

NEWS

OF THE NATIONAL ACADEMY OF SCIENCES OF THE REPUBLIC OF KAZAKHSTAN
SERIES OF SOCIAL AND HUMAN SCIENCES

ISSN 2224-5294

<https://doi.org/10.32014/2019.2224-5294.97>

Volume 3, Number 325 (2019), 79 – 88

JEL [323.2](#)

G.B. Akhmejanova, N.M. Mussabekova, T.E. Voronova, B.Kh. Olzhabayev, M.A. Badanina

Pavlodar State University named after S. Toraigyrov, Pavlodar, Kazakhstan

ahmedzhanovag@mail.ru; musabekova.1979@mail.ru;

t-voronova@km.ru; bulat_olzhabaev@mail.ru; marina_vip_72@mail.ru

INSTITUTIONAL, ORGANIZATIONAL AND LEGAL FRAMEWORK OF NON-GOVERNMENTAL ORGANIZATIONS IN THE REPUBLIC OF KAZAKHSTAN

Abstract. This article examines the problems of improving the interaction of executive bodies with civil society, its involvement in solving social problems. The timeframes of the history of the development of the civil initiative, the role of non-governmental organizations (NGOs) in politics, both in a separate state and internationally, are defined. The issues of the non-governmental sector, which has a sufficiently powerful capital, are sufficiently fully addressed, the effect of the use of which can be increased by building partnerships with the state. An analysis of the activities of non-governmental organizations. Particular attention is paid to the joint activities of the state and NGOs in solving problems of citizens with disabilities.

Key words: public administration, civil society, non-governmental organizations, international relations, political stability, law-abiding state, civil initiative, collective relations, political system, partner relations.

In maintaining domestic political stability, developed institutions of civil society provide great assistance to state authorities. This is due to the fact that public authorities are not always able to foresee all the needs of the population and take timely and adequate measures to meet them. Structures of civil society, first of all, such as non-governmental organizations, are conducive to enhancing the ability of citizens in a unified form to take part in resolving issues that often affect their immediate interests. This gives rise to a feeling of satisfaction and identification with the political system, shortening the distance with state authorities.

The history of civic initiative belongs to those distant times, when the joint efforts of local communities began to solve the problems of one family or one person. Traditionally strong family, community, tribal ties helped to overcome various life problems. In the development society the system of collective relations has changed, as well as the nature of the problems: from domestic and biological survival to the satisfaction of spiritual needs the implementation of creative abilities.

At the present time it is impossible successfully solve many problems, the question of the redistribution of powers of society between the state structures and public organizations arises in its full height. Particular relevance is the role of non-governmental organizations (NGOs) in politics, both in a separate state and abroad. The experience of many nongovernmental organizations has shown that their activities and advantages: flexibility, mobility, initiative, sensitivity to change the conditions, and knowledge of local affairs. There are more opportunities in their potential for making contact with a specific environment. One of the priorities in modern Kazakhstan has become the effective implementation of the social policy, corresponding to the actual state of affairs, as well as its legislative and institutional support [1].

A significant contribution to the analysis of the activities of non-governmental organizations was made at the time by such scientists as I.V. Mersiyanova, L.I. Yakobson, A.K. Subbotin, S.V. Fateeva, D.Yu. Shestakov, E.Yu. Pavlova, R. Yu. Shulga [2]. In the global legal and political lexicon, the concept of “non-governmental organization” is a traditional form of generalization with reference to a very

uncertain circle of organizations. Based on the common features of inherent NGOs, relying on international and Russian legislative practice, the following features inherent in non-governmental organizations can be identified: 1) commercial profit is not set as the main goal of the activity; 2) state bodies are not participants or founders of the organization; 3) the organization was created voluntarily at the initiative of the participants; 4) self-government is implied on the basis of a jointly defined goal; 5) the organization does not use or promote violent methods, i.e. is not terrorist; 6) the organization is not directly involved in politics in order to achieve power, i.e. not a political party; 7) the organization may be legalized or act on an informal basis; 8) the organization can be both national and international in composition or scope of activity. Thus, we define a non-governmental organization as a non-profit association, legalized or existing on an informal basis, created by individuals (physical or legal) or a group of individuals to achieve a jointly defined goal [3]. This definition does not claim to be a legal term. It combines a fairly wide range of organizations, such as foundations, associations, charitable organizations, institutions, movements, or unions. In terms of the scope of their activities, NGOs are divided into three groups: 1) universal (international) non-governmental organizations. NGOs operate in many countries of the world and their field of activity covers the vast majority of the countries or the whole world (for example, Amnesty International); 2) regional NGOs. Organizations, whose members are individuals or public, and their activities are carried out in a specific geographic region (for example, the International Center Against Censorship (Article XIX) is a non-governmental human rights organization headquartered in London); 3) national NGOs, which operate in one country. This type of classification is followed not only by many experts of non-governmental organizations, but also by such intergovernmental organizations as the United Nations and the Council of Europe [4].

