PROBLEMS OF FORMATION ANTICORRUPTION LEGAL AWARENESS

Abstract. The article is consider problem of current corruption and how to deal with it is discussed. At the same time, modern peculiarities of the legal awareness of anti-corruption law are analyzed and studied.

The author of the article also pays special attention to the development of legal awareness. The results and conclusions reached by the author can be used to ensure the state policy, increase the legal awareness of the society, and encourage the legal education of the society.

Keywords: law, legal interpretation, legal awareness, legal nihilism, the state, the activities of the State, corruption.

Today we are talking about the fight against corruption, its development and structure, the world outlook of citizens, and the whole economy.

The President of the Republic of Kazakhstan, the Leader of the Nation Nazarbayev N.A. underlines in his annual Address to the people of Kazakhstan the importance of anti-corruption.

Anti-corruption has become one of the priority directions of Kazakhstan’s legal reform.

At this point, corruption issues are frequently heard in the media and public speeches. Different ways and methods of combating corruption are being developed.

Corruption in all spheres of society, in particular economy, social sphere, politics, etc. adverse effects. The negative effects of this phenomenon are so serious that it will not only hurt the development of society but also seriously affect the national security of the country.

Corruption in the global economy: infringes the mechanisms of market competition, leads to the inefficient distribution of state budget funds, unfair distribution of income, promotes rise in prices for goods, creates an organized criminal group and creates shadow economy. All of this impedes the taxation of the state budget and the implementation of the economic activity of the state.

Corruption in the social sphere: It promotes unfair distribution of living things that in turn leads to property inequalities, restricts the right of the state, which regulates the existence of the state and society, and in the consciousness of the society, the views and feelings about the vulnerability of citizens to power and criminality are formed.

Corruption offenses include bribery, stealing in their favor, misuse of authority, and so on. crimes can be attributed.

At present, countering corruption, including bribery, is a challenge. The relative vulnerability of the majority of the population to corruption and the tolerance to society have limited opportunities to prevent and combat this crime. For many entrepreneurs, citizens, and other employees, unlawful remuneration for official acts has become a usual and normal phenomenon.

At present, there are two main areas for fighting corruption:

Firstly, the fight against the external appearance of corruption is a direct counteraction to the subjects of corruption, by means of direct influence on the corrupt actors, in order to stop their illicit activities, including legal action, including legal coercion.

It should be borne in mind that corruption is a serious phenomenon, and it is important that the crime is not disclosed. Corruption is often attributed to offenses, which often show the truth and are not
interested in punishing the perpetrator. Therefore, there are no opportunities to show corruption elements. It is important to stress that this is a must and should be done to combat corruption offenses. It is important not only to combat corruption, but also to prevent and eliminate corruption.

It is important not only to limit corruption and the way it acts, but also to investigate and investigate the nature of the problem.

In order to prevent this as an anti-corruption effort, students should introduce special discipline in higher education institutions aimed at creating anti-corruption ideas.

It is worth noting that the Law Faculty of Al-Farabi Kazakh National University started to implement this problem in practice. A new discipline called "Legal basis of anti-corruption" was introduced to the curriculum of the current year or 2017-2018 by the faculty of law faculty of the University as a compulsory subject for all faculties. In this discipline students study and study the concepts, systems, historical and legal aspects of corruption, the nature of emergence, the regulatory framework aimed at countering corruption in the RK, ways of overcoming and preventing it. It is a good lesson for students. As mentioned above, corruption is a violation of all spheres of the society, so it is envisaged to study in all faculties.

Secondly, prevention of corruption is the formation and implementation of anti-corruption policy as an independent function of the state.

The country has adopted an anti-corruption strategy for 2015-2025 and its provisions are being implemented.

To address the challenges of combating corruption, it is necessary to involve all Kazakhstan society in the fight against the dangerous phenomenon, to implement complex, systematic measures and to improve the legal framework for strengthening of legal responsibility.

Recently, the level of corruption in the public service has grown so much that today it has become one of the threats to the national security of the country. Every year our Head of State Nazarbayev N.A. In his address to the people of Kazakhstan, Nazarbayev emphasizes the directions of modernization of the public administration system.

The problem of anti-corruption is one of the issues of the scientific community, society and the state. Today, corruption is very important for political scientists, government officials and citizens of the country. In recent years, much attention has been paid to the problem of anti-corruption in the system of public services. Such a focus on the part of the state and the society means that corruption is a decline in the effectiveness of public administration. As a result, economic growth in the country will decline, people's well-being will be weakened, the number of criminal cases will increase.

Corruption is a complex phenomenon that distorts the political, economic, and social foundations of society.

Corruption is an attempt by the offenders, political and administrative civil servants to make their own benefit, which seriously damages the state and society.

Today, anti-corruption law, anti-corruption strategy, and various anti-corruption programs are in the country.

At present the country needs to join the Association of Civilized States.

