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SOCIALITY AND SOCIALNESS IN THE CONTEXT OF DIALECTICAL AND METHODOLOGICAL ANALYSIS: CONSIDERING THE SITUATION IN EDUCATION

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On understanding the specifics and tasks of dialectical and methodological analysis.

The task of dialectical and methodological analysis can be accomplished only if there is an adequate understanding of this analysis as such. The main problem here is that there is a difference in the understanding of both methodology and dialectics. The issue of dialectical and methodological analysis may receive an inadequate interpretation if there are distortions in the understanding of dialectics and methodology. These distortions include the following. Dialectics is often understood as the doctrine of development. At the same time, a doctrine is understood as a set of provisions with a greater or lesser degree of validity for each of them. The emphasis on the preposition “of” means that all provisions are external to the phenomenon of development. In other words, in the Doctrine of Development one can find only an *external description* of a certain perception of development and the possible provisions included in it, which do not pretend to have internal connections between them. That is, there is no representation of the development itself. This is first of all. Secondly, the understanding of methodology in the modern public consciousness is also represented by variants, including those that distort its essence as the basis of science¹. The first variant – positivist-empirical – in fact reduces methodology to a technique, that is, to a system of actions according to a given pattern of using methods and schemes. At the same time, as we noted above, if dialectics is understood formally, as a doctrine that externally describes the phenomenon of development, then in this case the issue of dialectical and methodological analysis will be practically reduced to zero, that is, to the result provided by the analysis, returning it to the position of positivist-empirical understanding of the methodology. The difference will be minimal and not fundamental, but rather formal, that is, represented only by the presence of terminological reference to the presence of the word “dialectics” in supposedly methodological research. However, in reality this will mean that the actual *dialectical-methodological* analysis *will not* be present, *will not* be possible at all.

There is only one way out here – to take into account the difference between dialectics as a *process of thinking* and dialectics as an *external description* of this thinking.

Here we talk about the *process of thinking*, which adequately reflects and reproduces the universal, necessary, essential, objective, repetitive *connections* of being. In this regard, dialectical-methodological analysis suggests the need to understand the methodology also as the *process of thinking*, which is immersed in the scope of the ob-

¹ See: Transformations in culture as a consequence of civilizational choice: philosophical and ideological aspects of analysis / Gusseva N.V. (Ed.) - Ust-Kamenogorsk, 2018. - 279 p.

ject of study on the basis of general (philosophical) knowledge as a process, that is, not in the form of ready-made knowledge – knowledge, as a result of a particular nature, of a matrix nature, a scheme that specifies externally defined certain type of fixation of the features of the subject under study. The dialectically understood methodology assumes *procedural* rather than manipulative thinking¹. Manipulative thinking, we shall make a special emphasis here, involves *the use* of specified methods, techniques², matrices, etc., as “tools” that are convenient for *use* in a given situation. The dialectical understanding of methodology presupposes an orientation in research towards revealing the logic of the subject of research through *active immersion* into it. This is different from the *external* use of any *stencils of action* with it in relation to what is being considered.

On the definition of sociality and socialness.

There is a point of view consisting in the identification of the notions of sociality and socialness. In our opinion, they still need to be differentiated one from another. This is necessary in order to be able to specify the initial state of social relations in which a certain analysis of a situation or a problem in social life is carried out. The initial state, or a context of consideration, is always important to consider, since its influence is decisive³.

Social relations with human, moral definitions⁴, true sociality is a sociality free from the internally deforming influence of alienation processes. In this regard, it must be distinguished from the entrenched characteristics of socialness, which are marked by deformations towards the transformation of human relations into material relations.

Both the processes and the results of any events in society are determined by the extent to which the social being meets the characteristics of true sociality, or by comprehensiveness of the deformations of the human in the processes of socialness. This fully applies to education as well⁵.

¹ See: Dialectical thinking and the phenomenon of methodological research in the development of science. Monograph / Gusseva N.V. (Ed.) - Ust-Kamenogorsk, 2017. - 275 p.; Ilyenkov E.V. and the philosophy of Marx. Collection of scientific papers. / Lobastov G.V., Mareeva E.V., Gusseva N.V.(Eds) - Ust-Kamenogorsk, 2018. - 361 p.; Gusseva N.V. The study of the development of thinking as a methodological problem // Pedagogy and psychology: problems of the development of thinking: Proceedings of III All-Russian Scientific conference (April 25, 2018, Krasnoyarsk) / Ishchenko T. N (Ed.); M.F. Reshetnev. Siberian State University - Krasnoyarsk, 2018. (- 332 p.), pp. 12-20, and others.

² See: Gusseva N.V. The phenomenon of methodical form in the educational process // Bulletin of the Kazakh-American Free University. Issue 1: Pedagogy and psychology. - Ust-Kamenogorsk, 2018. (- 186 p.), p.3-13; Pedagogical thinking: directions, problems, enquiry / Lobastov G.V. (Ed.) - M.: OOO “Russkoye slovo – Uchebnik” LLC, 2014. - 512 p.

³ See: Marx K. Capital. Book III: The process of capitalist production taken as a whole. Part 2 // Marx K., Engels F. Works. 2nd ed. T. 25. Part 2. Moscow: State Publishing House of Political Literature, 1962. 552 p.; Gusseva N.V. The phenomenon of civilizational choice and culture: on the analysis of the current situation // Bulletin of the Moscow State University of Culture and Arts. Scientific journal. May–June, 3 (95) 2020. pp.44-52.

⁴ See: Dialectics and moral self-determination of a man: A collection of scientific articles / Gusseva N.V. (Ed.) - Ust-Kamenogorsk, 2018. - 228 p.

⁵ See: Gusseva N.V. Global challenges, science and social processes: on the analysis of the grounds for consideration // “International partnership: the potential of science in the context of global challenges”: Proceedings of intl. scientific congress (November 10-12, 2020). - In 2 parts. - Part 2. - Ust-Kamenogorsk, 2020. (- 238 p.), pp. 3-10.

Linear understanding of education as a social phenomenon and the problem of the development of a man as a personality.

When considering the phenomenon and problem of education, one must keep in mind that it is absolutely insufficient to proceed from its linear understanding. A linear understanding of education will be expressed in thinking of it as of the possibility and sufficiency of implementing procedures for the transfer of ready-made knowledge, that is, knowledge *as results* formed in any previous period of the development of society¹. This fully applies to both technical and humanitarian knowledge involved in educational processes. The focus on the transfer of ready-made knowledge, although it has been criticized for a long time almost everywhere, however, is constantly reproduced at all levels of education in modern society. This makes the development of a person as a personality more and more relevant. There is an idea that the sphere of the humanities and humanitarian knowledge is capable and, moreover, must cope with the problems of the development of a man as a personality, the development of a person as a moral subject.

However, the issues of the development of a person as a personality² cannot be attributed to just the presence of the humanities and the teaching of humanities in the education system. Although in the context of the socio-civilizational organization of public life, this is an adequate statement of the question.³ The organization of social life according to the model of arrays of functional acts is the norm for the definition of civilization⁴, in contrast to the definition of culture as a process. Civilization is always represented by the processes of application, consumption, use, transfer, exchange, preservation, etc. of what is created in culture and by culture⁵. At the same time, the mentioned processes of use, transfer, exchange, preservation, etc. are carried out with objects that have a basic origin as the *results* of culture as a process. Culture as a process is always a creative, resourceful, socially significant activity in which a person is *a subject*. Civilizational and social processes that characterize the manipulative *functioning* of individuals do not determine their real, and not declarative, subjectness⁶. This happens regardless of the subject of manipulation. That is, manipulation can take place in the conditions of society, that is, in the production process, in education, science, and in other areas. This means that when we speak of development goals for both the society and the individual, it is necessary to correct the basic conditions of activity in order not to turn it

¹ See: Gusseva N.V. Culture. Civilization. Education. Socio-philosophical analysis of the foundations of human development in the context of civilization and culture. Monograph. / Gusseva N.V. (Ed.). – 2nd edition, corrected and edited – Ust-Kamenogorsk, 2019. – 328 p.

² See: Man in the Context of Being: Modern Conditions, Problems and Approaches: Monograph / Gusseva N.V. (Ed.). – Ust-Kamenogorsk, 2016. – 324 p.

³ See: Disciplinarity and interaction of sciences. – M.: Nauka, 1986. – 280 p.

⁴ See the works of Danilevsky N.Ya., Huntington S., Toynbee A.D. and others, which provide various lists of selected civilizations a description of their features. At the same time, civilizations are singled out in different numbers and with rather arbitrary descriptions. The first place is given to the functional definitions.

Also see: Spengler O. Decline of Europe. Essays on the morphology of the world history. V. 1. Image and reality. Moscow: Mysl, 1998. 663 p.; Elias N. On the process of civilizations. V. 1. St. Petersburg: Universitetskaya kniga (Kniga Sveta), 2001. 336 p.

⁵ See: Modern problems of the development of civilization and culture: Collection of scientific articles / Gusseva N.V. (Ed.) – Ust-Kamenogorsk, 2017. – 225 p.

⁶ See: Culture and the problem of civilized choice. Culture and the problem of civilizational choice. Modern problems and options for understanding: Monograph./ Gusseva N.V. (Ed.) – Ust-Kamenogorsk, 2016. – 278 p.

into a system of actions, that is, mere manipulations. Any use of ready-made tools, methods, ready-made knowledge, techniques, etc., which receives the status of a *dominant goal*, leads to the transformation of activity into a system of manipulations. In this case, the activity turns into a manipulative, purely functional phenomenon. Then a person acts as a functionary, a carrier of a certain function.

Education as a system in society also exhibits such deformations of activity, where it is reduced to systems of actions. This also applies to scientific knowledge included into subject teaching in the educational process. The presence of scientific knowledge in itself does not exclude the problem of functional and social deformations of the real status of both the student and the teacher, turning them into functionaries in this context. Functionality that replaces subjectness, systems of actions that replace activity, etc. – all these are characteristics of the transformation of sociality into socialness. They characterize the presence of deformation in social relations and also express the conditions for the deformation of relations between people. “The transformation of the activity form of beingness into a functional form, or even into a functionalist one, leads to corresponding transformations in all socially significant spheres of people’s world relations, translating them into the standards of social interactions, as noted above, built on models of manipulations and external, needy relationships and dependencies”¹.

Scientific knowledge and education as a result of the application of methods, techniques, ready-made knowledge.

In the conditions of society, the consideration of scientific knowledge, and not just the construction of the educational process, is subject to the logic of interactions of real, finite forms, which turns out to be due to the implementation of a positivist-empirical understanding of the methodology of scientific knowledge. In the context of this understanding, methodology essentially reduces, as we noted above, to the status of a technique, to the forms of handling, *application* of methods, means, etc., that is, forms of ready-made knowledge².

Here we need to emphasize that *application* as a procedure means the manifestation of its *external character* in relation to what it is applied to. *Application* is manipulative. Its content is limited by the presence of features of the *procedures* performed with methods, techniques, with ready-made knowledge, which in itself in no way guarantees that the procedural, essential features of the cognizable are fixed in the scientific knowledge obtained in this way. Scientific knowledge itself here receives the status of the results of manipulative procedures, that is, the status of knowledge here is empirical at best. The form of “development” for this knowledge can only be a systematization and/or accumulation. It is no coincidence, therefore, that the so-called cumulative theory occupies a leading place among Western “theories” of science development. This is ex-

¹ Gusseva, N.V. Social being and social sciences: on the analysis of practical connection. //Modern challenges and development of education in the new reality”: Proceedings of the international scientific congress (November 8-12, 2021) - In two parts. – P. 1.– Ust-Kamenogorsk, 2021. (– 261 p.), p. 43-52:

² See.: Gusseva, N.V. Dialectics. Science. Man. A collection of philosophical works: In the year of the anniversary, remembering and looking ahead. / Gusseva N.V. (ed.). – In 3 volumes. Ust-Kamenogorsk, 2020. –V.1.– 300 p., V.2 – 258 p., Ч.3 – 289 p.; Dialectics and problems of science development: Monograph / Gusseva N.V. (Ed.). – In 2 Volumes. – V. 1. – Ust-Kamenogorsk, 2017. – 325 p., V.2 – Ust-Kamenogorsk, 2017. – 326 p.

plained by the fact that this “theory” of development of scientific knowledge is completely focused on the idea of knowledge as a result of empirical procedures.

In the conditions of society, the consideration of the educational process is also subject to the logic of interactions of real, finite forms. These forms have an *object status*. In education in the conditions of society, the objects are all agents of interactions involved in the transmission and reception of ready-made knowledge. Among them there are students, teachers, representatives of administrative staff. Their *objectivity* manifests itself situationally and functionally. The field of objective, functional relations that evolves as a result cannot serve as the basis for the development of subjectivity traits and the possibility of their manifestation among the participants of the educational “process”. With regard to the development of individuals, there can only be a variant that consists in achieving one or another measure of assimilation of externally presupposed norms, which make it possible to adjust behavior in various given situations and conditions. The assimilation of norms, standards, functioning in society, ensures the adaptation of the individual to civilizational and social conditions, which does not at all ensure his personal development. Although the latter is declared with reference to humanitarian educational programs and subject education programs based on scientific knowledge.

“Methodological” meaning of the ideas of humanization and humanitarization in the education system in the conditions of society.

Against the background of attempts to substantiate declarations of the possibility of solving the problem of personality development in the education system in one form or another¹, there are a number of proposals aimed at completing the objectivity of educational and social “processes” with measures that can restore the lost opportunity to form students’ subjectivity. Among them are the widely known ideas of humanization and humanitarization of the education system. In fact, these attempts, as a rule, turned out to be limited by the manipulative approaches used. So, we are talking about the procedures for combining, for example, humanitarian and technical (or natural science) knowledge. The procedural context of combining humanitarian and technical (or natural science) knowledge is not sufficient, as it shows its artificiality, and also leads to a violation of the logic of the technical subject being taught. In turn, the logic of mastering the moral (and ideally: ethical) content, as the leading meaning, of humanitarian subjects also turns out to be violated. Within the framework of pedagogical situations, such a combination turns out to be incapable of confirming the internal unity of the combined contents. This means that the premise about the need and possibility of combining disciplines of technical or natural science cycles, on the one hand, and disciplines of the humanities cycle, on the other, in subject education, is false. Let us note some aspects.

The first aspect. The concept of humanitarization must be distinguished from what the term “humane” characterizes. Similarly, it is necessary to distinguish the concept of humanization from what the word “humane” characterizes. “Humanitarian” means re-

¹ See.: Davydov, V.V. Problems of developmental teaching. M.: Pedagogika, 1986. – 240 p.; Transformation in culture as a consequence of a civilized choice: philosophical and ideological aspects of analysis / Gusseva, N.V. (ed.). – Ust-Kamenogorsk, 2018. – 279 p.; Gusseva, N.V. Social being and social sciences: on the analysis of practical connection. //Modern challenges and development of education in the new reality”: Proceedings of the international scientific congress (November 8-12, 2021) - In two parts. – P. 1.– Ust-Kamenogorsk, 2021. (– 261 p.), p.43-52:

ferring to such course content of academic subjects in which, in one form or another, we are talking about a person or attributes characteristic of a person. There is a significant difference between the concept of “humane” and “humanitarian”. The concept of ‘humane’ indicates the characteristics of the relationship of a person to a person, a person to the world, in which there is kindness, willingness to provide the necessary assistance and concern, sympathy, etc., that is, everything that is usually attributed to the sphere of a moral act and moral consciousness. The transfer of these characteristics to the scope of the subject leads to their serious transformation. In the context of the subject, they turn into a form of *ready-made knowledge*, which is “adapted” to any manipulative procedures: preparation, preservation, transfer, etc. In the form of ready-made knowledge, moral maxims as characteristics of a moral act and moral consciousness lose their status of a living process, for the reproduction of which a living process is also needed. They acquire the status of “*information about*”. In connection with these “collisions” and taking them into account, it is impossible in any way to draw an identification or any meaningful parallels between what the concept of “humane” expresses and what the concept of “humanitarian” expresses. Although there is an idea that by introducing the humanitarization of education, the humanity makes it more humane.

The second aspect. The relationship between the terms “humane” and “humanization” should also be considered, noting the significant difference in the planes and spheres of their real, justified presence, since there is an unjustified reference to the fact that the procedure for the humanitarization of education leads to its humanization. Allegedly, “humanitarization” acts as a kind of intermediate link between what constitutes the moral reality of a person's existence as a cultural subject, expressed by the concept of “humane”, and the process of “humanization”. Here we talk about the conjugation of the statuses of moral definitions of proper human relations as internal characteristics of the processes in the development of culture, on the one hand, and the spread of these characteristics to all desired areas, on the other hand, which supposedly provides humanitarization. Thus, the concept of “humanization” indicates a procedure (or a process) for ensuring the transition of the statuses of human characteristics, on the one hand, and dissemination of these characteristics to all desired areas in the form of information, in the form of ready-made *knowledge about* the status of human characteristics, on the other. It is humanitarization that serves as the “mechanism”, the form, or, in a sense, the way of such a transition in this context. However, in this type of reasoning about humanitarization as a “mechanism” for translating the meaningful into the informational and vice versa, there is an unacceptable reduction. It lies in the unacceptable identification of the moral field of humanity with its technological and informational transformation, which turns the moral field of humanity into the field of manipulating ready-made knowledge, information “**about**” the existence of the moral field of humanity, which at the same time receives the name of the “humanitarization” process.

The third aspect. Abstracting from the internal, procedural side of the considered processes of connections and correlations of the terms “humane”, “humanization”, “humanitarization”, it can be noted that there is already an established tradition to consider humanitarization as a symbol indicating a possible change in the educational process towards greater consideration of human attributions, which can be implemented in it. In the context of the technologization of education, this declaration of the need for humanization sounds positive. However, a good wish is not equal to the real possibility and reality of its implementation. Declaring the need that the educational process *must be humane* rather than can be humane cannot be disputed. But it is still necessary to

raise the question of the essence of humanitarization, of its ability to accomplish the task of making the process of education humane. In this regard, apparently, it is necessary to clarify the parameters of the process of “technologization of education”, since it is in their context that the possibility of embodying the idea of its humanitarization is seen.

The fourth aspect, or the question of interaction as the basis for the technologization of education¹ and the manipulative status of social “processes”. “Technologization” of education today is an ongoing process. It is dictated by civilizational ways of organizing social life as a whole. The development and use of new technologies in various spheres of social activity is an indicator of its compliance with the parameters of modernity, maturity, success, and prospects, as they are understood today. The same parameters in relation to the educational process are characterized as features of educational activity that recreates models of the most effective transfer of *ready-made knowledge or information*. This approach to understanding education in the modern world is in many ways already an established norm. Determining the way information is organized and the logic of information processes allows determining the potential for their use in various conditions and situations, including education².

The progressive course in the development of education is traditionally associated with the implementation of new opportunities for introducing information technologies into the educational process, as well as with the development of these information technologies. The essence of information processes and the essence of information is the internal aspect, which determines the content of this orientation.

Designing a certain educational technology, therefore, will require, firstly, the isolation of the object of design as a basis. This can be systemic knowledge from any sphere of cognition. Secondly, this system of knowledge must be *structured*, i.e. in the system of knowledge under consideration, it is necessary to single out the main elements and their interconnection. At the same time, different sets of elements can act as the structure of the same knowledge system. It depends on which initial feature will be taken as the fundamental one. This, in turn, depends on the target orientation of the educational technology being created. For example, when studying human anatomy in medical schools, anatomical knowledge can be structurally focused either on the structure of the human muscular system, or on the structure of the nervous system, or on the structure of the skeletal system, etc. That is, the sets of basic elements of the structure of the system block of knowledge, which is taken as the basis of the created educational technology, may be different, but they must correspond to the goals of the organized learning process³.

In this context, the introduction of the idea of humanitarization into the situation of a “technologically” implemented learning process will also require structuring the knowledge present in the humanities subjects and courses into appropriate blocks, which most of all allow pairing with the taught blocks of technical or natural science knowledge. Consideration of the “combination node” will be subject to special attention here. The arrangement of information blocks (blocks of ready-made knowledge) by sub-

¹ See.: Gusseva, N.V. Educational technologies and a man: a philosophical aspect of the problem// Pedagogical thinking: directions, problems, enquiry / Lobastov G.V. (ed.) - M.: «Russkoye slovo - uchebnik» LLC, 2014. (- 512 p.) p. 83-94.

² See.: KAFU Bulletin. Research Journal. Issue 1 «Educational Technologies. – Ust-Kamenogorsk, 2008, p. 16.

³ See: Ibid.

jects, on the one hand, of a technical or natural science cycle, and on the other hand, by subjects of a humanitarian cycle, does not turn this “educational” situation into a whole, in which there would be the possibility of approaching the implementation of the logic of moral being and its adequate understanding. Here the *interaction* of formal, subject-related informational blocks takes place. Against the background of their emergence, the presence of the student must also turn into the presence of some kind of formal unit. The “technological” side of the implementation of the idea of humanitization, therefore, does not contribute to the formation and development of the student’s personal worldview. In such a process, the learner is forced to consolidate the role of an intermediary in the implemented technology for transferring ready-made knowledge. His role is the *receiver* of information *about* the presence of moral maxims. Filling the student’s information field is not something that can be qualified as a process of educating a moral subject.

The fifth aspect. Speaking about humanitization both as an important direction of the modern educational process and as a sphere for the development of new educational technologies, it should be noted that “any technologies, including educational technologies, always remain *outwardly* correlated with what surrounds them, that is, the context of their functioning *does not work is their procreant basis*. The external nature of the functioning of educational technologies in relation to the context of their *use*, i.e., in relation to this or that educational situation, means that educational technologies are not built into a logic of the educational process, but act as spheres of presentation of educational material (knowledge)”¹.

At the same time, educational material presented in the form of ready-made knowledge already has its own logic – the logic of *transmission*, construction, manipulation, etc. from ready-made forms of knowledge of some new samples.

In this case, the “presentation” of ready-made knowledge of humanitarian subjects in the context of presented ready-made knowledge in technical or natural science subjects will necessarily express some sort of systemic action. The question of consistency in this case also turns out to be relevant for clarifying the essence of what is happening, when the process of humanitization is subject to special consideration. The introduction of the idea of humanitization into the system of the modern educational process *cannot but be systemic*. Therefore, it makes sense to pay attention to some features of the system functioning.

The first problem here is to identify the real *grounds* for the possibility of the system functioning. The fact is that any structure as a “skeleton” of the system does not contain within itself the foundations of development, driving forces, etc. At the same time, without their manifestation, the possibility of interaction between elements is reduced to zero. This means that when there is a question about the operation of any system, we are talking about the need to determine not only certain external conditions, but also the foundations that ensure its functioning. For the education system, such a condition and foundation is society, culture, civilization (in the broadest sense of the word). For educational technology as a system for reproducing a knowledge system, such a condition is the existing knowledge as a result of previous knowledge, that is, information (primarily of scientific, ethical, aesthetic, organizational, managerial, political, legal, etc. nature). Knowledge *as a result* lends itself to transformation into a system. It can be arranged into a certain structure, the necessary *interactions* of the elements of

¹ Ibid.

this structure can be designed, and thus provide the expected required type of functioning. The basis for the implementation of educational technology as a mobile system can be any institutional structure that is able to provide the material and financial conditions for its functioning.¹

The second problem is to define the essence of functionality and functioning. By definition, any technology is a functional phenomenon. This means that first of all it involves a connection with the object the function of which this phenomenon acts. Secondly, “functionality” means that it exists as a cyclic sequence of movements, actions that implement the definitions (characteristics, capabilities) of the source of this function. (It is important to note once again that the source of functioning of educational technology as a system is not itself as such). A function as a sequence of movements and actions, at the same time, is expressed in the form of systems of procedures that have a final (finished, completed) character. Educational technologies are not an exception in this regard, that is, they act as developed systems of procedures with ready-made knowledge, in which certain moments that characterize the system of knowledge being studied are reproduced. These are the definitions (characteristics and opportunities) of the educational process, which is built according to the “technological model”².

So, the first moment, which is necessary and which determines the nature of the technology being created, expresses the connection of a function with what it is a function of. When considering educational technologies as a functional phenomenon, we will thus focus on the relationship between education as a social phenomenon and educational technologies. Here there is a need to clarify the understanding of the social itself, of what it really is. An expression of true sociality, or an expression of socialness.

Education as a process of becoming a human Self cannot be reduced to a set of functions performed by a person. The operations carried out by a person do not express, as such, the process of becoming his Self, although they are performed by him. Likewise, education as a social process cannot be reduced to the operationally represented functions of society. The idea of the admissibility of such information characterizes the social variant and represents understanding of education as a civilizational and social phenomenon.

The sociality status (not socialness status) of education is not adequately expressed by the absolutization of the system of institutional *operations*, expressing, the absolutized functionality, objectivity of the education system. In this regard, we can

¹ The traditionally distinguished connection between educational technologies and education system as a sphere of special specialization in society is not the only possible option for implementing the latter. Thus, for example, it can be noted that in production, management, etc., experience transfer systems are often used, which, according to their organizational principles, are nothing more than forms of implementing educational technologies of a certain type. It is important to emphasize that the functioning of these systems (educational systems, educational technologies as systems, etc.) always requires external efforts, conditions, special grounds applied to them. That is, their functioning is not “their own business”. See: *ibid*.

² This means that it is necessary to consider the connection between the function of educational technology and the phenomena of which it acts as a function, and it is also necessary to consider it as a system of sequential operations that have a finite (completed) character. Such consideration is intended to clarify the understanding of its essence, to help consciously address the development and implementation of educational technologies of various purposes and nature, since these moments are necessary and are present in any possible technologies, including educational ones.

make a conclusion about the potential of humanitarization as one of the modern processes and directions for the development of educational *technologies*. Such a potential, as we noted above, lies in the development and implementation of systems for the transfer of specific ready-made knowledge – knowledge about a person and the human world – into the field of teaching technical and natural sciences. The introduction of such knowledge through the noted forms of technological implementation will, at best, mean expanding the field of transmitted information, where there is not only information *about* technology, but also information *about* a person. The implementation of humanitarization technologies in this case will need in each individual case to determine the temporal and “substantial” boundaries in which it will be placed in accordance with the specifics of a technical or natural science subject or in accordance with the adopted program for these subjects.

The sixth aspect. In all educational technologies, the operational composition is modeled – the composition of the *actions* necessary to duplicate the model of a particular knowledge system. The source of educational technologies that operationally express the presented system of knowledge is not education as a process of development of the human Self, but a certain system of knowledge. It follows that the introduction of models of operationally transferred knowledge must be correlated both with the model of education and with the essence of education as a process of becoming a human Self.

Technologies of the humanitarization of education cannot be considered as forms that ensure development of the human in a person. Processibility in itself means going beyond the boundaries of the existence of human content as such. Therefore, humanitarization technologies from the very beginning cannot act as forms of a man’s *personal* development. But they may well act as mechanisms of external *information* about the existence of a human attitude to the world and the world of moral being. Personal parameters – the parameters of a conscious, responsible, positively creative attitude to the world, etc. – are not present in the operationally transmitted knowledge, even if this knowledge is about the specifics of the human relationship to the world. With knowledge, it is possible to transfer variants of models of different attitudes to the world. At the same time, the difference between *knowledge and attitude* will remain, and the procedure for implementing certain educational technology will be completely on the side of the incremental knowledge, and not on the side of forming one’s own attitude to the world of those people for whom the educational technology functions. Awareness of this difference is necessary in order to develop an adequate attitude to the development and implementation of certain educational technologies, including technologies for the humanitarization of the educational process¹.

The seventh aspect. The work on the creation of humanitarization technologies is associated with the problem of defining the meaning and goals of education. Reducing them to obtaining the most voluminous and differentiated knowledge is what expresses the “conceptual defect”. Its presence in programs and projects for the development of

¹ Here, another problem comes into play. A model is a static expression of the system of elements present in the object under consideration. The model of education includes a system of selected elements (knowledge, skills, parameters of personal attitude to the world, etc.). The development of the human Self is the process of its “educating” or, if we call it in the traditional form, the process of its shaping. It is necessary to distinguish between the model of operationally transferred knowledge and the model of education. The model of education as a system of related elements that characterize the desired or planned characteristics of individuals who carry out their education includes not only knowledge, skills and abilities.

education at various levels (from school to postgraduate programs) is embodied in the primary attention of the designers of these programs to educational technologies as the leading form of manifestation of educational methods¹.

The concept of education as the formation of the human Self *does not reduce* the process of turning a man into a person to an increase in the intellectual capabilities of the individual. The target orientation towards recreating schemes of operationally transferred knowledge, which is the leading one for educational technologies, characterizes their intellectual orientation. At the same time, the status of a real-practical attitude to the world is replaced by models of such an attitude, for which the leading setting is the “application”, the “use” of knowledge as *intra-intellectual procedures*. The real-practical attitude to the world differs significantly from the attitude to the world, carried out as the application of knowledge as intra-intellectual units. Knowledge, which is characterized as intra-intellectual units, belongs to the *intelligence* of the individual, while the real-practical world relation characterizes the presence of the individual in the system of social relations and cannot be “served” only by the intellect.

The intellectual “component” of education appears in the field of educational technologies as a leading and determining one. However, let us emphasize this in particular; the “focus” on the development of the intellect in itself *characterizes the conceptual and actual deformation* of the essence of the process of the formation of the human self. The technologies of humanitarization of education, which are limited by the transmission and receiving of information blocks about a man and the world as such cannot ensure the process of developing a moral, real-practical attitude to the world on the part of the student. In this regard, these technologies cannot serve as the basis for *what would determine the provision of real humanism in society*.

The eighth aspect. Understanding the humanitization of education as an array of forms of specific educational technologies is associated with determining the place of the intellectual development of the individual in the process of his development as a personality, as a “microsocial unity”. Personal definitions of an individual are characterized, first of all, by the ability to carry out serious socially significant activities. *Intelligence characterizes only the operational level of human thinking*. In this regard, it corresponds to the structure of “having become”, already formed, “ready” knowledge. It is this knowledge (knowledge as a result) that is modeled “step by step” in educational technologies. At the same time, the procedural nature of the educational technology itself is conceived as a kind of resultant, consisting of a larger or smaller number of “steps”, each time expressed in forms of ready-made knowledge, presented in the form of intellectual (operational) schemes. It should be emphasized that the model of operationally represented knowledge in educational technologies, including humanitarization technologies, is a number of discrete final forms (forms of ready knowledge).

Understanding educational technology as a “process” is expressed in the form of a continuing series of actions with these discrete (independent, separate, differentiated, completed, etc.) units of knowledge. The movement of individuals along this series of actions is considered by the authors and supporters of educational technologies as a way

¹ The foregoing does not mean the need to abandon the development and introduction of new technologies in the field of education. On the contrary, confirmation of the importance of developments in educational technologies should consist in identifying their own conceptual foundations. This is necessary insofar as the concept of education as a process of becoming a human self does not coincide with the logic of recreating the schemes of operationally transferred knowledge.

for individuals to master knowledge. We can agree with this, if we recognize that we are talking about the development of ready-made knowledge, that has lost its procedurality. Such a process of “mastering” will have as its content the reproduction and consolidation of schemes and forms of this ready knowledge. Mastering in this case will be expressed through fixing rational, that is, final, situational, mental operations and memory. Ultimately, they do not characterize the thinking of a person who has a personal level of development. The foregoing, of course, does not mean that sometimes in everyday situations it is not enough for a person to demonstrate the rational level of his thinking. It only means that the personal level of thinking characterizes a person’s ability to understand any phenomena in the context of their formation and development, and not just pointwise, situationally, here and now and nothing more.

In the aspect of the noted, the humanitarization of education as *a technology and methodology* will be completely deprived of the opportunity to realize the set goals – the goals of the cultural, personal development of individuals. All knowledge related to a person, culture, history, etc. within the framework of humanitarian technologies will always be presented in the form of “ready-made knowledge”. That is, it will have the status of knowledge that can be operated as independent units of the program. In the sphere of humanistic values of human culture, which always have a historical, procedural nature, such an invasion of humanitarian technologies will characterize not only the introduction of rough reductions, but will also mean deformation, vulgarization of these values.

The introduction of operational models, including models of humanitarization, projects the development of not a subjective attitude of the individual, but an attitude in which the individual turns out to be a follower (an object). This is explained by the fact that the forms of “ready-made” knowledge, when reproduced in educational technologies, do not in themselves contain sufficient grounds that cause a person to need to show subjective features.

When working within the framework of educational and technological schemes, an individual is forced to adapt himself to these schemes, which already have the parameters for reproduction, change, redesign, etc. of task material. In other words, the targets for the inclusion of the individual in the operational movement *are set*; they are already present in a certain project of the operating system. In relation to the individual himself, they thereby manifest their *external character*. The “external character” is expressed in the fact that it is not the individual himself who generates the goal as a meaningfully productively directed, necessary *activity*, but this goal is revealed to an individual as a ready one, taking place when he enters the sphere of implementation of a certain educational technology. This once again emphasizes the low potential of the technological approach to education, the absence of any potential for the personal development of those who are involved in it. This conclusion concerns, in particular, the potential of humanization technologies. The latter also remain in the external plane in relation to those who are affected by humanitarization technologies¹.

¹ For example, in the American journal *Educational Technology*, one can find articles on a wide range of issues: from general issues of school restructuring to information about new methods of teaching foreign languages. The development of educational technologies, in the broad sense of the word, should lead to the institutional consolidation of the unification (“common denominator”) of the goals of education, training programs, systems for assessing students’ knowledge, options for corrective measures related to neutralizing possible negative consequences of the implementation of the current education system, etc. characterizing a new level of development

The idea of humanitarization of the educational system, the purpose of which is to create conditions for instilling humane value orientations in those who are in the scope of this system, turns out to be really unfeasible on the basis of a technological approach. Artificiality, external character, abstraction of the ongoing procedures and matrices from the content side of human relationships that arise and are filled with proper human content in the process of socially significant activity, etc. – this is something without which and outside of which it is impossible to “teach” humanity to a person. Informing that there are human definitions, that they can give rise to the phenomenon of humanity, etc. – this is the maximum that the idea of humanitarization can give when it is implemented, if it is embodied in the form of a special technology.