Let us turn to the consideration of a non-governmental organization as a political institution, assess the impact of NGOs on the modern world. The main political structure of the new history, actually and partly of the modern era, was the nation state. For almost four centuries the religious institutions, empires, forms of feudal government, free cities and totalitarian regimes were spreader. Having considerably weakened since the end of the Cold War, the national state, as a subject of international politics, found itself in a difficult situation in the subsequent era of globalization [5]. At the beginning of the twenty-first century the basic attribute of the state, sovereignty, has been appeared. There is a restriction of sovereignty “from above” states are forced to reckon with the international organizations, and “from below” domestic regions are actively entering the international arena. In addition, states are forced to take into account the interests and opinions of non-governmental organizations (NGOs) and transnational corporations (TNCs). The second half of the twentieth century, according to the definition, given by J. Grum, was characterized by the “growing diversity” of participants on the world stage [6]. The main ones are not so much quantitative parameters, but the subsequent qualitative changes in the political structure; subsequently this phenomenon was called globalization. Thus, globalization contributed to the creation, along with international legislation and the political system of national states (as well as the United Nations), of a model of global governance based on the interaction of these new and private economic forces. These forces are facilitated by international economic organizations (the International Monetary Fund, the World Trade Organization, and the World Bank). A “global civil society”, consisting of human rights defenders, non-governmental organizations and pressure groups, serve as a source of analysis and proposals, demands and challenges, is adjacent to this model of governance [7]. The erosion of sovereignty in the modern world does not mean its disappearance, but means a change in content due to the process of the actual transition of a part of the functions of the state to other factors. On the world stage, actors with a network structure - non-governmental organizations (NGOs) gain special weight. The spread of network organizations and the strengthening of their influence - the main trend of our days. Network organization is based on conceptual unity, unfixed leadership, autonomy of parts, maximum, personal, risk sharing. Most effectively these management principles are implemented among non-governmental organizations. For NGOs, in the beginning of the XXI century we see the sharp increase of the number of people, involved in their activities; geographic expansion; increased political influence; expanding the range of issues that they deal with. At the same time, due to their extreme heterogeneity, the activities of NGOs can sometimes be contradictory. They often enter into a competition between themselves or with governmental agencies. With the support of the activities of non-governmental organizations and transnational corporations, there are not simple changes in the political system of the world, the world is

moving to fundamentally new political relations. For example, the political agenda is changing; the problem of security is no longer concerns of the status of the state. In the conditions, when cardinal political changes are carried out, the previous patterns cease to operate. The situation turns out to be poorly predictable and completely different likely outcomes. Habitual relationships are transformed, which often leads to paralysis of decision-making processes. C. Skittles and G. Raymond identified the beginning of the XXI century as a turning point in the history, when one model of international interaction will be replaced by another [8].

The growing prestige and importance of a number of non-governmental organizations today makes some experts talk about the need to modernize the management system at the macro level. Anyway, the emergence and growth of non-state actors in world politics in the 20th century turned into a powerful factor in changing the previous world order. You can talk not only about strengthening the influence of NGOs, but also about their active intervention in state policy, including domestic. The scale and effectiveness of this intervention should not be underestimated right now. The sphere of political influence - direct and indirect - has reached enormous proportions. Along with the strengthening of the role of non-governmental organizations, the revolutionary transformation of the so-called "Soviet-type societies" in the former USSR states and Eastern Europe has been observed for the past twenty years. Far from the last role in this transformation was played by non-governmental organizations. The increase in the number of non-governmental organizations, the enhancement of their activity at the international level requires research and reflection on their activities and goals.

In Soviet times, there were also public associations, but all of them were initiated by the ruling Communist Party and worked under its leadership, exercising certain delegated powers. Often these were state functions, which ensured the special importance of social formations. Among them were the pioneer, Komsomol organizations, trade unions, DOSAAF, the Red Cross, the Society for rescue on waters, Councils of veterans, women's organizations and associations of disabled people. Speech about the civil initiative here could not go. Tasks, like functions, were formed "from above", contributions for organizations were collected from the wages of the entire working population in a voluntary-mandatory manner, or funding was provided from other sources.

The reforms in the economy, politics and the social sphere, which began in the late 1980s, at first resulted in the emergence of the first human rights organizations, political movements and associations.

Analysis of the human rights movement in Kazakhstan shows that its origins in the post-perestroika period (i.e., after 1985) lies in an attempt to create in 1988-1989 Kazakhstan branch of the All-Union Voluntary Historical and Educational Society "Memorial". For a number of objective and subjective reasons, as a result of this attempt, two organizations were created: the Alma-Ata branch of Memorial and the Kazakhstan voluntary historical-educational society "Adilet" ("Justice"). Both of these organizations focused mainly on the historical aspect of restoring the rights of victims of totalitarianism. At the same time, environmental organizations began to emerge - the Public Committee for the Salvation of the Aral and Balkhash, the Green Front, the Green Salvation, and the International Anti-Nuclear Movement Nevada-Semipalatinsk.