Despite the huge work done by the state apparatus, civil society and the individual in the field of anti-corruption, the number of corruption increases substantially. Corruption fosters the development of a democratic society.

In recent years, corrupt officials in civil service in the country have become transnational. Corruption in public service is not only a result of the public and individual, but also as a result of public servants' reputation. Many of them spend illegal profits through offshore banks or foreign real estate. As a result, foreign law enforcement officials are notified.

As noted above, it is not enough for the state apparatus to carry out anti-corruption measures. There is a question of active involvement of the state and civil society in the political life of the country. Every citizen has a great future in the country's future. Every citizen should know the rules of conduct with civil servants and should not make them incapable of corruption.

Implementation of innovative and effective public service delivery will undoubtedly contribute to the reduction of public expenditures, reducing corruption, and increasing public confidence in the
government. The state, as the main source of public service, defines ways and means of improving the public service delivery system.

The main task of the modern state is to form a qualitative form of public administration. Its main purpose is, of course, to protect and safeguard the legitimate interests and rights of citizens.

As we all know, the efficiency of the public service delivery system to meet the needs of citizens is characterized by two factors: availability and quality of service.

It should be noted that from July to December, 2017, the Public Reception Program "Civil Control" on the social order of the Agency for Civil Service Affairs and Anti-Corruption of the Republic of Kazakhstan has been launched at the Al-Farabi Kazakh National University.

In this project, the faculty of the Department of Theory and History of State and Law, Constitutional and Administrative Law of the Faculty of Law of the Al-Farabi Kazakh National University is doing a great job.

The goal of the project is to provide comprehensive anti-corruption measures, anti-corruption monitoring and anti-corruption culture in society.

Public reception performs the following functions:

1) Provides consultations on compliance with the requirements of the legislation of the Republic of Kazakhstan within the scope of public service, public services, anti-corruption and the Ethical Code;

2) carries out informational and organizational activity aimed at formation of anti-corruption culture, in particular, organizes informational work and events in mass media on a regular basis.

These services are being actively implemented today by the Public Reception Project "Civil Control".

For example, 10th of November, 2017 Al-Farabi Kazakh National University in the frames of the project "Social Analysis of Corruption Risks in the Control-Supervisory Sector" by the Agency of the Republic of Kazakhstan on Corruption under the Governmental Order of the Republic of Kazakhstan on Corruption and Corruption Proceedings.

During the event, the issues of corruption-related and controllable functions of the state bodies were discussed at the meeting.

In addition to the public reception of "Civil Control" Public Association "Young people Resource Center of the Kazakh National University named after al-Farabi" Keremet "Askerov A.A. It has not been forgotten that it is impossible to define the anti-corruption law, to exploit the group, to execute the state functions, to direct them to the merits and to identify the consequences of the use of methods and methods. It is necessary to evaluate the prize and to evaluate corruptive risks.

The participants noted in their speeches found that risk and corruptions can be prevented from establishing the entire frame of mind. However, the installation of similar bands can always lead to risk. The analysis of corruptive risks is foreseen for the long-term debt crisis and its deterioration. In the twelve months of the day, some of the problems that existed in the field were offered and I proposed their decision.

Also, the participants noted in their speeches wrote that corruption has the right to the excellence, and at one time or another, it is possible to distinguish between corrupt practices. For a definition of the corrupt state of the state, it is impossible to detect a social and economic order in the frames of the state act. Degree corrupt risk can be defined by definition and analysis of the internal and social control, and in the case of execution of the specific full - fledged.

By the way, a roundtable was initiated by the law enforcement agencies and advisory bodies on the implementation of the law.

on the results of the seminar-meeting on the topic: "Results of the analysis of corruption risks in the control and supervision sphere", conducted within the framework of the project Public reception "Civil control" on social order of the Agency for Civil Service and Anti-Corruption of the Republic of Kazakhstan.

The main topic of discussion was the problematic issues of the activity of control and supervisory bodies.

Following the seminar-meeting, proposals and recommendations were developed to improve the current legislation:

- Due to the fact that it is not possible to find any information about companies in the system, it is necessary to optimize the system and create integration links for the site;
- for the normal functioning of the entire system of control and supervisory functions, it is necessary to improve the current legislation, in particular, the verification of a small enterprise such as cafes and restaurants to 50 places is regulated by law, below 50 places the sanitary epidemiological station has no right to inspect;
- a large number of orders from the control bodies are carried out in written form, in order to avoid the time and expense required, certain types of instructions must be replaced from the written one to the oral one;
- it is necessary to improve the legislation in the field of carrying out a life threat check, in particular if there is a need to hold accountable for the threat to human health. Unscheduled inspections are replaced for verification, it is proposed to be conducted for those entrepreneurs for whom violated Article 11 of the Business Code.

Corruption, along with moral and moral destruction, hinders realization of the state policy and destroys it. The low quality of public service delivery, the social and psychological situation, the presence of acquaintances and royalty contribute to the growth of corruption.

