoritarianism, actions under strict regulations, centralization of leadership and responsibility of officials. It follows that for the military discourse as a tool for bringing large amounts of information, and also setting clear goals and objectives in conditions of a constantly changing environment are characterized by such features as imperativeness, clarity and consistency of the stated thoughts, standardized prototypical text-building models and communicative tension.

Significance of the study. This paper addresses to the questions of the adequate usage of the corresponding vocabulary in the military discourse.

Military documents that comprise formal military discourse have a number of common distinctive lexical features. First, it is the frequent use of military terminology, which is constantly changing due to the exit from the circulation of some words and the addition of new ones. Secondly, this is due to the reorganization of the armed forces, the emergence of new weapons, military equipment and new methods of warfare. Thirdly, it is the presence of abbreviated and index symbols and symbols for the received weapons and military equipment.

Basing on the reasons mentioned above, we consider that the study of the peculiarities of the use of military terminology in military discourse is important.

Research Objectives

To identify peculiarities of the military terminology in military discourse.

To set the boundaries of the military vocabulary.

To analyze the characteristics of the military discourse and distinguish its main features.

Research Hypothesis

The hypothesis of this research is based on the fact that military discourse requires accurate understanding of special military terms while translating military vocabulary from the source language to the target one with the aim to avoid misinterpretations that may lead to negative consequences.

Material and Methods

A mixture of methods and approaches is employed in this descriptive research. In the article, a complex research technique is used to address the set objectives: contextual, component analyses, method of definitional analysis, which has observed the definitions of the studied concepts, statistical method, allowing to visualize the prevalence of different types of military terms and acronyms.

Data Analysis. The syntactic feature of military materials is the wide use in them of constructions in the passive voice, gerundial, infinitive, participial constructions, as well as cliché sentences (for combat documents). In the statutory documents regulating the passage of military service, "dry official language" is commonly used, which is dominated by clichés, statutory wording and absence of any literary techniques.

Incomplete sentences omit those components that, with proper knowledge of combat documents, can be easily recovered from the text and do not impede the correct understanding of the transmitted information.

In a clichéd sentence there are only those elements that are necessary for the transmission of information and without knowledge of the full decoding of each element, it is not possible to understand a sentence of this type:

Let us consider the original statement taken from the US Army Manual called "Ranger Handbook SH 21-76 (United States Army Infantry School, 2006, p.5-1) – table 1:

Table 1 – Original statement taken from the US Army Manual called "Ranger Handbook SH 21-76

Original	Translation
"The headquarters consist of the platoon leader (PL), RTO, platoon sergeant (PSG), FO, RTO, and medic. It may include any attachments that the PL decides that he or the PSG must control directly." (United States Army Infantry School, 2006, p.5-1)	«Подгруппа управления включает в себя командира взвода (PL), радиотелефониста (RATELO), взводного сержанта (PSG), передового наблюдателя (FO) и его радиотелефониста. Она же может включать в себя любые дополнительные подразделения, которыми командир взвода или взводный сержант решил управлять непосредственно» (United States Army Infantry School, Translation made by Wanderer S., 2007, p.5-1)

The commonly found and widely used translation of the word "headquarter" refers to the Russian «штаб-квартира», «центр», «главное управление», however, in the translation made by Sergey Wanderer this word is translated as «подгруппа управления». In this occasion, the translator employs the transformational method of concretization, thus, explaining the recipient the corresponding contextual meaning. Having analyzed the proposed translation of the given statement, it is possible to admit that without knowing military terminology of radio communication one cannot accomplish appropriate rendering of the meaning.

Military terms include lexemes, which mean combat units that are presented in the armed forces of countries, tactics, unrest issues and methods of warfare (table 2):

Table 2 – Military terms include lexemes

Original	Translation
*«Что касается противодействия терроризму, то в Конституцию внесена новелла о лишение гражданства Казахстана за участие в террористической деятельности» (*Tokayev K.K. , Speech of the Chairman of the Senate of the Parliament of the Republic of Kazakhstan K.K. Tokayev at the Parliamentary Conference on the Fight against International Terrorism, Retrieved November 8, 2019, https://www.zakon.kz/4850752-vystuplenie-predsedatelja-senata.html)	"With regard to countering terrorism, the Constitution has introduced a novelty on the deprivation of citizenship of Kazakhstan for participating in terrorist activities".

