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Z.K.Ayupova[1], D.U. Kussainov[2]

[1]Kazakh national agrarian university, Almaty, Kazakhstan;
[2]Kazakh national pedagogical university named after Abai, Almaty, Kazakhstan
zaure567@yandex.ru

INFLUENCE OF INTEGRATION PROCESSES ON THE DEVELOPMENT OF THE LEGAL SYSTEMS OF THE CENTRAL ASIA COUNTRIES

Abstract. Development of the modern legal integration expresses in convergence of legal families, both through development of international law, and through processes of regional integrations and interactions. However, it is necessary to mark that an entity of legal processes of the modern legal integration express, eventually, in convergence and integration at the level of specific legal systems of the states. Process of evolutionary development of law at the real stage, in the entity, is process of convergence of legal systems. The most important legal processes of legal integration are, first of all, harmonization of law, which defines the main direction of deformation of legal systems and also unification (assimilation) of law, legal expansion (or absorption), reception of law, etc. In this article, the processes of a simple integration of the legal systems of the countries of Central Asia in the Eurasian economic space are researched. The model of equivalent cooperation of the people, which reached the high level of consciousness and the civilization, and movable by aspiration to approve social and international peace and harmony of the people, is considered. The scale crisis response measures of the state aimed at restoration of sure rates of economic growth and support of strong social warranties to all population are studied.

Keywords: integration processes, the states of Central Asia, internationalization of the legislation, harmonization of law, legal mechanisms of regulation of integration, unification of law, emulation of law, legal expansion, reception of law, legal annihilation.

In themodernworld, some ideal model of buildingof the legal system of the stateisdeveloped. Each state has its own unique model. 26 - year experience of the Republic of Kazakhstan, since the independence, is based on the public image of sustainable development. An important role in the formation of the legal systems of Kazakhstan, Uzbekistan, Kyrgyzstan, Tajikistan and Turkmenistan is played by mentality, socio-economic and political conditions, cultural factors and integration processes. According to A.Kh.Saidov: "it is predetermined by the system of values and target orientation, national traditions and historical conditions, socio-economic and political environment, the established way of life and worldview of people, including religious beliefs, psychology, and norms of behavior" [1, P.39]. Both Kazakh and Uzbek, Kyrgyz, Tajik and Turkmen models of the legal system related to the Romano-Germanic legal family. In Kazakhstan, the Declaration of state sovereignty (independence) was adopted on October 25, 1990; in the Republic of Uzbekistan, in June 1990, and in Kyrgyzstan, in August of the same year. As for the Supreme Laws of the three republics, in Kazakhstan, the first sovereign Constitution was adopted onJanuary, 28, 1993, and two years later, onAugust, 30, 1995, during the national referendum was adopted the current Constitution of the Republic of Kazakhstan. The Constitutional law on October 7, 1998, has been introduced 19 amendments on the presidential term, the term of office of the Houses of Parliament, the Senate and the Majilis, etc.

The Constitution of sovereign Uzbekistan was adopted in 1992. A.Kh. Saidov convinced, that "in contrast to the Soviet basic laws the new Constitution of Uzbekistan does not have the dominance of Eurocentric constitutional regulation, but there is a reasonable account of the rules of civil society, the separation of powers, the system of checks and balances of power inherent in the democratic constitution of the West" [2, P.7].

The Kyrgyz Republic's Constitution was adopted on May 5, 1993. In all of these constitutionsthere were established the constitutional traditions of the international experience and own national legal history. And the historical fact testimonies, that Uzbekistan was the first, which introduced, in March 1990, the presidential form of government. In Kazakhstan, the Law "On the Establishment of the Position of the President" was adopted in December 1990. All three independent states are secular, unitary. Doctor of Law, Professor A.Kh. Saidov notes in this aspect: "The secular criteria can be considered as legal, in the fields, covered within the meaning of the Constitution, as a public, civilian-based real consciousness of the society. The phenomenon of the secular state is based on Islamic culture, showing democracy and pluralism in independent Uzbekistan" [1, P.15].

The Constitution of sovereign Tajikistan was adopted on November 6, 1994. Historical and legal study of the Constitution of Tajikistan allows us to explore the fundamental political, legal and socio-economic changes in the country and to determine the degree of continuity of legal and other provisions of the preceding 70-year period of the Soviet system and the legitimacy of the use of foreign experience.

In the history of Tajikistan five Constitutionswere adopted - in 1929, 1931, 1937, 1978 and 1994. Rigorous analysis of the laws and regulations in the period of adoption of the Declaration of Independence and the Constitution of the Republic of Tajikistan, shows the unique independent path of the development of the Tajik people in the creation of thelaw-abiding, democratic and secular state. After adoption in 1994 of the Constitutionthe several taskswere appeared: design and organization of the activities of new state on the basis of the constitutional principle of separation of powers, with the system of checks and balances, and the development and adoption of new laws on the spirit of national independence and the interests of peoplein market economy. On September 26, 1999, the Supreme Law of Tajikistan has been amended.

A huge contribution to the study of this problem was made by the famous Tajikresearch-scholarsA. Imomov [3], F.T. Takhirov [4] and others.

The Constitution of Turkmenistan was adopted on May 18, 1992. Turkmenistan is the most controversial and interesting at the same time. It is an example of research studying of the problems of building of the democratic society in the post-Soviet countries. At the same time, some international and non-governmental organizations of Turkmenistan referred to the successful transition from totalitarianism to democracy. Elections in the country and the establishment of the political institutions were held in accordance with the official ideology. The first step in the country was canceled the next presidential election. In December 1993, Parliament took the initiative to extend the power of the President until 2002, by the referendum. The current Constitution does not provide, as it necessary,the legal procedure. In addition, the law "On Referendum" regulates the popular consultation, which declares, those not less than two months after the decision by the Parliament to conduct such procedure. In the Constitution there arenumber of progressive moments, that are supposed to guide the course of the political events in the civilized society, to create the conditions for the emergence of political pluralism and to guarantee the rights of the citizens to freedom of expression, the election of political leadership, etc. These progressive moments in the Constitution include provisions of law-abiding state, the direct effect of the constitutional norms, pluralism, and the proclamation of the principle of separation of powers, with the system of checks and balances, the right to private ownership on the means of production, land and other material and intellectual values.

In accordance with the Constitution, the Medzhlisis the legislative body and represents the appropriate branch of government. At the same time, in the hierarchy of Supreme Medzhlis of the state structure is as powerless, unable to influence the other branches of government. In addition to the Medzhlisthere are endowed with the right to make the lawswiththe President, the People's Council, which diminishes the role of Parliament as a legislative body. The number of the deputies of Medzhlis, anyway, is formalized. In particular, it remains largely declarative provision on the right of the Parliament to amend the Constitution (Article 67). The fact, this right of Medzhlis belongs to Halkmaslakhats. The