The ninth aspect. Considering education as a section of the social subsystem can in no way be a guarantee of the process of education as a real ongoing development of the human Self, as a subject of culture. Here we can identify the problem, which consists in how much it is necessary or, on the contrary, dangerous in a broad socio-cultural aspect to make an active, massive bet on the development of education as a systemic, technological project. After all, the implementation of these projects requires extremely large funds, efforts, time, human resources, and the result is the reproduction of “manipulators” – conformists who are able to act according to given programs, who can only “matrix” relate to the environment. The mass reproduction of people with such an “education” will make the problem of the cultural creation of human life the lot of too few people. The latter will mean and that the predictions of O. Spengler and others received real confirmation, and not those indirect ones about which he wrote, characterizing the *death of culture*. The habit of doing according to a “cliché”, entering into “cliché problem situations”, etc., is a sufficient basis for the development of an adaptive attitude to the environment. Its replication beyond the situations demanded by educational technology programs is an expression of the lack of a creative attitude that would allow one to see the tasks in a qualitatively new way, to show new approaches, etc.

An adaptive attitude towards life, directed, as a rule, at “optimal consumption in optimal conditions”, fully fits into the framework of the *use* of the means available and used in civilization. The creation of something qualitatively new, associated with risk, anxiety, difficulties, etc., does not meet the requirements of adaptation. Therefore, within the framework of sociality (more precisely: socialness!) adaptive programs, including educational programs related to the implementation of the idea of humanitarization, predetermined, adaptive goals and objectives, predetermined and adaptive means of solving these problems, as well as similar ways to solve them, are still present. The conceptual basis for the development of such programs can be considered the “methodology of social reformist activity” developed by Karl Popper. It concerns sociality (more precisely: socialness!) technology, characterized as a system with planned goals, means, conditions for control, correction, etc.

Social (more precisely: socialness!) technologies from the very beginning, as we noted above, provide for a person the role of an agent functioning within the framework of their implementation. The same thing happens in the implementation of educational technologies. The intellectual orientation of the latter brings the foundations of their development and implementation closer to the concepts of the teaching-behavioral direction (B. Skinner), with the theory of social learning (Rotter), with the conclusions of the cognitive direction (D. Kelle), etc., presented in Western socio-philosophical and psy-

of education as a system.

chological - pedagogical thought.

The existence and development of educational technologies is a form of institutionalization of the microstructures of education as a sociality (more precisely: socialness!) system. The institutional level of the manifestation of educational problems in its content and logic does not coincide with the content and logic of the manifestation of education as a cultural phenomenon. The institutional aspect of education – education as a social system – characterizes education as a civilizational, that is, as a social phenomenon.

The difference between these aspects of the manifestation of education requires their consideration in the implementation of educational programs focused on the development of both the individual and the society.

Concerning the results of the consideration of the idea of humanitarization, the following deformations can be distinguished. They are manifested in the following substitutions: ethical by moral; procedural by normative; human by matrix, etc.

In the educational process, such deformations are often expressed by the substitution of understanding by memorization, rational thinking by mental actions according to the scheme, etc. In both cases, we see the same unacceptable “logic” – “the logic of reduction”.

All of the above nine aspects can be summarized as follows.

First, it is impossible to imagine the process of creating conditions for the development of humane relations between people as a purely *intellectual* process, reduced to the transfer of “ready-made” knowledge and patterns of behavior that are also in the status of “ready-made” knowledge.

Second, the notion of the possibility of *external* influence as a form and method through which the development of morality in a person can take place cannot be considered justified.

Third, it is necessary to clearly distinguish the essence of the concept of “humanitarization” from the concept that expresses the humane attitude of a person to a person and a person to the world. This concept is the concept of “righteousness”. Righteousness, unlike morality, can neither be expressed nor instilled by *external influences*. The content of the latter can be **information about the good, the fair, the honest, the worthy, the conscience, etc.** The discrepancy between, for example, “good” and knowledge “about good”¹ can be easily distinguished. This distinction must not be overlooked when working out the problems of education and the problems of scientific creativity. Otherwise, the “need” to solve the problem of humanitarization of both science and education will regularly arise.

Fourth, the emergence of the problems of improving and developing education *cannot be based on the principle of consistency*, considering it sufficient for the implementation of the most complex processes of development of society and man. This fully applies to the proposed attempts to apply a systematic approach to the proclaimed idea of humanitarization of educational technologies. Let us explain what has been said. The principle of consistency expresses an orientation towards the implementation of functional processes². Education, as a process, has a deeper character. It implies *not just the*

¹ Similarly, other moral concepts are also meant here: justice, conscience, honor, dignity, virtue, etc. Their formally rational interpretation leads to the area of morality, and the content-dialectical - to the area of moral reality - the reality of the human spirit.

² Compare: the concept of “structure” expresses the elemental composition of the phenomenon

functioning of what already exists, but the development of what can then both *function* and create. The systemic approach does not cover, that is, it cannot “model”, reproduce processes, creations as such. This means that it cannot be taken as the basis for serious scientific as well as socio-practical research and projects. Otherwise, a program created on the basis of a systematic approach (even though educational, albeit scientific) will have a situational, tactical, and not strategic character, even when a strategic orientation is consciously required.

The insight into the dialectical and methodological analysis of the situation in education in the context of sociality and socialness should be understood as not only a theoretical, but a practical *guide*. It is revealed on the basis of a dialectical understanding of thinking as a level of reason, methodology as an implementation of dialectical thinking and on the basis of a holistic socially significant activity¹. Such a landmark is in demand by modern society, in which negative tendencies leading to the dehumanization of a man, to the denial of culture as a process, to the leveling of the ethical aspect of human development must be overcome.

VALUE OR IDEAL: ON THE LANDMARKS OF MODERN AXIOLOGY

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The period from 1890 to 1930 is considered to be the heyday of axiology as a philosophical doctrine of values. This was the time when the tendency to its subjectivization - the analysis of values as subjective value orientations - became apparent. If in neo-Kantianism the basis of value choice is the world of absolute ideal significances, then after M. Scheler the origins of value preferences are sought relying on the empirically given psychology of individuals. “The general premise of all modern theories of morality,” he notes, “is that values in general and moral values in particular are subjective phenomena of human consciousness that do not exist independently of it and have no meaning. Values are mere reflections of our desires and feelings” [5, p. 27].

Those who write today about axiology of the ancient Greeks often proceed from the simple fact that the Greeks had the word “ἄξια”, which is translated as “value”. But

under consideration. The concept of “system” expresses an orientation towards consideration of the functioning of this structure.

¹ Gusseva, N.V. Understanding of thinking and consequences of the empirical standards of its use // *Kazakh American Free University Bulletin. Issue 1: Pedagogy and Psychology*. – Ust-Kamenogorsk, 2020. – 142 p., P.3-7; Gusseva, N.V. Theories of cognition, theories of science and thinking. // *Kazakh American Free university Bulletin. Issue 1: Pedagogy and Psychology*. – Ust-Kamenogorsk, 2021. – 251 p., P.3-12; Gusseva, N.V. Contemporary world philosophy in the context of institutional conscience and dialectic thinking as a problem // *Problems of world philosophy, development of man, his consciousness, morality: Proceedings of the III International Conference. (February 16-17, 2018, Astana, Kazakhstan) in 2 volumes*. – Astana: Gumilyev ENU Publishing, 2018. (–218 p.) V.1, P.96-99.

to talk about axiology in antiquity is to ignore the cultural and historical context in which at the turn of the 19th-20th centuries axiology was formed and gained popularity as a new direction in philosophy.

To date, axiology continues to be a tracing-paper of value orientations of the consumer society, the main of which are benefit and success. And in this sense, it represents the ideology of the society of victorious materialism. Moreover, it expresses the victory of *vulgar* materialism in practice and its uncritical expression in theory. And this has nothing to do with Marxism, which opposed such theories because of their uncritical attitude to the given philistine mores of the 19th-20th centuries and the new version of the society of alienation.

It is “value thinking” that turns out to be akin to the indicated historical situation of victorious materialism. Describing the circumstances that gave rise to Nietzscheism, S.N. Mareev writes: “God is dead” meant that the Platonic God died – God-Idea, God-Ideal. That is, the Ideal perished, and, as Marx put it, our common Sun went out, after which everyone began to light his little lamp for himself. But at the same time, it gave rise to “values”. It was personal life that became “valuable”; it was personal independence that became “valuable”; it was serenity i.e. philistine peace that became “valuable”. These are all values because people value them. But would you call all this the Ideal? [3, p. 32].

When individual benefit and success become the main criteria, axiology no longer sees the fundamental difference between the material and the ideal, which was unconditional for the ancient Greeks. The desire for ideals here is replaced by individual predilections. Accordingly, it does not need a dialectical mind that can adequately work with the category of the ideal. Many believe that rising above the applied possibilities of consciousness, mind joins the world of values. But in fact, the opposite is true, according to philosopher. V.S. Voznyak who writes in his article: “Mind as a semantic antipode of consciousness does not differ from its protagonist in some special, different “value orientation”. It is not, by its very nature, “valuable”. The mind does not obey a given goal from the outside, it does not work in the mode of external expediency (this is the essence and destiny of the mind). The mind itself is able to produce goals being determined by the ultimate foundations of human existence in the world and being involved in the definition of these foundations themselves” [1, p. 16]. Thus, it is consciousness that underlies our orientation towards values as ready-made formulas for choice and action. The value systems offered today, according to Voznyak, consist of abstract general prescriptions and regulations, which are set by the rational form of “value thinking” [1, p. 16]. This, in fact, what differs the concept of “value” from the concept of the ideal.

Not only subjectivism, but also vulgarly understood materialism is the methodological premise of the dominant versions in sociology and psychology and their classical models, which, in particular, were the teachings of A. Maslow and M. Rokeach. The fact that these teachings appeared in American science is not accidental. The system of coordinates of the society of general consumption, which matured in the USA in the 60-70s of the twentieth century, is most clearly represented in the hierarchy of values by the American layman. If the historical collisions of the 20th century left their mark on the life orientations of the Europeans of that time, then the American layman for positivist-oriented science has become a version of a man “in its purest form”.

No matter how many times A. Maslow revised his well-known “pyramid”, the hierarchy of needs presented in it remains popular, harmonizing with the consciousness of the layman, like the famous tests of M. Rokeach. I would like to talk about the latter

separately, since the tests developed by him have both an empirical and a theoretical component.

What is interesting here is the coordinate system used by Rokeach, in which all values are divided into terminal values-goals and instrumental values-means. And it is this system, which is characteristic of the transformation of value orientations in a modern person, and in which the material and the ideal coexist or change places.

We emphasize once again that the uncritical position of M. Rokeach, who can be considered a psychologist and a sociologist all in one, lies in the fact that the life guidelines of the modern layman turn out to be the meaning of human life in general. And then in the first place among the values-goals (list A by Rokeach) there is the emotional richness of life, common sense and experience, which he does not distinguish from wisdom, health, material security, physical and spiritual intimacy with a loved one, social recognition. If truth be told, we note that entertainment as the meaning of human life appears in the second half of list A, and the point stands, since all of the above refers to material, but not ideal motives for our behavior. And with interesting work, the experience of beauty, intellectual development and creativity appearing here and there in this list of 18 items, the point still stands. Even when the “happiness of others” is in the 16th place, the material well-being is in the first place [4].

Here it is necessary to make a caveat that the peculiarity of Rokeach tests is precisely in the fact that the goals and means of human existence here just change places. It makes no sense to deny that health is a great value, and that sometimes it is not sufficient. But, according to Mareev, it is not only sufficient for having “little pleasures”, but also for serving a serious cause, and, ultimately, people” [3, p. 33].

Truth, Goodness and Beauty are goals by virtue of their absoluteness. Ideal values, or, in other words, ideals, do not need their justification. But in the Rokeach test, the opposite is true. Therefore, material security and the search for the emotional richness of existence, including physical intimacy with another individual, certainly outweigh the meaning of life on the scales.

The material here outweighs the ideal and is the norm. We are not talking about the fact that the virtues of the past, such as intolerance for shortcomings, a sense of duty and the ability to keep one’s word, courage and strong will, sincerity, diligence, sensitivity and concern for others belong to Rokeach list B, i.e. they are only means of achieving material security, experience and social recognition. And on the contrary, this means that one can be relieved of keeping the word, be cowardly, deceitful and lazy, if circumstances require, if this is not a means of achieving material goals [4].

This is how another feature of modern axiology manifests itself, the feature which is fraught with relativism, when it is possible to follow moral principles according to circumstances. Ancient sophists argued that in human behavior everything is relative. The socio-humanitarian science of the 21st century proceeds from the same, testing modern man.

As we can see, little has changed since the beginning of the 20th century, when Max Scheler described this situation. According to him, the worldly mind is the ability to quickly adapt, the infallibly calculating conscious mind, the knowledge of sense in regard to the “security” of life and all-round free communication, consequently, the qualities that can provide all this, a sense of “balance” and the predictability of all relationships, constancy in work and diligence, frugality and pedantic accuracy in the conclusion and observance of contracts. These are now the main virtues, before which courage, daring, readiness for self-sacrifice, delight in determination, generosity, vital-

ity, thirst for conquest, indifferent attitude to economic benefits, love for the motherland, loyalty and devotion to the family and the sovereign, the ability to rule and dominate, humility, etc. retreat [5, p. 178].

Self-sufficiency of the ideal, the possibility of subordinating individual existence to the search for truth and beauty still causes skepticism in the layman. Where axiology rationalizes such a picture of the world, it is apologetic and runs counter to criticism as the core of scientific and theoretical knowledge.

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RELIGIOUS IDENTITY IN THE STRUCTURE OF INTERETHNIC RELATIONS¹

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There are many facets, aspects and sides in the content and structure of interethnic relations. Religious identity is one of these aspects and one of the most important factors. At the first glance at the problem of the relationship between interethnic relations and religious identity, we are struck by numerous examples of almost complete coincidence of ethnic and religious affiliation - ethnic groups are closely associated with a particular religion, which is supported by the believers themselves. "Studies show that for the majority of the believing and non-believing population, the very fact of the merging of the religious and the national is not at all associated with any confessional confrontation" [1].

There are different options for combining ethnic and religious affiliation. The

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most common is the coincidence of ethnic and religious identity noted above. This option comes from the historical continuity of faith inherited by new generations from the previous ones - the so-called faith of the ancestors. There is another option, when within the same ethnic group there are several confessional groups: Muslims, Jehovah's Witnesses, adherents of the Society for Krishna Consciousness and others (or Orthodox, adherents of the Society for Krishna Consciousness, Jehovah's Witnesses and others). And all representatives of this ethnic group consider themselves right in relation to the chosen faith. The feeling of this correctness is shared by the ethnos. This is also one of the real religious factors within ethnic and interethnic relations.

There is also one more option: several religious associations arise within one ethnic group, as in Ukraine now: the Ukrainian Orthodox Church (canonical), the Orthodox Church of Ukraine (which received autocephaly from the Patriarch of Constantinople Bartholomew), the Roman Catholic Church, the Greek Catholic Church, as well as a number of new religious movements.

An interesting example is provided by the Ashkenazim and the Sephardim, two sub-ethnic groups of Jews; each of these groups has its own Chief Rabbi of Israel (both were participants in the VII Congress of Leaders of World and Traditional Religions, Nur-Sultan, 2022). Religious differences between groups are small and are associated with greater or lesser strictness in the implementation of the law; while cultural differences, on the contrary, are very noticeable, which is associated with the history of these groups (one group lived in Northern and Eastern Europe, the other in the Mediterranean). So there are many options for the relationship between ethnicity and religion.

It should be noted that both at the level of the ethnos and at the level of the society there is no legal self-regulation of confessional relations (except at the moral level), therefore, a state-confessional policy is necessary. "Since virtually all modern societies are multicultural and multiracial, 'governance of religion' is an indispensable component of political secularization. In other words, the paradox is that precisely because religion is significant in modern life as a carrier of identity, the state must control it in order to minimize the costs of governance" [2]. And also: "Such a division (into the relations of society and religion, on the one hand, and the state and religion, on the other - A.K.) is important because while it is quite easy for the state to create conditions for the legal regulation of religion in the political sphere, it is very difficult for the state to exercise successful control over social functions of religion" [3].

It is believed that religions do not unite people on religious grounds, but separate them. And in many ways it is true. Believers unite within their religion and are wary or even suspicious of representatives of another religion. In this sense, religions do partly divide people. But behind this quite convincing thesis, another reality of religion remains invisible - it consolidates believers, regardless of their confessional affiliation. All believers have a common characteristic that unites them. They believe in God, and it is this faith in God that unites believers of various faiths. And although it is known that both the ideas about God and the paths to Him differ significantly in different religions, true faith itself is that unconditional common foundation that ensures the spiritual consonance of believers. It is not religious truth (which is unique in its depths) that distinguishes and separates believers of different religions, but a primitive understanding of the essence of faith. In other words, the heights of faith unite believers, and formal adherence to the rules of faith (without proper understanding of its essence) separates them.

Moreover, the unifying potential of faith in God is very significant. The difference

between believers and non-believers is a lot greater than the differences between believers by confession. And there is a simple but powerful reason for this. Any association realizes the community of interests of the people included into this association. And only religion unites people not by interests, but by their attitude towards God. The relationship to God is a lot more powerful than any other relationship, since one of the sides of this relationship is God, who has absolute properties and characteristics. That is why the relationship between man and God is fundamentally different from any other kind of relationship. And it is precisely this specific relationship to God that unites believers of various denominations: believers build relationships with God that exceed the ordinary characteristics of relationships as much as God is more significant than any other subject of relationships. That is why religion has a huge unifying potential. But it is not always possible to realize this potential, and the difficulty of its realization is connected not with religion, but with the specific socio-political situation in the world and in various states and societies.

This is where ethnic solidarity in faith comes to the rescue. The faith of the ancestors allows you to naturally and without problems accept a very specific religion, namely the one that the ancestors professed. So the fusion of ethnic and religious identity is historically and religiously justified. We can note certain divisions here though, but this division is related to the depth of faith. Within one religious association, ethnically homogeneous, there are strong believers and weak believers. Thus, representatives of one ethnic group are divided on the basis of the depth of their faith. The division of believers and pseudo-believers in one religion is deeper than the division of true believers in different religions. And truly religious people are the only true believers. All those who identify themselves as believers, but do not comply with the religious requirements for believers and do not behave like believers in everyday life, are not believers. This becomes especially clear when the essence of religion is clearly defined. Religion by definition, and according to its essence, is reunion with God. And for the reunification of a person with God, the least a person starts with is deep faith. But in addition to deep faith, one must correspond to many other things in order to abide in religion.

Today, due to the dominance of secularization, what is called religion is not at all what religion is in its essence. Secularization has renormalized many of the concepts associated with religion; it weakened these concepts, distorted them. In a number of modern, recently created religions, there is not even a mention of God, but these associations are formally classified as religious. Here is a classic example for you: in the USA there is an association that worships colander (a pan with holes in the bottom). This association exists as a religious one. Moreover, it has been seeking for a long time and finally won the right to be photographed for documents with a colander on the head. This is, of course, an extreme example of false religion. But it is very characteristic of the modern secular world, deliberately distorting the essence of religion.

By distorting the essence of religion, recognizing known absurd associations like the one mentioned above as religious, religion is presented in a distorted form, including as one of the forms of ethnic confrontation, and this is done deliberately and on purpose. The designers of the modern world need multiple lines of division in society. Religion is a very convenient means of such a split. How is it carried out in practice? Let us consider Islam. This is an international religion. What does this mean for our topic? This means that Muslims may be ethnically different but united in faith. Umma unites people of different ethnic groups, it does not separate them, but unites them; religion does not

divide, it unites. This does not suit the creators of the new world order, and they plant radical forms of Islam in different countries, dividing Muslims by country and ethnicity. They also support different interpretations of the truths and values of Islam, different movements, especially radical ones. And then they say: if within one religion - Islam, there are so many different currents and forms of confession, forms that often oppose each other to the point of confrontation, while demonstrating radicalism, then there is no question of any unity of different ethnic groups in Islam; and they interpret religion as a means of confrontation, including ethnic.

The considered problems are practically significant for the implementation of the most important task facing Kazakhstan society - its consolidation. "Consolidation of modern Kazakh society is one of the priorities of the state policy of the Republic of Kazakhstan. Consolidation of society is always needed, and in the modern world it becomes extremely necessary. Unconsolidated societies are not able to preserve traditional values, develop culture, they lose a systematic vision of the tasks and goals facing the country, and, ultimately, the country loses national and state sovereignty" [4].

Consolidation of society is not a blessing given once and for all. The existing level of consolidation is being lost under the influence of many modern processes, of which we can note the following as the most important: the loss of clear goals for the development of the country, excessive economic and socio-political polarization of society, inability of the elites to reconcile social and ethnic interests of various segments of the population, loss of culture (both traditional and contemporary), ideological and spiritual prostration of the broad masses, deliberate destruction of the existing level of consolidation of society from abroad in the interests of the main subjects of modern geopolitics. Being subjected to such powerful and large-scale influences aimed at disintegrating the national societies of the modern world, countries are not always able to maintain at least the current level of consolidation of their societies, which is the initial stage of the process leading to the complete loss of state sovereignty.

The tasks of preserving and strengthening the consolidation of society are especially relevant in the context of globalization, which, while changing its form and immediate goals, remains the dominant process of our time. Globalization significantly strains nation-states, since the ways of realizing the internal and fundamental goals of globalism in its impact on nation-states are challenges and threats that constantly keep growing. These challenges and threats, with a superficial glance at them, look like some kind of objective reality, independent of the actions and intentions of any forces. But a more careful analysis allows us to see that the challenges and threats of our time are "man-made", specially designed and implemented, being the most effective means of destroying stable ties and relations, both between states and within them. Challenges and threats have become a tool for the development of strategic instability as a mechanism for domination and control of the modern world.

The commonality of religious interests and values can be achieved through the implementation of the spiritual unity of the main religions of Kazakhstan - Islam and Orthodoxy. At first glance, religion appears to be something that does not consolidate society at all, but rather divides it. In fact, we see in the example of Kazakhstan that Islam is practiced by the Kazakhs and a number of Turkic ethnic groups of the country, while Slavic ethnic groups are Orthodox. That is, religion divides Kazakhstani people according to their ethnicity. Along with the well-known fact of the coincidence of religious and ethnic identities, this circumstance reinforces the fragmentation of Kazakh society along religious lines. Hence the conclusion is drawn: religion deepens the ethnic

division of society.

But this conclusion is fundamentally wrong. It is based on outwardly obvious fact. The thing is that religion is able to consolidate the believers of traditional religions. Believers of different religions are united by the common moral foundations of these religions. In Islam and Orthodoxy, a believer is obliged to be compassionate, take care of people, show mercy - all these are moral requirements that are obligatory for a believer. Islam and Orthodoxy differ dogmatically, but have much in common morally and spiritually. In particular, Islam and Orthodoxy are similar in their understanding of the world order and the nature of morality. Firstly, it is faith in the One Creator, which is expressed in the recognition of His goodness and love for people, mercy and justice. Another common thing is the belief in retribution, in the expectation of the Day of Judgment, in the belief in heaven and hell, in the angels of good and the spirits of evil, in the prophets, in the forgiveness of sins, in good as the essence of being, and in evil as a corruption of this being. Almost identical in Islam and Orthodoxy are the moral requirements for believers: do good, avoid evil, help people, be merciful and just. All this allows us to talk about the real spiritual closeness of Muslims and Orthodox Christians in Kazakhstan, and, consequently, about great opportunities in the field of spiritual consolidation of our society.

This point should be especially borne in mind, since in the modern world there is an idea of a fundamental confrontation between Islam and Christianity, many geopolitical models and concepts are built on this confrontation. In fact, there is no opposition between these religions. There are great differences in the understanding of the essence of God, there are differences in the foundations of faith, in divine services, in the extent of requirements for the outside world, and so on. There are many differences both in essence and in doctrinal practice. There are differences, and they are significant, but the moral and even spiritual closeness of these religions is even more significant.

Spiritual consolidation by no means implies absolute identity of spiritual values and aspirations of various segments of Kazakhstani society. On the contrary, the consolidation of spiritual values implies the preservation of the originality and specificity of the spirituality of these segments. Differences in the spiritual sphere are a condition for the true commonality of the spirituality of society. Consolidation in the spiritual sphere is agreement in general principles, in general content, while maintaining the diversity of the specific content of spiritual traditions. Differences in this area are good; they contribute to the stability and spirituality of society as a whole.

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WHEN THE SPIRIT LEAVES ART

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Introduction. Spirit and art

The well-known Hegelian thesis about the irreversible devastation of art derives from the following reasoning. Since the beautiful in art is a perfect unity of the absolute spiritual content and form of its depicting, and the spirit in its development overcomes the phase accessible to the depiction, the beautiful becomes for art, even if it retains a longing for the ideal, more and more unattainable. Art “sinks to mere manual skill and professional dexterity” [Hegel (1975) vol.1, p.292-293], which increasingly «is for connoisseurs only and scarcely appeals to the general human interest in art”, -- Hegel wrote [Hegel (1975) vol. 2, p.899].

But this argument runs counter to Hegel’s own considerations, since Hegel’s spirit can neither be reduced to depiction, nor overcome the phase accessible for depicting: it “is absolute spirit [only] in its community” (vol.1. p. 94), which connects a multitude of human individuals, the unity of which is not visual, and the moment of the externality of individuals can never be excluded from the definition of the spirit. So, it is only an abstract unity, which “cannot freely and truly shape itself outwardly” [Hegel (1975) vol.1, p. 79].

Hegel correctly connects the decline of art with its transition to the ironic (or romantic) principle: It’s essence is: “Whatever is, is only by the instrumentality of the ego”, and all these Ego “can equally well annihilate again” [Hegel (1975) vol.1, p. 64]. Yes, Ego can destroy, but it cannot create anything, because for the lonely Ego, which is “the lord and master of everything” [Hegel (1975) vol.1, p. 64], “Everything ... becomes ... a mere appearance due to the ego, in whose power and caprice ... it remains” [Hegel (1975) vol.1, p. 65].

But what caused the ascent of this objectifying Ego and how it’s opposite is possible - the spirit that cannot but create? The latter means that he allows the work as a whole producing itself¹. That is, for him, the product is subjectivity. And this insight directs the search for the conditions for the rise and fall of high art to a concrete study of the relationships between many subjects.

To cover the entire field, it is better to start from the opposite Hegelian, reflexive position, which in aesthetics is best represented by Kant.

Kant on the communicability of feelings

For Kant, the moment constituting the aesthetic sphere is precisely the communicability of feeling. Therefore, taste as “the ability to judge a priori the communicability

¹ In original: “ das Ganze im strengen Zusammenhange aus einem Guss, in einem Tone sich durch sich selber produzieren lässt lässt” [Hegel (18358) s. 382]. The translator into English has missed this specificity, and it is vanished out of English version: “The true work of art ... evinces its genuine originality only by appearing as the one personal creation of one spirit which gathers and compiles nothing from without, but produces the whole topic from its own resources by a single cast, in one tone, with strict interconnection of its parts, just as the thing itself has united them in itself” [Hegel (1975) p. 296].

of the feelings" [Kant (1987) p. 162] -- comes to the fore.

On the one hand, pleasure cannot be imposed. For this reason, the "Critique of Judgment" does not deal with laws that are the same for all rational beings (like the moral imperative or categories), but with a single, accidental existence of people. Here is no a priori universal; judgments of taste are not deduced as less general from more general.

And yet, in the case of the beauty, we are talking about pleasure, which claims to be universally valid. This is the antinomy of taste.

Universal validity of taste judgment "is not to be established by gathering votes and asking other people... but it must rest... on an autonomy of the subject who is making a judgment" [Kant (1987) p. 144]. Herewith imagination must rework my empirical representation into some analogue of a transcendental scheme (a symbol), thereby making of it a universal, possible object, to the existence of which I am indifferent. This allows me to distance myself from the immediate interested reaction.

But what must the imagination conform pleasure with? After all, the judgment power does not have a ready reference concept.

Aesthetic judgment is guided by a common sense that arises in a community with others [Kant (1987) p. 87], which Kant distinguishes from ordinary reason (reason relies on concepts, but any coercion "runs counter to taste " [Kant (1987) p. 93]. In this common sense, an "indeterminate standard" [Kant (1987) p. 89] is established - "one attunement in which this inner relation is most conducive to the (mutual) quickening of the two mental powers" [Kant (1987) p. 88] (sensibility and understanding).

This standard or canon is established in a remarkable way: In order not to take our private preferences for universal ones, "a power to judge ... takes account (a priori), in our thought, of everyone else's way of presenting [something]" [Kant (1987) p.160]. That is, "we compare our judgment not ... with the actual", but "with the merely possible judgments of others" [Kant (1987) p.160].

It is easy to see that the universality obtained in this way is the universality of resemblance, an abstract generality. It differs from the abstract generality of the concept, obviously, only in a deliberate fictitiousness, since it is obtained through an imaginary reincarnation into other empirical points of view, from the specifics of which, however, we abstract. But in my imagination, I certainly can bring anyone else to a consensus, moreover, on terms that are convenient for me. It is on this consensus (that I have imposed) that my reflective judgment about beauty will be guided.

But anyway, even Kant's taste is a sense of community, everyone possesses it, and in this it differs from genius, whom not everyone possesses, but only creators, to which it is innate. Taste is the social instance of selection, it curbs a genius, censors his products, and only under these conditions gives his creatures the ability to be "durable, fit for approval that is both lasting and universal" [Kant (1987) p. 188] - and on this ground demands sacrifices from him.

2. Hegelian approach to the communicability of taste

a) Taste as a practical operator

The opposite approach to the beautiful, Hegelian, leads beyond the transcendental space into a social institutional space (or field), which cannot be understood as the repetition of the same thing for everyone. This made it possible to advance in the determination of the mysterious "indeterminate standard" (or canon) of taste, taking into account the not-fictional differences of individuals. This advance was made by the so called

figurational sociology of N. Elias and akin to it theoretically saturated sociology of P. Bourdieu. Their approach I will consider as unite in the frames of my research, for which there are reasons [Bowen (2012)].

P. Bourdieu showed that the canon of taste is formed as a stable system of dispositions of the social space, which is incorporated in (imposed on) the individual in the process of upbringing as a system of pleasure / unpleasure dispositions [P. Bourdieu (1984) p. 175]. Therefore, taste comprehensively sets the style of human behavior depending on the place of its bearer in social space. It works as an operator of transferring the objective conditions of the existence of individuals into all their practices, making them practices of the same style.

Hence, the taste depends on the social power of its subjects, and its canon depends on the power balance in society.

Kant's approach from this point of view is not a fiction, it reflects the functioning of a certain social canon of feeling - one that is formed with a significant difference in the social power balance, allowing socially strong layers to take a commanding position in relation to creators and a legislative position in relation to public taste [Elias (1991) p. 64].

Historically, such a canon in Europe preceded the formation of high art from crafts. This is a pre-bourgeois, courtly-aristocratic canon. N. Elias described how it developed in the long process of the formation of absolutist states. After the loss of sovereignty land-owners became dependent on the state power, which the monarch personified. They were forced to subdue themselves and develop subtle manners of treating each other, which made it possible to determine instantly the current weight of the power of a particular person. It was essential for success at court and in collective distancing from the lower classes.

- Formed by this game of power, the representative of "good society" automatically "regarded good taste in the arts, as in dress, furniture, and houses, as the natural prerogative of his own social group" [Elias (1991) p. 162]. And it is this group (constituted itself through public gatherings in different contexts – divine service, banquets, dances... but never art in itself) -- that was the "decisive instrument with which the work resonates" [Elias (1991) p. 94], instrument, forming the very common sense that curbs the creators.

- As for the creators, they were artisans and were forced to subordinate the very their imagination to the "patron's canon of taste" [Elias (1991) p. 168]. If "something ... was not to" aristocrats' "test, they said so and expected a suitable change. In their eyes there was no doubt that people of their class ... were better judges of good taste than a bourgeois musician" [Elias (1991) p. 150]. Even Mozart.

The transformation of the aristocratic canon N. Elias demonstrates on the example of music - according to Hegel, art, paradigmatic for the phase of decline, but Elias models on it the ascent of high art.

b) The ascent of art: overcoming the aristocratic canon of taste

As long as the aristocratic canon dominated, which seems to Kant a universal norm, there was no high-ranking music in Europe. And the emergence of a pan-European market does not lead to its emergence. Neither in France nor in England (the market leaders of those time) did high-ranking music exist.

It originated on the territory of the successor states of the Great Roman Empire of the German nation, of which there were really many. And each of these petty sovereigns

had everything that was due at court, including a chapel, where, like the rest of the court flunkies [Elias (1991) p. 66], burgher musicians worked for hire, remaining outsiders. But they had the opportunity to move to another master, and therefore, in their favor to reduce the discrepancy [Elias (1991) p. 147] in social power, which made it possible to compose, evading the master's prescriptions.

Here, on the border of the canons, the only place where a genius could appear, Mozart appeared. He was brought up on the court canon but refused to be an "official artist" and began the first career of a "freelance artist" in the history of music [Elias (1991) p. 78].

So, the specific of his situation is connected not only with his unique for his time musical education but also with extreme social tension he was embroiled: "he never accepted ... his position as a lower-ranking person" [Elias (1991) p. 83]. And he, the petty burgher Mozart, "whose father had worked his way up from craftsman status to that of a court servant" [Elias (1991) p. 75], confronted the ruling prince and the highest church dignitary, the representative of the nobility as a group, and confronted him almost single-handedly.

For writers in the 18th century, a free market had already begun to form, there was a reading public and publishing enterprises, the social figure of a freelance artist. But there was no musical market yet, so for a musician the place of a "freelance artist" did not yet exist in society [Elias (1991) p. 78]. Hence, his life chances depended on his (and his music's) ability to engage a number of influential high-nobility persons in his symbolic power game on the new rules – rules of equal friendship, which cannot but bifurcated courtiers.