The widespread term "terrorism" that was originated during the French revolution in the late 18th century and began to be used since 1970s still has its "popularity" in the current affairs (Europol, 2010, Retrieved November 8, 2019, https://en.wikipedia.org/wiki/Terrorism). This term means "the use of intentional violence, generally against civilians, for political purposes" and occurs with a periodic frequency in mass media and has become common owing to the military coups and unrest in the 21st century. Considering this, it can be said that the term "terrorism" has survived and retained its semantic meaning without any changes grammatical and lexical forms of the word.
Moreover, the terms "terrorist", "suicide bomber", "shahid", "terrorist organization" are widely known and used today, as they indicate a real military threat.

Military discourse has a narrow focus and covers exclusively the issues of warfare – table 3:

Table 3 – Military discourse has a narrow focus and covers exclusively the issues of warfare.

Original from "Rangers Handbook SH 21-76":	Translation:
"If prisoners are captured during a patrolling operation, they should be treated IAW the Geneva Convention and handled by the 5-S rule: (1) Search (2) Silence (3) Segregate (4) Safeguard (5) Speed to rear (United States Army Infantry School, 2006, p.9-2)	«Если во время патрулирования захвачены пленные, к ним должны быть применены положения Женевской конвенции и правило «5-S»: (1) Наблюдение; (2) Тишина; (3) Разделение; (4) Охрана; (5) Быстрый отход (United States Army Infantry School, Translation made by Wanderer S., 2007, p.9-2)

Here, the translator has used the transformational method of calque while rendering the meaning of the phrase "the Geneva Convention" – «Женевская конвенция», as well as grammatical transformation and substitution. The translation had an intention to preserve the original meaning of the source, for this reason he hasn't retained the S-structure in the Russian language.

Military discourse include technical instructions and scientific and technical manuals, which also have an intellectual and communicative function, as opposed to sections of military literature designed in the official style.

Having analyzed some methods of possible translation of military terms and common expressions, it can be said that grammatical (transposition, substitution) and lexical (omission, addition, concretization) transformations are generally used to translate military terminology from English into Russian. It is obligatory for military interpreter to have a good range of knowledge not only in the sphere of translation but also he/she must be a specialist in the warfare business since without fully understanding the concept of one or another term it is impossible to render the accurate meaning to non-English interlocutors. One more notable thing is explicatory method of translation of military terminology, since the Russian language and Russian military reality do not have such objects. That is why, it is important to know the subject of military affairs and be able to choose the right equivalents to convey the meaning and adequate explanation of an object or action within the framework of military terminology and military discourse.

Discussion and Results

Given that the problem of the use of military terminology in military discourse does not have a sufficiently complete coverage, we have studied this issue and highlighted its main features.

First, when analyzing the structure of military terminology, we have revealed the use of related concepts, in which units of specialized vocabulary are considered as definitions used both in the political sphere and in military affairs. This situation is due to the fact that the confrontation of political forces entails military action. Ye. I. Sheigal supposes that "war, as we know, is the continuation of politics by other means..." (Ye.I. Sheigal, 2000, p.145).

Secondly, everything related to military actions is a serious topic. It requires the adoption of responsible decisions, which are discussed by representatives of military departments at the highest level at closed meetings of military departments, military units, military bases, and as a result, secret documents are submitted.

Thirdly, it is noteworthy that in military discourse, when constructing a statement, preference is given to military terms that verbalize general concepts rather than individual ones.

The formation of military terms occurs in the usual, typical for the English language ways of word formation: morphological and lexical-semantic ways, by borrowing from other areas of science and technology, and from other languages, as well as on the basis of word combinations.

The most common methods of translation of simple and complex (multicomponent) terms are lexical-semantic substitutions (modulation, generalization, concretization), calque and descriptive translation.

The most common methods of translation of abbreviations and acronyms are calquing (translation of the full form) and modulation.

The calque is based on the desire for accuracy of information transmission and the "principle of least effort". Modulation – the need to solve a pragmatic problem when it is impossible to calculate due to the mismatch of lexical and syntactic compatibility of the English and Russian languages.