As a result of the begun reforms in the economy, the destruction of economic ties with the Union republics, the halt of enterprises, a significant number of people were released in production, remaining without a source of means for living. There were interruptions in social payments, and then their long delays created social tension in society, which was often accompanied by protests in the form of rallies, processions, pickets, and hunger strikes. It was important at this time to encourage people to search for solutions to problems using the non-stereotyped method, through the realization of their own resources and capabilities. It has become a huge problem to change the paternalistic psychology of people, to convince them that the previous state guarantees in matters of social protection can no longer be executed due to fundamental changes in the course towards market principles in the economy. And until now, a considerable part of the population retains nostalgia for guaranteed work with wages, regardless of its results, as well as for Soviet social guarantees from the state. At the same time, it is clear that transformations in this area cannot pass under universal approval. After all, everything new is usually found 'in hostility', because of the inertia of the public consciousness, by virtue of habit, by virtue of the scale of values, inherent in society, and the established mentality. Unfortunately, the population had a lack of information. All transformation processes were very poorly covered in the mass media, while they were

to be accompanied by conducting extensive outreach work among the population. People need to know the essence, goals and objectives of the proposed and ongoing changes. It is unacceptable, when they use rumors and based on them build their discontent, their indignations, which individual politicians quite skillfully use and manipulate. All innovations of power must be understood by people; otherwise the effectiveness of social transformations is extremely low. And understanding in society can be found only, when people receive objective, real, complete and true information. Social peace and harmony must be maintained mutually.

The habitual appeal in questions of social protection to the experience of the West is useful enough to understand, how much state spending on social protection of vulnerable groups of the population is a constant number one topic, since the imbalance of production and consumption by increasing social benefits, makes the development of the production sector unpromising and the economy is sensitive responds to the slowdown in the development. The way out of the situation is that the power is aimed at interaction, partnership with the population in solving major social problems. And interaction is possible only with organized structures, which are various public associations, foundations, non-profit institutions that began to form in our country in the early 1990s. [8].

The active creation of public institutions according to classical Western formulas began to occur when various donor organizations and foundations came to work in Kazakhstan. They began to actively pursue a system of training seminars, trainings on the basics of civil society, work planning, the creation of specific target projects, the basics of management, the ability to find funds to finance projects, and so on. Offices of well-known and large international organizations have opened in Kazakhstan: the United Nations Development Program, the United States Agency for International Development, Counterpart Consortium, American Law Consortium, Aysar, Eurasia, INTRAC, etc.

The public sector in the generally accepted international terminology is often called the non-governmental sector or the third sector. This implies that the first sector is considered the system of state power, the second - the business, or the private sector. The term “non-governmental” means that the non-governmental organizations (NGOs) that form it are not part of the system of state power; they are created and operate independently, but are ready to interact with the government on a partnership basis. NGOs do not have the right to pay income to its owners and managers, and if there is income, it should be used for the organization’s purpose. NGOs must be self-governing and work for the good of society.

Today we can say that non-governmental sector has been formed in Kazakhstan, which is very diverse in areas of activity, ranging from the provision of services to single elderly and disabled people to fairly large-scale economic, social and environmental projects. NGOs do not pursue political goals, but are engaged in the affairs of society. An organized non-governmental sector provides an opportunity for the poor to strengthen their collective voice, to open the way to a better life. Formed groups of the citizens for solving various problems are the result of growing civic activism and an indicator of the level of development of civil society. The non-governmental sector draws attention to various social problems, supports the impulse of government reforms, and monitors the activities of state bodies, assessing the results of their work. By nature, the concept of effective public administration should be based on the accountability of public institutions [8].

In Kazakhstan, over the years of independence, the non-governmental sector is in the process of its formation and organizational design. The concept of social sphere includes a range of social problems, which relates to the system of social protection of the population, including social security. In this case, it is not only about the state as the only total defender of the country’s population, but also about the “third sector”, which has a sufficiently powerful capital, the effect of which can be increased through partnership with the authorities [9, P.74].

As already mentioned above, the main factor, contributing to the creation of public associations of citizens in the first years of the perestroika processes was the destruction of the economy, the drop in the living standards of the population, a sharp increase in the number of unemployed, disruptions in the system of state social protection of vulnerable groups. Only a significant part of the population began to show initiative for self-support, to create various public associations in order to solve specific problems. They can be grouped in the following areas: associations of persons with disabilities, parents with children with disabilities, rehabilitation centers, children’s and youth organizations, crisis centers, women’s

organizations, medical, organizations in the field of culture, art, science, education, human rights, environmental and others.