It was a rather shaky foundation of life. But by the time of Beethoven's maturity, we can speak of a "structural change in the relationship of people to each other, which can be precisely defined" - of "a power-gain by the artist in relation to his public", when the ratio of social power already allowed the musician to impose on the public his individual taste. That is when a transition comes "from craftsmen's art to artists' art, "to production for the anonymous ... public which is by and large the artist's equal" [Elias (1991) p. 90].

Decline of art

But "those creating art are in general socially equal to the public" only at the beginning of a new phase. Further there arise institutions of professional artists, and they superior in power their public - already atomized. Now the canon itself instructs artists to deviate constantly into new paths, and the general public must "slowly learn to see with their eyes and hear with their ears" [Elias (1991) p. 92].

This is the second change of balance; it marks setting of the new establishment and constitutes the social condition for the decay of art. It is expressed, as predicted by Hegel, in the fact that the ordinary public no longer enjoys the new type of art. Art remains incomprehensible to public, turns into art for connoisseurs. Here kitsch appears and grows – as a reaction to baffling experiments. The rupture of understanding with the public brings to life such mediating instances as "art historians, journalists, critics, essayists " [Elias (1991) p. 96].

Where does the gap come from, P. Bourdieu explained [Bourdieu P. (1995)]. After "the institutionalization of permanent revolution" in the "fields of cultural production" [Bourdieu P. (1995) p. 219] the field of art begins to produce such figures as so sophisticated and educated Marcel Duchamp (with his ready-made WCs) and the naive illiterate

"Douanier" Henri Rousseau. "They only exist as painters ... as a result of the entirely particular logic of a field " [Bourdieu P. (1995) p.244]: in such a field, in order to appreciate the contribution, to use his taste, the viewer must know the whole history of the field, - that is, he must be a professional viewer, because "the work is the product of the historical games and stakes" in the symbolic struggle [Bourdieu P. (1995) p. 248]. The pleasure here is only the pleasure of accumulating the symbolic profit of a modified power, i.e., from victory or superiority over an opponent. But this is no longer admiring, not letting go, not an aesthetic feeling.

Experimentation is cultivated in the field, because in it by the struggle for token profits the new establishment is constituted. In such a field, art is no longer aimed at creating beauty that would retain an autonomous cultural significance, that is, outside the circle of those professionally involved in its production. The art of artists has returned to a state of maybe sophisticated but handicraft technique, having lost its differentia specific.

Conclusion. When beauty returns

What is lost here (what Mozart had got)? What are the conditions for a return to beauty in art? Elias does not answer this question, although he poses it (at any rate in the book collected by Schroeter after Elias' death): «Among the most interesting unanswered questions of our time is that of the structural characteristics on the basis of which the products of particular person survive the selection process of a series of generations and are gradually absorbed into the canon of socially accepted works of art" [Elias (2010) p. 96].

The answer may we find with the help of soviet philosopher Ilyenkov. He objected to those theoreticians who tried to justify for the cultural elite "the right to experiments, understood only by the cultural elite" [Ilyenkov (1991) p. 179], so that these experiments should not be understandable to masses. Ilyenkov answered that if they are not understood by the masses, then they answer the requests of only the elite, and not the interests of the masses [Ilyenkov (1991) p. 179]. Therefore, as only any established elite is formed, its experimentation takes on a formalistic and fruitless character. Although the perverted appearance arises that it is the emancipation itself from the master's canon of taste as the following of the creator solely to his own supposedly innate "genius" which is already freedom of creativity.

Ilyenkov, who never liked the art of permanent experimentation for the sake of experimentation, and not without reason [Ilyenkov (1968a)], believed that genuine creativity requires a "cultural revolution, a revolution in the sphere of division of labor, overcoming social stratification" [Ilyenkov (1991) p.192], social inequality, -- the educational elevation of each individual to universal development is required, which remains for the time being a privilege for so called "gifted" (who, in fact, received access to "normal human conditions") [Ilyenkov (1968) p. 150].

This is the key to the problem, which Elias himself outlined, but did not reflect and draw all the conclusions. Elias did not find an answer, because he ignored the zero position in the shift of the power balance [Elias (1991) p.63] and became a victim of the appearance that the very liberation from the lord's taste canon is already freedom of creativity. As a result, he argued that "it is precisely because he [Mozart – O.I.] developed the sequential ordering of the motifs that rose up in him within the traditional canon that his music is so accessible and has such lasting appeal" [Elias (2010) p. 81], i.e., because Mozart obeyed.

Meanwhile, the analysis done by Elias himself shows that “outstanding achievements occur most frequently at times which could be called transitional phases ... such achievements arise from the dynamics of the conflict *between* the canons of older declining classes and newer rising classes” [Elias (2010) p.63]. And high-ranking music appeared *between* the aristocratic canon and the “canonized avant-garde”, and both are in fact homologous: both embody the ironic (Hegel) -- objectifying (Bourdieu) -- power strategy.

In the historical gap *between* these two versions of the craving for dominance is the strategy of upholding the equal human dignity of many subjects.

The claim of the person of the lower social rank to equality, based on his musical achievements, made him particularly sensitive to the fact that, in addition to the subjectivity of the rulers, there was also the subjectivity of the subaltern, such as himself, which prevented him from identifying with the behavioral canon of the ruling class, and formed a different practice-generating structure, oriented to another, autonomous and equal subjectivity. But this, as Bakhtin showed [Bakhtin (1986) c. 16-18], is the condition for separating creation from the author's will, that inner perfectness that we identify as beauty.

It is the most difficult to realization, also because it is not someone's planned process. But when it happens – we have a genial piece of art and a genius as “social skill” (*Geschick* -- Elias)¹.

So, the whole point is whether taste, as an operator that generates practices, is able to constitute and acknowledge someone else's subjectivity.

If able – taste is sensitive to beauty, and this sensitivity is the creation of another subjectivity, in every sense.

If not able, if taste strives to be self-lawful, it is only capable of suppressing someone else's subjectivity, of destroying someone else's life, it is not sensitive to beauty, and without this it can produce nothing but ugliness.

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¹ “... das “Genie”, das ein Mensch nicht ist, sondern hat, gehört selbst zu den bestimmenden Elementen seiner sozialen Geschicks und ist ein soziales Faktum...” [Elias (2005) s. 64]. And again, a significant omission, although this time the translator was like-minded and directly involved companion: “...the “genius” – not something a person *is*, but rather something that he or she *has* – is itself one of the elements determining his or her social fate and is to that extent a social fact...”[Elias (2010) p.98]. Apparently, this loss should be attributed to the language game of Elias himself. “Geschick” is a word that means “skill» but has the same root as “fate” (Schicksal) and “sent” (Geschickt). However, by such a translation the whole focus of the research was dissolved.

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**THE TRUTH BEHIND THE VOID: AN EXPLORATION OF THE
AESTHETIC METHODS OF ANALYZING KASIMIR MALEVICH'S
"THE BLACK SQUARE"**

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Few works of art have faced as much scrutiny as Kasimir Malevich's "the Black Square". Yet the controversy surrounding it already presents one with the fact that Malevich's painting never leaves its viewer indifferent. In an aesthetic sense, the depicted void of the painting challenges even the most thoughtful players engaged in its play. As a conceptual work of art *par excellence* - "the Black Square's" meaning must necessarily be derived from connecting its visual qualities with the conceptual. This aim is achieved through comprehending the full extent of Malevich's artistic and philosophical project. Through the approach of aesthetics, this paper will attempt to present several philosophical methods of analyzing "the Black Square".

Kasimir Malevich's artistic career is uniquely defined by his elaborate decision to elucidate the visual art of his paintings. Aesthetically, his works are characterized by an elegant lucidity of geometry, color, and shape. Behind this artistic simplicity one can find profound reflections on religious motifs of spirituality, piety, and fideism. In his book *"An Art of Our Own: The Spiritual in Twentieth-Century Art"*, art scholar Roger Lipsey sets out to interpret Malevich's work (Lipsey, 2004). He establishes the body of Malevich's artistic career to be a full expression of his idea of – Suprematism. This artistic vision was set on bringing art to its barest simplicities. Discovered during an endless period of creative activity - the originality of Suprematism was for Malevich a hard-won victory. Initially, the paintings predating his Suprematist period of work transitioned from Neo-Primitivism, Cubism, Cubo-Futurism, and Alogism. Lipsey emphasizes that Malevich's transformational movement from various styles was not in any sense superficial. For example, his Cubist paintings stand out as creative examples of elaborate flow, grammar, and syntax. Here, one sees an artist that's willing to fully commit himself to creating art of high aesthetic value in whichever style that occupied him during the given moment. This period of Malevich's artistic soul-searching necessitated a lifestyle of private reflection. When the Suprematist artist began sensing the grasp of his own creative voice, he broke off from his past styles of art. Lipsey argues that this disavowal of his past avant-garde style can be found in his private writings. The way in which Malevich seized on his own maturation further echoes the piety of the Russian icon tradition. With an ascetic's commitment Malevich searched within himself for a divine voice of creativity, pushing away the visions that were already familiar to him. The human sincerity of such devotion gives his writings a dimension of being written by a monk like figure. For Lipsey another element that must necessarily be mentioned is Malevich's personal determination to enact an artistic quest. The romantic notions of the desert, prayer, sky and the cosmos are especially prevalent in the personal writings of Malevich's period of maturation. Importantly, "the Black Square" would become the first born of the Suprematist's new vision. Its simplicity, minimalism, clarity and lack of any emblems are all expressed in the title and the depicted void of the painting. The devotion towards the divine can be further seen in the fact that the painting was hung high across a corner of a ceiling, specifically in the way that one would hang the most important religious icon at a Christian Orthodox home. This shows the Suprematist artist's further connection to the icon tradition. In the void of "the Black

Square” lies a sacrifice of any form of representation or even depiction of a singular object. Contrary to its darkness Malevich’s intent was one of depicting - purity, abstractness, and holiness. Lipsey brings forward the pamphlet written by the artist to explain his vision:

“The square is not a subconscious form. It is the creation of intuitive reason.

The face of the new art.

The square is a living, regal infant.

The first step of pure creation in art. Before it there were naive distortions and copies of nature.

Our world of art has become new, nonobjective, pure...

A surface lives; it has been born.” (Lipsey, p. 138)

A sense of triumph seeps through the words of Malevich’s poetic description of his achievement. It’s creator’s victory over his prior creative styles is an irreducible part of the way in which it was conceived. Lipsey argues that Malevich’s emotional breaking of boundaries was also fueled by the socio-historical circumstances under which the art work was conceived. The early 20th century saw vast technological progress along with the turmoil of the First World War. The transformative mood of this moment was especially heightened as the Russian Empire was greatly shaken after it’s violent engagement in the First World War, marking its collapse under the emergence of a revolutionary Soviet force. This does not mean that “the Black Square” is a political or an ideological painting. Much differently, Malevich’s humanistic vision of spiritual piety would later be a point of conflict for the political convictions of the newly emerged Soviet state. His later reflections show a continuous fondness for his initial Suprematist works. Malevich would go on to resist the immense control exercised on art within the Soviet Union. The Suprematist artist’s push back against creating utilitarian art highlights his high regard for human freedom. One can see how the unrestrained nature of “the Black Square” allows its viewer to derive his own meaning through the truth of the void. The desire to stimulate a free flow connection in art, prominently appears in Malevich’s writings. Lipsey quotes the following passages as an example of that:

“Nothing but the expression of the pure feeling of the subconscious or superconscious (nothing, that is, other than artistic creation) can give tangible form to absolute values. Actual utility (in the higher sense of the term) could therefore be achieved only if the subconscious or superconscious were accorded the privilege of directing creation.” (Lipsey, p. 145)

Malevich intended for the abstract geometric nature of his art to be appreciated by the viewer as freeing and unrestrained. “The Black Square’s” unburdened visual appearance can facilitate a potentially infinite number of unconscious associations. Each of the derived associations stemming from what Malevich would identify as the subconscious. Lipsey argues that this brings up the fact that the artist himself gave birth to the painting from an internal realm of his reflections. His work fully embodies this in its freeing minimalism. Lastly, this work of art defined for Malevich an important turning point in his personal quest. This fact is clearly discernable, as the artist desired for his grave to be marked by the void of his painting.

Firstly, a proper interpretation of “the Black Square” can be achieved by engaging with the philosophical traditions of aesthetics, phenomenology, and hermeneutics. One

can find a highly profound approach towards the nature of art in Martin Heidegger's work *"The Origin of the Work of Art"* (Heidegger, 1971). Although Heidegger did not write on conceptual art – his hermeneutic insights can be helpful for interpreting Malevich's painting. Notably, Heidegger defines art as uniquely carrying a certain irreducible quality which can only be described poetically. He deems this property of art as its "thingly" element. For Heidegger, one must ontologically challenge the traditional idea of aesthetics to truly achieve an understanding of the nature of art. He argues that representational art does not pursue a realistic depiction of definite objects but aims at portraying the living essence of the particular thing. Metaphysical truth can only be found in art that concerns itself with disclosing the full extent of Being of some individual or object. Heidegger makes an example of one of Van Gogh's paintings, which for Heidegger successfully embodies the phenomenological character of its depiction. While, Malevich's painting is conceptual, it can also be interpreted through Heidegger's account. The Suprematist painter directly intended for his artwork to have a humanistic dimension of freedom. By Heidegger's account one can see how "the Black Square's" appearance ventures outside the boundaries of making a single represented object be a depiction of the art's truth. The meaning found in Malevich's painting must be grasped in a holistic manner through fully engaging with the provided concepts of the painting. This would mean going beyond the baroque predicates of the subject as the viewer and the painting as the dominant object which gives the viewer aesthetic pleasure. Instead Heidegger's account presents the idea that even representational art must be engaged with through a connection of the concepts and the visual appearance of the art.

Secondly, a further way of constructing an interpretation of "the Black Square" is offered by philosopher Hans Georg Gadamer's approach towards aesthetics. In his essay *"the Play of Art"* Gadamer builds on Heidegger's phenomenological and hermeneutic ideas. In this work he introduces the idea of art as – play (Gadamer, 1986). Gadamer argues that aesthetic consciousness necessarily engages in a form of immersive play with an artwork. The individual engaging with an art work must immerse himself in the creation that appears before him with an intent of letting the game of the creation come together. This removes the individual out of their day to day consciousness, placing them into the play that emerges from the art. Among the central elements of this idea is the possibility of success, happiness, loss, or disappointment from taking part in the play. A certain interpretation derived from the play can even be a profoundly transformative experience for the player. However, Gadamer's point should not be seen as reducing art to a trivial form of unserious play. In actuality, his interpretation of art as play underlies the inherent seriousness involved in experiencing art. All games necessitate seriousness for their successful function. Gadamer writes about this as such:

"The comparison between the forms of play discovered and created by men, the uninhibited movement of play exhibited by superabundant life, can teach us that precisely what is at issue in the play of art is not some substitute dream-world in which we can forget ourselves. On the contrary, the play of art is a mirror that through the centuries constantly arises anew, and in which we catch sight of ourselves in a way that is often unexpected or unfamiliar: what we are, what we might be, and what we are about" (Gadamer, p. 130).

Gadamer's insights offer another dimension through which to appreciate "the Black Square". Malevich's art work intentionally communicates conceptual openness to

its viewers. Being devoid of traditional forms of pictorial representation, the painting offers what can be interpreted as a serious and formidable game. Yet on Gadamer's account by engaging with the rules of the play, the equipment and the game that presents itself – the viewer can potentially achieve a profoundly transformative experience. If, as a result of the play “the Black Square” offers some form of limited satisfaction, it can become a painting that's appreciated for its minimalist beauty. And if the play ends in dissatisfaction, the player as the viewer can cut his losses and reengage with the artwork's game at a later time. The loss of the game points to the strong hermeneutic notion within Gadamer's idea. By his account, art contains a precise body of knowledge which can be continuously reinterpreted to a potentially infinite extent. Hence at a certain part of his life an individual may derive a wholly different truth from “the Black Square” than earlier on. Gadamer's concept of art as play places the humanistic dialogue between the art work, the artist and the observer at the forefront. Providing an answer to the puzzle of conceptual art such as Malevich's painting. At the same time a view of “the Black Square” as inviting the viewer to play - conceives of the painting as highly welcoming. A player can even appreciate the rules presented by the game and the equipment by which it's initiated. In Malevich's painting this would be revealed through learning about the Suprematist artist's special approach to creating art and the context of the painting's history.

Thirdly, another aspect of Gadamer's aesthetic philosophy which can assist the viewer in understanding Malevich's painting is the notion of a “speechless form of art”. In *“the Speechless Image”* Gadamer argues that modern art inherently challenges contemporary audiences with the language that it employs in expressing itself (Gadamer, 1986). These themes can all be found in “the Black Square”. For example, the title of Malevich's painting along with its visual appearance does not portray its meaning in a straightforward way. In cases such as these, Gadamer interprets modern art as an enigma that needs to be properly understood. He defines this as being the case by the fact that modern art expresses itself through the language of speechlessness. He elucidates this insight as such:

“When we are at a loss for words in this way, what we want to say is actually brought especially close to us as something for which we have to seek new words. If we consider the rich, colorful, and resplendent eloquence that speaks to us so clearly and fluently from the classical periods of painting represented in our museums, and compare it with the creative art of our own time, we certainly have the impression of speechlessness.” (Gadamer, p83)

One does not consider silence as non-communication, on the contrary speechlessness can powerfully communicate outside of words. Gadamer applies this insight to art, tracing the emergence of speechlessness to the Dutch still-life tradition of paintings. There, one encounters little of the baroque and shrill tone of art that follows the conventions of pictorial representation. Like modern pieces of art – still-life paintings communicate their meaning through various symbols which must be derived by way of hermeneutic interpretation. Similarly, Malevich's painting presents embodied meaning and truth through the language of speechlessness. It's pure and abstract simplicity expresses meaning in a humble tone, inviting the viewer to participate in the play contained within it. Malevich's personal inclination towards humanistic symbolism is discernable by embracing the minimalist language of his creative style.

A way to object to the author's claims regarding the analysis of "the Black Square" would be to state that in reality it lacks any meaning. This objection would argue that the concepts which are contained within the painting are nowhere to be found. One would therefore challenge the notion that Malevich's painting embodies any form of truth. Yet a potential way to present a reply to this objection would be to argue that the truth of conceptual art is not contained within its visual qualities. The reply could even argue that as has been stated earlier by Heidegger – all art carries metaphysical qualities which are ineffable by traditional ways of grasping visual beauty. To an untrained eye "the Black Square's" appearance stands out as rather idiosyncratic when compared to more traditional forms of pictorial representation. This fact has made this painting almost as equally controversial as it is important. In his book *"What Art Is"* distinguished art scholar – Arthur C. Danto takes up the difficult task of interpreting paintings that defy established conceptions of art (Danto, 2013). Most importantly, he reflects on Andy Warhol's Brillo boxes. Danto points out that although Warhol and his group recreated the Brillo boxes by hand, they excelled at reproducing boxes which were almost indistinguishable from the mass-produced Brillo boxes. This fact necessitates an inquiry into what successfully makes Warhol's boxes works of art, especially when compared to their almost indistinguishable consumer alternatives. After rigorously meditating on this philosophical problem, Danto derived the fact that Warhol's Brillo boxes do not visually or physically represent their aesthetic meaning. Therefore, the truth that they convey must be understood metaphysically by inferring their conceptual meaning. For Danto, since the truth behind the boxes is not graspable by hand, it's graspable through philosophical reflection. This conclusion is of great significance to "the Black Square" as one can apply Danto's insight to appreciate the truth in the square's void. Similarly, to the Brillo boxes, the viewer may feel intimidated or confused at the sight of Malevich's painting. To move beyond this challenge, the viewer can set his focus on the historical and artistic context of "the Black Square", connecting it to its visual appearance. As has been argued earlier, the painting carries a profound number of meanings which are brought forward in Malevich's unique style. The initial placement of the painting in a culturally sacred position by the ceiling and the meditative period through which it was created cannot be diminished. Likewise, the Suprematist vision of the creator offers even more conceptual meaning along with his struggle towards finding his voice. These meanings are not written, visually represented, or shown in the square itself. Yet as a dynamic form of art with an irreducible history, it succeeds as a testament to Malevich's artistic creativity. As Danto argues the meaning of the painting is metaphysically embodied.

Through the insights reviewed in this paper one can argue that a successful dialogical connection can be made between the viewer and "the Black Square". Malevich's painting cannot be understood as a work of art that streamlines its meaning to the individual. By requiring a methodology that fully engages in the aesthetic, the phenomenological and the hermeneutic dimensions of art, this painting makes the truth behind it a hard-won victory. Yet, by this fact the truth within "the Black Square" can be defined as that much more valuable and profound.

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PREDETERMINED COMPASSION: A DEFENSE OF HARD DETERMINISM

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The world view that's proposed by hard determinism is different from that of the consensus as it exposes the absurdity in the notion of free will, and replaces it with a rational understanding of the causal nature of events. Through this logically succinct groundwork it gives birth to humanistic ways of carrying out moral practices. Within the framework of hard determinism, moral agents are compassionately valued even when they commit ethically prohibited acts. This stance offers the prospects of a better conception of moral agency, one that is steeped in a rational care for all of humanity. No less, a view that takes into account the full circumstances that predetermine all moral agents to their actions can only give rise to a judicial system that's far better than the one in use today. Quite simply, determinism not only exposes the fully invalid conception of moral responsibility, but provides the means towards a world where wrong doing is met with humanism rather than infliction of pain. This paper will explore the strong arguments for hard determinism and argue for its superiority over other views on free will.

Importantly, hard determinism is a response to the now long-standing debate on free will. Long prior, the question of free will has amassed several traditions of philosophical thought which continue to grow in contemporary meta-ethics. Within this debate, the question of human agency is among its central concerns. The varied standpoints are all notably nuanced - making the task of unifying them for clarity especially formidable. A distinguished scholar, Valerie Tiberius has concisely put together the different views on the topic of free will in her book - *"Moral Psychology: A Contemporary Introduction"* (Tiberius, 2014). Tiberius's scholarly work has provided an excellent summary for the modern debate on meta-ethics, thereby making her written work an unparalleled textbook for its field. In the chapter where Tiberius sets out to the task of depicting the free will debate, she begins by classifying several important views in meta-ethics. Tiberius illustrates that the main forces of the discussion are - free will and determinism. Free will here is for the most part understood as a combination of having the freedom to metaphysically choose between different possibilities and as a result being morally responsible for said choices. The latter case of determinism argues that through the laws of nature and the determination of prior circumstances – the causal future in question is as unchangeable as the past. Between the different moral theories, themselves, the ones that validate psychological states providing ground for responsible actions while also incorporating determinism are – compatibilist theories. On the other hand, incompatibilist theories deny the possibility of these two concepts working together. To narrow down the discourse, she presents two questions that would succinctly devise the stances

of the debate. The first question Tiberius poses roughly goes as follows - if everything within reality were causally determined, would free will as a result still be possible? While, the second question she asks is centered on whether a human being can have free will in the greater sense. These two questions offer excellent guidance for traversing through the various views of the debate. To the first question, the hard determinist would reply that as a consequence of incompatibilism there would be no free will to speak of. The answer to the following question would also be negative for the hard determinist. In short, hard determinism proposes that both free will and moral responsibility are nonexistent. The abolition of these concepts consequentially makes the everyday practices of human agency invalid. Now, it will be shown here that through its powerful arguments, hard determinism is the greatest stance of the debate.

Firstly, it is fair to say that the world view proposed by hard determinism may be different from the one currently held by the majority. Yet one need only to look a little closer into the concept of will itself to see its vast irrationality. Under the guise of freedom, free will argues that a human being is the ultimate instigator of his actions, where he himself is the commencing point in a chain of causality. For an individual to author his actions this way would be to disregard that they themselves are a prior creation of a predetermined process to which they have no control. Several figures within continental philosophy have identified the absurdity of this audacious proclamation. One of the most notable of them was – Friedrich Nietzsche, who passionately criticized this concept of mental causation (Nietzsche, 1884). In one of his early books “*Daybreak*” he argued:

“We laugh at him who steps out of his room at the moment when the sun steps out of its room, and then says: “I will that the sun shall rise;” and at him who cannot stop a wheel, and says: “I will that it shall roll;” and at him who is thrown down in wrestling, and says: “here I lie, but I will lie here!” But, all laughter aside, are we ourselves ever acting any differently whenever we employ the expression: “I will”?” (Nietzsche, p. 124)

For Nietzsche, the notion of free will inconsistently presupposes an agent to be able to somehow go beyond the laws of nature. By presenting a person’s character to be a self-caused phenomenon, the free will believer imagines a world where each agent irrationally gives birth to themselves. To further suit the requirements of moral responsibility, these views place the moral character traits of all agents into strange vacuums where they are to be self-caused outside of metaphysics. The contemporary scholar Galen Strawson has enlightened this idea to place it more in line with the current meta-ethical debate. In his excellent article “*The Impossibility of Moral Responsibility*” he proficiently strengthens the aforementioned fallacy of *causa sui* by bringing up how an individual is genetically and psychologically formed not to his volition (Strawson, 1994). A human being cannot institute himself in a way that would suit him for the immense requirements of moral responsibility, for there are no beings that possess the supreme powers of authoring their character. Strawson argues that to blame an agent for the actions that he carries out is equal to blaming them for the color of their hair. The hard determinist rightly sees that a human being cannot will out of himself when the very materials of all that he deems to be his own self are the makings of the laws of nature. Recklessly, the compatibilist is blind to this absurdity on which he ignorantly bases the whole concept of free will. By proposing a rational limitation to human capabilities,

the hard determinist beneficially grounds all individuals into a framework within which they can identify their true opportunities. Even folk psychology has the dignity to accept that a person must make life decisions based on the established qualities of their character rather than the idealistic fantasies of free will. Thereby, through its intelligent foundation, hard determinism exposes the problematic idea of self-causation that the compatibilist mistakenly preaches.

Secondly, along with its aforementioned strength of rationality, hard determinism also carries with it a sincere and pragmatic form of humanism. Considering that hard determinism necessitates the taking into account of a moral agent's predetermined nature - it prioritizes a sincere form of compassion for all of humanity. This unique potential for benevolence sets apart the hard determinist from the violent retributivism that free will believers casually employ. In their wrongful ways, the compatibilists promote violent punishments that needlessly turn blameless individuals into recidivists. For the free will believer, society's inhuman imprisonment of moral agents is bewilderingly excusable, if not praise worthy. The retributive ideals of the modern judicial systems discard the considerations of a criminal's humanity by destroying their lives merely on absurd conceptions of free will. On the other hand, hard determinism proposes an altogether different approach. It is apparent, that a view that's fully accepting of an agent's predetermination, can entail with it forward-thinking perspectives towards better systems of moral punishment. In modern societies, even the most developed countries cannot testify for excellent life conditions under the moral punishment of incarceration. Current penalties for even accidental breakings of the law frequently leave individuals with severe mental trauma along with violations of their personal humanity. Another important defender of hard determinism – philosopher Derk Pereboom has taken on this issue in his precise article *“Free Will Skepticism and Criminal Punishment”*. Pereboom has proposed what he terms *“The Quarantine Model”* of punishment (Pereboom, 2013). In line, with the deterministic view of the world, this form of punishment would focus not only on a humanistic treatment of the flawed moral agent but also on successfully bettering society at large. Here, the wrongdoer would be constrained to the confines of a specific building, akin to a person carrying a disease. Unlike, a prisoner the quarantined individual could exercise greater freedom in ways of entertaining or taking care of himself. Thoughtfully, this system will still incapacitate the criminal from his freedom to repeat his violation for a decided period of time. This form of punishment does not dehumanize the criminal but compassionately educates him on his actions to the equal degree of the committed crime. Thus, when the hard determinist argues for his vision of the world, he simultaneously promotes a better treatment of the most downtrodden demographic within modern society. By contrast, the compatibilist refuses to see the injustice he inflicts on the already tormented when he violently inflicts his retributive penalties. Much differently, a determinist does not contend himself with the current state of moral punishment on the basis of it being familiar to mankind. In other words, the hard determinist proposes the most humane conception of moral agency out of all the other solutions to the free will debate.

A way to object to the hard determinist's claims would be to press on the psychology resulting out of hard determinism. The concept of free will is not a mere tool of society but also a way of uplifting countless individuals. Particularly, both fields of humanistic and existential psychotherapy focus on establishing a sense of free will for the betterment of their patients. This objection would argue that one feels in a far greater state of being when powerfully seeing oneself as an individual that has the capacity to

be an agent of his will. If hard determinism does not completely take away these important benefits - it certainly poses a formidable threat to them. One could further argue that perhaps it is telling that the major figures in philosophy that argued for hard determinism were also philosophical pessimists. The inner lives of both Arthur Schopenhauer along with the aforementioned Nietzsche were inarguably defined by great mental anguish. Thereby a deterministic view of the world must take into account not only the image of its historical representatives but also the potential pessimism that may come as a result of it.

The problem with this objection is that it misconstrues hard determinism into a philosophy of defeatism. In reality, the personal consideration of an agent's inner pre-determination offers them an empowering sense of compassion not only for others – but themselves too. The central focus on understanding over judgment of others makes determinism highly optimistic. Unlike the compatibilist, the determinist has the capacity to accept the predetermined nature of causation and thereby treat others with a sincere understanding. After all, for the hard determinist, each individual is uncontrollably disposed to his circumstances, akin to being dealt a certain hand in cards. With dignity, this cannot bring anything but a venerable benevolence towards one's own uncontrollable circumstances. Furthermore, the objection relies on anecdotal evidence. One cannot testify that at the heart of the sufferings of Schopenhauer and Nietzsche was specifically determinism. Ironically, the objection's potential referral to a figure such as Nietzsche is in actuality strengthening to the argument for hard determinism, given the energetic optimism of certain aspects of Nietzschean philosophy. One can argue that it is distinctly from his hard determinism that Nietzsche conceived the powerful idea of fully loving one's fate (Nietzsche, 1908). This pillar of Nietzsche's philosophy has been largely adopted in humanistic psychology. Lastly, hard determinism does not discard the empowering benefits of decision-making because one can still in a certain sense commit to making formal decisions. These decisions being carried out deterministically through the laws of nature along with one's own predetermined psyche. Therefore, the choices that the hard determinist makes are still of subjective value. The compatibilist on the other hand, advocates a potentially boundless notion of free will that does not subscribe to rational laws of nature. Anyone can see how, in line with determinism, a human being cannot choose to be that which he is not, being, that he is naturally grounded in his own character. From this, it is discernable how the hard determinist's establishment of limits on decision-making is a noble necessity for the rational world that the hard determinist creates with his logic.

Another way to object to the claims of hard determinism would be to point to its drastic idea of moral responsibility. Essentially, a hard determinist advocates a highly radical form of judicial responsibility that has not seen full realization in the modern world. This objection would roughly state that an extreme change of this proportion may not only be unfeasible but also ultimately harmful. While, the current supremacy of retributivism in the judicial systems of contemporary societies may not be a direct result of this particular system's high efficiency, but the major changes that the hard determinist advocates for deserve an accounting with the current state of moral agency. The free will position of revisionism is particularly valuable for its respect towards established norms of free will within society (Vargas, 2009). Thus, if one were to assume that hard determinism isn't completely impossible due to its immense radicalism, it is difficult not to accept the reassuring proposition offered by revisionism.

A way to adequately reply to this objection would be to point to the problematic

nature of retributivism. As has been stated prior, retributivism worsens the state of society and commonly dehumanizes the agents who undergo the punishments that it endorses. Harrowingly, these horrible effects function on a systematic basis. Countless individuals go through serious human sufferings at an accelerating speed in line with the notion “the more the merrier”. However, the objection proposes that the revisionist sees this as an acceptable and pragmatic treatment of others. Or to a lesser degree, one that should be valued to a certain extent. The revisionist may believe in the idea of instigating change into this system, but he does not have the compassionate regard for the determined laws of nature that the hard determinist has. Unlike with the other positions of the debate, the determinist envisions how to truly ease these sufferings, and provide a path which does away with systems of mental and physical torture. The determinism does not believe that one can find a different or better form of judicial punishment, for he cleans the system itself rather than some small facet of it. Conclusively, the path of hard determinism is a path of compassion and rational understanding. The objectors to this view may argue that realizing a system unlike that of today is an impossible challenge, however the determinist will reply that it is one's duty to eradicate the irrational sufferings that today's poisonous concept of free will brings about. Only through hard determinism can one initiate a step towards that direction.

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THE EVALUATION OF CUSTOMER SATISFACTION AND ITS ROLE IN THE EYES OF CONTINUOUS IMPROVEMENT

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Introduction

When we think about a business the image of customers comes in our mind in parallel. A business without a customer does not exist. Making customers happy and retaining them is very vital for the continuity of a business. The profitability and continuity of a business linked to the customers satisfaction. There are only counting finger articles written in Afghanistan about the customer satisfaction, by Haji Amiri (2020) about the factors affecting the satisfaction of using electronic banking and by Lema Jamil Zada about customer satisfaction in electronic banking service.

The need for the research about customer satisfaction in Afghanistan is obvious, but this research mostly focuses on evaluation of customer satisfaction in NOOR program Afghanistan. NOOR Eye Care program are providing eye care services in three provinces of Afghanistan. There are 350 patients are coming to each hospital for eye care. Since, the beginning of the program there has no been any system to evaluate the customer satisfaction, so need to develop an evaluation method to measure the customer satisfaction in all NOOR eye care hospitals.

As we have heard that customer is the king, we need to keep the king happy and satisfied. Customers are the most valuable asset for the company, therefore, their feeling and opinion regarding the product is very crucial and should be explored persistently. The company need to pay attention on customer's voice and need to retain the customers for longer. To realize the customers' desires, the company can build direct interaction with them. Company can investigate the level of customer satisfaction by conduction market research and other evaluation system.

Customer satisfaction is important to improve customer- wanted products and services. It can be a vital input for management in mapping and choosing which areas of the trade ought to be progressed and prioritized. There's a important relationship between product and service quality and customer satisfaction (Cruz, 2015). Seyedi et al. (2012) also expressed that the items and services quality are the imperative factors affection of customer satisfaction.