Corruption will have a negative impact on the development of the economy and social infrastructure as well as the power and governance. As a result of corruption in a significant part of the public service sector, the scope of free mandatory service in education, health care and social welfare is reversed.

Corruption is a reason to get rid of legal liability for offenses committed by offenders, which in turn creates an escape from punishment and degrading authority of the state, increases public confidence in them, and creates the most dangerous phenomenon or legal negligence.

Increasing corruption can lead to a socially dangerous object, such as bribery.

1) low level of use of information and communication technologies in the process of receiving public services. While introducing the e-government portal, it is not unusual for the public to use it. Although the people know that there is an electronic government, most of the population can not use it. This, in its turn, leads to the informational and technological illiteracy of the population. At the same time, we must address the problem in rural areas. In many rural areas, there is no Internet connection or not. One aspect of this problem, on the other hand, rural people are often unable to use the computer.

2) It is necessary to improve the regulatory framework regulating public services. One of the actual issues of the law enforcement service is the incomplete implementation of the principle of access to the service.

3) There is a need to use international experience of public service. In foreign countries, various portals and websites operate.

It is important to identify the causes of corruption and to be consistent in its fight against corruption, and to achieve transparency, quality and prompt service, which will contribute to reducing corruption and increasing civic activism.

To carry out anti-corruption activities in the country:
- promotion of legal literacy and legal education of the country;
- It is necessary to identify and investigate the negative factors that influence the development of corruption;
- encourage and increase the anti-corruption culture and legal awareness of the Kazakh society;
- It is necessary to interact with the public authorities in the matter.

The causes of corruption should always be studied and should be constantly monitored, and it would be more effective to find ways to prevent it until it faces the consequences of corruption.

Confident in the authorities, corruption that will undermine the authority will seriously hurt the social, political, economic and legal policies of the public, hindering the interests of the community, the exercise of hatred.

Today it is possible to see the corrupted organizations that have deep roots today. They encourage citizens and organizations to interact with government agencies to fulfill their rules.

In our opinion, there are a number of reasons for corruption in public service, including the complexity of the structures of the government, the lack of internal and external control over the functioning of the state power, unequivocal division of powers, duplication of official duties, lack of mechanisms and legal frameworks for the protection of interests of citizens involved in the work of the authorities or something else?
For intensive anti-corruption activities in the country:
- constantly develop mechanisms for interaction with public authorities and law enforcement agencies in the fight against corruption;
- adoption of laws and other administrative measures aimed at inviting citizens to participate actively in anti-corruption actions;
- We believe that it is necessary to introduce anti-corruption requirements that set out a single system of prohibitions, restrictions and permits that provide corruption prevention.

Н.К. Мынбатырова

зан ғылымдарының кандидаты, Әл-Фараби атындағы ҚНУ-дің зан факультеті, метекет және құқық теориясы мен тарихы, конституциялық және әкімшілік құқығы кафедрасының доценті

СЫБАЙЛАС ЖЕМКОРЛЫҚҚА ҚАРСЫ ҚҰҚЫҚТЫҚ САНАНЫ ҚАЛЫПТАСТЫРУ МӘСЕЛЕСІ

Аннотация. Жұмыста қазіргі кезде және сыйылса жемкөрлік жылы туындау мәселелері және оның куралу жолдары мен жеңілдік тәстары ашылып, кәрәстірілді. Сондықтан көздері сыйылса жемкөрлікка қарсы құқықтық сананың әрекетшелері қалдырыны дайынды, жаңа жақты зерттелінеді.

Сөйлей ақ макаланың авторы құққыққа сананың арқылар алуға аса назар боледі. Автордың кол жетізгіштер нөлікке және қорытындыларының мәлекеттік саясатқы камтамасыз етілуіне, қоғамдық құқықтық санасының артық, қоғамдық құқыққа тәрбиесін көтермела ең қолдануға болады.

Түйін сөзлер: құқық, құқықтық таным, құқықтық сана, құқықтық нигилизм, метекет, метекеттің функциясы, сыйылса жемкөрлік.

Н.К. Мынбатырова

кандидат юридических наук, доцент кафедры теории и истории государства и права, конституционного и административного права юридического факультета КазНУ имени аль-Фараби

ПРОБЛЕМЫ ФОРМИРОВАНИЯ АНТИКОРРУПЦИОННОГО ПРАВОСОЗНАНИЯ

Аннотация. В работе рассматриваются содержательные стороны антикоррупционного правосознания. Также в работе всесторонне исследуются природа возникновения коррупционных правонарушений, и пути их устранения.

В работе также особое внимание уделяется на дальнейшее развитие правосознание общества. Основные выводы и положения автора могут быть использованы в обеспечении политики государства, в повышении правосознания и правового воспитания кыргызского общества.

Ключевые слова: право, правопонимание, правовое сознание, правовой нигилизм, государство, деятельность государства, коррупция.