If we analyze the areas of activity of non-governmental organizations, it is obvious that the most active were those, who deal with the social problems of the most vulnerable groups of the population. Their activity is justified by the fact, that they were created under a real, and not contrived or imposed by someone problem, include: poverty, unemployment in all its manifestations, the situation of disabled people in the country, social protection.

The habitual appeal in questions of social protection to the experience of the West is useful enough to understand, how much state spending on social protection of vulnerable groups of the population is a constant number one topic, since the imbalance of production and consumption by increasing social benefits, makes the development of the production sector unpromising and the economy is sensitive responds to the slowdown in development. The way out of the situation is that the power is aimed at interaction, partnership with the population in solving major social problems. And interaction is possible only with organized structures, which are various public associations, foundations, non-profit institutions that began to form in our country in the early 1990s.

The active creation of public institutions, according to classical Western formulas, began to occur, when various donor organizations and foundations came to work in Kazakhstan. They began to actively pursue a system of training seminars, trainings on the basics of civil society, work planning, the creation of specific target projects, the basics of management, the ability to find funds to finance projects, and so on. Offices of well-known and large international organizations have opened in Kazakhstan: the United Nations Development Program, the United States Agency for International Development, Khivos, Counterpart Consortium, American Law Consortium, Aysar, Eurasia, INTRAC. We already wrote about them before.

The public sector in the generally accepted international terminology is often called the non-governmental sector or the third sector. This implies that the first sector is considered system of state power, the second - the business, or the private sector. The term "non-governmental" means that the non-governmental organizations (NGOs) that form it are not part of the system of state power; they are created and operate independently, but are ready to interact with the government on a partnership basis.

NGOs do not have the right to pay income to its owners and managers, and if there is income, it should be used for the organization's purpose. NGOs must be self-governing and work for the good of society.

Today we can say that a non-governmental sector has been formed in Kazakhstan, which is very diverse in areas of activity, ranging from the provision of services to single elderly and disabled people to fairly large-scale economic, social and environmental projects. NGOs do not pursue political goals, but are engaged in the affairs of society. An organized non-governmental sector provides an opportunity for the poor to strengthen their collective voice, to open the way to a better life. Formed groups of citizens for solving various problems are the result of growing civic activism and an indicator of the level of development of civil society. The non-governmental sector draws attention to various social problems, supports the impulse of government reforms, and monitors the activities of state bodies, assessing the results of their work. By nature, the concept of effective public administration should be based on the accountability of public institutions

In Kazakhstan, over the years of independence, the non-governmental sector is in the process of its formation and organizational design. The concept of social sphere includes a range of social problems, which relates to the system of social protection of the population, including social security. In this case, it is not only about the state as the only total defender of the country's population, but also about the "third sector", which has a sufficiently powerful capital, the effect of which can be increased through partnership with the authorities.

As already mentioned above, the main factor contributing to the creation of public associations of citizens in the first years of the perestroika processes, was the destruction of the economy, the drop in the living standards of the population, a sharp increase in the number of unemployed, disruptions in the system of state social protection of vulnerable groups. Only a significant part of the population began to show initiative for self-support, to create various public associations to solve specific problems. They can be grouped in the following areas: associations of persons with disabilities, parents with children with disabilities, rehabilitation centers, children's and youth organizations, crisis centers, women's

organizations, medical, organizations in the field of culture, art, science, education, human rights, environmental and others.

If we analyze the areas of activity of non-governmental organizations, it is obvious that the most active are those, who deal with the social problems of the most vulnerable groups of the population. Their activity is justified by the fact that they were created under effective control. Such problems include: poverty, unemployment in all its manifestations, the situation of disabled people in the country, social protection. Actually, in matters of the social protection, the experience of the West is useful enough to understand, how much state spends on social protection of vulnerable groups of the population, increases social benefits, makes the development of the production sector more attractive. As for the single elderly citizens, large families without sustainable incomes, social protection system, rehabilitation measures, suffering from incurable diseases, the public associations work with the risk groups, help to the homeless children, and so on. It is positive that the public associations contribute and very useful for the development of entrepreneurial initiative, both in the city and in the countryside prevent and resolving conflicts in the society [9, P.79].

The functions of NGOs in the social sphere can be defined as follows:

- changing in the mentality of people in assessing the duties of the state and the citizen in matters of social protection and social guarantees, prompting to a deliberate, balanced action with the goal of solving problems independently of the passive attitude;
- removing social tensions in the society;
- redistribution of responsibility for solving social issues between the state and society;
- bringing people to the system of self-support and mutual support;
- formation of an active life position among the population;
- improving legal literacy and teaching people to use the law in practice. The awareness of the population of their civil, labor, political rights and the acquisition of skills for their implementation;
- attraction of extra-budgetary funds for the social projects (mainly from foreign sources);
- focus on the most necessary social problems in particular region, locality;
- explaining to the population the essence, goals, objectives, social reforms and transformations of the authorities;
- implementation of public control over the performance of the government.