It is worth noting that the achievement of adequacy in the translation of military terms is difficult, so the results of the pre-developed version have made recommendations that help to choose the correct method of translation in the field of military discourse.

Fourthly, the peculiarity of the use of military terminology in military discourse is the temporal correlation of concepts, which uses terms limited by chronological frames.

Thus, in the military discourse there are military terms and scientific concepts that have not lost their relevance at the present.

Fifthly, spatial relatedness limits military terms to chronological frame. This peculiarity of the use of military terms in military discourse assumes their correspondence to a particular situation. Consequently, when commenting the results of the 7th meeting (October 30-31 2017, Astana, Kazakhstan) of Astana process we are talking about progress in the fight against terrorism and the elimination of ISIS/ISIL/DAESH, "Jabhat al-Nusra" and other terrorist groups in the launch of the zones of de-escalation (Retrieved December 3, 2019, https: // www. kazembassy. Ru / rus / mnogostoronnee_ sotrudnichestvo/astaninskii_process/).

In this example, we are talking about progress in the fight against terrorism and the elimination of terrorist groups, namely, with the use of certain types of weapons, ammunition, military equipment, combat operations and victory over the enemy.

Thus, the use of military terms is subject to the conditions of the specific current situation.

Sixthly, another distinctive feature of the use of military terms in military discourse is the non-systemic perception of verbalized concepts. For a military specialist, the term is always a part of a coherent system of military affairs and reveals the content of the concept in its relationship with related concepts.

Conclusion

It is thought that this study will be able to highlight the importance of the accurate translation of military terms within military discourse. This research contains examples of rendering military terms and analysis of significance of using various translation methods and techniques to overcome mistakes and misunderstanding that may lead to negative consequences. The findings of this research can be used in the creation of the English-Russian vocabulary of military terminology that may help communicate and interact military services of the countries.

Looking at the research paper, it can be said that use of military terminology in military discourse is determined by a number of features:

1) use of related concepts of the sphere of military affairs and politics;

2) temporal and spatial correlation, including a limited resource of terms explaining modern weapons and methods of warfare;

3) use of highly specialized terminological units;

4) non-systemic perception of concepts.

Relying on the analysis, we can characterize the military discourse as a discourse about war and for war. We believe that military terminology is used to describe events that have occurred or to justify tactical steps taken as part of an ongoing large-scale military strategy or plan.

Thus, the article discusses a number of possible translation steps to create an equivalent in translation into the target language. Transformational-substitutive model of translation assumes knowledge and classification of possible models of translator's actions. The traditional division of translation transformations into lexical and grammatical, as well as the allocation of a group of complex transformations play a significant role.

To conclude, this research may assist in the development of the bilingual vocabulary as well as recommendations in the choice of appropriate transformational methods of translating units of military discourse.

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ҚҰТТЫҚТАУ

CONGRATULATIONS

ПОЗДРАВЛЕНИЕ

ДОКТОРУ ЮРИДИЧЕСКИХ НАУК, ПРОФЕССОРУ,
ЛАУРЕАТУ ПРЕМИИ ИМЕНИ ЧОКАНА ВАЛИХАНОВА
В ОБЛАСТИ ГУМАНИТАРНЫХ НАУК,
АКАДЕМИКУ ПЕТРОВСКОЙ АКАДЕМИИ НАУК И ИСКУССТВ
РОССИЙСКОЙ ФЕДЕРАЦИИ,
АКАДЕМИКУ РОССИЙСКОЙ
АКАДЕМИИ ЕСТЕСТВЕННЫХ НАУК
КАСЫМУ СЫРБАЕВИЧУ МАУЛЕНОВУ – 65 ЛЕТ!!!

КРАТКИЙ ОЧЕРК НАУЧНОЙ, ПЕДАГОГИЧЕСКОЙ И ОБЩЕСТВЕННОЙ ДЕЯТЕЛЬНОСТИ ДОКТОРА ЮРИДИЧЕСКИХ НАУК, ПРОФЕССОРА МАУЛЕНОВА КАСЫМА СЫРБАЕВИЧА

15 февраля 2020 года исполнилось 65 лет выдающемуся казахстанскому ученому-правоведу, известному не только в нашей стране, но и далеко за ее пределами, Касыму Сырбаевичу Мауленову.