Moreover, the level of customer satisfaction depends on the extent to which the needs of the customers were met. According to Suchanek et al. (2014), quality is defined as perceived quality of the customer, so the main factor in measuring product quality is customer satisfaction itself. It is important for the company to produce products or provide services that meet the requirements of its customers, to achieve high customer satisfaction.

Literature review

Numerous articles and publications are available about the customer satisfactions and methods of measuring and evaluations. The importance of customer satisfaction is very vital in today's competitive business environment. knowing that Satisfaction is the level of a person's feelings after comparing the performance or perceived results compared with expectations (Susanto, 2010). The feedback and reaction that we receive from customers in the form of evaluation after purchasing goods or services which is measured and compared with the quality of goods or services that can meet the demands

and desires of the customer states the customer satisfaction. Customer satisfaction or dissatisfaction is the outcome of happiness of the customer from the services the company provided for and goods they purchased from us. A happy customer means that there are similarities between the performance of the goods and services with the demand and desire of the customers, where it will encourage them to purchase again the products and services. Meanwhile, unsatisfied customer would persuade the other customers to not re-purchase the products. Customer's feeling is a key mean of customer satisfaction.

Kotler and Keller (2012) are of the opinion that "satisfaction is a person's feelings of happiness or disappointment that comes from comparing a product's perceived performance (or outcome) to expectations". Whereas customer satisfaction according to Jahanshahi et al. (2011) is "customer satisfaction is the outcome of a customer's perceptions of the value received in a transaction or relationship – where value matches demanded service quality compared to price and customer acquisition costs". However, in contrast with the research of Tu et al. (2013) that "customer satisfaction is expressed as influencing customers intentions and behavior to purchase again, which, in turn, leads to an organization's future revenue and profits". A happy and satisfied customer does not only mean that is willing to purchase the product and service repeatedly based on need but encourages other potential customers to purchase the product while unhappy customers would persuade the other potential customers to not purchase again the product and service of the company. Considering the above theories of the writer, in this research, firstly, the main focus is to develop a method of measurement for customer satisfaction in NOOR hospitals to measure the level of patients' satisfaction compared to the eye care services provided for the patients.

Major concepts, principles, and factors of customer satisfaction

There are many different definitions of customer satisfaction can be found. According to Kotler (1994, p.40), satisfaction is "the level of a person's feeling resulting from comparing a product's perceived performance (or outcome) compared to the person's expectations." In summary, satisfaction level is a function of the difference between actual performance and expectation (Stahl, 1999). In the current global economy and highly competitive business environment, it may be dire for a business organization to be non-customer oriented (Dimitriades, 2006). Simply, customers are looking for the desired goods and services. In fact, only those customer-centered organizations that can deliver value will survive in the modern business arena. To "make" highly satisfied and loyal customers, companies throughout the world are trying to produce world class products and services of high quality. For a long time, CS has been considered the key success factor for every profit-oriented companies and institutions as the the companies' market share and customer retention is highly affected by customer satisfaction. Moreover, happy customers tend to stay loyal longer to the company and is less influenced by competitors (Dimitriades, 2006; Eskildsen & Kristensen, 2007).

Customer satisfaction happens when customers compare their current tryout in using an actual service or product (actual performance) with their expectations (target performance). If actual performance matches with the target performance, the result is a confirmation of expectations. This can lead to satisfaction among customers. If actual performance is much better than the target performance (positive disconfirmation), it can lead to a high degree of satisfaction among customers (enthusiasm). At the same time negative disconfirmation happens if actual performance is lower than the target

performance (Nerdinger and Neumann 2007, p. 128 f.). Therefore, Satisfaction occurs in the event of confirmation or positive disconfirmation.

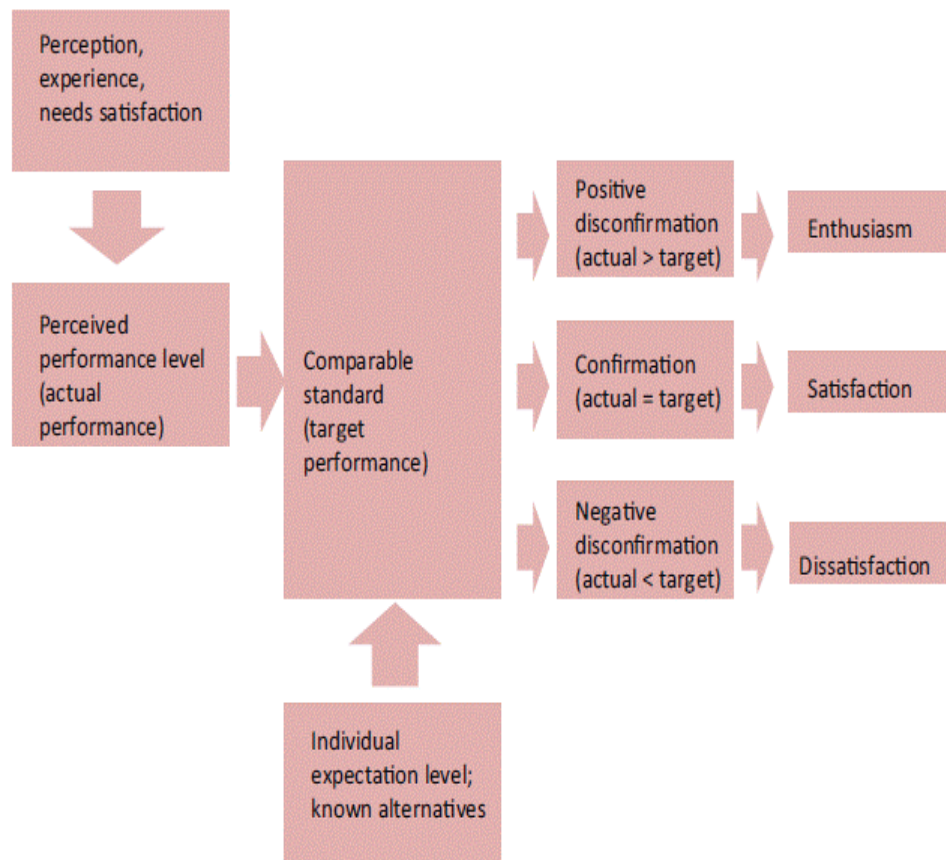


Figure 1. The origin of customer satisfaction (Source Own illustration, based on Nerdinger and Neumann 2007, p. 129)

The boundary between satisfaction and dissatisfaction is often interpreted as the tolerance zone and not as a point value (Fig. 1).

Actual performance is the rate of performance as perceived subjectively by the customer. This actual performance is the standard against which the customer's expectations are compared. Actual performance can be interpreted as the individual level of demand of the customer, which is gained by experience, the promises of the company, or recommendations from others.

The customers are likely to stop its relationship with the company if they are unhappy, unless there is restriction such as uniqueness of the services or products or they do not have another options that prevents from doing so. If the customers are satisfied then the company has an opportunity of providing further services to the customer. If they are satisfied. But this does not intercept the possibility that competing companies will also be considered as potential service providers. Anyway, if a company manages to enthuse its customers, then it has reached its goal and can expect a certain degree of customer devotion.

The company's strategic positioning includes customer group analysis. However, the company cannot have a negative influence on the customer's individual level of expectation (leading to a reduction in customer expectations). Customers are likely to

switch to a different provider if their expectations are not met. Companies, on the other hand, can identify customer groups whose expectations align with their level of service. Rai (2008) draws the basic formula of customer satisfaction as:

Customer satisfaction = Customer Perception of the Service Received – Customer Expectation of Customer Service

In this approach it is easy to conclude that if the perception of the service received has exceeded the expectations of the service customer satisfaction will be positive; on the other hand, if the perception of the of the service received is less than the level of expectation of the service it would lead to customer dissatisfaction. A set of earlier research on the topic of customer satisfaction and service perceptions were mainly conducted on the basis of studying the co-relationships between three or four variables (Dodds et al, (1985), Zeithaml (1988) and Lee and Cunningham (1996)). Focusing increasingly on qualitative aspects were the main flaws of such studies while neglecting to take into account psychological aspects of customer experiences. According to the current research such customer experience psychological components will be stress associated with the longer waiting times in London Underground and National Rail Services terminals and stress and pressure caused by train carriages being overcrowded. On the other hand, the study addresses the psychological components of service sector organization customer experiences as well.

According to Yi (1989), confirmation/disconfirmation framework relating to the issues of customer satisfaction, customers set of pre-determined standard in their mind when they are about to purchase a product or a service. The level of the customer satisfaction depends to the standard compared to the perception of the product and services they purchased and received. Customer satisfaction will happen if the degree of perception of the product or service corresponds to the specified customer criteria, and customer dissatisfaction will result if it does not. In respect to analyzing consumer satisfaction, Czepiel et al (1974) affirm the validity of two factor theory. Customers can be both satisfied and unsatisfied with a product or service at the same time, according to the two-factor theory, because satisfaction and dissatisfaction are tied to separate aspects of the product or service. The dual factor theory was defined by Swan and Combs (1976) by changing the names of the factors to instrumental performance and expressive performance. Instrumental performance, according to this concept, refers to the physical aspects of the product or service, whereas expressive performance refers to the psychological components. The theory indicates masterly performance as a necessary component of customer satisfaction. Customers will be unhappy if the expressive performance of items and services is not satisfactory, regardless of whether the instrumental performance is satisfactory.

Factors of Customer Satisfaction. Customer satisfaction is a key point for the continuity of all organizations. The companies should continuously seek to understand and provide what their customer want. The need of the customers should be the company's core priority. Listen to what the customers say patiently and keep the communication ways open that improves the relationship between customers and supplier. Customers' opinion about your services and products are essential and can be obtained in several ways like sampling, interviewing, questionnaires, calling. These should be done alternately to measure the customer satisfaction (Rampersad 2001).

Therefore, due to the importance of customer satisfaction that have for the organizations we need to know the following points about our customers:

- Whatever is always good for our customers is not the same thing we think.

- The customers expectations and demands are changing continuously, so we need to try hard to move onward based on their demands.

- The competition is endless, our competitors are continuously trying to grow and develop their functions further and better, so in order to keep close the distance with our competitors we need understand that we are being measured continuously by our customers.

- It is not important how good we are, but it is very important what the customers think. We need to realize and learn what is important for our customers and should have a real understanding from what they are thinking.

- If you want to develop your products and services, be sure that it should be based on customers demand and expectation.

- Cost is not all the important for the customer, even though it is important, but it is never as important as quality of the service and on time delivery. When we provide the best quality services on time, we gain the customers satisfaction that increase our profitability and customers compared to our competitors.

Identifying existing strengths and gaps in the system of collecting feedback and evaluation of customer satisfaction at NOOR and how the data is used to influence managerial decisions

NOOR is the most famous brand in the sector of Eye health care services in Afghanistan since 1966. NOOR stands for National organization for Ophthalmic Rehabilitation, but for the people of Afghanistan NOOR means light, sight and a name for eye care. If someone has eye problem people recommend them to go NOOR hospitals. There is no exact statistics available, but since 1966 millions of people have received eye care from NOOR and mostly 90% of ophthalmologists have been trained.

NOOR/IAM has continuously from the beginning of its foundation is working and committed to provide quality and affordable eye care for the people of Afghanistan and is caring about the satisfaction of its beneficiaries. There have been no specific system and method to collect data and feedback from patients in order to measure and evaluated the level patients' satisfaction in NOOR program. In all NOOR eye hospitals, there are systems for SICS operations. In NOOR check the patients' visual acuity before the surgery and after the surgery, to understand the result of the surgery. This has been an indicator that we understand of the surgery and based on that NOOR estimate the level of patients' satisfaction, but this only happens for one type of the surgery, but for other services such as other medicine quality, waiting time, fees and employees' behavior there has been no system to measure the patients' satisfaction.

The statistics that collected from 3500 patients after SICS surgery shows that 85% of the surgery result is very good and 10% is good and 5% is poor, but NOOR do not know that the patients are happy or not from other factors such waiting, fees and employee's behavior. The reason why NOOR has been successful for many years is that it have not had strong competitors in the market. But from 2010 onwards other doctors has established their own private eye clinic and hospitals and we see that they are getting stronger than previous. Before 2002 NOOR hospitals were the only eye care hospitals in Afghanistan which has been provided eye care services for people, but now a days many doctors have started investing in eye care services. This is a big challenge for NOOR program. The only thing that patients are still willing to come to NOOR is the lower price and eye drops quality, but the private eye clinics are trying to charge the same as NOOR charges for their services.

The survey that we have conducted newly to measure the patient's satisfaction in

NOOR program shows that there are some main factors like waiting time, employees' behavior and fees that could affect the program significantly and we need to conduct at least once every night for 200 patients in each NOOR hospitals. During the interview we have noticed that some patients are trying to know the address of NOOR doctors' private clinic. Even though quality is one of the core values of the organization patients think that the doctors might pay more attention in their private clinic rather than here at the hospital. At the same time, the patients think that they will be examined sooner in the private clinic. The waiting time is a big challenge at all NOOR hospitals, specially at MOC. The interview with 100 patients shows that each patient has to consider at least 2 hours to get the complete examination. Beside waiting time factor the waiting area at MOC is very inconvenient for patient, special in the summer and winter. In the summer, patients have to wait for hours while the weather is 45c degrees. No drinking water is available for patients, and they have to purchase. Most of our patients are old and some of them are children, so it is very difficult for them to tolerate. The survey shows that waiting time is the most important factor that affects the customers' satisfaction at NOOR/MOC a lot.

The other important factor that we have found is doctor turnover. It is very well-known that NOOR is a brand name for eye health care but having senior and competent doctors are very important. From 2018, many competent and senior doctors left NOOR because of the lower payment. 5 senior doctors left MOC and start working with private eye hospital which pay for them 5 times more than what IAM/NOOR pays. 70% of the patients wants to be examined by specific senior doctors, but when they see that new doctors are examining them, this decreases their trust and satisfaction. At the same time newly, hired doctors are not senior, most of them are junior and wants to practice at the hospitals to be more experienced. This impact the quality of the work which affect the patient's satisfaction.

There is a complaining box that patients could put their complaints in the box, and it is being check quarterly. Most of the complaints are from employee's behavior. This has helped the management to talk to employees to know the exact reason and solve the problem. At the same time, the patients come to the administration office any time if they want to complain verbally. This helps the management to investigate the problem on the spot. This is a very good method to encourage the patients to complain on the spot rather putting their complaints in the complaining box. Most of the time the patient's expectation is very high but complain generally from a group of people like doctor, but once the management talk with them, they become and convinced and know the reason behind the issue. waiting time is an issue that most of patients are unhappy. Price is one of the important product factors (Sugandhi, 2003) which may impact both positively or negatively if not set properly with respect to the given value to customers. It is a general phenomena that if customers get real value for the services for which they are paying and if that fits good in their perception that we are getting what we pay then price brings positive impact. But, if customers feel that they are paying more and getting less value then this price factor will surely bring negative impact for company's customers.

We usually ask the patients to come for operation in a specific dates and times, but the patients want to have the service right away. They think that this is the doctor who does not want to do the surgery right now, but after counselling with patients about the reason why the surgery is not done now, they are convinced and go. So, counselling with patients and help them to know the reason and listening to them is very important.

Due to the load of the work this is not possible to talk to patients and answer to all of their questions, so there are counselling tables NOOR hospital which listen to them and answer their questions.

Recommendation for the Waiting time issue. As mentioned above that waiting time is the important factor that affect customer satisfaction significantly. The survey conducted from 200 patients in MOC/NOOR shows that 80 patients (40%) were unhappy from the waiting time. In order to solve this issue somehow and make the patients happy there are some general recommendations which will be effective, for example: the waiting environment, waiting area location, appropriate color and decoration, sufficient light, appropriate cooling system, ventilation and comfortable furniture, etc. These recommendations can help the customers to enjoy the time they are waiting for the services. But specific recommendation for NOOR/MOC is to hire more junior doctors or trained clinician ophthalmic technician to exam the patients sooner. The statistics shows that from 300 patients daily 80% of them just need simply need a check and do not need comprehensive examination to be done by senior ophthalmologists. Patients are waiting for hours just for the treatment of an allergic conjunctivitis that could be treated simply by a trained ophthalmic technician.

Recommendations to improve employees' (doctors) behavior. As mentioned above that happy employee equals to happy customers, so the employees' behaviors are highly important in a service company and is a driven factor behind customer satisfaction because they connect the organization with its consumers and allowing for effective working relationships (Grönroos, 1990; Gwinner et al., 1998). There is a signification relationship between employees' happiness and customer satisfaction. Employee's behavior can make a big difference in the success of any business. The result of an employee's happiness can be seen while interacting with customers. Their interaction makes customers more interested in purchasing your products or services, becoming loyal followers of your brand and they are more likely to encourage others to purchase your services and products. They focus more about their responsibilities with passion and want to make the company and their manager proud of their work and feel committed in the success of the company. You may find happy customers work harder to increase the sales of the company and satisfy your customers. There are number of ways to make the employees happier and more loyal to the company:

Take employees seriously and recognize their talent and value their expertise. If an employee thinks that s/he is being used as a machine s/he will get disappointed and unhappy. If an employee complains about the load of the work and feels unmotivated, firstly, it's important to listen to them and seeking ways on to help them feel better. This point needs to be considered in NOOR program.

Developing employees. The employees should be aware that their hard work and dedication are paid off and will be rewarded. This could be accomplished by offering them with a new roll, extra payment, or training. If an employee believes that he or she is stuck in one are with no opportunity for growth and development, he or she will feel bored and worthless, and may consider leaving your firm. The employees will be motivated if they find out that staff development is valued in the company and is an important part of the company's strategy. Even though training and capacity building is one of the IAM/NOOR's organizational value, training and capacity building program should be considered for all staff in the budget and strategy. At least 5% of the budget should be dedicated for staff training. As mentioned earlier, that staff satisfaction is an important factor of customer satisfaction we need to strategically think about this factor. The

statistics shows that the budget for the training in NOOR projects does not reach even to 1% which is very low.

Giving positive feedback and constructive criticism to employees. Providing constructive feedback from the employees' work and giving constructive criticism is not only important for their improvement but give them the feeling that they have an important role in the company. Positive feedback is pumping up the employees positively and motivates them a lot. Both, positive feedback, and constructive criticism could happen when NOOR appraise the staff annually. But NOOR appraisal should be designed in way to be fit for positive feedback and constructive criticism. The current appraisal form is just a dialogue based one which does not cover this system.

Pay fairly . It is true that it is very important for employees to enjoy from what they do, but they also want to receive reasonable payment for their work. The company pay structure may be tied you up for paying more, but other possible approach like bonus needs to be considered. From the survey conducted in MOC/NOOR %90 of the employees was not happy from their salary they get, compared to other INGO. At the same, most of the employees are not happy from other benefits (as health benefit). This significantly can affect the behavior of employees towards the customers at NOOR centers.

Recommendation to improve surgery result. Work quality is one of IAM/NOOR's value, the customer satisfaction is directly related to the service and product quality they expect from the company. The survey conducted at MOC / NOOR shows that 7% of patients who get SICS surgery are not happy from the result of the surgery. Even though it is low but needs improvement. To tackle this challenge and solve the problem we need to consider further training for doctors to improve the result of the surgery. Furthermore, some of the patients' operation result is not good due to other problem in the anterior part of the eye. This could be solved through counseling the patients before the surgery and let them know about the result in advance. This could bring transparency for the patients.

Recommendation to about the fee factor. The price of a service and a product can significantly affect the customers satisfaction and mindset even though they are using logic considering their needs for a product. Beside the quality of a product that consumers do not want neglect, the price is a significant consideration in determining the purchase of goods too. Consumers use the price as a main in determining the purchasing of a product. They survey conducted in MOC/NOOR shows that 62% of the patients stated that the fee for the surgery is high. This is a high percentage that could affect the program significantly in the future, even though NOOR services' price is cheaper than private sectors.

Due to the change of the regime, the economy has collapsed significantly, and people are struggling with poverty. As a non- profit organization NOOR/IAM needs to seek alternative ways such as subsidy to help the people and gain their satisfaction. IAM/NOOR could find donor to decrease the fees or use its reserve account.

Conclusion

Customer satisfaction is an important aspect and said to be a key factor to run an effective business. In today's market-oriented business environment, it can be argued that the question how to make the customers happy gets to be the ultimate concern for most of the companies in any kind of business. It moreover becomes to be the foremost imperative focus area for all companies around the world. The loyalty of the customer

will increase if customers are happy with the services and product they might repeat purchasing and telling great things to other potential customer about the companies. Meanwhile, the unhappy customers may complain and express their dislikes about the company to others or may choose another brand. It can have long-term effect on company's image and income.

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STRATEGIC PLANNING AT SMEs: A FOCUS ON LACK OF STRATEGIC PLANNING

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Introduction

Fascinating expansion of the globally multinational corporations, in recent years, have led the world leaders to come to a single statement: SMEs are of high importance in both, developed and developing countries. An official recognition also has come from the G-8 group that indicates the considerable contribution of small and medium sized businesses in employment and economical advancement of industrialized nations.

Small and Medium Sized enterprises (SMEs) are a pillar of economic development of national economics. Such enterprises can use up of the opportunities in their environment better than large entities due to their flexibility. However, in the course of their activity and success, they also face a challenge. As Ennis (1998) posits, enterprises must actively plan for the future in order to compete effectively and survive. Surviving and staying in growth and success stage and shining are difficult. Numerous evidence shows that strategic planning leads the firms to success. However, most small and medium sized businesses do not engage in strategic planning. Even those who engage in strategic planning, end up failing to achieve their planned goal due to ineffective positioning of the strategic planning at the enterprise (Noble, 1999). Despite the importance of it, unfortunately, a few researchers have addressed the strategy process making of the

small and medium sized businesses (O'Regan and Ghobadian, 2000). Hence, since the strategic planning concept plays vital role at SMEs, it is of great importance to know how to effectively apply it in our business.

Literature review

There have been various definitions of strategic planning. Strategic planning is a term widely used by seniors and executives of organizations. This phrase, however, seems to have multitude of definitions (O'Regan and Ghobadian, 2000). In an attempt to understand the big picture, some scientists have classified the definitions in ten Schools of strategy consisted of design, planning, positioning, entrepreneurial, cognitive, learning, power, cultural, environmental and configuration school (Paulina LO, Sugiarto, 2021). Each theory conveys some different type of perspectives from their theorists. An examination of the definitions provided by scholars shows that the strategy surrounds the following concepts: Focus on long-term objectives of the organization, relating the activities of the enterprises to the environment in order to reduce the number of threats and extension of opportunity ground, as well as matching the organizations activities to the resources available (McDonald, 1996). The subsequent approach to strategy definitions is nothing but the blend of the two or more of the previously mentioned Ten thoughts (Paulina LO, Sugiarto, 2021).

Definition and importance of SMEs

“SMEs” stands for small and medium sized enterprises. In contemporary commerce, SMEs dominate important sectors of industry such as retailing, construction, services; and build crucial bond between forward and backward supply chain of large scale manufacturing industries (Robinson & Pearce, 1984; Abdullah 2000; Wang, Rowe & Cripps 2006) In addition to that, presence of SMEs gives a balance market which otherwise be dominated by few players (Beaver & Jennings 2000; Peacock 2004). In terms of entrepreneurial activity, SMEs can enter fragmented markets which large firms either do not enter due to unattractiveness, or economic policies (Brouthers et al., 1998).

For defining SMEs, there are various factors of definition for an enterprise as either “small” or “large”. They can be classified on the basis of their annual sale, annual profit, total asset, number of employees, or a blend of this parameter (Carland, J.W, 1982). Classification can be either done by output parameter or an input. Output parameters can be: Sales, revenue, and profit. Input parameters can be: assets, number of employees and raw materials (Nurulloh A. Kh, 2000). Most commonly, the numbers of the employees are used to categorize the size of a company. According to OECD (Organization for economic co-operation and development) data, small and medium-sized enterprises (SMEs) employ fewer than 250 people. SMEs are further subdivided into micro enterprises (fewer than 10 employees), small enterprises (10 to 49 employees), medium-sized enterprises (50 to 249 employees). Large enterprises employ 250 or more people.

Strategic planning

As per suggestions of Wolf and Floyd (2017), strategic planning is less formalized, periodic process that builds structured approach for the formation, implementation and control of the strategy. It plans out a way for organizations and integrates both deliberate and emergent strategy throughout the journey. Most of the fundamental studies show that success or failure of SMEs lies in whether strategy is applied (Wang et al.,

2007). Needless to say, this shows how important strategic planning is. However, there is an argue on the source of SP that whether strategy is deliberate or emergent. Michael Porter argues that strategy is a deliberate formulation (Paulina LO, Sugiarto, 2021). Authors like Ansoff, Chandler, Taylor and Sloan also believe that strategic planning shall be formal, rational process carried out by managers and executives and it should be applied as per formulation (Ghezzi et al., 2010). On the other hand, Henry Mintzberg (a contemporary well-known academic in business and management) tackles it by postulating crafting strategy theory. He emphasizes that an organization can have a pattern of steps or strategy without actually realizing it (Paulina LO, Sugiarto, 2021). Strategies are created by a change in organization or formulated beforehand and applied later (Mintzberg, 1987). Here, by crafting strategy we see the pre-formulated processes go off and replaced by emergent strategy. In practice, all strategy-making plans are either emergent or deliberate (Paulina LO, Sugiarto, 2021).

Having two contrasting ideas from two prominent theorists is quite thoughtful. Mintzberg who believes in emergent strategy and Porter who thinks strategy as a deliberate formulation. The question is: which one is more relevant to today's business?

Strategic planning and SMEs

Despite the increasing evidence on positive effects of strategy planning on performance of small businesses, there are still some debates on its importance (Balasundaram, 2009). Maybe this is due to the lack of enough researches on strategic planning particularly focused on SMEs. To date, only a small number of researchers have addressed strategy-making process for SMEs compared to its counterpart (O'Regan and Ghobadian, 2000). Small enterprises cannot be considered big, thus, suggestions for strategic that applies for larger business might not perfectly fit with SMEs (Paulina LO, Sugiarto, 2021). In the future, concepts of strategy making specifically for small business may emerge (Kraus et al., 2006).

In spite of SMEs vital contribution to the economy of the nations, "they are plagued by high failure rates and performance levels" (Jocusmen, 2004). In fact, the question is, why some SMEs fail and some don't?

Strategic planning is about setting out long-term organizational goals, the application and development of the plans for achieving these goals, and allocation of the existing resources for realizing these goals (Stonehouse & Pemberton, 2002; O'Regan & Gobadian 2004). In fact, Ohmae (1983) claims that the purpose of strategic planning is to enable businesses to gain as much competitive advantage over its competitors as possible.

Above mentioned claims are also supported in action and literature. It is accepted that strategic planning is more common in better performing SMEs than in those who doesn't (Calvin Wang et al, 2007). For instance, SMEs that engage in strategic planning achieve higher sales, higher returns on assets, higher margins in profit and higher employee growth (Bracker, Keats & Pearson 1988).

Furthermore, SMEs that engage in strategic planning are more likely to be innovative, get advantage of new technology, have more new products, and employ new process of management (Calvin Wan et al., 2007). Perhaps most of the SMEs that engage in strategic planning are less likely to fail (Manning et al. 1993; Perry 2001).

It is true that SMEs success is not tied only to strategic planning, but many evidences show that majority of SMEs do not have a systematic strategic planning and they are those who are most likely to fail. In practice, SMEs tend to circle more around short

term goals rather than long term objectives. This might also be the reason of the ownership that most of the SMEs have. Many SMEs are owned by individual owner/ manager and only some are owned by larger firms and supported through subsidiary. The former applies strategic planning only if it is in favor of owner's personal goals while the latter does because it follows a pattern set by larger corporation. In fact, ownership is a critical factor in adoption of strategic planning (Variyam & Kraybill, 1993). So, another question arises: How presence or absence of deliberate strategic planning can effect firms?

Lack of strategic planning

We studied that the SP types revolve around Mintzberg and Porter's theories. Strategy Planning can be either intended *deliberate strategic planning* and *emergent strategies*. However, the reason that why some SMEs do strategic planning while some do not is generally not really understood (O'Regan & Ghobadian, 2002). Hence, the focus of this research on lack of strategic planning is merely focused on the barriers that prevent strategic planning from happening. Some of the authors have suggested the followings as barriers for strategic planning (Calvin Wang, 2007)

- 1) Lack of time
- 2) Lack of specialists
- 3) Inadequate knowledge of strategy process
- 4) Reluctance to share strategic planning with employees and external consultants

Figure 1 shows possible barriers for lack of strategic planning that are proposed by prominent authors. As mentioned before, the objective of this paper is to identify shortcomings that prevent strategic planning from happening. The implication is that an understanding of barriers might help other firms on how the hinderers can be overcome and also it might help on encouragement of SMEs for applying strategic planning (Calvin Wang, 2007). This model is developed based on the rationale that most SMEs operate as "extensions" of their owner/manager (LeCornu et al., 1996). Arguably, ownership and structure of firms is a critical factor for whether strategy planning is applied. Some SMEs that are owned by individual owner are classified as independent firm. A number of studies have indicated positive relationship between ownership and strategy direction while others depicted mixed results (O'Regan & Ghobadian, 2002). Accordingly, the impacts of ownership on strategy planning at SMEs are far from clear. Theorists like Mintzberg (1984) states that actions and decisions in SMEs revolve around the owner-manager such that its goals are owner's goal and its strategy is owner's vision. Therefore, questions regarding strategy and planning must be investigated in relation to the personal motivation and ambition of the owner (Cliff, 1998). Beaver and Jennings (1995) believe that these motivation and ambition might rest under influence of education, gender, values, ethnicity, family commitments and personal aspirations of the owner.

Owners that focus on profit and growth of the firm can lead the organization toward success and might apply strategy planning intentionally. Also, strategy might emerge in the course of action. As a result, the firm is likely to succeed as a result of presence of strategic planning. On the other hand, if owners' goal is personal aspiration and personal benefits, the firm might divert away from its goals and objectives.

Figure 1 shows that aim for profit maximization requires strategic planning. As we studied before, strategic planning can face barriers that hinder SP from happening. Thus, it is of high importance to have a glimpse of what exactly the barriers are. Know-

ing barriers maybe helpful for those who are reluctant to applying strategic planning at their firms. Because, although addressing a few of the barriers are difficult, but most of them are easily tackled once understood very well.



Figure 1. Drawn by author with Smart Draw in reference to (Calvin Wang, 2007)

Figure 2 postulates that initial inspiration for being in business determine whether owner/manager will pursue profit/growth maximization or personal fulfillment goals. It is believed that owner/manager's bias toward profit maximization and growth leads the firm toward strategic planning. Conversely, when owner/managers desire for personal fulfillment, the firm ends up experiencing lack or low level of strategic planning.

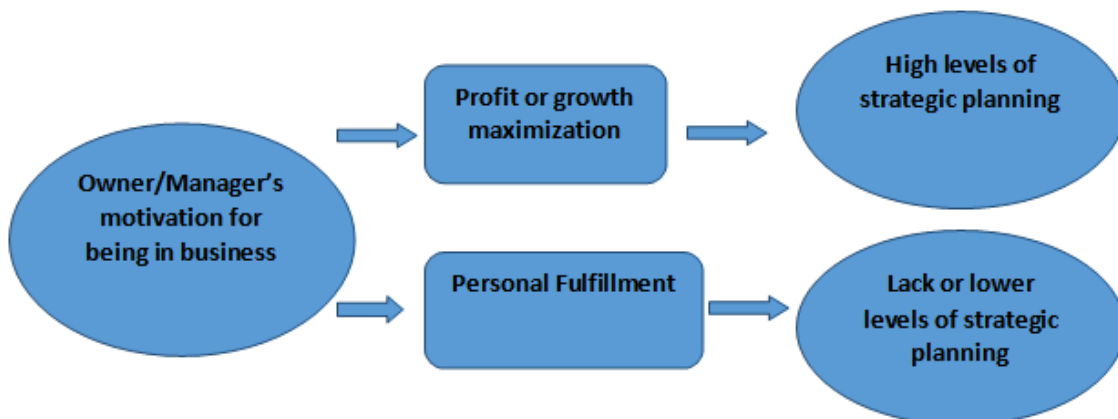


Figure 2. Drawn by author in reference to (Calvin Wang, 2007)

Figure 2 clearly illustrates the owner/manager relationship with strategic planning at SMEs.

Conclusion

This article has highlighted the importance of SMEs in current economic development of the nations. Not only that, we have also discussed how SMEs can enter the strategic planning regime by understanding the barriers hindering firms from SP. This article also argues that the level of strategic planning at SMEs where owner/manager's goal is growth, profit maximization and non-economic personal agendas. What should be acknowledged that most of the owners of the SMEs do not want to grow and simply

enjoy staying small? Also, some owner/manager only looks for personal engagement and employment. In fact, this is not a bad thing but this is the reason that prevents SMEs from strategic planning and entering growth lane. Moreover, as literature ratifies, there is not a much of research and investigation on strategic planning for SMEs. This is also a reason that leaves SMEs behind the larger firms. Furthermore, in literature we also studied about Mintzberg's crafting strategy. Unfortunately, there is a very shortage of empirical studies to operationalize crafting strategy (Paulina LO, Sugiarto, 2021).

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HUMAN CAPITAL MANAGEMENT IN THE CONTEXT OF CHANGES IN THE SOCIO-ECONOMIC SYSTEM

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The task of improving human resource management is of particular importance, since the effectiveness of their use largely determines the competitiveness of our country in the world market. When solving this task, the issues of personnel policy are particularly acute. The problem of efficient use of expensive human resources on the world market is becoming a key factor in the success of the competitiveness of business structures and is of key importance for the adaptation of enterprises to changing economic conditions [1, p. 155].

If at the end of the 20th century the main factor in the development of enterprises was scientific and technological progress, which was determined by the level of concentration of production and scientific potential on a global scale, then at the beginning of the 21st century there was a new paradigm aimed at changing the forms and methods of management, improving the organizational structures of enterprises in the direction of stimulating the development of various forms of ownership and the use of the principles of clustering and network interaction.