Based on the listed functions of NGOs in the social sphere and based on the orientation of state power towards productive work in the public interest, someone argue about the benefits of the development in the new economic and political conditions of the non-governmental sector [8].

In 2005, the Law “On State Social Order, Grants and Awards for Non-Governmental Organizations in the Republic of Kazakhstan” was adopted. Later in 2016 were make some changes in it. This regulation has introduced a grant mechanism, the allocation of awards, as well as the creation of conditions for non-governmental organizations.

The interest of the state in the necessity and efficiency of using the potential of non-governmental organizations in solving social problems of society was expressed in the adoption of the Resolution of the Government of the Republic of Kazakhstan of April 24, 2014, which approved the Concept of social development of the Republic of Kazakhstan until 2030. This Concept of social development of the Republic of Kazakhstan until 2030 was developed pursuant to the instructions of the Head of State given in the article “Social Modernization of Kazakhstan: 20 Steps to the Society of Universal Labor”, dated July 10, 2012.

In accordance with these acts the state introduced new forms of financing NGOs in the form of state, non-state grants for NGOs and an award for significant contribution to solving social problems at the republican and regional levels.

As part of the implementation of the Nation Plan “100 concrete steps”, the Prime Minister’s decree approved the National Plan for the development of interaction between non-governmental organizations and the state for 2016-2020. The implementation of the national plan has allowed an increase in the amount of financing of the state social order. The number of administrators of budget programs in the social sphere, implementing joint projects with NGOs, has been expanded.

The effectiveness of the work of NGOs can be demonstrated by the example of such public organizations as Public Association “International Association of Social Projects”, Public Foundation

“Center for Development of Social Initiatives”, Center for Social Support of the Family “Dana”, Republican Public Association “Shanyrak”, UYLA, “National League of Consumers of Kazakhstan”. In some regions, they have been established on a commercial basis and successfully work at home, temporary shelters for street children, adaptation centers for socially inadequate persons, shelters for homeless people, and crisis centers for women. Unfortunately, the network of such institutions is very small, since the interest of local authorities and the material basis for its organization are needed.

Public sector activity is characterized by the following criteria: professionalism and competence, mobility, flexibility, innovation, proximity to the needs of people, low cost of social services provided, transparency of activities, willingness to cooperate in order to the social protection. The experience of the West is useful enough to understand, how much state spending on social protection of vulnerable groups of the population is a constant number, since the imbalance of production and consumption by increasing social benefits makes the development of the production sector useful, and the economy responds sensitively with a decrease rate of development.

Kazakhstan provides grants to 165 organizations. 53 of them are international organizations, 31 - foreign government agencies, 81- foreign and Kazakh NGOs in accordance with the “List of international and national organizations, foreign and Kazakh non-governmental organizations and foundations that provide grants”.

Other foreign organizations, foreign embassies, not included in these lists, also provide financial and logistical support to Kazakhstani non-governmental organizations.

The main activities of international non-governmental organizations is to support the independent media (11%), the environment (9%), civic education (9%), protection of the rights and promote the interests of the target groups (9%), in good governance initiatives (9%) , the protection of vulnerable groups (9%). NGOs form cooperation subject and shows the scope of interests in Kazakhstan.

Cooperation with international non-governmental organizations of civil society organizations in the regions most concentrated in Astana (11%), Almaty (11%), Almaty (11%) and Akmola (8%) regions. The minimum numbers are in WKR (3%), Aktobe (3%) and Kostanai regions (3%). The most active foreign organizations are the United States Agency for International Development (USAID), Foundation “Soros-Kazakhstan”, “Freedom House”, the National Endowment for Democracy (NED).

One of apparent tendencies of development in hobby clubs, professional associations, unions, social the modern world is strengthening the role of the movements and etc. non-governmental sector in social processes.

We can, according to the Concept of civil society notice that in a certain shrinkage of the functional area of development in the Republic of Kazakhstan that was the modern state as well as in growth of independence ratified on the 25 of July, 2006 by the decree performed and clout of non-governmental organizations by the president of the Republic of Kazakhstan to fulfill (hereinafter referred to as NGOs) towards the state this function is a domain for “political parties, local authorities. communities, labor unions, religious communities, artistic, One of framework conditions for the mechanism of social and scientific unions and associations, mass media, the democratic government is if there is a developed civil as well as for nongovernmental organizations that society and its institutions that ensure implementation provide a full range of services for society, perform of civic engagement in expression, protection and various forms of activity, that are created as no satisfaction of human rights, freedoms, interests and governmental funds, non-commercial organizations, purposes.

The process of formation and development of unions (associations) of legal bodies, other organizations civil society is closely linked to development of the Third and initiative groups in order to solve issues of public sector which implies the self-initiated and voluntary sector involving freely uniting individuals that accomplish their non-profit purposes in religious organizations, hobby clubs, professional associations, unions, social movements and etc.