Мауленов Касым Сырбаевич – доктор юридических наук, профессор. Родился 15 февраля 1955 г. в городе Алма-Ате. В 1972 г. окончил среднюю школу № 23 им. Г.В. Клочкова в г. Алма-Ате, в 1977 г. – юридический факультет Казахского государственного университета им. С.М. Кирова в г. Алма-Ате (в настоящее время Казахский национальный университет имени аль-Фараби).

Трудовая деятельность

С 1977 г. К.С. Мауленов находился на преподавательской работе, в частности, преподаватель кафедры гражданского права Карагандинского государственного университета; 1979-1982 гг. – аспирант очного отделения кафедры гражданского права КазГУ им. С.М. Кирова; 1982-1987 гг. – преподаватель, старший преподаватель, доцент кафедры гражданского права КазГУ им. С.М. Кирова, заместитель декана юридического факультета КазГУ; 10.1987-12.1987 гг. – первый заместитель Главного государственного арбитра Казахской ССР; 1987-1988 гг. – инструктор отдела административных органов ЦК Компартии Казахстана; 1988-1989 гг. – консультант государственно-правового отдела ЦК Компартии Казахстана; 1989-1990 гг. – доцент кафедры советского государственного строительства и права Алма-Атинской высшей партийной школы; 1990-1992 гг. – начальник договорно-правового отдела Госкомитета Казахской ССР по внешнеэкономическим связям (с 1.01.1992 г. – Министерство внешнеэкономических связей Республики Казахстан); 1992-1993 гг. – консультант отдела внешних связей Аппарата Президента Республики Казахстан и Кабинета Министров Республики Казахстан; 1994-1998 гг. – директор по связям с Правительством и юридическим вопросам компании «Филип Моррис Казахстан»; 1999-2000 гг. – проректор по науке Гуманитарного университета имени Д.А. Кунаева; 2000-2002 гг. – заведующий кафедрой гражданско-правовых дисциплин Академического университета «Парасат», первый проректор этого же университета; 2002-2003 гг. – проректор по учебно-методической работе и инновационным технологиям КазГЮУ, заместитель директора Алматинской юридической академии по учебно-методической работе, науке и инновационным технологиям; 2003-2004 гг. – проректор по науке и международным связям КазГЮУ, директор Центра европейского права и экономических исследований КазГЮУ; 2004 г. – по август 2005 г. – профессор кафедры конституционного, административного и финансового права Алматинской юридической академии; с августа 2005 г. по декабрь 2005 г. – зав. кафедрой международного права и международных отношений Алматинской юридической академии; с января 2006 года по сентябрь 2007 г. – зав. кафедрой философии и права Казахстанско-Британского Технического Университета (КБТУ); октябрь 2007 – август 2008 г. – профессор программы Фулбрайт Конгресса США, школы права Индиана Университета, город Блумингтон (США); с сентября 2008 г. по август 2010 г. – профессор кафедры международного права Казахского университета международных отношений и мировых языков имени Абылай Хана; с сентября 2010 г. по настоящее время профессор кафедры экономики и бизнеса Международного университета информационных технологий.

Научная деятельность

В 1983 году К.С. Мауленов успешно защитил кандидатскую диссертацию на тему «Правовое обеспечение качества строительства (гражданско-правовой аспект)» в Харьковском государственном юридическом институте.

Пройдя конкурсный отбор в 1991 году, К.С. Мауленов обучался в Институте развития Республики Корея (Сеул), а в 1996 году в Институте практикующих юристов США (Нью-Йорк) по программе «USAID».

В 2001 году он успешно защитил докторскую диссертацию на тему «Государственное управление и правовое регулирование в сфере иностранных инвестиций в Республике Казахстан» в КазГЮУ. Его научными консультантами были С.З. Зиманов, академик НАН РК, д.ю.н., профессор и Ю.Г. Басин, д.ю.н., профессор, Заслуженный деятель науки Республики Казахстан.

Начиная с 1991 года К.С. Мауленов, будучи начальником договорно-правового отдела Министерства внешнеэкономических связей Республики Казахстан, занимался подготовкой и заключением договоров Республики Казахстан с зарубежными государствами о торговле и экономическом сотрудничестве, о защите инвестиций (капиталовложений), конвенций об избежании двойного налогообложения.