One of the most important problems in the implementation of the strategic goals of modern enterprises is the insufficient provision of human resources capable of solving complex economic problems at an unconventionally high level using the personnel factor.

The key task here is to determine an adequate situation for the application of management methods, the development of an effective system of labor motivation and the improvement of personnel policy, taking into account adaptation to changing conditions of the external and internal environment.

The new paradigm focuses on the quality of managers, their ability to determine the capabilities and needs of the enterprise, a deep understanding of new forms and methods of modern personnel policy, taking into account the characteristics and capabilities of each employee in solving target tasks, as well as part of the implementation of strategic and operational tasks. The quality of human resource management also depends on the choice of optimal management methods, the transformation of production and marketing activities taking into account changes in the external environment. Since the time of stay of products on the market is significantly reduced, it is important to respond promptly to changes in market conditions from the point of view of determining market development trends [1, p. 208].

In the new conditions, since employees have the opportunity to implement their skills to improve the efficiency of production and sales activities, the organizational structure of the company should be adapted to these changes, and not excessively rigid, which does not allow implementing the initiative proposals of employees to improve the efficiency of business processes. Human resource management in the context of socio-economic category and an important direction of management was considered in the works of researchers of the following scientific schools:

1. The founder of the classical (traditional) or rational school is F. Taylor, who developed a progressive system of remuneration for corporate employees. Representatives of the classical school were well-known foreign scientists G. Emmerson, G. Ford, G. Gant, E. Brant, J. Mooney, M. Weber and others. Taylor offered to pay the worker instead of the job he held, which significantly increased productivity and reduced the cost of goods. The founders of the classical scientific school of management considered employees to be the most important element for performing specific operations of the production cycle.

2. The founder of the administrative and functional school is G. Fayol, who led a large mining company for more than 30 years and brought it to the forefront of the world level. Fayol's associates and supporters of the administrative and functional school of management are C. Bernard, G. Kunz, L. Gulik, R. Urvik, etc., who developed a process approach to enterprise management, proposed the main management functions and management principles, as well as developed the main approaches to the centralization and decentralization of enterprise management. Their main research concerned the division of labor and control over the result, the stabilization of the personnel of the enterprise, their responsibility for the result and fair wages.

3. In the development of management theory, a school of "human relations" emerged, founded by E. Mayo, G. Munsterberg, A. Rice and M. Follett. R. Ansof, A. Maslow, G. Simon, R. Meikert and other well-known scientists continued to study the theory of management of "human relations" in later periods, believing that in a favorable in a psychological climate, not only wages serve as motives for good organizational behavior of employees. Under favorable conditions of production and sales in the

company, they will automatically try to work more productively [2, p. 78].

In a separate direction, some representatives of the school of "human relations" stood out: the school of "behavioral sciences" (behavioral school), aimed at studying not interpersonal relationships, but in general the person himself. Some representatives of this school, for example, D. McGregor and his followers, in their works analyzed in detail the importance of coercion to perform labor functions, described the conditions for independent initiative of employees, emphasized the need to create conditions for independent work of personnel to achieve the strategic and operational goals of the organization.

4. Representatives of the school of social systems were R. Bartolarti, T. Patsan, R. Merton and other researchers who, under the influence of the results of structural and functional analysis, developed the theory of human resource management systems.

5. The founders of the new school of management are E. Arnof, M. Bartalonfi, V. Leontiev, etc., who tried to systematize all areas of research in management theory, which were divided into the following groups: the first group is devoted to the study of individual works and tasks of a particular performer and management; the second group consists of synthetic exercises exploring multidirectional, multifaceted complex systems, such as the external environment and internal factors, a classic example of which is the theory of U. Ochi, which is an alternative to McGregor's theory of the concepts of X and Y [2, p. 103].

In theory and in practice, four scientific approaches to the management of human resources of corporate structures have developed to date: traditional, process, system and situational. Also, depending on the object under consideration, in practice, general and functional management are distinguished. General management refers to the management of the enterprise as a whole or its structural divisions (profit centers). Functional management is characterized by the management of individual activities of the enterprise or its individual structural units, such as innovation management, marketing, personnel, finance and other functional components.

In the practical activity of the subject component, strategic, regulatory and operational management are distinguished. Management models should be adapted to the economic, cultural and political conditions of the Territories.

It should be borne in mind that the peculiarities of economic management at the beginning of the 21st century are that due to the tightening of competition in the world market, there is:

- the relevance of improving the efficiency of production and marketing activities;
- reduce the role of administrative management methods in the company;
- modern management is aimed at the development of priority areas of the world market;
- the organization of high-tech production and wholesale of technologies is of particular importance for management [3, p. 123].

The manager of a modern corporate structure ensures the strategic development of the company by separating the intellectual and physical abilities of employees. Therefore, the choice of ways to interact with the staff in practice is a management system. By receiving, analyzing and processing a large amount of information, an entrepreneur chooses effective methods of human resource management.

In modern conditions, management acts as the most important production resource and independent activity, combining the professionalism of employees with the use of high-tech production. Under these conditions, the results of the production proc-

ess and the final economic indicators largely depend on the level of management.

In the conditions of the emerging global market, the main task of management is to develop a strategy and define strategic goals based on the study of market conditions, forecasting changes in the external environment and competition, which allows for targeted planning and management. At the same time, target management is a process consisting of four main stages: the definition of the main goal, which is divided into a tree of goals to ensure control, the development of detailed plans and their implementation, quality control of the tasks set, as well as changes and final results that correct actions in case of deviations from strategic goals.

The formation of the theory of labor and personnel management took place under the influence of various sciences, and sometimes empirically, which was reflected in the relevant regulatory documents.

The famous theoretical scientist F. Taylor believed that management is based on the exact laws of science, principles and rules, and formulated the law of management, the essence of which consists of four principles:

- study of a separate type of workflow with the determination of the production rate per unit of time;
- mutually beneficial cooperation of the company's management and staff;
- regulated distribution of responsibility between the management and staff of the company and responsibility for the final result [4].

In the management process, positive and negative interactions on facilities and management issues are provided by management decisions made by the company's top management.

HR management solutions provide the following processes:

- creation of an information base on personnel and making changes by periods and categories of personnel;
- increase of intra-company interaction and elimination of barriers in interaction between divisions;
- development and improvement of the personnel motivation system taking into account all influencing factors [5, p. 54].

The effectiveness of the interaction of functional services and departments is largely the reaction of the object, which depends on the completeness, quality and accuracy of the management decision. The competitiveness of products and business structure in the market also depends on the effectiveness of management decisions.

Depending on the level of management development and situational analysis in practice, there are four levels of management decisions:

- made according to a well-established mechanism, routine;
- selective management decisions that are made by restricting freedom and initiative;
- adaptive management solutions to eliminate unforeseen difficulties;
- innovative management solutions related to complex and unpredictable events and tasks related to the introduction of technical, marketing and other innovations.

The tasks of personnel management at the enterprise were defined in the following sequence:

- assessment of socio-psychological group and personal relationships in the team and their diagnosis;
- management of social and industrial complexes and stress reduction;
- creation of a personnel management information system;

- assessment of personnel potential, determination of personnel needs, selection of specialists for vacant positions and development of personnel marketing activities;
- formation of a system of material and non-material motivation and management of psychophysical, ergonomic, aesthetic parameters of labor [5, p. 79].

In modern corporate structures, personnel management departments have been formed on the basis of existing personnel departments, departments of scientific labor organization, wages, labor protection and safety, which develop personnel policy with full coordination of human resource management activities.

The personnel management services of corporate structures are focused on the implementation of not only operational programs, but also strategic tasks of improving the level of education, qualification of employees, growth of professional skills, labor productivity through the formation of a motivational mechanism and the formation of an organizational structure using psychophysiological elements, ergometric parameters and aesthetic labor standards.

The company's human resource management mechanism ensures the efficiency of production and marketing processes through the action of the following components. The experience of foreign managers shows that delegation of authority is the main condition for the effective functioning of corporate structures, allows you to significantly expand the management sphere of management through delegation of authority and focus on solving strategic issues.

Practice shows that for the effective use of production potential, delegation of authority to employees of enterprises is also required, since they are involved in the process of implementing a strict set of management decisions, which creates additional motivation for employees. A feature of foreign management practice is also the widespread adoption of collective management decisions, which is associated with the complexity of the tasks being solved and the processes of democratization of management processes.

Human resource management of a modern high-tech enterprise is a purposeful impact on the employees of the enterprise in socio-economic systems in order to successfully solve the operational and strategic tasks of the enterprise.

The most important goal of the human resource management system of modern enterprises is to maximize the use of the personal potential of employees' abilities as the most important subject and resource of business structures. Activities aimed at the effective use of the personal potential of employees are mainly concentrated in the following areas: formation of optimal conditions for the development of the personal potential of employees; development of measures to ensure the mobilization of the personal potential of employees to achieve the main strategic goals and objectives of the company; development of professional qualities in accordance with scientific and technical innovations that guarantee the quality of the product and lead to an increase in the competitiveness of the company.

The basic principles of effective management in organizations are determined by the qualifications of employees, the qualitative level of staff development, their ability and ability to overcome resistance and solve current problems. Human resources are the most important strategic resource of an organization in an unstable political and economic situation in conditions of increased competition in the world market. Changes in business structures in the process of strategic development, its share and the growth rate of the market are largely determined by the chosen model of human resource management.

One of the most important tasks of the head of the personnel management department is to participate in the development and adjustment of strategic plans by providing them with qualified personnel capable of solving any problems, especially at the stage of implementation and monitoring the implementation of strategic development tasks.

It can be said that modern management, along with scientific and technical achievements and practical skills, in many ways represents the art of human resource management. The management team is a well-coordinated team of highly qualified employees who are ready to respond promptly to any changes in the external environment, the market, competitors and other critical or negative factors in accordance with the goals of the enterprise.

At the same time, the human factor continues to be the main determinant of the formation and testing of various management models in modern conditions of economic modernization.

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SWOT-ANALYSIS AS A SYSTEMATIC BASIS FOR STUDYING THE INNOVATIVE DEVELOPMENT OF ENTERPRISES IN KAZAKHSTAN AND THE ECONOMIC EFFICIENCY OF THE ACCEPTANCE OF THE INVESTMENT PROJECT

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The innovative development of Kazakhstan continues to progress and grow even in the post-crisis period, while creating favorable conditions for further modernization and diversification, as well as for the growth of the national economy in the short term. In addition, the implementation of innovative investment projects solves not only economic problems, but, which is extremely important, the problem of unemployment, since projects create a significant number of jobs.

SWOT analysis, being a well-known management technology for assessing the strengths and weaknesses of an organization, as well as taking into account opportunities and threats coming from the outside world, which serves as an important tool for strategic planning [1].

For more effective strategic planning, the SWOT analysis method should be used

to systematically conduct a study of the innovative development of Kazakhstan.

SWOT analysis of the innovative development of the Republic of Kazakhstan is shown in Table 1. It is possible that the identified strengths and weaknesses, as well as opportunities and threats for the innovative and investment development of Kazakhstan, are not limited to the above. However, they, being key aspects of the development of innovative processes, most fully reflect the objective picture.

Analyzing the advantages and disadvantages of innovation and investment development, we can say that the advantages are stable and serve as the basis for future prospects, while the disadvantages can be considered to some extent as a consequence of the fact that the innovation process in Kazakhstan began to actively develop relatively recently, therefore, for this time it is impossible to form an effective national innovation system.

Table 1. SWOT-analysis of innovative development of the Republic of Kazakhstan

Advantages (or strengths):	Capabilities:
<ul style="list-style-type: none"> - macroeconomic and political stability; - comprehensive state support (financial, political, legislative and others); - availability of high scientific and technical potential; - availability of highly qualified national personnel; - availability of necessary natural resources; - positive dynamics of statistical indicators of innovation activity; - intensive use of progressive management methods, in particular the management of innovative and investment projects both at the state level and in private companies 	<ul style="list-style-type: none"> - international cooperation in the field of innovation; - participation of foreign investors and partners in Kazakhstani innovation projects; - participation of Kazakh investors in foreign innovation projects; - transfer of advanced technologies
Disadvantages (or weaknesses):	Threats:
<ul style="list-style-type: none"> - insufficient degree of development of the national infrastructure; - relatively low level of innovative activity of domestic enterprises; - disproportions of innovative development in the regional and sectoral context; - relatively low share of private investment in innovation; - insufficient degree of participation in the innovation process of small and medium-sized enterprises 	<ul style="list-style-type: none"> - crisis in the national economy; - world economic crisis; - slowdown in the pace of world scientific and technological progress; - relocation of Kazakh talented scientists and highly qualified specialists to foreign countries

The potential for innovative development of Kazakhstan is hidden in the shortcomings, these are the directions in which we should move forward. It should also be noted that the gradual growth of the innovation process in Kazakhstan contributes to the evolutionary development of an effective innovation system.

The identified positive trends and prospects for the development of the innovation process in Kazakhstan create a favorable environment for the use of project management methods.

Thus, we can assume that the Strategy itself, considered in the theoretical part of the work, is a kind of megaproject of the national economy, the successful implementation of which largely depends on the use of advanced management methods and the professionalism of specialists at all levels of government and corporate structures.

The state not only creates the appropriate conditions for the development of innovation processes, but also actively participates in the management and financing of investment and innovation projects through national development institutions that actively participate and finance innovation and investment projects in various priority sectors of the economy.

A special role in the implementation of projects is played by the mechanism of public-private partnership. In Kazakhstan, public-private partnership is in its infancy, the legal framework is being improved, and various projects are being implemented.

At present, a large number of complex and expensive investment and innovation projects in various sectors of the economy are being implemented annually in our republic. In addition, in the context of Kazakhstan's integration into the world economy, various international and interregional megaprojects are being implemented. This, in turn, requires a professional approach to management and the application of effective project management methods.

In Kazakhstan, there is a need for professional management of innovation and investment projects, the main goals of which are to achieve and ensure stable socio-economic growth, as well as increase the competitiveness of the Kazakhstani economy in the world market. Many Kazakhstani companies also use advanced project management methods in the implementation of their investment and innovation projects, and some companies are implementing corporate systems. The corporate project management system is the integrity of the following main elements:

- organizational structure;
- methodological support and information system.

In the conditions of international competition caused by globalization and the growth of scientific and technological development, an intensive component is seen in the investment structure, including the costs of high technologies. Innovations, on the one hand, support the quality of investments with their presence, on the other, use them to promote production. In other words, there is no investment – there is no materialization of innovation. The investment analysis methodology is used to ensure that an innovative project brings not only socially significant results, but is also financially and economically efficient, and makes a profit.

Thus, on the one hand, the investment and financial efficiency of innovations will be ensured, on the other hand, with the help of project management methods, it helps to improve the quality of innovation management.

Next, you should consider directly the innovative project for the enterprise under study.

The purchase of an oil flow throttling system is necessary to control the oil flow during production, which increases the durability of the production oil mill itself. This stabilization system provides multiple motor protection. The service life of this system is 7 years.

The amount of investments is 9468 thousand tenge. The necessary funds for the purchase and installation and commissioning of the system, the company will use investments that will be borrowed from a commercial bank.

The purchase calculations are provided in table 2.

Table 2. Calculation of the amount of investment for the project

equipment identification	Quantity	Price, tenge	Price, tenge with all expenses	Sum, thousand tenge.
Oil mill throttling system	3	2630000	9468000	9468

In case of not timely implementation of this throttling system at the enterprise, the amount of repair in case of failure of one electric motor of the oil churn machine will amount to 107 thousand tenge. The calculation for the amount received is presented in Table 3.

Table 3. Calculation of the justification for the repair of 1 electric motor of the oil mill

No. p / p	Name of goods and materials	Unit measurements	Qty	Unit price, tenge	Price, tenge
1	Enamel - wire PEEI-2	kg	57,6	343	19894
2	Installation wire PGVA	m	6	390	2340
3	Syntoflex	kg	5,2	2490	12948
4	Electronite/isoflex	kg	8,8	2490	21912
5	Lakotkan	m	9,6	1800	17100
6	Textolite	kg	0,35	1170	410
7	Insulating tape, LSK tape	kg	0,8	858	686
8	Electrical insulating tube	m	12	228	2736
9	Electrical insulating var-	kg	3,6	682	2387
10	Toft / keeper tape	m	72	18	1296
11	Fiberglass	kg	0,8	1170	936
12	Cable lug	PCS	3	240	720
13	Primer	kg	0,38	630	239
14	Nitroenamel	kg	0,75	630	473
15	Gasoline, kerosene	kg	0,45	117	53
16	Solvent	kg	0,42	375	158
17	Litol	kg	0,6	303	152
18	Fasteners, bolts	kg	0,35	180	63
19	Bearing 319	PCS	1	15400	15400
20	Bearing 2319	PCS	1	7100	7100
	Total:				107000

Thus, the amount of repair in case of failure of 1 electric motor per month will be 107 thousand tenge. And since there are 3 of them at the enterprise, respectively, the repair will amount to 3 times more, namely 321 thousand tenge.

It would be logical at the next stage of work to calculate the annual amount of damage:

$$321000 \times 12 = 3852000 \text{ tenge}$$

The annual amount of damage will be 3852 thousand tenge.

Calculate the net present value (NPV) of the equipment using the method of bringing future receipts to a current valuation at a remuneration rate of 13%. The calculation is presented in table 4.

Table 4. Calculation of the net present value of equipment

years	Cash inflow (+;-) CF, thousand tenge	discount factor FdPV	True value PVCF, thousand tenge.	NPV with cumulative effect
2020(IC)	-9468	1	-9468	-9468
2021	3852	0,8849	3408,635	-6059,365
2022	3852	0,7831	3016,601	-3042,864
2023	3852	0,6931	2669,821	-373,043
2024	3852	0,6133	2362,432	1989,389
2025	3852	0,6427	2090,48	4079,869
2026	3852	0,4803	1850,216	5929,985
2027	3852	0,4251	1637,485	7567,47
Σ			17035,47	

A positive NPV value indicates that the project is profitable, and it is necessary to agree with the investment.

Based on the above calculations, it can be concluded that it is advantageous for the company to purchase a system for stabilizing the operation of tail pumps.

$$NPV = 17035,47 - 9468 = 7567,47 \text{ tenge}$$

Using the investment assessment method, you should calculate the payback period for this equipment:

$$PP = 9468 / 3852 = 2,6$$

A simple payback period of 2.6 years is acceptable for the purchase of this equipment.

Calculate the discounted payback period for this project:

$$PP = 3 + 373,043 / 2362,432 = 3,2$$

The discounted payback period is 3.2 years, which is quite acceptable for this project.

For this equipment, we calculate the internal rate of return on capital (IRR) using a graphical method.

To build a graph, you need to calculate NPV for several rates of return (the more, the better). NPV points are plotted on the graph of NPV dependence on the capital rate and lines of intersection points are connected with the x (r) axis - IRR. The calculation is presented in table 5.

In the mathematical calculation of the internal rate of return of the project, an arbitrary discount rate is selected, and on its basis the total current value of project income is calculated, namely 5%. Table 5 shows that:

$$\begin{aligned} \Sigma PV5\% &= 22288,4 \text{ thousand tenge;} \\ NPV5\% &= 12820,4 \text{ thousand tenge} \end{aligned}$$

Since the project costs are compared with the resulting reduced amount of income and it is positive and does not give zero current value of income, we choose the second discount rate according to the following rule: if $NPV > 0$, then the new discount rate should be greater than the original one.

According to the calculations provided in Table 5, the discount rate is 70%:

where $\sum PV70\% = 5362$ thousand tenge

$NPV70\% = -4106$ thousand tenge.

$IRR = 5\% + (70\% - 5\%) \times 12820,4 / (12820,4 - (-4106)) = 54,23\%$

IRR in this project has a fairly high value of this indicator, which implies a good benefit from this project, since projects with an IRR of at least 15-20% are considered profitable.

Table 5. Calculation of NPV for the IRR schedule for the project

years	0	1	2	3	4	5	6	7	$\sum PV$ n%
Mltary coming, CF	-9468	3852	3852	3852	3852	3852	3852	3852	
Fd5%PV	1	0.9524	0.907	0.8638	0.8227	0.7835	0.7462	0.7106	
PV5%	-9468	3668.6	3493.8	3327.4	3169.0	3018.0	2874.4	2737.2	22288.40
Fd10%PV	1	0.909	0.8264	0.7513	0.683	0.6209	0.5644	0.5131	
PV10%	-9468	3501.6	3183.3	2894.0	2630.9	2391.7	2174.2	1976.6	18752.00
Fd15%PV	1	0.8695	0.7561	0.6575	0.6717	0.4991	0.4323	0.3759	
PV15%	-9468	3349.3	2912.6	2532.7	2202.2	1922.6	1665.2	1448.0	16032.40
Fd20%PV	1	0.833	0.6944	0.6787	0.4822	0.4018	0.3348	0.279	
PV20%	-9468	3208.7	2674.8	2229.2	1857.4	1547.7	1289.6	1074.7	13882.20
Fd30%PV	1	0.7692	0.6917	0.4551	0.3501	0.2693	0.2071	0.2593	
PV30%	-9468	2963.0	2279.2	1753.0	1348.6	1037.3	797.7	613.6	10792.40
Fd40%PV	1	0.7142	0.6102	0.3644	0.2603	0.2859	0.2328	0.0948	
PV40%	-9468	2751.2	1965.3	1403.7	1002.7	716.2	511.6	365.2	8715.60
Fd50%PV	1	0.6666	0.4444	0.2962	0.2975	0.2316	0.0877	0.0585	
PV50%	-9468	2567.7	1711.8	1141.0	760.8	506.9	337.8	225.3	7251.30
Fd60%PV	1	0.625	0.391	0.244	0.252	0.095	0.059	0.037	
PV60%	-9468	2407.6	1506.2	939.9	585.6	365.9	227.3	142.6	6174.70
Fd70%PV	1	0.688	0.346	0.203	0.219	0.071	0.041	0.024	
PV70%	-9468	2265.0	1332.8	782.0	458.4	273.6	157.9	92.4	5362.00

NPV Total (7 years)		12820.40		9284.00		6564.40		4414.20		1324.40		-752.40		-2216.70		-3293.30		-4106.00
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Next, you should calculate the discount rate of return ARR, where depreciation is:

$$A = IC / N = 9468 / 7 = 1352, 6 \text{ thousand tenge}$$

Profit is:

$$P = CF - A = 3852 - 1352, 6 = 2499, 4 \text{ thousand tenge}$$

$$ARR = P / CF \times 100\% = 2499, 4 / 9468 \times 100\% = 26, 39\%$$

Thus, the discount rate of return is quite high, which indicates the economic viability of this project.

Further, final calculations were carried out - the project profitability index was calculated, determined relative to the total indicators of net cash inflows and investments for the economic life of their lives. The ROI is greater than 1 if, and only if, the net cash receipts for that flow are positive. This index is found by the formula:

$$PI = \sum PVCF / CI = 17035,47 / 9468 = 1,8$$

The profitability index of the project is greater than 1, therefore, the project can be approved.

Since all performance indicators for the adoption of the project are positive, this indicates the feasibility of the project.

Graphically, the interpretation of the discount rate of return (ARR) and net present value (NPV) is shown in Figure 1.

In a graphical interpretation, the financial profile of the project is provided in Figure 1.

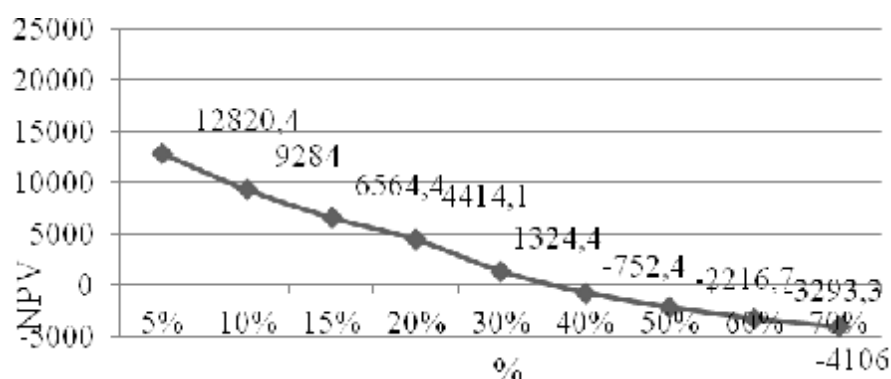


Figure 1 Dynamics of changes in the ARR indicator for the project

This project is necessary to regulate the flow of the manufacturer's products, which increases the durability of the oil-pressing equipment and prevents damage to the enterprise in the amount of 26964 thousand tenge, this project also has a fairly short payback period, as it was found out, this is a very important factor.

The next step is to combine the results obtained above for the project, aggregated in Table 6.

Table 6. Investment performance indicators

Number of years	P.I. thousand tenge	Damage in case of non- acceptance of the project, thousand tenge	NPV, thousand tenge	PP, years		IRR	ARR	PI
				IC/CF	IC/PVCF			
7	9468	26964	7567,47	2,6	3,2	54,23	26,39	1,8

It should be noted that in the conditions of the modern economy, enterprises face the problem of increasing the profitability of their work. Enterprises need to operate at the present time in fairly new, not yet fully understood and familiar conditions that the economy puts forward in the process of its formation.

The main problems of ensuring sustainable profitability are related both to external economic factors, such as the state of the economic environment, monopolization, the conditions for concluding contracts, the level of taxation, the level of inflation, and internal factors.

An enterprise, whatever it may be, on whatever conditions it was created, is obliged to bring profit to its main owner. Profit is a kind of good, without which no person can exist. It is material values that make it possible to provide a high level of comfort to their owner [2].

Summarizing the above, we should move on to information at the macro level, namely, a set of local measures aimed at improving the financial condition of the enterprise includes measures to improve management efficiency and ensure sustainable implementation, and accelerate the turnover of working capital.

The purpose of the implementation of local measures of financial recovery is to ensure the sustainable financial position of the enterprise, which is manifested in the stability of receipts from sales, increasing the profitability of products. This set of measures reflects the essence of anti-crisis management at the enterprise.

The first set of activities should include the following:

- measures to improve the efficiency of personnel management;
- measures to reorganize management structures.

The second block of measures aimed at ensuring sustainable implementation and accelerating the turnover of working capital includes the following activities:

- carrying out a complex of marketing activities in order to promote or search for a promising market niche;
- collection of receivables;
- change of worn-out equipment or replacement of assets for new products;
- the use in the process of selling products of information about the most favorable regions for sales, obtained in the marketing department as a result of ongoing research.

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ANALYSIS AND ASSESSMENT OF DISABILITY INCLUSION MANAGEMENT IN GOVERNMENTAL AND NON-GOVERNMENTAL ORGANIZATIONS

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The question is what is disability and Disability Inclusion Management in Governmental and Non-Governmental Organizations? When we speak about disability and persons with disabilities, we should keep in mind the UN Convention on the Rights of Persons with Disabilities (CRPD). The CRPD identifies that Persons with disabilities include those who have long-term physical, mental, intellectual or sensory impairments which in interaction with various barriers may hinder their full and effective participation in society on an equal basis with others (UN Convention, 2006),

The barriers are the environmental, attitudinal and institutional barriers. Especially, important are the attitudinal barriers, which may regard persons with disabilities as outside normal society, and in need of charity because of their perceived weakness, inability to be productive members of society and subsequent dependence on the help by others (charity model), or in need of being “normalized” or “improved” as much as possible though medical help carried out by specialists so that they can “fit” into society (medical model). Attitudes are often expressed by language and behavior, and, therefore, we must pay attention to both to promote the social/human rights model of disability, which recognizes the responsibility of society and aims to remove these barriers for full and effective participation and inclusion in society and workplaces on equal basis with others (Sherzai, 2020).

International human rights law affirms that every person has the right to work, to freely choose their employment and to be protected from unemployment. However, persons of working age with disabilities have very high unemployment rates in both developing and industrialized countries. In developing economies, unemployment is as high as 80–90 per cent. A number of factors explain this, including employer bias, the absence of accessible workplaces, and poor access to information and finance. The fact that the abilities of persons with disabilities are widely unrecognized, often by their families as well, is also a contributing factor.

As Afghanistan is known as a poor, full of war and overall counted as third class country in the world, most of the people without disability are jobless as well as people with disability. Unemployment Rate in Afghanistan is expected to reach 25.00 percent by the end of 2022, according to Trading Economics global macro models and analysts' expectations. Thus, it is estimated that People with disabilities' unemployment rate reaches to 90.00 percent (Trading Economics, 2022).

Disability inclusion means understanding the relationship between the way people function and how they participate in society and making sure everybody has the same opportunities to participate in every aspect of life to the best of their abilities and desires.

The concept of Inclusion is a philosophy that urges schools, neighborhoods, and communities to welcome and value everyone, regardless of differences. Central to the philosophy of inclusion are the beliefs that everyone belongs, diversity is valued, and we can all learn from each other.

Disability inclusion at work is about more than hiring people with disabilities. An inclusive workplace values all employees for their strengths. It offers employees with disabilities - whether visible or invisible - an equal opportunity to succeed, to learn, to be compensated fairly, and to advance. True inclusion is about embracing difference.

Diversity does not exist without inclusion. When employees feel included, they feel a sense of belonging that drives increased positive performance results and creates collaborative teams who are innovative and engaging. Employees that feel included are more likely to be positively engaged within the organization.

In Afghanistan, there are about 40 Governmental and non-governmental organizations working for people with disability. They provide humanitarian responses to people with disability as well as the work opportunity for employees with disability. The non-governmental organizations are including, both, national and international organizations. A few numbers of the organizations are United Nations agencies, which works for the better of the vulnerable people in Afghanistan with different aims. All the UN agencies are following the UN-Disability Inclusion strategy, for including people with disability in both, humanitarian responses and HR inclusive management in workplace.

For instance, Save the Children as an international organization, which in last 10 years, trying to include people with disability in its human resources management, and make it an inclusive work environment. According to a survey, At According to Save the children (SCI) HR Department, at SCI, among the 5140 employees, there is working only 153 employees with disability in Afghanistan Country office (SCI-HR Dep 16.08.2022).



Figure 1. Number of employees with disabilities at Save the Children

The Graph shows that a smaller number of people are working in an International NGO like the Save the Children.

Swedish Committee for Afghanistan, is another example of an NGO, which works specially for people with disability and its work is to rehabilitate children and adults with disability in Afghanistan, does not have any specific policy for the recruitment of people with disability. However, SCA's HR staff confirmed that the organization has some flexibility for the candidates with disability as below:

- In every job announcement, it is mentioned that Persons with disabilities are

highly encouraged to apply.

Any building structured within the organization or in program interventions, should be accessible for people with disability (SCI-HR Dep 16.08.2022)

Moreover, they are working on a strategy to create some positions, especially for People with disability, so people without disability would not been included to apply. However, it is not approved yet.

At the governmental level, there is a policy for the recruitment of people with disability in governmental organizations, “independence administrative reform and civil service commission approved procedures for hiring person with disability”. It has some perfect clauses that demonstrate the interest of the government for an inclusive human resources management. The 2004 Constitution of Afghanistan promotes the integration of people with disabilities into public and social life. Article 22 prohibits any form of discrimination between Afghan citizens. Article 53 provides for financial aid to persons with disabilities and guarantees their “active participation and re-integration into society.” Article 84 makes provision for two persons with disabilities to be appointed by the President as Members of Parliament in the House of Elders (Constitution of the Islamic Republic of Afghanistan, 2004).

HOW IMPACTS OF THE CRISIS ARE EXACERBATED FOR PERSONS WITH DISABILITIES IN LIVELIHOODS?

IMPACT OF CRISIS:

In Afghanistan, there are many crisis factors that persons with disabilities such as insecurity, breakdown of social networks, destruction of infrastructure, displacement, closure of services that makes the life difficult for them.

EXACERBATED BY BARRIERS

Environmental barriers:

- Inaccessible and unsafe markets, places of work and related facilities (e.g. toilets)
- Lack of accessible information on markets, social protection, how to use facilities, opportunities such as skills training, job openings, micro-credit or other financial services
- Inaccessible transportation and road infrastructure

Attitudinal barriers:

- Negative attitudes and discrimination against persons with disabilities in the workplace
- Lack of awareness and knowledge about capacities of persons with disabilities and their possible contributions in the workplace
- Lack of confidence in the ability of persons with disabilities to successfully utilize financial services

Institutional barriers:

- Lack of technical capacity to promote the inclusion of persons with disabilities in the workplace and in financial services
- Restrictive entry requirements for access to vocational training or micro-finance schemes such as educational qualifications, collateral, etc.
- Employment policies and programs are not inclusive of persons with disabilities
- Lack of accurate data on persons with disabilities

Risks faced by persons with disabilities are: Violence, poverty, environmental

hazards, deterioration of health, exclusion, isolation

The National Law of Rights and Benefits of People with Disabilities stipulates that state shall promote active participation of people with disability in society. The law also states that 3% of jobs in government and the private sector are to be reserved for persons with disabilities. The law has however been criticized for not being adequately rights-based and for favoring war victims over other persons with disabilities.

The National Policy for Persons with Disabilities of 2004 with input from multiple stakeholders including disabled people's organizations (DPOs) that was coupled with the revised Afghanistan National Disability Action Plan (ANDAP) 2008-2011, stipulate strategies for promoting participation of persons with disabilities and their representative organizations.

Afghanistan's National Development Strategy further identifies disability as an important crosscutting issue and seeks to advance the rights of persons with disabilities across various sectors. Since 2007, a number of developments programs have included disability indicators (United Nations Disability Inclusion Strategy, 2019).