According to the Concept of civil society notice that in a certain shrinkage of the functional area of development in the Republic of Kazakhstan that was the modern state as well as in growth of independence ratified on the 25 of July, 2006 by the decree performed and clout of non-governmental organizations by the president of the Republic of Kazakhstan to fulfill (hereinafter referred to as NGOs) towards the state this function is a domain for “political parties, local authorities. communities, labor unions, religious communities, artistic, One of framework conditions for the mechanism of social and

scientific unions and associations, mass media, the democratic government is if there is a developed civil as well as for nongovernmental organizations that society and its institutions that ensure implementation provide a full range of services for society, perform of civic engagement in expression, protection and various forms of activity, that are created as nonsatisfaction of human rights, freedoms, interests and governmental funds, non-commercial organizations, purposes. The process of formation and development of unions (associations) of legal bodies, other organizations civil society is closely linked to development of the Third and initiative groups in order to solve issues of public sector which implies the self-initiated and voluntary utility”.

All over the world the idea of civil society formation In case history of NGOs in Kazakhstan we can single is one of priorities for the strategy of democratic reforms. out several major periods of this civil society sector The term “non-governmental organization” was the first development: to be legislated in 2005 in the Law of the Republic of The first period is stage of formation (from the end Kazakhstan “In the respect of state social procurement”.

The guidelines for civil society in Kazakhstan became recognition of diversification of religious and political views, separation of governmental and non-governmental institutions. As opposed to well-developed democratic states the Republic of Kazakhstan underwent only the initial stage of civil society development. Therefore in allocating of volunteers to work in charity organizations Kazakhstan there are no established democratic and government agencies. The work of volunteers’ traditions and well-developed civil society institutions brings economic impacts. However today we can claim that during its of the USA (44% of the USA adult population) sovereignty in the Republic of Kazakhstan substantial worked 15, 5 billion hours not for value. The cost of this progress in civil society formation was made.

One of prominent signs of democratic changes is citizens’ activation in the country; we can see that in quickly increasing number of non-governmental organizations (NGOs) pass through themselves interests of social groups and aim the state at the target of solving topical social issues.

NGO activity supports expansion of democratic principles of the state and society as well as democratization of methods used by the government and allows to exercise control over its actions. “The age” of the civil sector in Kazakhstan is about 20 years. There was a quantity and quality growth of non-governmental organizations, charity agencies were diligently involved, the legal framework was formed and etc. Thus formation of the non-governmental sector coincides with the period in contemporary history of state formation of the Republic of Kazakhstan, the period of development of Kazakhstan as a democratic, rule-of-law and social state with market economy.

Non-governmental organizations in the Republic of Kazakhstan underwent several periods of their formation gained the experience in their activity of interest as well as in civil society development. A lot of conferences practical courses and seminars were held; brochures, journals and books were published.

Thus, the Almaty Public Foundation “Center for Comprehensive Family Support “Family Academy” is developing the mentoring institution and guest family in Kazakhstan for orphans and children left without parental care. The public association “Young Leaders of Kostanay”, having received a grant from the Foundation of the First President of the Republic of Kazakhstan, is working on a project to create a Center for Suicide Prevention among Children and Adolescents.

In 8 regions of Kazakhstan, with the support of the European Union and the United Nations Development Program, 14 NGO demonstration projects in the field of green technologies are being implemented. Thus, a project is being implemented in Mangistau Oblast to establish a system for collecting and supplying cold drinking water in residential buildings. Under this project, 500 residents of the region will be provided with drinking water. In the Karaganda region, two projects are being implemented - the first is related to the repair and restoration of natural springs and the provision of water in difficult pastures, the second is the use of water-saving technologies in open and closed ground.

An example of fruitful cooperation of state bodies and non-governmental organizations is the work carried out in this direction in Pavlodar region. A certain system of interaction with the non-governmental sector has been developed. In total, more than 500 non-governmental organizations in the form of public associations and public foundations are registered in the region.

Social responsibility of business is a form of social partnership. This is a striving for all the company’s activities to influence the social development of the territory, supported by systematic, targeted actions, i.e. combination:

-intracorporate social policy (the support of our own employees is an element of business culture and that without which it is now very difficult to successfully run a business, getting the maximum effect from hired labor);

- “external” social policy, based on an understanding of the key problems of the development of the territories of presence and the people living on them, as well as on conscious activities to solve them;

We see an example of social partnership in the program of the Damu Komek Foundation. In this program, aimed at supporting entrepreneurial activity of persons with disabilities, the foundation acts as a link between people with disabilities, public organizations that need help and entrepreneurs who want to provide this assistance. Thus, a business gives a person with a disability the opportunity to be independent, not just passively waiting for help from the state, but to take part in the life and economy of the country.