В 1992 году он был координатором проведения первой международной конференции «Казахстан - США - Канада: торговля и совместное предпринимательство» (Порт Гурон, США). Работая консультантом отдела внешних связей Аппарата Президента и Правительства Республики Казахстан, он был координатором конференций, проводившихся в США: «Налоговые и юридические аспекты иностранных инвестиций в Казахстане» (Вашингтон, 18 мая 1993 г.), «Возможности бизнеса в Центральной Азии» (Вашингтон, 2-3 мая 1994 г.).

В период работы в Аппарате Президента и Правительства Республики Казахстан он занимался подготовкой и созданием Совета по деловому и экономическому сотрудничеству между Казахстаном и США, а также налаживанием партнерских отношений с Налоговым и инвестиционным фондом США и Корпорацией по страхованию частных инвестиций американских компаний (OPIC).

К.С. Мауленов является членом Научно-экспертного совета Мажилиса Парламента Республики Казахстан по подготовке нового казахстанского законодательства, а также членом Республиканской межведомственной комиссии по вопросам совершенствования гражданского законодательства.

Результаты научных исследований, проведенных К.С. Мауленовым, использовались в экспертной деятельности по подготовке и оценке законопроектов. В частности, в 1999 г. в Правительство республики были направлены его предложения и рекомендации «О совершенствовании практики заключения Республикой Казахстан договоров о поощрении и взаимной защите инвестиций». В том же году в Парламент Республики Казахстан были направлены предложения по совершенствованию законодательства об иностранных инвестициях и нефтяного законодательства республики.

В 2000 г. в Министерство энергетики и минеральных ресурсов Республики Казахстан им были направлены материалы о международных инвестиционных нефтяных контрактах, заключенных зарубежными государствами с транснациональными нефтяными корпорациями.

К.С. Мауленов принимал участие в подготовке издания «Investor's Guide», выпущенного к международному экономическому саммиту «Евразия – 2000», организованному Всемирным Экономическим Форумом под патронажем Первого Президента Республики Казахстан Н.А. Назарбаева.

В частности, в данном издании «Investor's Guide» К.С. Мауленовым был подготовлен раздел о современном состоянии правового регулирования иностранных инвестиций в Казахстане. Дан анализ законодательства Республики Казахстан о компаниях, приватизации и собственности, свободных (специальных) экономических зонах, внешнем заимствовании, ценных бумагах, страховании, недрах и других природных ресурсах, банковском, валютном, налоговом законодательстве.

В 2001 году профессор К.С. Мауленов участвовал в разработке «Программы развития нефтегазовой отрасли Республики Казахстан» (договор № 754 от 15 декабря 2001 года между Казахским академическим университетом и ЗАО «Национальная компания «КазМунайГаз»).

В 2004 и 2005 годах профессор К.С. Мауленов выступал с докладами на международных научных конференциях в Тайване. Он является членом редколлегии научного юридического журнала школы права Соочоу университета (Тайвань).

В 2008 году профессор К.С. Мауленов участвовал с докладами на международных научных конференциях в США: Индиана университет (г. Блумингтон), Колумбийский университет (г. Нью-Йорк), университет штата Колорадо (г. Денвер).

В 2012 г. К.С. Мауленов выступал с докладами: на Международной научно-практической конференции «Право на доступ к информации: возможности и ограничения в электронной среде», г. Санкт-Петербург, Международной научно-практической конференции по проблемам права интеллектуальной собственности в г. Москве, на летней научной школе Всемирной Организации Интеллектуальной Собственности (ВОИС, г.Женева) в г. Санкт-Петербурге. На Астанинском экономическом форуме (2012 г.) он выступил с докладом на секции по проблемам права интеллектуальной собственности.