Some of the clauses from the "independence administrative reform and civil service commission approved procedures for hiring person with disability" are as below:

- All the departments should include 3% of the employees with disability at HR management.
- 3% of the positions should not be included at the collective recruitment process.
- People with disability can apply for all the positions, related to their abilities observing the job description.
- All the HR departments at the ministries and official operations should prepare the 3% plan and submit it to the related commission for approval.
- All the HR departments at the ministries and official operations should provide a flexible job description for the positions required people with disability.
- All the HR departments at the ministries and official operations should provide specific and accessible place for people with disability, during the submission of the applications, written tests and interviews at the center and provinces.
- All the HR departments at the ministries and official operations should insert a special cell, for identification of people with disability at the application forms.
- HR representatives should support candidates with disability, for smooth application and exam process.
- Questions should be designed flexible and observing the status of the candidate with disability.
- Those candidates with disability who are not able to take the tests written or orally, the test organizer should support them to take the test they way are able to, and according to their status.
- All the HR departments at the ministries and official operations should request the professional person for recognizing the people with disability and the type of disability.
- In case of any competition, joining both People with disability and without disability, the exam commission should add 5 more scores at the 3rd and 4th grades to candidates with disability and 3 more scores at the 1st and 2nd grades positions.
- For the female candidates with disability, exam commission should add more 5 scores to the test papers.
- All the HR departments at the ministries and official operations should provide the opportunity of capacity building for new employees with disability, according to

their job descriptions.

- The commission would monitor and evaluate the process of recruitment of people with disability at each ministry and official operations.

- Human Rights Independent Commission and the Ministry of Martyr and Disabled Affairs should support this policy to be published and considered at all governmental organization. (Translated from the Ministry of Martyr and Disabled Affairs , 2019).

The main challenges faced by the diversity of persons with disabilities in participating in mainstream and disability-specific decision-making processes at the national, regional and local levels, including challenges faced by persons who experience multiple discrimination (e.g., on the basis of disability, age, gender, ethnic origin, geographical location) are:

- lack of expertise in negotiation and advocacy;
- lack of expertise in development of networks as well as lack of coordination skills;
- lack of effective democratization within their representative organizations;
- limited ability to pay membership fees to their associations;
- lack of financial sustainability of their representative organizations;
- social barriers, particularly attitudes, stereotypes and paternalistic behavior;
- lack of effective access to information and communication (inaccessible websites formats, communication) (UNICEF Afghanistan, 2004).

In addition, it is mentionable that women and girls with disability are 4 times vulnerable than men and boys with disability in each component of life, here the focus is on the job opportunity for women and girls. Women with disabilities face enormous obstacles in getting a job. According to the Community Centre for the Disabled, 90 percent of persons with disabilities are unemployed. As mentioned, under the Law on Rights and Privileges of Persons with Disabilities, 3 percent of jobs in government and the private sector are to be reserved for persons with disabilities. However, the AIHRC found that the number of employees with disabilities working in government offices was less than 1 percent.

Amina Azizi, the head of a small advocacy organization working on behalf of women with disabilities in Afghanistan, lost her right leg in a rocket attack on her home in Kabul when she was a child. When she first attempted to find a job, she said she was told, “Why are you seeking work, when those who are without disabilities are jobless?” When she eventually found work as a radio presenter and advocate for persons with disabilities, she said the main focus of the programs “was to inform the public that persons with disabilities are active members of society and should be treated like everyone else. Disability is not weakness” (Holmes, 2020).

A government official responsible for social and support services acknowledged the problem: “Unfortunately, the percentage employing people with disabilities, especially women, is very low. Although men with disabilities face similar problems, in general it is much more difficult for women with disabilities, because in a male dominated society, employment of women is less common... An extensive and appropriate awareness program about the qualifications of people with disabilities has not been conducted for the public institutions to assure them that disability is not incompetence and that disability does not impede their working potential” (Staff, 2022).

At last but not least, overall in Afghanistan, there are more stigmas, barriers and negative mindsets against persons with disability to work and to be employed. Al-

though, there are some non-governmental organizations which work for persons with disabilities and are disability inclusive, but still they do not have any specific policy or strategy for the recruitment of people with disability. Moreover, at the governmental level, a policy is designed and established to include at least 3% People with disability in HR management, but the findings show that there is less than 1% included. The barriers for employment, is face more by females. They are more likely to be harassed and abused or even rejected from the process of the recruitment.

The recommendations are:

1. Being NGOs as right based organization who advocate for the right and inclusion of person with disability, needs to bring change in the permanent, project field staff and fixed term recruitment guideline and apply the articles of independence administrative reform and civil service commission approved procedures for hiring person with disability. This change needs to be reflected in the Job requisition forms too.

- a. Extra 5 to 10 marks has to be given for person with disability during general recruitment process/procedure. These 5 to 10 marks could be for the purpose of positive discrimination. Since person with disabilities are neglected and majority of the time do not have access or could not afford to have specialized skills. Due to lack of these skills they could not be able to be competitive in the general recruitment procedures.

- b. Those people with disability who cannot participate in the written or verbal exams there should be special exams based on their ability.

2. It should be written in the Job requisition form (JRF) that priority will be given to people with disability and accept their special needs.

3. Since there is less opportunities for people with disability to gain experience therefore it is need to accept people with disability with less experience (the panel has to have authority to analyze and decide on the cases) this need to be in the staff guideline.

4. In some cases it is observed that people with disability are not completed education but they are having good technical skill so such cases should give opportunities to compete with people without disability regardless of its completion of education. Such as hearing impaired who can work as lather man or carpenter and so on has to give change of deployment.

5. In some cases there is limitation in the written test of visually impaired that HR cannot read the braille paper, so it should be in the guideline to accept the technical section braille reader input/observation /marks and should not be any limitation. At same time NGOs need to provide computer/braille for visually impaired during written exam to candidate.

6. In some cases there is limitation in the interview of hearing impaired that sign languages are not tangible, so the guideline should be inclusive and it should be defined that sign language interviews are acceptable and hearing impaired can compete and give chance.

7. Some of the positions within the organization should be allocated for person with disability. So, the recruitment procedures should be carried out among person with disability. The panel shall select the candidates among person with disabilities.

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ASSET AND LIABILITY MANAGEMENT IN A COMMERCIAL BANK

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Bank the sector is the most important sphere of the national economy, on the effectiveness of which the development of the country's economy largely depends. The modern Kazakhstan banking system operates in conditions of underdevelopment of financial markets, strengthening of monopolistic tendencies and intensification of competition between commercial banks in the presence of inflation, the instability of the economic environment and the generation of significant risks in the implementation of active and passive banking operations. In this regard, a priority place is given to the problem of integrated, interconnected management of banks' assets and liabilities in order to ensure high profitability of banking activities, increase the stability and reliability of banks and the country's banking system as a whole.

World practice shows that similar reasons for the development of Western banks served as a powerful impetus for the reorientation of banks from the isolated management of assets and liabilities to the methods of their integrated balanced management. Nevertheless, the principles and methods of management developed abroad can be applied to the conditions of our country only to a limited extent. This is primarily due to the fact that Kazakhstani banks are deprived of many reliable tools and are forced to operate in conditions of larger and more diverse risks than banks in Western countries.

Asset and liability management as a concept used in banking originated in the United States in the 1960 s and refers primarily to managing the level of risk when interest rates rise or fall. Until that time, financial managers used separate methods for managing assets, liabilities, and spreads. This was due to the fact that in the 1940 s and 1950 s banks had an abundance of cheap sources of financing in the form of demand deposits and savings deposits. Therefore, the main management problem was to distribute assets in such a way that would ensure the liquidity of a commercial bank and maximize income, therefore, emphasis was placed on asset management. At the same time, the main areas of asset management consisted of two options:

Commercial banks should allocate borrowed funds to various types of active op-

erations without reducing profitability and liquidity.

The funds that a commercial bank manager is responsible for investing come from a variety of sources, including demand deposits, savings, time deposits, and the bank's own capital. The method under consideration is based on the idea of combining all resources. The total funds are then allocated among those types of assets (loans, government securities, cash on hand, etc.) deemed appropriate. In the model of the general fund of funds for the implementation of a specific active operation, it does not matter from which source the funds came, as long as their placement contributes to the achievement of the goals set for the bank [1].

This method requires the bank's management to equally comply with the principles of liquidity and profitability. Therefore, the funds are placed in such types of active operations that are most consistent with these principles. The placement of funds is carried out in accordance with certain priorities, the purpose of which is to help the management of operational departments solve the problem of combining liquidity and profitability. These priorities suggest how much of every dollar (or ruble) of funds available to the bank should be placed in reserves of the first or second priority, used for loans and the purchase of securities, in order to generate income. The issues of investing in land, buildings and other real estate are usually considered separately [2].

The number one task in determining the structure of the allocation of funds is to establish their share allocated as a primary reserve. This category of assets is functional and does not appear on the balance sheets of commercial banks. Nevertheless, bankers attach great importance to it and include in primary reserves those assets that can be immediately used to pay off withdrawn deposits and satisfy applications for loans. This is the main source of commercial bank liquidity. In most cases, the role of primary reserves includes assets included in the item "cash and debt of other banks", which includes funds on correspondent accounts with the National Bank, funds on correspondent accounts (deposits) in other commercial banks, cash in a safe and checks,

It should be noted that the reserves of the first stage include both required reserves serving as security for deposit obligations, and cash balances sufficient, in the opinion of the bank's management, for daily settlements. In practice, the amount of funds included in primary reserves is usually determined on the basis of the average for all approximately the same banks of the ratio of cash assets to the amount of deposits or to the sum of all assets [4].

Task number two in the placement of funds will be the creation of "non-cash" liquid assets, which also bring a certain income. These reserves include highly liquid earning assets that can be turned into cash with minimal delay and negligible risk of loss. The main purpose of the reserves of the second stage is to serve as a source of replenishment of primary reserves. Like the latter, this is more an economic category than an accounting one, and it also does not appear in the bank balance sheet. Secondary reserves include assets that usually make up a portfolio of securities, and - in some cases - funds in loan accounts [5].

The volume of secondary reserves is determined indirectly, by the same factors that change deposits and loans. A bank whose deposits and demand for credit fluctuate greatly needs a larger secondary reserve than a bank with a stable volume of deposits and loans.

As for the reserves of the first stage, a certain percentage of the total amount of funds is also set for the secondary reserves. The starting point can be a general indicator for all banks in the country, although it does not always meet the needs of an individual

bank. As an approximate indicator of the liquidity of the banking system as a whole, a coefficient showing the ratio of the amount of cash and government paper to the total amount of deposits in all commercial banks is sometimes used [6].

The third stage of placement of funds according to the method of the general fund of funds is the formation of a portfolio of loans. After the bank has determined the size of primary and secondary reserves, it can provide loans to its customers. This is the most important type of banking activity that generates income. Loans are the most important part of bank assets, and income from loans is the largest component of bank profits. Loan operations are at the same time the most risky type of banking activity [7].

And, lastly, when placing funds, the composition of the securities portfolio is determined. Funds remaining after meeting the justified needs of customers for loans can be placed in relatively long-term first-class securities. The purpose of the investment portfolio is to generate income for the bank and be an addition to the reserve of the second priority as the maturity of long-term securities approaches [8].

Using the method of the general fund of funds in asset management gives the bank a wide choice of categories of active operations. This method sets priorities, which are formulated quite often. At the same time, this method does not contain clear criteria for the distribution of funds by asset categories and does not provide a solution to the "liquidity - profitability" dilemma. The latter depends on the experience and intuition of the bank management.

Asset allocation method. It was noted above that when approaching the placement of funds from the standpoint of the general fund of funds, too much attention is paid to liquidity and the differences in liquidity requirements in relation to demand deposits, savings deposits, term deposits and fixed capital are not taken into account. In the opinion of many bankers, this shortcoming is the cause of the progressive decline in the rate of profit. Time and savings deposits, which require less liquidity than demand deposits, grow at a faster rate over time. The asset allocation method, also known as the funds conversion method, overcomes the limitations of the common fund method [9].

The asset allocation model establishes that the amount of liquidity required by the bank depends on the sources of raising funds.

This method attempts to distinguish between sources of funds in accordance with the norms of required reserves and the speed of their circulation or turnover. For example, demand deposits require a higher required reserve ratio than savings and term deposits, and their turnover rate is generally also higher than other types of deposits. Therefore, a large share of every dollar of demand deposits should be placed in primary and secondary reserves, and a smaller part in investments such as home mortgage loans or long-term municipal bonds. This model involves the creation of several "profit centers" (or "liquidity centers") within the bank itself, used to place funds raised by the bank from various sources. These structural subdivisions are often referred to as "banks within a bank" since the placement of funds by each of these centers is carried out independently of the placement of funds of other centers. In other words, in a bank there are, as it were, a bank of demand deposits, a bank of savings deposits, a bank of time deposits, and a bank of fixed capital, which are separate from each other.

Having established the belonging of funds to different centers in terms of their liquidity and profitability, the bank's management determines the procedure for their placement by each center. Demand deposits require the highest coverage of required reserves and have the highest turnover rate, sometimes reaching 30 and even 50 turnovers per year. Consequently, a significant part of the funds from the center of demand

deposits will be directed to the reserves of the first priority (say, one percent more than the required reserve ratio), the remaining part of the demand deposits will be placed mainly in secondary reserves by investing them in short-term government securities, and only relatively small amounts will be earmarked for loans, mainly in the form of short-term commercial loans. As can be seen from the figure, funds from the demand deposit center are not placed in other securities and fixed assets. Liquidity requirements for savings centers and term deposits are somewhat lower, so these funds will be placed mostly in loans and investments. The fixed capital almost does not require liquid assets and is used to invest in buildings and land, while the remaining funds are intended for long-term loans and less liquid securities, that is, they are used to increase the bank's income.

The main advantage of the method under consideration is the reduction in the share of liquid assets and the investment of additional funds in loans and investments, which leads to an increase in the rate of return. Proponents of the asset allocation method argue that the increase in the rate of return is achieved by eliminating the excess liquid assets that oppose savings and time deposits and fixed capital.

However, this method also has disadvantages that reduce its effectiveness. Although the basis for identifying different "profit centers" is the velocity of circulation of various types of deposits, there may not be a close relationship between the velocity of circulation of the contributions of a particular group and fluctuations in the total amount of deposits of this group. For example, funds placed in demand deposits can turn around up to 40 times a year. While some customers withdraw money using checks, while others, on the contrary, deposit money into the bank, the balance of funds on demand deposits (as well as the total amount of the bank's deposit debt) can fluctuate during the year by only 10%. While the bank is functioning, its debt to customers on deposits is reduced to a minimum. As practice shows, part of the funds deposited on demand

Another disadvantage of this method is that it assumes the independence of the sources of funds from the ways in which they are used. In fact, this is far from the case. For example, practicing bankers tend to attract more deposits from business firms because these firms tend to borrow money from the same bank where they have checking accounts. Consequently, attracting new deposits means at the same time the obligation of the bank to satisfy part of the applications for loans from new depositors. And this means that part of the new deposits should be directed to lending to the owners of these deposits.

Other shortcomings apply equally to the method of the general fund of funds, and the method of distribution of assets. Both methods emphasize the liquidity of required reserves and the possible withdrawal of deposits, with less attention to the need to satisfy clients' loan applications. Meanwhile, it is well known that as business activity picks up, both deposits and loans grow. If such a period occurs, the bank will need only a small amount of additional liquidity beyond the established reserve requirements to cover the withdrawal of deposits, especially if the bank economist is able to quite accurately predict when business activity and the inflow of deposits will begin to wane. In this case, liquid funds will be needed mainly to meet the demand for credit, which may grow faster than deposits.

One should also take into account the presence of seasonal fluctuations in individual banks, in which the demand for credit may grow at the very moment when the volume of deposits has decreased. In addition, under the influence of the ongoing monetary policy, the demand for loans during periods of recovery may outpace the growth of de-

posits, and during periods of recession in business activity, the growth rate of deposits is higher for all banks; during the boom, modest growth in deposits is countered by strong demand for loans.

Both of the considered methods have one more drawback: they rely on the average rather than the marginal level of liquidity. The average ratio of cash on hand and government securities to total deposits may be sufficient to estimate the liquidity of the banking system as a whole, but it will not tell the management of an individual bank what its cash balance should be next week to cover the withdrawal of deposits and applications for credit. Only an analysis of the accounts of individual bank customers and a good knowledge of the economic and financial conditions in the local market will allow the bank to determine the need for cash at the moment.

The two methods discussed are somewhat simplified. They should not be seen as a set of normative guidelines that provide a basis for decision-making, but as a general framework within which bank management can determine the approach to solving the problem of asset management. The use of any of these methods presupposes the ability of a group of competent managers to explore the full range of relationships and introduce those complications in the analysis and decision-making that correspond to the specific situation of a given bank.

Joint asset-liability management provides the bank with the tools to protect attracted funds in the form of deposits and loans from the impact of fluctuations in business cycles and seasonal fluctuations, as well as funds for the formation of asset portfolios that ensure the implementation of the bank's goals. According to the American scientist and economist Peter S. Rose, the essence of asset and liability management is the formation of strategies and the implementation of activities that bring the bank's balance sheet structure in line with its strategic programs [10].

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IMPACT OF CUSTOMER FEES ON THE SERVICE QUALITY AND FINANCIAL SUSTAINABILITY OF PUBLIC HEALTH CARE ORGANIZATION¹

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Public health care is typically funded by the government and managed by national healthcare organizations. These organizations receive their funding exclusively from government agencies, and normally offer a limited number of services due to funding restrictions that are insufficient for properly running the system. Most of the time, these organizations face the challenges of shortness in the budget, leading to poor quality treatment, rejection of the patients, or referring the patients to the private health care sectors that they are not financially afforded.

On the other hand, Private health care organizations are owned by an individual or a group of people to earn profit which is not easily affordable. Therefore, Public hospitals' services become very beneficial for people of the low-income groups as it is hard for them to afford private hospitals and for overcoming the above challenges. There is a need to develop a customer fee system that improves the service quality and financial sustainability of the public health care organizations, on the other hand, is affordable for all categories of people.

What is meant by affordable: according (Merriam-Webster.com) If something is affordable, its price is reasonable, it is inexpensive, and most people can afford it. An affordable product or service is within most people's budget. and "If something is affordable, most people have enough money to buy it".

According World Health Organization (WHO) report Public health care organizations do not mobilize sufficient resources to provide the desired levels of health care for the whole customers (patients). The scarce resources that are mobilized often do not lead to qualitative and sustainable health care services, and Customer fees refer to a financing mechanism that has two main characteristics: payment is made at the point of service use and there is no risk-sharing; customer fees can entail a combination of drug costs, supply and medical material costs, entrance fees or consultation fees. They are typically paid for each visit to a health service provider, although in some cases, follow-up visits for the same episode of illness can be covered by the initial payment.

There is very little written on effectiveness of customer fees system in public healthcare organizations. I have been working in a health care organization and we have already started practicing this system in the two public health care organizations which had a significant impact on the quality and sustainability of the mentioned organizations, Therefore, I have studied literature related to the effects of customer fees on quality and service utilization to develop an affordable customer fee payment system to improve the quality and sustainability of public health care organizations. Besides that, I have also reviewed strategies, plans and papers about customer fees,

References in relevant scholarly publications were used to find many of the articles used for this review. Additional literature was also sourced from reference lists in books and articles.

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Key limitations of literature review

Although user fees is a mode of funding in several developed and developing countries, the setting for most of the literature accessed for this review was in African countries. Additionally, these studies were often all conducted by the same authors, with some variation in topic, design, setting and co-authorship. A decision was, nevertheless, made to utilise these sources because of the economic similarities between these countries. Generally, the literature reviewed was mainly scholarly and of good standard. Authors were knowledgeable about the topic and engaged the work of experts in the field to identify the existing gaps and conduct scientific work on the topic in their settings.

Impact of user fees

Modes of financing for health care in both developed and developing countries include direct out-of-pocket payment, user fees or cost sharing, government budgetary allocation, social insurance, private insurance, and charitable organizations (Bitran & Giedion, 2002; Health Sector Task Force, 2009; PIOJ, 2011; Powell & Wissen, 1999). Organization for Economic Cooperation and Development (OECD) countries utilize a mix of taxation, social and private insurance modes of financing for health services (Gordon Strachan et al., 2010; Scott, 2001). For example, health systems in the United Kingdom (UK) and New Zealand are predominantly financed by general taxation, whereas health financing in the USA is through employment and voluntary insurance largely through private providers, with some federal and state funding for targeted groups. In contrast, the health system in the Netherlands is financed through a mix of social and private insurances, primarily through private providers (Scott; van Doorslaer et al., 1999). The 1948 reform of the UK 's National Health Service (NHS) resulted in free health care at the point of service for the entire population (Powell & Wessen, 1999). Given the different time period and different economic situation within which it operates, a decision was made not to draw on the extensive literature of the UK experience.

User fees are mechanisms adopted by several countries, especially developing countries, to mobilize resources to foster efficiency in health services delivery. This fosters service delivery that is commensurate with demographic changes and demand for health care generally (Bitran & Giedion, 2002; Burnham et al., 2004; James et al., 2006). Despite the plethora of information on user fees, the concept lacks clear definition. For the purpose of this research, James et al. definition was used: user fees refer to official fees charged by public health providers (p. 139). They also pointed out that this definition of user fees does not include out-of-pocket payments for health services in non-public settings, that is, by privately-owned providers. Their definition captures the way the concept is used and interpreted in most literature (Akashi, Yamada, Huot, Kanal, & Sugimoto, 2004; Asfaw, Braun, & Klasen, 2004; Bitran & Giedion; Gilson, 1997; Hjertqvist, 2002; Messen, Van Damme, Tashobya, & Tibouti, 2006).

To further clarify the concept, user fees have been operationalized as a financing mechanism with two main characteristics: payment is made at the point of service use and there is no risk sharing (Lagarde & Palmer, 2008). Risk sharing is defined as: Any system which allows payors to share some of the financial risk associated with a particular patient population with providers. Providers agree to adhere to fixed fee schedules in exchange for an increase in their payor base and a chance to benefit from cost containment measures. Common risk-sharing methods are prospective payment schedules, capitation, diagnosis-related fees and pre negotiated fees. (Reference Md, 2012,

para 1).

The origin of user fees in developing countries has its link to the IMF. During the 1980s, the World Bank consistently raised concerns about free social services in resource constrained countries. Ultimately, this resulted in the imposition of user fees for Health care in most developing countries. Two models for the implementation of user fees were identified in the African context. These are the standard model based on the premise that user fees mobilize resources, as well as foster efficiency and equity, and the Bamako Initiative model, which emphasizes that revenue can be generated and controlled at the community level (Nolan & Turbat, 1995).

As the no user fees versus user fees debate heightens, proponents and critics frequently defend their positions on the possible outcomes of fees for health services or cost recovery. Proponents of user fees have embraced and underscored the potential of this health financing mechanism to: increase demand for services owing to the improvement in quality; reduce out of pocket and other costs, even for the poor, by substituting public services sold at relatively modest fees for higher-priced and less accessible private services; promote more efficient consumption patterns, by reducing spurious demand and encouraging the use of cost-effective health services; encourage patients to exert their right to obtain good quality services and make health workers more accountable to patients; when combined with a system of waivers and exemptions, serve as an instrument to target public subsidies to the poor and to reduce the leakage of subsidies to the non-poor. (Britran & Giedion, 2002, pp. 5-6) In contrast, critics have argued that user fees: are rarely used to achieve significant improvements in quality of care, either because their revenue generating potential is marginal or because fee revenue is not used to finance quality gains; do not curtail spurious demand because in poor countries there is a lack not an excess demand; fail to promote cost-effective demand patterns because the government health system fails to make cost-effective services available to users; hurt access by the poor, and thus harm equity, because appropriate waivers and exemption systems are seldom implemented (Britran & Giedion, p. 6).

Through the Bamako Initiative, a number of developing countries in Africa adopted user fees policies in the 1980s. The driving force behind this initiative was the loan conditions imposed by the IMF and the World Bank at the time. In Jamaica, the elements of a fee payment structure had already existed under colonial governance, despite occasional suspension of its use. It was subsequently reintroduced, and increased in some cases, under the IMF Structural Adjustment programme of the 1980s. User fees in the public health sector were revised in 1984, 1993, 1999 and 2005, but contributed only a small proportion of the cost of health services. A means test was applied to improve access for those who could not pay. Three key objectives of user fees were identified in the Jamaican context: - (1) to raise revenue through cost-sharing, (2) to deter frivolous demand, and (3) to instill a cost-conscious mind-set among providers (Lalta 1995, p. 15).

Studies have shown that the implementation of user fees has had varied impacts (positive, negative, or mixed) on access to health care. For example, in Benin and Guinea, positive outcomes were achieved because the demand for preventive and curative services increased, despite implementation of the user fees policy. The increased utilization was attributed to the good quality of care being offered, especially the availability of drugs (Soucat et al., 1997). Equally, countries such as Cambodia, Cameroon, Mali, Mauritania, and Niger experienced increased uptake of health services to some extent following the introduction of user fees in the public health system, mainly for

PHC services (Akashi et al., 2004; Audibert & Mathonnat, 2000; Barber, Bonnet, & Bekedam, 2004; Chawla & Ellis, 2000; Litvack & Bodart, 1993; Mariko, 2003).

Analyses of the impact of user fees have also shown utilization of health services tended to decline in some countries following its introduction. This was true especially for developing countries such as Ghana (Biritwum, 1994) and Sudan, in which 70.0% of the poor communities viewed user fees as a deterrent to accessing health care when needed (Yates, 2009). Additionally, individuals with neurological disorders such as epilepsy in Zambia experienced financial barriers in accessing physician consultations (Birbeck & Munsat, 2002). According to the JSLC 2007, approximately 50.8% of Jamaicans in the lower quintiles cited cost as the reason for not seeking care when needed (MOH, 2009 c). The negative effects of payment for health services on utilization are not unique to low-income countries; they have also been experienced by some middle-income countries, countries in transition, and developed countries such as Thailand and USA (Graham, 2009; Xu et al., 2003).

Even though the effects of user fees in Cambodia were generally positive, it is important to note that the uptake of services by the poor decreased, despite an overall increase in utilization. The poor often incurred costs by borrowing to pay medical expenses (Jacobs & Price, 2006). While there was an overall improvement in quality of care in the Democratic Republic of Congo, utilization decreased following the introduction of user fees (Haddad & Fournier, 1995). Similarly, access to health services in other countries was negatively affected by the introduction of user fees. In Burkina Faso, the demand for curative services decreased (Ridde, 2003), and in China utilization of preventive services declined (Liu & Mills, 2002). In Vietnam, inpatient admissions decreased by 52.0% following the introduction of user fees (Sepehri, Chernomas, & Akram-Lodhi, 2005). Utilization also fell in Niger, which experienced a 41.0% decline in new outpatient referrals despite some positive effects. More monitoring of quality, more medical equipment, and increased number of drugs were reported prior to nationwide implementation of the user fees policy (Diop, Yazbeck, & Bitran, 1995; Meuwissen, 2002). Uganda and Zimbabwe also experienced a reduction in the utilization of health services following the introduction of user fees (Kipp, Kamugisha, Jacobs, Burnham, & Rubaale, 2001; Zigora, as cited in James et al., 2006).

Introduction of user fees for services in the afore mentioned countries took into consideration those individuals who would be disadvantaged by the policies and, as such, provisions were made for services to be provided free for some groups. For example, in Sudan, exemptions for pregnant women and children under five affected by malaria, resulted in increased utilization by these groups following the introduction of user fees (Abdu et al., 2004). The exemption policy was an initiative supported by international agencies such as the World Bank. They were of the view that user fees had a negative impact on access for some groups and, as such, suggested that appropriate waiver systems be instituted wherever user fees were implemented (Bitran & Giedion, 2002). However, exemption policies did not achieve the desired effects in countries such as Burundi (Bate & Witter, as cited in James et al., 2006), Ethiopia (Russell & Abdella, 2002), Ghana (Biritwum, 1994; Nyongator & Kutzin, 1999), Kenya (Mbugua, Bloom, & Segall, 1995), Sierra Leone (Fabricant, Kamara, & Mills, 1999) and Tanzania (Laterveer, Munga, & Schwerzel, 2004).

In addition to the ineffective exemption policy in Tanzania, the use of outpatient services decreased by 50.0% in the aftermath of user fees implementation (Hussein & Mujinja, 1997). Noteworthy is that some countries experienced mixed results following

the introduction of user fees. For example, in Zambia utilization decreased for paid services but increased for exempted services (Blas & Limbambala, 2001), while in Nigeria utilization of malaria services increased. The increase in malaria services was attributed to improved quality services through trained staff and adequate drug supplies. These services were, however, utilized mainly by the rich and educated (Uzochukwu, Onwujekwe, & Eriksson, 2004). Conversely, findings from a study in Mali revealed that, even when the quality of services was satisfactory, it did not mitigate the undesired effects of user fees (Ponsar et al., 2011). A longitudinal study in Zaire on the quality, cost, and utilization of health services in developing countries further supported the claim that increases in the cost for health care have negative effects on the uptake of services (Haddad & Fournier, 1995).

The demand reduction - number of drop-out from the health care market in favor of self-care; and demand diversion- diversion of demand from one provider to another provider based on the price and other signals (Asfaw et al., 2004, p. 2067) effects of user fees in rural public clinics in Ethiopia were examined. Asfaw et al. found that individuals 'decisions to seek medical care over self-treatment hinged on the provider's price, and the poorest households did not participate in the health care market when user fees increased. Furthermore, they found that household income influenced the choice between modern medical care and self-treatment that essentially constituted a barrier to accessing health care when required. Equally, distance from the health facilities and long waiting times to be seen by providers were disincentives even if individuals had the funds to pay for services (Asfaw et al.). This resulted in the assertion that -the demand for public clinics is price elastic (Asfaw et al., p. 2074), suggesting that, when prices increased, demand for health services declined, thereby demonstrating a crowding out effect (people do not participate in the public health care market because of increasing user fees). In Ethiopia, a high crowding out effect was observed in government clinics. For this reason, the authors concluded that the poorest segment of the population is extremely sensitive to price changes in private clinics and that increasing user fees in publicly owned health centers and clinics is likely to drive out a significant portion of the poorest households from the health care market. Poor rural households in Ethiopia are too poor to overcome price barriers in seeking medical care from publicly owned clinics (Asfaw et al., p. 2075).

Apart from research incorporating impact analyses into their methodologies, very few studies have tried to examine the process of user fees systems implementation. Amongst these, only a limited number attempted to identify the factors that have impacted on effective performance of user financing systems. Gilson (1997), reviewing the experience in Africa, identified three key factors as critical to the successful implementation of user fee systems: (i) strong and consistent leadership from the central government; (ii) obtaining and using the relevant information necessary to solve technical problems and to develop policy options; and (iii) the development and maintenance of consensus among the key stakeholders.

The findings from this African study have some similarities to those found in an in-depth analysis of the Low-Income Card (LIC) scheme in Thailand. Five key elements to success were identified by this research: (i) a balance between central guidance and local decision-making, (ii) the inclusion of a range of interest groups in local decision-making, (iii) the establishment of clear income criteria with some flexibility in practice, (iv) linking the exemption mechanism to perceived service quality improvements in order to promote the use of the exemption mechanism, and (v) careful planning for im-

plementation.

Regarding the constraints of user fee systems, a five-country study conducted in Kenya, Guinea, Tanzania, Ecuador and Indonesia which aimed to determine the effectiveness of protection mechanisms, identified three key reasons for why these systems do not work well for the poor. These include: (i) inadequate public information about protection mechanisms; (ii) inefficiencies in the fee collection systems; and (iii) the difficulty in managing the balance between the competing objectives of revenue generation and securing equity.

Equity impacts are a key factor in determining the effectiveness of user fee policies, and a three-country study conducted in Benin, Kenya and Zambia identified the factors that explain the pattern of equity impacts of community financing activities within and across the countries. The study illustrated the critical importance of leadership and strategy in the effective implementation of policy change, also indicating that managing such changes required both political skills to develop and mobilize support, and technical skills, to inform and guide the reform process.

The characteristics and performance of the health sector vary tremendously among developing countries. In most cases, however, the sector faces three main problems.

- **Allocation:** Insufficient spending on cost-effective health activities. Current government spending alone, even if it were better allocated, would not be sufficient to finance all activities fully and operational costs of public health care organizations, as a result, the growth quality and sustainability of essential health activities in public health care organizations are slowed despite the significant needs of fast-growing populations and new diseases.

- **Internal inefficiency of public health care programs.** There are no financing sources to recover the cost for drugs, maintenance and basic operational expenses, a situation that often reduces the effectiveness of health care organizations dramatically. Many employees (Doctors) cannot accommodate their patient loads with the equipment that they have, Logistical problems are pervasive in the distribution of services, equipment, and drugs. The quality of government health services is often poor; clients face unconcerned or harried personnel, shortages of drugs, and deteriorating buildings and equipment.

- **Inequity in compensation of healthcare employees between public health care organizations and private health care organizations.** This inequity of compensation led to disorder, corruption and poor quality in the public health care organizations, employees do not interest in their jobs, they hiddenly request money from customers and they work correctly for those who have relations with them or those who give them money and even they refer patients to private organizations.

- **Customers do not trust and afford private health care organizations, and customers prefer public health care organizations to private health care organization** because the main goal of the private organization is to earn profit and they charge the customers the way they want. Private Health care firms require a profit motive to make it worthwhile. Therefore, consumers must pay for not just health care but also the necessary profit margin and it will be a more significant burden for those on low incomes and they may not be able to afford certain types of treatment. Furthermore, the quality is far from guaranteed.

Obviously, these problems are not solely overcome just by government financing the public health care organizations. There is a need to develop an efficient system to

overcome the afore mentioned issues. By developing a new financing system, the public health care organizations will be able to manage proper, administrate, allocate and supervise their activities in the public delivery of health services.

There is a need for a system to develop a theory to improve the quality and sustainability of health care organizations, many low- and middle-income countries continue to search for better ways of financing their health systems. In this system, fees charged by public health providers for basic services, which include fees paid for a consultation, operation, drugs, lab tests and miscellaneous payments to providers, by considering the below points:

- to develop/examine an accumulating model to calculate a fair and affordable fee of patients (customers) for their treatment.

- To provide extra salary as a bonus to the employees, in order to fulfill their basic needs and with that they no longer need to put their full attention on their own business, (examination rooms, Clinics, private hospitals, or any other areas.