Today, the most active non-governmental organizations in Pavlodar region are:

- PF “Desenta” with projects in the sphere of housing and public utilities, systems for monitoring and evaluating government social procurement, improving the quality of social services, transparency in the sphere of labor and pensions;

- public associations such as DPI Umit, PF Radogor, regional union of veterans of Afghanistan, DPI Optimist, Pavlodar branch of the Kazakh Society of the Deaf, social adaptation and labor rehabilitation center for children and adolescents bodies, organizations, institutions are provided with the necessary social support. Especially, in this regard, it should be noted the work carried out for those in need of sanatorium-resort treatment by the administration of the Moyildy sanatorium for the treatment of persons with diseases of the musculoskeletal system.

In conclusion, we note that the public sector has one of the main resources - these are people. At different stages of its development, the human resource has changed qualitatively, and today it represents professionals in various aspects of social work. The public sector should be considered as a reserve of workplaces for the released state officials in connection with the reform of the public administration system, exemption from unusual functions and their transfer to the third sector.

Г.Б. Ахмеджанова¹, Н.М. Мусабекова², Т.Э. Воронова³, Б.Х. Олжабаев⁴, М.А. Баданина⁵

ҚАЗАҚСТАН РЕСПУБЛИКАСЫНДАҒЫ ҮКІМЕТТІК ЕМЕС ҰЙЫМДАР ҚЫЗМЕТІНІҢ ИНСТИТУЦИОНАЛДЫҚ ЖӘНЕ ҰЙЫМДЫҚ-ҚҰҚЫҚТЫҚ НЕГІЗДЕРІ

Аннотация. Аталған мақалада атқарушы органдардың азаматтық қоғаммен өзара әрекеттесуді жетілдіру шаралары, оны әлеуметтік проблемаларды шешуге тарту мәселелері зерттелген. Саясатта әрбір мемлекеттегі, сондай-ақ, халықаралық масштабта үкіметтік емес ұйымдардың рөлі, азаматтық бастаманың дамуының тарихи кезеңдері анықталған. Үкіметтік емес секторға ауқымды капиталға ие болу үшін мемлекетпен серіктестік қарым-қатынасты жақсарту арқылы тиімді нәтижеге жету мәселелері ауқымды талқыланды. Үкіметтік емес ұйымдардың қызметінің бағыттарына сипаттама берілген. Мемлекет пен Үкіметтік емес ұйымдар (ҮЕҰ) соның ішінде мүмкіншілігі шектеулі азаматтардың мәселелерінің біразы басты назарда болды.

Түйін сөздер: мемлекеттік басқару, азаматтық қоғам, үкіметтік емес ұйым, халықаралық қатынас, ішкі саяси тұрақтылық, заңның үстемдігі, азаматтық бастама, ұжымдық қатынас, саяси жүйе, серіктестік.

УДК 323.2

Г.Б. Ахмеджанова¹, Н.М. Мусабекова², Т.Э. Воронова³, Б.Х. Олжабаев⁴, М.А. Баданина⁵

¹Павлодарский государственный университет им.С.Торайгырова, кафедра «Правоведение»,
г. Павлодар, Республика Казахстан;

ИНСТИТУЦИОНАЛЬНЫЕ И ОРГАНИЗАЦИОННО-ПРАВОВЫЕ ОСНОВЫ ДЕЯТЕЛЬНОСТИ НЕПРАВИТЕЛЬСТВЕННЫХ ОРГАНИЗАЦИЙ В РЕСПУБЛИКЕ КАЗАХСТАН

Аннотация. В настоящей статье исследованы проблемы совершенствования взаимодействия исполнительных органов с гражданским обществом, его вовлечением в решение социальных проблем. Определены временные рамки истории развития гражданской инициативы, роль неправительственных организаций

(НПО) в политике, как в отдельном государстве, так и в международном масштабе. Достаточно полно затронуты вопросы неправительственного сектора, обладающего достаточно мощным капиталом, эффект от использования которого может быть увеличен за счет налаживания партнерских связей с государством. Дан анализ направлений деятельности неправительственных организаций. Особое внимание уделено совместной деятельности государства и НПО в части решения проблем граждан с ограниченными возможностями.

Ключевые слова: государственное управление, гражданское общество, неправительственные организации, международные отношения, внутривластная стабильность, правовое государство, гражданская инициатива, коллективные отношения, политическая система, партнерские связи.