В 2012 году профессор К.С. Мауленов был инициатором заключения соглашений (договоров) о сотрудничестве между Международным

университетом информационных технологий (г. Алматы, Казахстан) и Российской государственной академией интеллектуальной собственности (г. Москва, Россия), Международным университетом информационных технологий (г. Алматы, Казахстан) и Всероссийской академией внешней торговли (г. Москва, Россия), а также договора между Международным университетом информационных технологий (г. Алматы, Казахстан) и Уральским государственным экономическим университетом (г. Екатеринбург, Россия) и соглашения между Международным университетом информационных технологий (г. Алматы, Казахстан) и Национальным институтом интеллектуальной собственности Комитета по правам интеллектуальной собственности Министерства юстиции Республики Казахстан (г. Нур-Султан).

Профессор К.С. Мауленов является членом оргкомитета IV – XII (2012–2020 г.г.) Международной олимпиады по интеллектуальной собственности для старшеклассников, проводимой в г. Москве на базе Российской государственной академии интеллектуальной собственности.

Публикации

Профессором К.С. Мауленовым опубликовано более 250 научных работ, среди которых следует выделить научные исследования, имеющие важное практическое значение: «Правовое регулирование иностранных инвестиций в Республике Казахстан» (1998 г.), «Правовое положение совместных предприятий, иностранных предприятий и транснациональных корпораций» (2000 г.), «Государственное управление и правовое регулирование в сфере иностранных инвестиций в Республике Казахстан» (2000 г.), «Нефтяное право Республики Казахстан и зарубежных стран» (2003 г.), «Основы противодействия коррупции» (в соавторстве, 2004 г.), «Oil and Gas Law in Kazakhstan. National and international perspectives» (в соавторстве, Лондон, 2004 г.), «Международное экономическое право» (в соавторстве, 2011 г., 2012 г., 2014 г.), Международные инвестиционные нефтяные контракты (в соавторстве, 2011 г.), «Авторское право Республики Казахстан» (в соавторстве, 2012 г.).

В 2014 г. МОН РК присвоило гриф учебника для всех вузов республики учебному пособию «Международное экономическое право» (в соавторстве с профессором В.М. Шумиловым).

В 2019 г. в Москве с участием профессора Мауленова К.С. в соавторстве с российскими учеными выходит учебник для юристов-магистрантов «Международное экономическое право».

В 2019 г. им впервые в республике опубликовано учебное пособие «Медицинское право Республики Казахстан» (в соавторстве).

К.С. Мауленов – ответственный редактор и автор пяти глав учебного пособия «Гражданское право Республики Казахстан» (1998 г., 1999 г.). Он соавтор «Комментария к Конституции Республики Казахстан» на русском и казахском языках (1998 г., 2002 г.), а также соавтор учебников для вузов республики «Основы государства и права Республики Казахстан» на русском и казахском языках (1998 г., 2002 г., 2003 г.). Он соавтор учебных пособий: «Правовое регулирование внешнеэкономической деятельности в Республике Казахстан» (1995 г., 1997 г.), «Международное частное право» (1996 г.).

Ряд его научных работ опубликованы в престижных научных изданиях за рубежом: в журнале Международной ассоциации юристов (Лондон, 1997 г.), Российском юридическом журнале (1997 г.), в издании Клувер Ло Интернейшнл (Лондон, 2003 г.), юридическом журнале университета Анкара (2004 г.) и других.

К.С. Мауленов является соавтором книги «Oil and Gas Law in Kazakhstan. National and International perspectives», вышедшей в Лондоне в 2004 году в издательстве «Kluwer Law international». В данной книге им написана глава «Balancing State and Foreign Investor Interests: Regulation of the Oil Business in the CIS States».

Профессор К.С. Мауленов является членом редакционных коллегий юридических журналов республики: «Фемида», «Казахстанский журнал международного права», «Вестник Евразийской юридической академии имени Д.А. Кунаева», «Экономика и право Казахстана», «Евразийский юридический журнал» (г.Москва), «Копирайт» (г. Москва), а также научного юридического журнала школы права Соочоу университета (Тайвань).

Под руководством профессора К.С. Мауленова успешно защитили кандидатские диссертации шесть аспирантов и им присуждена ученая степень кандидатов юридических наук.

Работая в КазГЮУ за вклад в реализацию проекта Европейского Союза по программе «Тасис-Темпус», профессор К.С. Мауленов награжден почетной серебряной медалью Миланского католического университета (2002 г.).