- To improve the quality of work, if the health care organizations fulfill their employees' basic needs, then they will put their full attention to their primary work in public health care facilities; with that, the quality will rise.

- To improve employees' capacity by providing them training opportunities inside or outside the country by accumulating fee from patients.

- To improve the maintenance system, one of the major issues in public health care organizations is that there isn't sufficient budget to maintain the equipment and instruments regularly.

- To well equip and provide the latest machinery to public health care organizations and prevent the patients from outgoing or treatment in an outsider the countries.

- To Prevent the employees from dealing with the markets for their self-interests.

In conclusion, as government and donor resources begin to decrease in the years ahead, the public healthcare organizations' policymakers must focus on sustaining the hard-won gains of the greatly expanded health system by introducing and developing a new system in order to sustain the effective public healthcare system.

Despite the little contribution to the national health budget, a user fee is an essential source of revenue at the level of individual facilities.

In countries where government allocations pay mainly for personnel, a lack of other inputs such as drugs, spare parts, and other forms of maintenance put severe limitations on the quality and availability of services. The use of revenue retained from fees to provide these inputs therefore can lead to more regular and sustainable services, which in turn can create a major impact on the health status of those being served and this system will help to raise sufficient revenue for financing an adequate package of good quality health care in a context of large unmet needs or rapid technological progress.

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INTERNATIONAL EXPERIENCE IN MANAGING THE COMPETITIVENESS OF ENTERPRISES

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Interstate tourism, for many foreigners who turned to the common East, increased income and the growth of the national economy. Taxis are highly developed foreigners like Schweizaria, Austria, France, meaning down with all the blessings built on the income from tourism.

International tourism has become an important source of currency action for many developed and developing countries. For example, the share of income from foreign tourism in the citywide amount was from the export of goods and services: in Spain – 18.3%, Austria - 11.8%, Greece - 33.6%, Portugal - 14.9%, Cyprus-53%. In most developing countries, the share of foreign tourism generates 10-15% income from the export of goods and services (India, Egypt, Peru, Paraguay, Costa Rica) [1].

In the classifications, omnivorous tourist organizers line up, being primarily the countries that install tourists, and foreigners who appear in the first reception. To foreigners - installers of tourists: USA, Belgium, Denmark, Germany, Holland, New Zealand, Sweden, Canada, England. The attached tourist countries include: Australia, Italy, Switzerland, France, Cyprus, Greece, Mexico, Portugal, Spain, Turkey.

According to the number of arrivals and income from Interstate tourism, the World Tourism Organization includes a rating of the leading countries around the clock

(Table 1).

Table 1. Primary trends of the foreign world by the number of tourists in 2021

Position	Condition	Number of tourists, mln. man	Ratio of the number of tourists, % 2009/2010	Fate from the general world level, %
In the world		703	2,7	100
1.	France	77,0	2,4	11,0
2.	Spain	51,7	3,3	7,4
3.	USA	41,9	-6,7	6,0
4.	Italy	39,8	0,6	5,7
5.	China	36,8	11,0	5,2
6.	Great Britain	24,2	5,9	3,4
7.	Canada	20,1	1,9	2,9
8.	Mexico	19,7	-0,7	2,8
9.	Austria	18,6	2,4	2,6
10.	Germany	18,0	0,6	2,6

France and Spain lead in international tourist arrivals, together accounting for more than 18% of all international arrivals.

France and Spain are the leaders in international tourist arrivals, putting at 18% of all international arrivals. The United States is interested in the third place, not paying attention to the reduction of 6.7% in an uneven way since the last year. Ignoring the fact that China is interested in the fifth place, it denies the relevance of this growth, an increase of 11%.

In terms of revenue from Interstate tourism, the United States is leading, for which this figure is set at \$ 67 billion, reckless for a decline of 20% compared to an uneven one since 2019. The revenues of Spain, France and Italy range from \$34 billion to \$27 billion. The most progressive compared to the previous year are Hong Kong (China), China and Austria (Table 2).

Table 2-Primary trends of the foreign world in terms of tourism revenues (interstate tourist procedures) in 2021

Position	Country	Tourism revenue, billion dollars	Income ratio (%) 2009/2010	Share of the global level (%)
In the world		474	3.2	100
1.	USA	66,5	-7,4	14,0
2.	Spain	33,6	2,2	7,1
3.	France	32,3	7,8	6,8
4.	Italy	26,9	4,3	5,7
5.	China	20,4	14,6	4,3
6.	Germany	19,2	4,0	4,0
7.	Great Britain	17,8	9,5	3,8
8.	Austria	11,2	11,1	2,4
9.	Hong Kong (China)	10,1	22,2	2,1
10.	Greece	9,7	3,1	2,1

Foreign revenues from the sale of tourism services increased more than 69 times during this period, from \$6.8 billion to \$473.4 billion.

Interstate tourism has a significant impact on the solved problems of occupation of the village, deprivation of indifference on a temporary and permanent basis. According to the World Tourism and Travel Council (WTTC), 8.1% of all workers will be employed in the world of tourism in 2023, so that a double worker is called upon to say in the tourism sector. Forecasts show that in 2024, they will work in the tourism sector, accounting for 8.6% of the total ranked in the world. In the USA, nationwide statistics, the tourism industry provides more than 16.7 million work places, which is 11.9% of the total number of work places in the country. The contribution of tourism to the employment of the village and the opening of new jobs oblige the socio-economic importance of this sector.

The development of tourism brings stimulating mobility to such key sectors of the economy as transport, lighting, haggling, construction, rural alienation, production of goods of the people in need and, with the participation of a multiplicative effect, being made up of a number of promising structurally constructed economic restructuring [2].

Increased volumes of capital investments in tourism would also indicate the economic importance of this region at the peaceful level. So, in 2022, it is expected that the share of tourism in the total volume of investments in the world will supply 9.4% or \$802.3 billion.

Visiting tourists trips in the world, 60% making investments in the shrine with the stepfather, 30% - business investments.

Interethnic tourism contributes to the economic and social development in the world scale. The Danish detainees once again confirm that international tourism is interested in an important and significant place in the peacekeeping economy.

The most important feature of tourism is that the object of management is the defining characteristic of the tourist product, the ego is inseparably formed from the East. If, for example, a consumer of a tourist product in April ordered a tour for June, and in May the tourist company ceased to exist, then this service to the consumer will not be in force.

Since the tourist product manifests itself in the form of services, the necessary recognitions that are present in the client and equanimity add up to this service, i.e. the word is that the tourist service cannot be forwarded to the initiated.

Due to the fact that when selling a tourist product that brings a personal aspect, the process of providing tourist services can be automated to a much lesser extent than, for example, the process of producing goods. After all, to predict the behavior of tourists with a high degree of religion (Daze c applieniem EWM) – it depends not on objective circumstances, but also on subjective factors. Following the results of the event in the tourism menu, we will immeasurably pay great attention to the proper share of personnel management and regulated interpersonal relations. This, the interception of everything, is attributed to the work of tourist pre-orders, the services of which are provided with direct contact with people [3].

The external effects of a tourism product can also be presented as a specification of the tourism industry. The motives that travel with them and the ego are unconditional by how a person is used to living, working, what are the ego's capabilities in organizing free time. The more in his daily life a person feels the limitations of natural resources, the more he is enclosed within the framework of certain norms of behavior, the more he has a desire to choose to take a break.

The next feature of tourism as an object of management is the complexity of tourist services. The tourist service consists for tourists of the whole range of services (both

tangible and intangible), which are implemented by a specific tourist product. These are foreign tourist services that are complementary. The most important thing is "complementary" - important for tourism management. A tourist who is going on vacation is unlikely to travel if there is no accommodation available at the final destination of the trip, or if he is not provided with meals; a skier will not book a hotel in a certain place if he does not have the opportunity to ski. These examples show the close relationship between individual services in the tourism industry. This dependence can have significant implications for the management of an enterprise. Since certain additional services are performed by different companies offering them, therefore, these enterprises are highly dependent on each other. The way out of this situation is seen only in cooperation.

Large values in new related shares, providing partnerships. The main partner groups that are interested in the success of the enterprise, as they feel well depending on the results of their ego activities. The main partner groups are enterprises, legal relations between which regulate various agreements and agreements [2].

The first group includes the owners of the enterprise (shareholders or representatives of the state, if it owns the entire package or part of the shares). They invested their own capital in the statutory fund in order to receive dividends.

The second group is creditors (lenders). They provided the company with a loan and waited for it to fulfill its obligations under loan agreements, i.e. timely repayment of the relevant interest.

The third group consists of hired managers, preparatory, the highest level of administration. They invest their knowledge, experience, qualifications, and entrepreneurial abilities in the work and calculate half of a decent compensation for this in the form of a salary, a Dolly from profits in excess of the combined amount and, enthusiastically, any benefits and privileges (that is, an honorable and noticeable place in state departments and in large companies).

The fourth group is a hired personal (service) pre-order. Those who strive for certain visions of work, unanimously close deals, receive salaries, bonuses and mandatory social guarantees.

The fifth group is the installers of the environment and the subject of efforts. These are the rulers (producers) of the factors of production, honourably entirely with the long-term agreements given by the enterprise.

The sixth group-pickers (clients) preliminary. They disable the mature demand for ego products.

The seventh group is the community, as well as the state in the face of ordered and in-house regulatory authorities.

Non-core partner groups include groups that are not directly interested in the success of the project under consideration. These are storm companies, audit and consulting firms, stock exchanges, law firms, associations, press, trade unions, regulatory bodies, etc.

Agreements on the possibility of closing both between enterprises and between citizens and between an enterprise and a citizen. At the same time, a certain agreement can be closed only between the binding parties. For example, an agreement on advisory activity may be closed by an inter-road enterprise or between citizens, but it cannot be closed by an inter-enterprise and a citizen.

Most of them, being interested in the problems of tourism competitiveness, kidnaps the high-yield rents of the Prima of foreign tourists and points to great opportunities arising from the orientation towards the development of bitterness in the made tour-

ist interstate specialty specialization in traditional sports [4].

Interstate tourism is considered an effective form of export, is implemented on the territory of the country in all places, is served by intourists in the implementation of basic (breeding, nutrition, transport) and additional (resort treatment, excursions, sports, tourist and recreational services and goods necessary for tourist needs. Orientation towards the creation of an export tourism sector capable of mastering natural value sides, exploiting which in tourism to increase ego economic sophistication

On this World Soviet Travel and Tourism\World Travel & Tourism Council, according to the share of tourism and all with it that has grown in the coming time, 8.3% of the preferential world, 9.3% of international investments, 12% of the export and 3.6% of the peaceful gross product reach. Travel expenses 10.2% of all funds that are spent on peacekeeping needs. In 2012, a landmark room appeared. Then, according to the share of tourism and the travel industry, 11% of the peacekeeping export of goods and services came up. With such a cheek, the tourist outstripped the volumes of intercity trading in food, textiles and chemicals.

Interstate tourism continues to grow with enviable regularity. If in 2014 there were around 700 million tourists in the world, in 2018 - 842 million, by 2022 they had grown to 1.6 billion. In 2021, foreigners of the world earned \$680 billion for the reception of tourists in 2018, this figure showed a compound of \$481 billion, in 1990 - \$270 billion.

The average tourist who visited Europe brought a local economic campaign on a scale of \$790 (for foreign eastern Europe and the European republics of the former USSR, he showed a cost of \$ 370). For North America (USA and Canada), the income per tourist will be \$1,190, for Asia - \$890, for Africa - \$590, for the Middle East - \$710.

Almost 80% of intercity tourists come from foreign countries in Europe and North America. East Asia, Australia and New Zealand set an example of 15% of tourists. According to the World Tourism Organizations, France (76 million), Spain (55.6 million), USA (49.4 million), China (46.8 million), Italy (36.5 million), Great Britain (30 million), Mexico (21.9. million), Germany (21.5. million), Turkey (20.3 million) and Austria (19.9 million). In recent years, a noticeable number of tourists have been hijacked, perpetuating the number of tourists who sowed foreign Middle East, Asia and Africa [5].

To digest a foreign, who has received a the highest income for the reception of tourists, spread it somewhat differently. On the right, the United States (\$81.7. mlrd), Spain (\$47.9 billion), France (\$42.2 billion), Italy (\$35.4 billion), Great Britain (\$30.7 billion), China (\$29.3 billion), Germany (\$29.2 billion), Turkey (\$13.2 billion) prevail, Austria (\$15.5 billion) and Greece (\$13.7 billion). For comparison, Russia earned about \$5.5 billion, Ukraine - \$3.1. mlrd.

When distributing the two main tourist signs according to the basics -interstate tourist arrivals and income from Interstate tourism - in both categories, although in different categories, there are girls from the tenth leading tourist center. The USA is interested in first place in terms of income, but third place on arrival, France is in first place on arrival, but third in terms of income, and Spain becomes second in both categories.

Half of intercity tourists come to strangers, 26% - To visit friends and relatives, for medical treatment or for religious reasons (for example, in the framework of pilgrimages), 16% - on a business trip, the reasons left by 8% are uncertain. Forty-fifth percent of intercity tourists to arrive in the direction of the specified crawl with air transport, 43% by road, 7% by water, 5% by rail. In recent years, air transport has be-

come increasingly popular.

Over the past 20-25 years, intercity tourism has been increasing quarterly by about 4-5%. This is the norm of a quarterly innate nature.

European futurologists in the field of interethnic tourism development predict effective trends:

1. Europe is striving to pull out tough competition in the fight for tourism revenues, which requires the European tourism industry to improve the quality of services provided.

2. Expenses for all types of travel, and primarily for transport, will increase faster than other items in the family budget. Travel will become more frequent, but less long, as the cost per trip will decrease. In general, travel costs will increase due to the consumption of better quality rest.

3. The number of trips will increase due to intercontinental travel from Europe to America, Asia and Oceania.

4. Seasonal changes in the near future will cease to be a problem for the tourism industry, as successful marketing will contribute to their emergence. In order to need active cooperation between states and honorary tourist structures.

5. The design of mobile transport will be more intensive benefits of an increased number of convenient long-distance flights.

6. Groups, connecting family, will decrease and choose a more flexible recreation program.

7. As more and more actively develops, the armored computer system is replaced by armored terms.

8. Two age groups will travel more actively than others-elderly people and young people.

9. To be longitudinal to grow in demand for tourism, a saint with sown cultural permissive, as well as with an active stepfather.

10. Decent environments are one of the dominant factors in attracting tourists, especially in rural and sheltered areas.

11. Marketing segmentation of the market will become more pronounced. The offer will need to be adjusted to the needs of each consumer group [5].

The search for a flat apartment is the main task of the tourism industry in the new century. The ability to select, subordinate and manage this balance in order to transfer turfism to the main state of life. Those organizers, companies and tourists who have managed to maintain a balance in their activities will be able to deprive themselves of proper communication. The rest want a vicious castle circle of ups and downs.

So, the analysis of modern trends in the development of tourism competitiveness, conducted on the basis of the publication and expert opinion of intercity organizational indications, that every year there is a large-scale peaceful growth of travel by 4%, with the main two-year increase in income and widespread low-budget aerospace. Companies that are interested in inter-city tourism, when planning and long-distance organization, trip upload expert opinions and recommendations.

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STRATEGIC PLANNING, ITS MEANING AND STAGES

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Strategic plan represents an integrated set of strategic goals and operational objectives and activities needed to achieve a desired goal (Strategic planning and policy development, 2010). According to mentioned “strategic planning and policy development” definition, strategic planning makes up a single terminology that is derived from two distinctive words, “Strategy” and “Planning”. But, what is the relationship between planning and strategy? Is strategy same as planning? Or Are they two distinctive words with separate meanings? How did these words come together to help build the foundation for an organization? Why was the aforementioned terminology for strategic planning deducted, as is perceived to be generic and used by almost every academic resources as a general definition for “strategic planning”? For the dissertation revolves around these two words, as they are considered to be the main focus of this chapter, the previously mentioned questions will be addressed in the following paragraphs. At the end of the first section of this chapter, a single comprehensive definition for strategic planning will be concluded and used as main reference in upcoming chapters. First of all, it is of value to look up for “strategy” and “planning” terms’ definitions in some of the authentic and most-accurate dictionaries. Although the goal of this section is concluding a comprehensive definition for “strategy” and “planning” as a combined phrase, the researcher is eager to look for the terms individually at first and see how the individual definitions of the terms look alike with the strategy and planning in combined form.

Here are the definitions for “Strategy” and “Planning” in some dictionaries:

Strategy: A detailed plan for achieving success in situation such as war, politics, business, industry, or sport, or the skill of planning for such situations (Cambridge dictionary, 2021)

Planning: The act of deciding how to do something (Cambridge dictionary, 2021)

Strategy: A plan that is intended to achieve a particular goal (Oxford dictionary, 2021)

Planning: The act or process of making plans for something (Oxford dictionary, 2021)

Strategy: The science and art of employing the political, economic, psychological, and military forces of a nation or group of nations to afford the maximum support to adopted policies in a peace or war (Merriam-Webster, 2022)

The science and art of military command exercised to meet the enemy in combat under advantageous conditions (Merriam-Webster, 2022)

Planning: the act or process of making or carrying out plans (Merriam-Webster, 2022)

Strategy: 1810, "art of a general," from French *stratégie* (18c.) and directly from Greek *strategia* "office or command of a general," from *strategos* "general, commander of an army," also the title of various civil officials and magistrates, from *stratos* "multitude, army, expedition, encamped army," literally "that which is spread out" (from PIE root **stere-* "to spread") + *agos* "leader," from *agein* "to lead" (from PIE root **ag-* "to drive, draw out or forth, move"). In non-military use from 1887. (Online Etymology Dictionary, 2021)

Planning: "the forming or making of plans," 1748, verbal noun from *plan* (v.). (Online Etymology Dictionary, 2021)

Plan: 1728, "make a plan of; put on paper the parts, dimensions, and methods of construction of," from *plan* (n.). By 1737 as "to scheme, to devise ways and means for (the doing of something)." Related: *Planned*; *planning*; *plans*. *Planned economy* is attested by 1931. *Planned Parenthood* (1942) formerly was *Birth Control Federation of America* (Online Etymology Dictionary, 2021)

We have seen that different dictionaries define the terms differently that conveys same meaning. "Planning" was defined as the way of doing something while "strategy" was defined as a comprehensive process that guides us toward the goal.

Planning and *strategy* has been discussed individually. So, hereafter the researcher is willing to shed light upon different definition of SP from different scholars.

There have been various definitions of strategic planning. Strategic planning is a term widely used by seniors and executives of organizations. This phrase, however, seems to have multitude of definitions (O'Regan and Ghobadian, 2000). In an attempt to understand the big picture, some scientists have classified the definitions in ten Schools of strategy consisted of design, planning, positioning, entrepreneurial, cognitive, learning, power, cultural, environmental and configuration school (Paulina LO, Sugiarto, 2021). Each theory conveys some different type of perspectives from their theorists. An examination of the definitions provided by scholars shows that the strategy surrounds the following concepts: Focus on long-term objectives of the organization, relating the activities of the enterprises to the environment in order to reduce the number of threats and extension of opportunity ground, as well as matching the organizations activities to the resources available (McDonald, 1996). The subsequent approaches to strategy definitions is nothing but the blend of the two or more of the previously mentioned Ten thoughts (Paulina LO, Sugiarto, 2021).

As per suggestions of Wolf and Floyd (2017), strategic planning is less formalized, periodic process that builds structured approach for the formation, implementation and control of the strategy. It plans out a way for organizations and integrates both deliberate and emergent strategy throughout the journey. Most of the fundamental studies shows that success or failure of SMEs lies in whether strategy is applied (Wang et al., 2007). Needless to say, this shows how important strategic planning is. However, there is an argue on the source of SP that whether strategy is deliberate or emergent. Michael Porter argues that strategy is a deliberate formulation (Paulina LO, Sugiarto, 2021). Authors like Ansoff, Chandler, Taylor and Sloan also believe that strategic planning shall be formal, rational process carried out by managers and executives and it should be applied as per formulation (Ghezzi et al., 2010). On the other hand, Henry Mintzberg (a contemporary well-known academic in business and management) tackles it by postulating crafting strategy theory. He emphasizes that an organization can have a pattern

of steps or strategy without actually realizing it (Paulina LO, Sugiarto, 2021). Strategies are created by a change in organization or formulated beforehand and applied later (Mintzberg, 1987). Here, by crafting strategy we see the pre-formulated processes goes off and replaced by emergent strategy. In practice, all strategy-making plans are either emergent or deliberate (Paulina LO, Sugiarto, 2021).

Having two contrasting ideas from two prominent theorists is quite thoughtful. Mintzberg who believes in emergent strategy and Porter who thinks strategy as a deliberate formulation. The question is: which one is more relevant to today's business? In fact, addressing this question is quite early in this part of the paper.

To further understand the meaning of strategic planning and its definitions by various authors, researcher have gathered a list of authors with their definitions of SP (Table 1).

Table 1 – Definition of strategy by various authors

Barnard (1938)	Strategy is what matters for the effectiveness of the organization, the external point of view, which stresses the relevance of the objectives against the environment, in terms of internal stresses, the balanced communication between members of the organization and a willingness to contribute towards actions and the achievement of common objectives.
Von Neumann & Morgenstern (1947)	Strategy is a series of actions undertaken by a company according to a particular situation.
Drucker (1954)	Strategy is analyzing the present situation and changing it whenever necessary. Incorporated within this is finding out what one's resources are or what they should be.
Chandler (1962)	Strategy is the determinant of the basic long-term goals of a firm, and the adoption of courses of action and the allocation of resources necessary for carrying out these goals.
Ansoff (1965)	Strategy is a rule for making decisions determined by product/market scope, growth vector, competitive advantage, and synergy.
Mintzberg (1967)	Strategy is the addition of the decisions taken by an organization in all aspects, as much commercial as structural, with the strategy developing in accordance with the learning process of the firm's manager
Cannon (1968)	Strategies are the directional action decisions which are competitively required to achieve the company's purpose.
Newman & Logan (1971)	Strategies are forward-looking plans that anticipate change and initiate action to take advantage of opportunities that are integrated into the concepts or mission of the company.
Steiner & Miner (1977)	Strategy is the formulation of missions, purposes and basic organizational goals, policies and programs to meet them, and the methods needed to ensure that strategies are implemented to achieve organizational objectives.

Note: Adapted from Strategy and strategic management concept, Mainardes et al, 2016

To this point, we have seen managers and analysts defining “Strategy” and “Planning” by considering multiple various aspects. Hence, we can conclude that these words do not carry a single definition, but a wide range of definitions which all are correct depending on the applied conditions (Mainardes, Ferreira & Rapposo, 2016).

When it is looked at Mintzberg and Porter’s definitions of strategy, it seems Porter’s definition has more supporters. Porter believes that strategy is a set of formulas created by organizations. Scholars like Steiner, Miner, Bernard, Drucker and Chandler’s definitions also convey same meanings. However, this does not deny Mintzberg definition who is a prominent scholar in management science. To clarify Mintzberg claim, he is saying that organizations do not create the strategy in a deliberate manner. In fact, it is automatically created when a goal is set. To stay unbiased, both definition is correct. It is because strategy is tied to goal and is meaningless without a goal. Also, strategy requires pre-prepared formulation in order for succeeding. Hence, the researcher would conclude that, since the goal of the paper is identifying the pitfalls of SP, it is required to define SP by considering both definition from Porter and Mintzberg. A definition with goal, and pre-formulated plan.

By considering all definitions by different prominent scholars, the definition of “Strategy” that is believed to serve the purpose of this paper is, As J. Ferreira defines it in his paper called “Strategy and Strategic Management Concepts: Are they recognized by management students?” : *strategy is the set of decisions taken by senior company management (the path to follow, objectives in the medium and long term, the necessary structure, mobilization of the entire organization, the company mission and vision) that leads to the development of internal practices, action plans, policies and guidelines, which aim to improve the organization’s relationship with its external environment, geared to market. This results in the acquisition and retention of customers, leading to organizational success (Mainardes et al, 2016).*

Henceforth, we define strategy as set of plans that mobilizes internal practices of the firm which aim to improve its relationship with external environment that is geared to market. Hence, it encompasses both goal and pre-formulation. But, this process requires combination of steps to work collectively in order for reaching out to goals. So, what is the strategic planning process?

Before shedding lights on the process of planning, it is of need to relate the strategic planning to SMEs. Because the goal of the paper is to identify pitfalls of SP at SMEs.

It goes without saying the running small and medium sized enterprises, like other form of businesses, necessitates some sort of strategic planning. Since the goal of establishing a company is benefiting from it, either ethically or financially, we are unintentionally directed towards it. But, relating SP to SMEs requires a deep understanding of SMEs.

“SMEs” stands for small and medium sized enterprises. In contemporary commerce, SMEs dominate important sectors of industry such as retailing, construction, services; and build crucial bond between forward and backward supply chain of large scale manufacturing industries (Robinson & Pearce, 1984; Abdullah 2000; Wang, Rowe & Cripps 2006) In addition to that, presence of SMEs gives a balance market which otherwise be dominated by few players (Beaver & Jennings 2000; Peacock 2004). In terms of entrepreneurial activity, SMEs can enter fragmented markets which large firms either do not enter due to unattractiveness, or economic policies (Brouthers et al., 1998).

For defining SMEs, there are various factors of definition for an enterprise as either “small” or “large”. They can be classified on the basis of their annual sale, annual profit, total asset, number of employees, or a blend of these parameter (Carland, J.W, 1982). Classification can be either done by output parameter or an input. Output parameters can be: Sales, revenue, and profit. Input parameters can be: assets, number of employees and raw materials (Nurulloh A. Kh, 2000). Most commonly, the number of the employees are used to categorize the size of a company. According to Organization for economic co-operation and development (OECD) data, small and medium-sized enterprises (SMEs) employ fewer than 250 people. SMEs are further subdivided into micro enterprises (fewer than 10 employees), small enterprises (10 to 49 employees), medium-sized enterprises (50 to 249 employees). Large enterprises employ 250 or more people (Organization for economic Co-operation and development, 2022)

Despite the increasing evidence on positive effects of strategy planning on performance of small businesses, there are still some debates on its importance (Balasundaram, 2009). Maybe this is due to the lack of enough researches on strategic planning particularly focused on SMEs. To date, only a small number of researchers have addressed strategy-making process for SMEs compared to its counterpart (O'Regan and Ghobadian, 2000). Small enterprises cannot be considered big, thus, suggestions for strategic that applies for larger business might not perfectly fit with SMEs (Paulina LO, Sugiarto, 2021). In the future, concepts of strategy making specifically for small business may emerge (Kraus et al., 2006).

In spite of SMEs vital contribution to the economy of the nations, “they are plagued by high failure rates and performance levels” (Jocusmen, 2004). In fact, the question is, why some SMEs fail and some don't?

Strategic planning is about setting out long-term organizational goals, the application and development of the plans for achieving these goals, and allocation of the existing resources for realizing these goals (Stonehouse & Pemberton, 2002; O'Regan & Gobadian 2004). In fact, Ohmae (1983) claims that the purpose of strategic planning is to enable businesses to gain as much competitive advantage over its competitors as possible.

Above mentioned claims are also supported in action and literature. It is accepted that strategic planning is more common in better performing SMEs than in those who doesn't (Calvin Wang et al, 2007). For instance, SMEs that engage in strategic planning achieve higher sales, higher returns on assets, higher margins in profit and higher employee growth (Bracker, Keats & Pearson 1988).

Furthermore, SMEs that engage in strategic planning are more likely to be innovative, get advantage of new technology, have more new products, and employ new process of management (Calvin Wan et al., 2007). Perhaps most of the SMEs that engage in strategic planning are less likely to fail (Manning et al. 1993; Perry 2001).

It is true that SMEs success is not tied only to strategic planning, but many evidences show that majority of SMEs do not have a systematic strategic planning and they are those who are most likely to fail. In practice, SMEs tend to circle more around short term goals rather than long term objectives. This might also be the reason of the ownership that most of the SMEs have. Many SMEs are owned by individual owner/ manager and only some are owned by larger firms and supported through subsidiary. The former applies strategic planning only if it is in favor of owner's personal goals while the latter does because it follows a patter sat by larger corporation. In fact, ownership is a critical factor in adoption of strategic planning (Variyam & Kraybill, 1993). So, another ques-

tion arises: How presence or absence of deliberate strategic planning can effect firms?

Strategic Planning Process

In the simplest terms, the strategic planning process is the method that organizations use to develop plans to achieve overall, long-term goals (O'Regan & Ghobadian, 2005). This process differs from the project planning process, which is used to scope and assign tasks for individual projects, or strategy mapping, which helps you determine your mission, vision, and goals. The strategic planning process is broader - it helps you create a roadmap for which strategic objectives you should put effort into achieving and which initiatives will be less helpful to the business. The strategic planning process steps are outlined below (O'Regan & Ghobadian, 2005).

Strategic Planning Process Stages

1) Prepare (Determine your strategic position)

Three critical steps must be accomplished prior to developing a strategic plan.

- a) Visioning
- b) Assessment
- c) The development and implementation of a planning process

In each of these areas, it is necessary to review and build on what is already in place-vision and mission statements, agency-and/or state-wide assessments, and input from ongoing groups of internal and external stakeholders already engaged in planning.

2) Plan (Developing a comprehensive plan)

To develop a plan, priorities must be set considering strengths, needs and resources of the organization. Three fundamental questions must be addressed:

- a) What do we need to accomplish?
- b) What will we do to get there?
- c) How will we know if we are making a progress?

Once draft is completed, it should be revised and finalized

3) Implement (Execute and manage the plan)

The following steps ensure that plans are used to guide the work of the organization

- a) Communicating or "Marketing" the plan
- b) Managing the implementation of the plan
- c) Supervising the actual work
- d) Monitoring and reporting progress on the plan
- 4) Review and Revise the plan

This stage starts the cycle over again, allowing the plan to be continuously updated. This will keep it current and meaningful to the organization. On an ongoing basis the organization should:

- a) Conduct assessment of its performance by gathering and analyzing information
- b) Convene the planning group to review performance and reassess goals, outcomes, strategies, and action steps to make the recommendation for changes
- c) Revise the plan

As much as the plan is updated, it will stay as meaningful and current to the organization.

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“Administrative regulation is based on the introduction of relevant regulatory standards and restrictions, as well as on direct control and licensing of environmental management processes. In this area, approximately, one can single out standards, prohibitions and certificates and licenses.

Economic mechanisms are aimed at creating such conditions that would make it possible for producers to engage in the rational use of natural resources, and, on the other hand, involve the introduction of systems of pollution charges, environmental taxes, subsidies, etc.” [1, p. 25].

The third instrument is market-based environmental management mechanisms, which we will discuss in more detail. Interest in the latter mechanism, in particular, in market mechanisms for managing emissions into the environment, is due, firstly, to the fact that this institution is the least studied from the point of view of science, and secondly, for countries with a market economy, it is filled with an environmental and economic component including the Republic of Kazakhstan. Thirdly, today at the legislative level in our country, regulations are being developed and adopted that regulate market mechanisms for managing emissions into the environment, which are not without flaws and require improvement. Moreover, the introduction of a system of trading in quotas will encourage users of natural resources to reduce greenhouse gas emissions.

only if.

Limiting greenhouse gas emissions is one of the steps in Kazakhstan's transition to a "green economy", as well as a new opportunity for Kazakhstan to participate in the global trading of quotas and the global solution of environmental problems, therefore, trading in quotas is one of the main tools for implementing the "green" economy [2].

Many Russian economists adhere to the same position: "The emissions trading system will initiate the development of a market instrument, the carbon market, which includes voluntary climate projects to generate additional carbon units. The carbon market will be able to increase the energy efficiency of the economy, ensure an influx of investments in innovative technologies and reduce fuel energy dependence by switching to renewable energy sources... [3, p. 57].

Moreover, "the development of market instruments to stimulate enterprises to introduce the best available technologies (in particular, the market for quotas for environmental pollution) becomes relevant not only from domestic positions, but also from the point of view of harmonization with international environmental policy trends" [4, p. 166].

Also, many researchers emphasize that thanks to the trade in quotas, international cooperation is developing. However, this comes with its own set of complexities due to the fact that the process involves many countries with different "international permitting systems/agreements", such as the European Union greenhouse gas trading system, which covers all European member states, and the Western climate initiative, which covers the US states of California and Washington, as well as the Canadian provinces of Quebec and Nova Scotia.

Under such systems, the permitting country will receive the proceeds from the sale of the permits through a bidding process, but the use (transfer) of the permits may take place in another jurisdiction, which could result in countries becoming net exporters of permits or net importers without any or direct interaction with emissions in that country. Accounting for these emissions allowances as another tax on production at the time of transfer at the original price of output could create a situation where the economy would receive tax revenue from production activities that took place outside the country's borders. When non-residents purchase/transfer emission permits, another tax on production in other countries of the world must be taken into account.

In the absence of a central authority coordinating the sale and purchase of emission allowances on behalf of participating regions/countries, multi-country systems may create asymmetries across sectors of national accounts where there are differences between the value of allowances issued by a country and the corresponding amounts transferred country. Since corporations generally do not care who originally issued the permit they are transferring, the industry flows associated with the initial grant of permits may not be the same as the industry flows when the permit is transferred [5].

According to Article 128 of the Environmental Code of the Republic of Kazakhstan in order to reduce emissions into the environment, the authorized body in the field of environmental protection may introduce market mechanisms by setting limits on emissions into the environment, allocating quotas for emissions into the environment and approving the procedure for trading in quotas and obligations to reduce emissions into the environment [6].

Paragraph 2 of the same article determines the limits of emissions into the environment - the total standard volume of emissions into the environment, established for a calendar year within a certain territory (water area), under which there is no violation of

environmental quality standards.

However, the definition of the limit on emissions into the environment as a “regulatory volume of emissions into the environment, established for a certain period of time” (paragraph 44 of Article 1 of the EC RK 2007) is unsuccessful and does not allow a clear and precise distinction between this concept and emission standards. Emissions standards, as well as emission limits, are associated with certain allowable emission volumes and are set for a certain period. Moreover, in the new RK EC 2021, the essence of this concept has not changed.