Information about authors:

Akhmejanova G.B. - doctor of law, chair of jurisprudence, head of the chair, Pavlodar State University named after S. Toraigrov, Kazakhstan, Pavlodar;

Mussabekova N.M. - candidate of history, chair of jurisprudence, Pavlodar State University named after S. Toraigrov, Kazakhstan, Pavlodar;

Voronova T.E. - candidate of political sciences, chair of jurisprudence, Pavlodar State University named after S. Toraigrov, Kazakhstan, Pavlodar;

Olzhabayev B.Kh. -candidate of law, chair of jurisprudence, Pavlodar State University named after S. Toraigrov, Kazakhstan, Pavlodar;

Badanina M.A. - senior lecturer, chair of jurisprudence, Pavlodar State University named after S. Toraigrov, Kazakhstan, Pavlodar

REFERENCES

- [1] Kim V.A. Years of creation. Analysis of political and constitutional legal views of the First President of the Republic of Kazakhstan. Almaty, 2001. P.224-226 (in Russian).
- [2] Mersiyanova I.V., Jacobson L.I. Social activity of the population and citizens' perception of the conditions for the development of civil society. Issue 1. M., 2007 (in Russian).
- [3] Andreeva O. S. Non-governmental organizations (definition, essence) // Power. National scientific and political journal. M., 2009. No. 10. P.54-56. (in Russian).
- [4] Charter of the United Nations / Official site of the United Nations [Electronic resource]. Fundamental principles of the status of non-governmental organizations in Europe of April 16, 2003 / official website of the Ministry of Foreign Affairs of Russia (in Russian).
- [5] Gaulia K. The national state in the global era // Russia in global politics. 2009. № 5. P.11-19 (in Russian).
- [6] Groom J. The growing diversity of international actors // International Relations: Sociological Approaches / Ed. P.A. Tsygankov. M., 1998. P.222-239 (in Russian).
- [7] Neklessa A. Managed chaos, movement to a non-stationary system of world relations / Russian Archipelago - the network project of the "Russian World" (in Russian).
- [8] Yu. Volkov, I. Mostovaya. Sociology: Textbook for universities: a glossary of the book. M., 1998. (in Russian).
- [9] Nyssanbayeva A.M. Actual aspects of assessing the level of social effectiveness of NGO participation in realization of the state social order in Kazakhstan // News of the National Academy of Sciences. 2018. Vol.3. P.74-79. <https://doi.org/10.32014/2018.2224-5294> (in English).
- [10] Nailya K. Nurlanova, Anel A. Kireyeva, Rashid M. Ruzanov / Journal of Asian Finance, Economics and Business Vol 4 No2 (2017) 37-44 37 Print ISSN: 2288-4637 / Online ISSN 2288-4645 Evaluation of Economic Potential and Level of Concentration of the Regions of Kazakhstan Received: March 8, 2017. Revised: April 25, 2017. Accepted: May 2, 2017. doi:10.13106/jafeb.2017.vol4.no2.37
- [11] Sagiyeva, R.; Zhuparova, A.; Ruzanov, R.; Doszhan, R.; Askerov, A. 2018. Intellectual input of development by knowledge-based economy: problems of measuring in countries with developing markets, *Entrepreneurship and Sustainability Issues* 6(2): 711-728. [https://doi.org/10.9770/jesi.2018.6.2\(17\)](https://doi.org/10.9770/jesi.2018.6.2(17))
- [12] Kosherbayeva N. A., Abdreimova K., Koshberba G., Anuarbek A. Synthesis of achievements of world mankind in humanity pedagogy. Procedia - Social and Behavioral Sciences 89, 2013. P.886-889. <https://doi.org/10.1016/j.sbspro.2013.08.950>
- [13] Kassymova, G. K., Arpentieva, M. R., Kosherbayeva, A. N., Triyono, M. B., Sangilbayev S. O., Kenzhaliyev B. K. (2019). Science, education & cognitive competence based on e-learning. Bulletin of the National academy of sciences of the Republic of Kazakhstan, 2019, (1), pp. 269–278. <https://doi.org/10.32014/2019.2518-1467.31>
- [14] Alibekova, G., Panzabekova, A., Satpayeva, Z., Abilkayir, N. /IOP Conference Series: Earth and Environmental ScienceIOP Conf. Series: Earth and Environmental Science 177 (2018) 012010 (Web of Science Conference Proceedings Index и Scopus). DOI:10.1088/1755-1315/177/1/012010
- [15] T. Azatbek, A. Panzabekova, L. Bekenova, Zh. Yegizbyeveva. The share of drug trafficking in Kazakhstan's GDP: methods for evaluation / Economic Annals-XXI (2017), 166(7-8), C. 31-36(Scopus). DOI: <https://doi.org/10.21003/ea.V166-06>
- [16] Khalitova M.M., Praliev G.S., Panzabekova A.Z., Andreeva Z.M., Dzhubaliyeva Z.A. Financial instruments of state regulation industrial and innovative development of Kazakhstan economy. Life Sci J 2014;11(10s):369-378. (ISSN:1097-8135). <http://www.lifesciencesite.com.70>
- [17] Khalitova M.M., Panzabekova A.Z., Berstembayeva R. K. Government debt of Kazakhstan under conditions of the global financial system's instability. Life Sci J 2014;11(4s):354-35]. (ISSN:1097-8135). <http://www.lifesciencesite.com.63>