К.С. Мауленов стал лауреатом премии имени Чокана Валиханова за лучшие научные

исследования в области гуманитарных наук (2004 г.). В 2005 г. он награжден медалью «10-летие Конституции Республики Казахстан». В 2005 г. он награжден Почетной грамотой Министерства образования и науки Республики Казахстан (МОН РК). В 2006 г. – медалью имени Ахмета Байтурсынова «Лучший автор» за учебное пособие «Нефтяное право Республики Казахстан и зарубежных стран», данная медаль присуждается Ассоциацией вузов Республики Казахстан. В 2011 году он стал обладателем государственного гранта МОН РК «Лучший преподаватель вуза».

23 октября 2012 г. Ученым Советом Всероссийской академии внешней торговли Министерства экономического развития Российской Федерации (г. Москва) Мауленов К.С. избран Почетным профессором Всероссийской академии внешней торговли.

25 апреля 2013 г. Мауленов К.С. награжден дипломом Торгово-Промышленной Палаты Российской Федерации за значительный личный вклад в развитие и совершенствование теории и практики правовой охраны объектов интеллектуальной собственности.

26 марта 2014 г. приказом Федеральной Службы По Интеллектуальной Собственности (Роспатент) Мауленов К.С. награжден Дипломом за вклад в укрепление международного сотрудничества в области интеллектуальной собственности.

В 2015 г. Ученым Советом Российской государственной академии интеллектуальной собственности (г. Москва) Мауленов К.С. избран Почетным профессором Российской государственной академии интеллектуальной собственности.

В 2015 г. Ученым Советом Евразийской юридической академии имени Д.А.Кунаева (г. Алматы) Мауленов К.С. избран Почетным профессором Евразийской юридической академии имени Д.А.Кунаева.

В 2015 г. Ученым Советом Казахской академии спорта и туризма (г. Алматы) Мауленов К.С. избран Почетным профессором Казахской академии спорта и туризма.

В 2015 г. Конституционный Совет Республики Казахстан наградил Мауленова К.С. медалью «Конституциялық заңдылықты нығайтуға қосқан үлесі үшін» («За вклад в укрепление конституционной законности»).

В 2015 г. за пропаганду казахстанского спорта Мауленов К.С. награжден Национальным Олимпийским Комитетом Республики Казахстан «Золотым Орденом».

В 2015 г. МОН РК наградило, К.С. Мауленова медалью «За вклад в науку Казахстана». В том же году он награжден золотой медалью имени Ахмета Байтурсынова, данная медаль присуждается Ассоциацией вузов Республики Казахстан.

4 октября 2017 г. Казахстанская Федерация бокса наградила Мауленова К.С. почетным знаком «За вклад в развитие казахстанского бокса» (приказ N 41 п от 4 октября 2017 г.).

С 15 февраля 2007 г. он является членом-корреспондентом Петровской академии наук и искусств Российской Федерации (г. Санкт-Петербург). 21 ноября 2018 г. Мауленову К.С. присуждена премия имени А.Ф.Кони за крупный вклад в развитие юридической науки Петровской академии наук и искусств Российской Федерации (г.Санкт-Петербург). 21 февраля 2019 г. Мауленов К.С. избран действительным членом Петровской академии наук и искусств Российской Федерации (г.Санкт-Петербург).

4 марта 2019 г. Международный союз юристов (г. Москва) наградил Мауленова К.С. Почетной грамотой за большой личный вклад в развитие международного сотрудничества юристов.

В марте 2019 г. Общероссийская общественная организация «Ассоциация юристов России» наградила Мауленова К.С. Почетной грамотой за большой личный вклад в развитие юриспруденции и международного сотрудничества юристов.

26 февраля 2019 г. Российская академия естественных наук (г. Москва) наградила К.С. Мауленова золотой медалью имени В.И. Вернадского «За вклад в развитие РАЕН». 12 июня 2019 г. Мауленов К.С. избран иностранным членом Российской академии естественных наук (г. Москва).

30 августа 2019 г. Мауленов К.С. после прохождения научной стажировки во Всемирной Организации Интеллектуальной Собственности (ВОИС, г.Женева, Швейцария) награжден сертификатом ВОИС.

29 ноября 2019 г. Министерство культуры и спорта Республики Казахстан наградило Мауленова К.С. нагрудным знаком «Почетный работник спорта Казахстана» за пропаганду казахстанского спорта. Общероссийская общественная организация «Ассоциация юристов России» учреждает медаль имени Олега Емельяновича Кутафина «За заслуги в юриспруденции». Общероссийская общественная организация «Ассоциация юристов России» учреждает медаль имени Олега Емельяновича Кутафина «За заслуги в юриспруденции». Общероссийская общественная организация «Ассоциация юристов России» учреждает медаль имени Оле-

га Емельяновича Кутафина «За заслуги в юриспруденции».

К.С. Мауленов активно участвует в нравственном воспитании молодежи республики. Он является членом исполнительного комитета Казахстанской федерации бокса, членом Союза журналистов Республики Казахстан, членом Международной ассоциации спортивной журналистики (AIPS), внештатным корреспондентом газеты «Алматы Акшамы» (Вечерний Алматы) и спортивного журнала «Тарлан».

К.С. Мауленов – автор четырех изданий энциклопедии казахстанского бокса (2007, 2009, 2011, 2013 гг.). Издания книги (2011, 2013 гг.) были опубликованы на русском и английском языках и были представлены на XXX Олимпийских играх в Лондоне в 2012 году и на чемпионате мира по боксу в г. Алматы в 2013 г. В 2016 г. им опубликована «Энциклопедия женского бокса Казахстана» на казахском, русском и английском языках.

В 1969 г. Сырбай Мауленов – Народный писатель Республики Казахстан, лауреат Государственной премии имени Абая, лауреат премии имени Александра Фадеева привел к Геннадию Федосеевичу Рожкову, мастеру спорта СССР, Заслуженному тренеру Казахстана в секцию бокса своего сына Касыма, когда ему было 14 лет. До этого Касым занимался футболом и шахматами. В этих видах спорта у него были хорошие результаты. Он был капитаном детской команды «Динамо», а по шахматам уже в 14 лет он выполнил норматив первого разряда среди взрослых.

Постепенно и в боксе у него появились отличные результаты. Он становился дважды финалистом первенства Казахстана среди юношей (1971-1972 гг.), победителем первенства Республиканского Совета «Трудовые резервы», был пятым во всесоюзном первенстве Центрального Совета «Трудовые резервы» среди юношей (1971 г.), победителем первенства Республиканского Совета «Спартак» среди юношей (1972 г.), победителем школьной Спартакиады республики (1972 г.).

В 1972 г. Касым поступил на юридический факультет КазГУ и продолжил активно заниматься боксом. В 1974 г. он выиграл Спартакиаду вузов республики, в том же году стал победителем X Универсиады республик Средней Азии, Казахстана, Урала, Сибири и Дальнего Востока (г. Новосибирск) и бронзовым призером всесоюзного первенства Центрального Совета «Динамо» среди молодежи (г. Харьков). В дальнейшем он дважды становился финалистом спартакиад вузов республики (1976 и 1977 гг.) и финалистом универсиад республик Средней Азии, Казахстана, Урала, Сибири и Дальнего Востока (1976 г., г.Перьм и 1977 г., г. Фрунзе). На Спартакиаде десантных войск Среднеазиатского военного округа он занял третье место (1977 г., г. Фергана). В 1978 г. он стал финалистом первенства Карагандинской области по боксу и финалистом первенства Республиканского Совета «Спартак».

К.С. Мауленов является президентом Фонда имени Сырбая Мауленова. Именем Сырбая Мауленова названы три гимназии в Казахстане: в г. Нур-Султане N 37, г. Костанае N 24 и поселке Мелисай Камышинского района Костанайской области. К.С. Мауленов проводит воспитательную работу в школах, названных именем его отца. В честь поэта Сырбая Мауленова в Казахстане в четырех городах названы улицы: Алматы, Костанае, Аркалыке и Кзыл-Орде.

Коллектив факультета международных отношений Казахского национального университета имени аль-Фараби поздравляет Касыма Сырбаевича Мауленов с 65-летним юбилеем и желает ему здоровья, счастья в семейной жизни, новых достижений на поприще науки и высшего образования.

Декан факультета международных отношений,
доктор юридических наук, профессор
Айдарбаев Сагынгали Жоламанович

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