Emission limits are set by the authorized body in an environmental permit and reflect the total emissions of the entire production facility and the total volumes for each industrial site in terms of pollutants.

It should be noted that in the previous legislation, the emission limit was also defined as the total volume of emissions into the environment carried out by the nature user. Thus, in the previous Law “On Environmental Protection” dated July 15, 1997, limits on environmental pollution were defined as “limits for the intake of the total volume of pollutants, production and consumption waste, as well as the impact on the environment of noise, vibrations, magnetic fields and other harmful physical impacts at levels at which a favorable environment is preserved” (Article 1) [7].

In connection with the foregoing, it would be desirable in the current EC RK to define limits on emissions into the environment as the total volumes of emissions into the environment established by the authorized body in the field of environmental protection or the local executive body in the permit for emissions into the environment or the Government of the Republic of Kazakhstan in the cases and in the manner established in the RK EC [8].

Thus, as a result of the lack of a clear definition of limits on emissions in legislation and law enforcement practice, the concepts of limits and emission standards are often confused, while their legal regime is different [9].

The Environmental Code of the Republic of Kazakhstan also provides for the concept of “quota for emissions into the environment - a part of the limit for emissions into the environment, allocated to a specific person for one calendar year on a paid or free basis.” This instrument, along with emission limits, is market-based in nature, designed to attract investors and buyers.

The very idea of trading in quotas was borrowed by the Kazakh legislator from foreign countries with developed market economies.

The conceptual underpinnings for carbon trading began with in 1920 with Pigou, who pointed out the social benefits of forcing companies to pay for the costs of their pollution, and were developed by Coase, who showed that allocating property rights and allowing trade can yield efficient results. The first explicit application of these ideas to pollution was proposed in 1968 by Dales. In a typical “cap and trade” scheme, the government issues a total number of permits, or allowances, which give firms the right to emit pollution. Because fewer allowances are issued than firms need, allowances are valuable and trade with a positive price. The price provides firms with an incentive to reduce their emissions when this is cheaper than purchasing allowances. In short, the basic theory of emissions trading has been established for almost four decades.

According to the mentioned Coase theorem, an effective pollution control policy is one that balances the marginal social benefits of control with the marginal social costs required for its implementation. An enterprise that has an approved maximum allowable emission (MAE) is engaged in the implementation of environmental protection meas-

ures and achieves a reduction in the amount of pollutants emitted into the environment. Therefore, it should be able to sell its right to emit "saved" pollutants. Moreover, both a neighboring enterprise and the environmental fund of a city or republic can buy the right to emit an emission put up for auction, removing them from circulation, which leads to an improvement in the environmental situation in the region [eleven].

At the international legal level, trading in quotas is regulated by the Kyoto Protocol, which was signed in Japan in December 1997. It allows the countries-participants of this international agreement to trade among themselves quotas for emissions of greenhouse gases into the atmosphere. Those who have been able to reduce their emissions through the use of less "dirty" energy technologies (nuclear power plants, solar, wind power plants, etc.) sell their quotas to other countries whose emissions are not covered by the quota [12, p. 127].

Kazakhstan signed the Kyoto Protocol, which allowed trading in quotas, back in 1999. The ratification of the Republic of Kazakhstan and the entry into force of the Kyoto Protocol have become a significant step towards the participation of Kazakhstan and Kazakh companies in the mechanisms Kyoto Protocol, in particular, in the mechanism of trading in quotas. However, there are a number of challenges that need to be addressed before the participation of Kazakhstan and Kazakh companies in these mechanisms can be meaningful and begin to bring significant economic benefits.

In addition, the legislative acts on which the implementation of these mechanisms in our country will be based, even at first glance, raise a number of questions and need to be substantially reformed. In particular, it is necessary:

- 1) specify the procedure for distribution of emission limits and their correlation with permits for emissions into the environment;
- 2) expand the list of activities for the implementation of which limits are distributed;
- 3) legislate the mechanisms of banking and borrowing quotas;
- 4) determine how taxation of purchase and sale transactions of quotas will be carried out;
- 5) determine the venues where transactions will be carried out and the legal instruments through which they will be carried out;
- 6) specify the grounds for refusing to reissue permits in connection with transactions for the purchase and sale of quotas;
- 7) develop procedures for the implementation of JI and CRS projects [13].

The current RK EC defines only the concept of quotas for emissions into the environment. The procedure for trading in quotas for reducing emissions into the environment is regulated by the rules of the same name for trading quotas and obligations for reducing emissions into the environment, according to which trading in quotas for emissions and obligations for reducing emissions is carried out by trading a part of the unused limit on emissions allocated to a nature user within the framework of an environmental permit, another user of nature (users of nature)" [14].

In Kazakhstan, in 2018, trading in quotas was not carried out, in 2019 three transactions were registered, in 2020 - two, from April to the end of July 2021 - six [15]. The above statistics show the insufficient distribution of trading in quotas in our country. Representatives of the legal community explain this by saying that "The Trade Rules do not define either the types of auction (open or closed) or the procedure for conducting it. In addition, it remains unclear on which trading exchanges trading quotas will be carried out: on universal or specialized trading exchanges serving only quotas. Moreover, the

Trade Rules limit trading in quotas only by buying and selling, but do not provide for other types of civil law transactions (barter, exchange, assignment).

Thus, market methods of environmental management are aimed at ensuring environmental protection and its rational use. Their essence lies in the fact that society determines the permissible scale of impact on nature, and then distributes licenses among interested parties. In contrast to the administrative and economic systems of regulation, users of natural resources are given complete freedom to redistribute and resell licenses. State bodies only control the equivalence of transactions so that the overall impact on nature does not increase.

In the conditions of market relations, it is market methods that are the most promising direction in the development of the mechanism for managing environmental activities. But they cannot completely replace other methods, since each of the methods has its positive and negative sides, which means that each of them has its own scope.

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THE ESSENCE OF BANKING INNOVATIONS AND THEIR ROLE IN THE DEVELOPMENT OF THE BANKING BUSINESS

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It can be said with confidence that the economies of developed countries as a whole have now switched to an innovative form of development, and the banking sector is no exception. Under the influence of external and internal factors, such innovative changes are taking place that radically change the structure, appearance of banks and the banking system as a whole.

At the same time, the role of the organizational and financial component of innovation is clearly underestimated today. It is this part that is the catalyst for the development of modern types of equipment and technologies. Only within the framework of new organizational and financial models is it possible to develop intensive, purposeful and financially responsible development of further innovative activities. In addition to creating general conditions for the development of the bank, organizational and economic innovations form the basis for the effective implementation of innovation policy in the framework of the creation of new banking products and technologies.

The process of production of financial, organizational and economic innovations, in contrast to technological innovations, must be considered as a deterministic system that is subject to the influence of cumulative control factors. One of the most important characteristics of the processes associated with changes in organizational structures and economic processes is that they depend primarily not on actual results, but on aggregate results. Many current performances in the field of financial, organizational and economic innovation can only be correctly assessed after a number of years, and not at the time of implementation. Conversely, very often today's organizational and economic innovations

Serious organizational and economic innovations are the result of the accumulation of small innovations, the scale and impact of which are negligible. That is, objectively, as in technological cycles, a certain sequence of organizational and economic development cycles is created, the dynamics of which is determined by the structure and size of the bank's innovation complex.

The innovative complex of a bank should be considered an integral element of the entire bank as a system, along with such elements as the investment development subsystem, the risk management subsystem, the asset and liability management subsystem, etc. The structure of the innovation complex includes planning and budgeting for the development of innovations, stimulation and motivation of personnel, management of the introduction of innovations, information support of the innovation process.

Understanding the internal mechanisms of the origin and spread of organizational and economic innovations in the banking and financial sector is possible only on the basis of a systematic approach. From the point of view of the systematic approach methodology, the innovation complex is an open system, that is, the collection and transformation of external sources of innovation activity into specific innovative technologies and products.

The resources of the innovation complex are: capital investments in cash; information; bank specialists, intermediaries, advisers; leader leaders. The resource is then presented as a reserve, the accumulation of which, to a certain extent, makes it possible to resume the entire innovation process.

Thus, the innovation potential is the real or possible ability of the entire innovation complex to organize a continuous innovation process at the expense of the bank's resources [1].

In the general potential of innovative development, three levels of the innovation process can be distinguished: hidden, basic and used. Based on the basic potential, new markets for banking services are being formed. Hidden potential is the result of poor organization of the innovation process or the result of a lack of resources. According to the results of the study, the exploited potential of the entire banking system, on average, does not exceed 16% of the hidden and basic potential.

With the accumulation of sufficient internal resources for innovation in the innovation complex, it becomes necessary to interact with the external environment: financial institutions, legislative and regulatory bodies of the state represented, first of all, by the National Bank of Kazakhstan, which is the main regulator of innovative activity of banks in financial markets.

The result of the functioning of the innovation complex is new banking technologies, organizational and economic solutions, services provided to customers, as well as other innovations that are useful for the external environment (for example, universal methods for other banks, information, reputation growth, business activity level). The functioning of the bank's innovation complex can be considered effective when the ratio between the total income from the dissemination of innovations and the amount of resources for the development of innovations is positive. At the same time, it is necessary to take into account the cost of creating the most innovative complex.

Innovations are new products and technologies that are introduced into the market. Before we summarize these current innovation processes, let's look at some of the general theoretical issues that underlie the analysis of banking developments abroad and in Kazakhstan.

Innovation (innovation - innovation, innovation, innovation) literally means "investment in innovation" [2].

Innovation (lat. novation - change, update) - a kind of innovation that did not previously exist. In civil law, an innovation is understood as an agreement of the parties to replace the obligation they have accepted with another one. The result of this replacement is synonymous with innovation. Therefore, the terms "innovation" and "innovation" are synonymous.

Banking innovations are considered as a management object representing a certain area of banking management, with such objects as assets and liabilities, and must be balanced with them. The innovation complex is in a stable state as long as it is able to transform incoming resources in an amount not exceeding the capacity of the innovation complex. Otherwise, there is a delay in the introduction of innovations, a deterioration in the attractiveness of innovative investments and an increase in the "hidden" potential of innovations.

Effective organizational and financial development of the bank cannot be ensured at the operational level. Without a well-thought-out strategy and an effective mechanism for its implementation, organizational and economic innovations turn into separate measures to improve management, which are sometimes more harmful due to the fact that they are not related to the deep processes of changing banking technologies and financial markets. Already at the stage of bank registration, it is necessary to indicate in the business plan possible opportunities for organizational and financial development in the future.

The purpose of strategic planning is to introduce and develop new areas of activity, technologies and banking products, as well as create conditions for this by introducing optimal organizational and economic solutions so that they contribute to the growth of the number of loyal customers and the volume of transactions with them, increase revenues and increase market capitalization Jar.

Before formulating the concept of "banking innovations" and describing their role in the development of the banking business, let us first dwell on such concepts as innovations themselves, a banking product and a banking service.

Innovations are innovations introduced in the field of production or services in the form of objects, technologies, products that are the result of scientific research, inventions and discoveries that are qualitatively different from their counterparts (or the like). There is a well-established concept of innovation, or innovation as an implemented innovation, regardless of its scale. In other words, an innovative product is the result of a process of creating new consumer values. And the news about the consumer properties of the product (goods) is the most important sign of innovation [3].

Innovations have a positive economic or strategic effect. At the same time, the benefits of innovation should be greater than or at least equal to the costs of its creation and promotion. Banks are interested in modernizing the way they create and deliver their services in order to bring their operating costs and prices in line with their competitive position.

In the scientific literature, there are different views on the relationship between the concepts of "banking product" and "banking service". If according to the first, these concepts practically do not differ from each other, then according to the second, the concepts are fundamentally different. And in the future, the differences between the concepts of "banking product" and "banking service" will increase even more.

The transition to a clear modulation of these concepts is inevitable, although it is not entirely feasible at the present time, which is reflected in modern literature.

Thus, a banking service is an action aimed at meeting the needs of a client in a bank. Banking services are provided through the sale of a banking product.

A banking product, on the other hand, is a complete set of banking operations aimed at meeting the needs of customers and having a technological description.

The term "innovation" applies to all innovations in all areas of the bank's activities that have a positive economic or strategic effect.

Banking innovation should be defined as the result of the bank's actions aimed at creating positive changes in all areas of the bank's activities and improving the efficiency of its operations. It is constant updates that make the innovation process an important means of maintaining market positions.

Banking innovative technologies should be defined as a set of new banking techniques and methods of organizing a bank that affect the development of the bank in all areas of its activity and increase the efficiency of the bank (meeting the needs of customers, bank staff and its shareholders).

So, let's give another definition of banking innovation.

Banking innovations are innovations in the activities of the bank, determined by the criteria for meeting the innovative goal, within which a positive economic or strategic effect is provided.

Let us consider the sequence of stages in the development and implementation of an innovation strategy within the framework of the organizational and economic development of the bank as the basis of innovation policy and the necessary measures for its

implementation.

It is important to determine the place of organizational and economic innovations in the innovation management system.

Innovation policy can be viewed as an activity with internal and external regulation of all processes related to innovation. To accelerate innovation processes, an innovation policy is needed that coordinates the various components of innovation activity [4].

The following characteristic areas of innovation activity can be distinguished:

- banking products in new segments: investments in real estate, insurance, leasing, fiduciary operations;
- innovations in new areas of the money and financial market, such as securities markets, financial futures, financial options, mortgage-backed securities;
- cash management and use of new information technologies;
- financial intermediation services aimed at reducing transaction costs and more efficient asset and liability management.

These areas can rightfully be attributed to the group of financial innovations. However, they lack innovation related to the organizational and financial development of the bank. This omission is typical not only for many works on management in general and innovation management in particular, but also for normative documents.

One can fully agree with the conclusion of the authors of the "Manual on Banking Management" edited by O.I. Lavrushina: "The emergence of banking innovations indicates that technological innovations give banks a competitive advantage and contribute to the development of a modern payment system. If a country does not have a system for regulating the process of creating and using new financial instruments, their economic essence and purpose are violated.

In order to improve the efficiency of the bank's activities, the organizational and financial subsystem of the innovation complex should provide:

- create conditions for full and prompt satisfaction of the needs of the bank's customers in new services;
- competitiveness of the bank in terms of service quality and banking efficiency;
- ensuring market stability through a balance between traditional products and the introduction of promising innovations;
- interaction of internal and external elements of the system of innovative development, which is based on an effective system of commercialization of innovations, selection of innovative projects from alternatives and staff motivation.

The involvement of a large number of commercial banks in cooperation with private clients leads to increased competition. As foreign practice shows, the usual methods of price competition (i.e., lowering prices for services) are not an effective means of attracting and retaining customers in the long term. Therefore, organizational and financial initiatives, such as product differentiation, correct market segmentation, new sales methods, become the main factors in increasing the bank's competitiveness [4].

Intra-industry banking competition in the field of innovation is the most important factor determining both profitability and profit, as well as the profile and status of the bank.

Thus, an innovative banking product is the end result of innovative activities in the form of new or adapted products and technologies for market introduction. Innovative activity, in turn, is the process of creating new and modified technological products and processes for their implementation on the market.

Innovative banking activity does not change the essence of banking products and services, but expands their content, modernizes forms, and introduces qualitative changes in the system of relations between the bank and customers. The list of innovative banking products cannot be a constant value; it changes with each subsequent period. Currently, innovative banking products are operations and transactions based on communications and Internet technologies.

Summing up, we can conclude that innovation is currently not just one of the phenomena that determine economic growth, development and structural changes. Innovations have become the essence of modern development in all spheres of the world economy, including the banking sector. The banking sector functions both as an object of innovation and as a factor contributing to their introduction into the economy as a whole.

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CURRENT STATE OF SMALL AND MEDIUM-SIZED BUSINESSES IN KAZAKHSTAN

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In Kazakhstan, Small and Medium Businesses (SMB) are given special attention, since the development of a competitive economy is not possible without the development of a competitive business.

By the Decree of the Government of the Republic of Kazakhstan No. 665 dated April 26, 1997, «DAMU» Entrepreneurship Development Fund JSC was established. The main task of the Fund is to support small and medium-sized businesses.

The «DAMU» carries out its activities in four main strategic directions:

- by increasing the availability of financial resources, increasing the number of active SMB with the potential for development and jobs;
- development of entrepreneurship in non-resource sectors of the economy;
- attracting the population to entrepreneurial activity and increasing the professional competencies of SMB;
- improving the productivity of the «DAMU».

In addition, the fund's powers include: financing projects, development of micro-credit organizations, providing credit guarantees to SME companies for obtaining loans from second-tier banks, organizing a system of training entrepreneurs and the development of financial leasing [1].

The main law regulating entrepreneurial activity is the Law of the Republic of Kazakhstan "On Private Entrepreneurship. It establishes the following categories of

business entities (Table 1).

Table 1. Categories of business entities in the Republic of Kazakhstan

Small business entities are	individual entrepreneurs without the formation of a legal entity with an average annual number of employees of no more than fifty people
	legal entities engaged in private entrepreneurship with an average annual number of employees of no more than fifty people and an average annual value of assets for the year not exceeding sixty thousand times the monthly calculation index established by the law on the republican budget for the corresponding fiscal year.
Medium-sized businesses	They are individual entrepreneurs without the formation of a legal entity and legal entities engaged in private entrepreneurship that are not related to small and large businesses.
Subjects of large entrepreneurship are legal entities engaged in private entrepreneurship and meeting one or two of the following criteria	1) the average annual number of employees is more than two hundred and fifty people 2) or the total value of assets for the year over three hundred and twenty-five thousand times the monthly calculation index established by the law on the republican budget.

Effective business development is unthinkable without the participation of public organizations, business and government agencies.

The first conflict situations related to the issues of social partnership arose in connection with the transition of Kazakhstan to market relations and the democratization of its society. In 1995, the Government of the Republic of Kazakhstan concluded an agreement between such public organizations as: the Congress of Entrepreneurs of Kazakhstan, the Union of Commodity Producers and Exporters of Kazakhstan, the Eurasian Industrial Association, the Federation of Trade Unions.

A. Rakhimova is convinced that associations and unions of entrepreneurs are equal and important components of the social partnership system. The main goals of these organizations are: protection of their own interests, assistance in organizing the production of goods and services, influence on the mechanisms regulating social and labor relations. In addition, entrepreneurs through participation in unions and associations significantly influence the social and economic policy of the state [2].

In order to implement various programs, various business organizations jointly involve non-governmental organizations (NGOs). Good cooperation between NGOs, business and the state significantly affects the country's economy. One example of such cooperation may be the example of the cooperation of the «DAMU» with such an NGO as Atameken, the Independent Association of Entrepreneurs (NAP) for the implementation of the goals set within the framework of the Business Roadmap 2025.

According to Figure 1, we will consider data on active SMB in the context of regions of Kazakhstan through index analysis from 2014 to 2021.

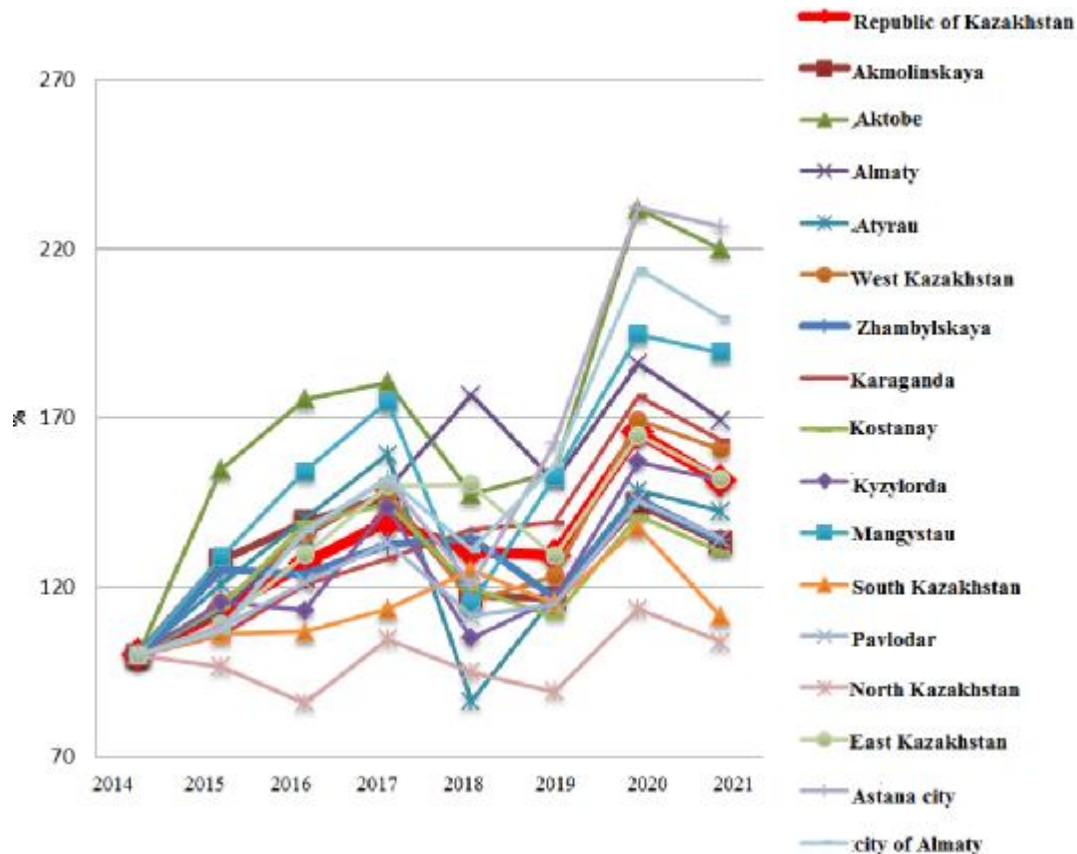


Figure 1. Dynamics of active SMB

From this figure, it can be determined that, in general, there is a positive trend in the growth of small business in Kazakhstan. Index analysis shows that in comparison with 2005, the number of representatives of small businesses has increased significantly - by more than 50%. In our opinion, this is due to the fact that state support for entrepreneurs has increased, expressed in consulting, financial, educational support for entrepreneurship.

The largest growth of small business units is observed in Astana. This factor can be attributed to the fact that the development of the capital of Kazakhstan in all respects is happening at a rapid pace. The largest migration of the country's population is observed in Astana. Many business entities of other regions, seeing the possibilities of doing business in Astana, move to this region to open new types of business and develop existing ones. Low dynamics of small business growth is observed in the North Kazakhstan region (North Kazakhstan region). This fact may be affected by poor awareness of the population about state support for entrepreneurship, a high level of corruption in the region, and a relatively low population. The raw materials sector is mainly developed in this region. Grain is a strategic product here and attracts the majority of the able-bodied population. Figure 2 shows the structure of SMB in Kazakhstan.

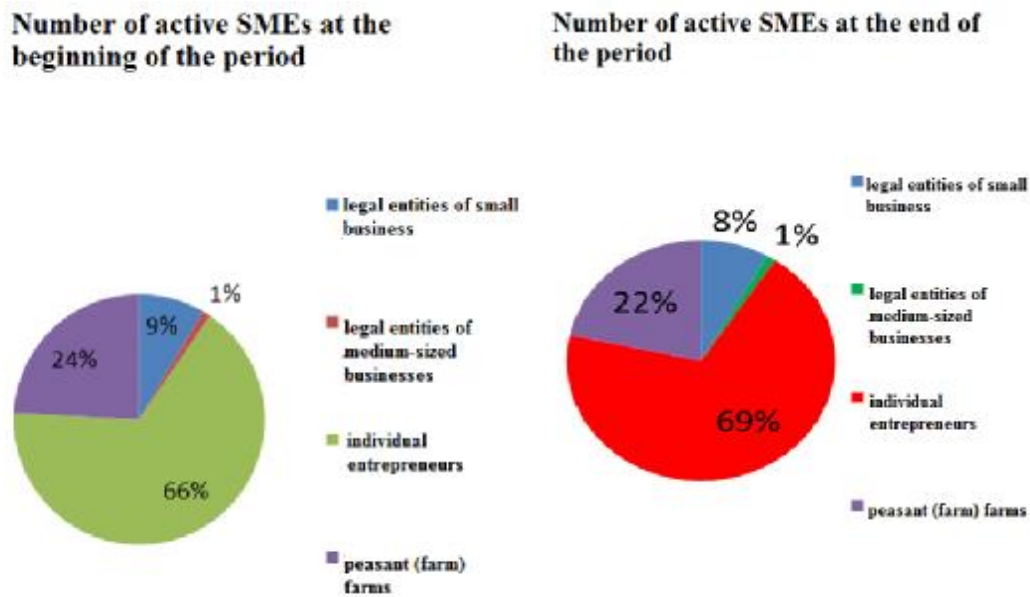


Figure 2. Structure of active SMB for 2021 (units)

As can be seen from the figure, individual entrepreneurs predominate in the structure of active SMB, they make up 69% of all SMB in Kazakhstan. Basically, this is due to the fact that it is simplified to open individual entrepreneurship in our country and does not require a large start-up capital, and the staff of one sole proprietor can consist of only one individual. To open an individual entrepreneur, you need to provide a small list of documents. In terms of the number of enterprises, peasant and farm farms are in second place. Today, peasant and farm farms are considered one of the most common forms of small business. Historically, Kazakhstan's economy has been largely agrarian. At the moment, the state actively supports the agricultural sector through financial support and government programs. Another main indicator characterizing the SMB of Kazakhstan is the number of people involved in entrepreneurial activity.

In general, there is a moderate increase in the involvement of SMB in the Republic. The red line, highlighted in bold, shows this dynamic. The leader in the growth of public involvement in small business is the Mangystau region. Although in this area the lowest share of the self-employed population is 4.1%, according to Forbes magazine [3]. The involvement of the population in entrepreneurial activity in this region has increased by almost 70% compared to the base year 2007. These statistics show the effectiveness of the program to stimulate business in the region and the policy of the regional leadership.

SKR is a leader in Kazakhstan, both in terms of the number of enterprises and business development. However, here the statistics show a negative trend in the number of people involved in small business. One of the factors that influenced this decline may be the level of corruption in this region.

Viktor Yambayev believes that the main obstacle to the development of entrepreneurship in Kazakhstan is excessive control by government agencies and the continuous growth of tariffs. According to V. Yambaev, delivery with entry into the Customs Union has risen in price by more than 300% over the past three years. Other obstacles that V. Yambayev mentioned are: an increase in duties on goods and numerous state control bodies. Yambayev claims that although the Law of the Republic of Kazakhstan "On

Private Entrepreneurship" has complicated the conduct of inspections by state bodies, there have been no fewer inspections.

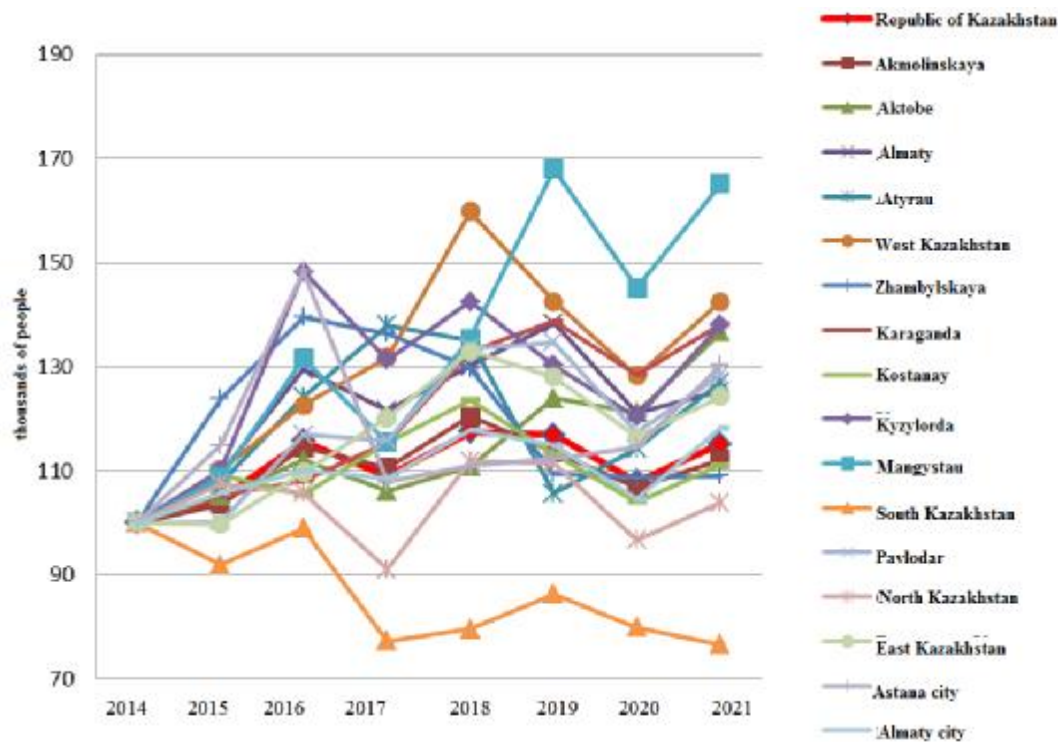


Figure 3. Dynamics of those involved in small business

T. Nazkhanov believes that SMB mainly suffer from bureaucracy. He claims that it is very easy to start a business, but it is not quite easy to run it. After opening a business, an entrepreneur will be forced to pay various fines and taxes, starting from the first days of his business. In this regard, many entrepreneurs close before they have time to open. According to T. Nazkhanov, those enterprises that survive continue to experience difficulties from fire authorities, sanitary and epidemiological stations and other state bodies.

Figure 4 shows the structure of the population involved in small business according to the data of 2021.

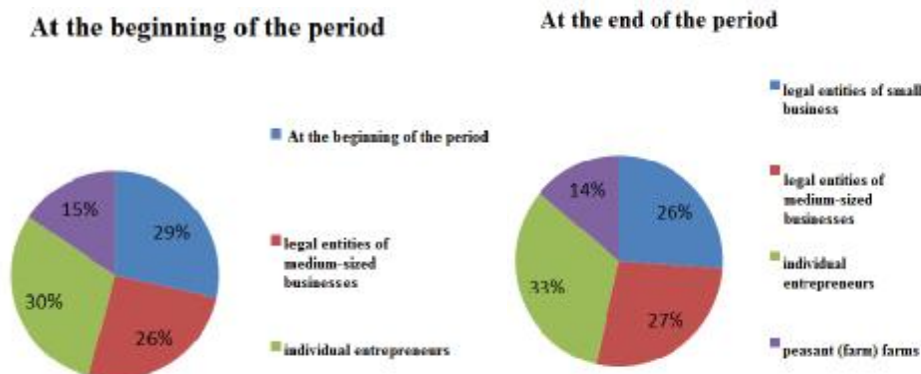


Figure 4. Structure of the number involved in SMB

This figure shows relatively uniform employment. As in the case of active enterprises, most people are concentrated in individual entrepreneurship companies. Their share was 33%, and the number of 832,025 people. Appendix A shows that in general, as of January 1, 2021, more than 2.5 million people are involved in entrepreneurial activity in Kazakhstan, which is approximately 30% of the employed population.

A.N. Toksanova notes that in the EU countries about 50% of the total employed population is employed in small business, in the USA more than 53% of the total employed population is employed in small business, in Japan 72% of the total employed population is employed in small business [4].

The largest concentration of the number of entrepreneurs in Kazakhstan is represented by the city of Almaty. The share of the number of Almaty entrepreneurs is 364,847 people. or 14% of the number involved in SMB in Kazakhstan. The second is the South Kazakhstan region, the share of people involved in entrepreneurial activity in this region is 286,888 people. or 11%. This is due to the size of the population and the developed infrastructure of these regions.

Next, in Figure - 5, we consider the productivity of SMB in the context of sectors and regions.

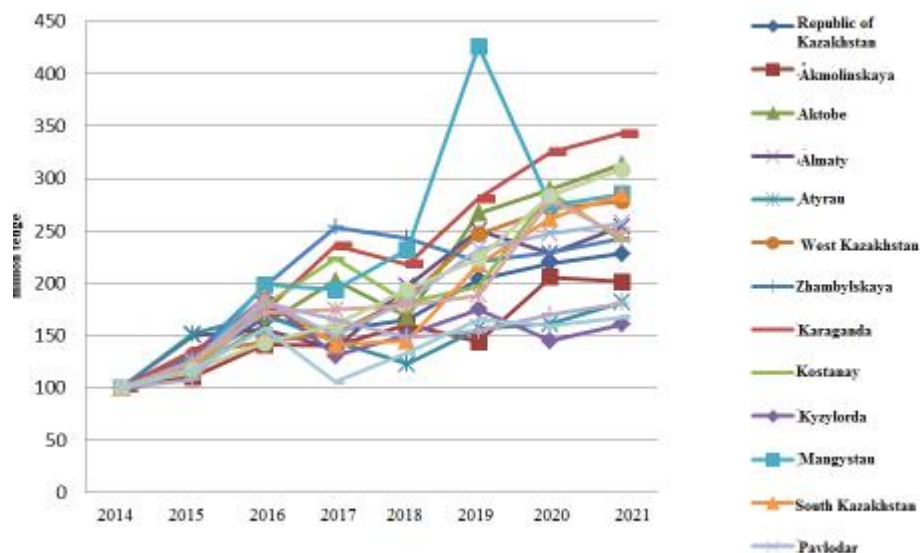


Figure 5. Dynamics of small business output

If we consider the dynamics of output growth, Akmola region shows stable and rapid growth. Index analysis shows that the growth in this region in comparison with 2014 amounted to more than 200%. This result could be influenced by the high share of small businesses in this region and the competitiveness of the agricultural sector. According to the website of the business administration, in the structure of active entities of the Akmola region, the share of individual entrepreneurs prevails - 81.5% (27.6 thousand), peasant farms - 10.1% (3.4 thousand), small business entities - 7.7% (2.6 thousand), medium-sized businesses - 0.7% (0.2 thousand) [5].

In terms of the productivity of SMB, as in the previous data, Almaty is significantly in the lead in terms of regions. The share of products produced in Almaty is 24% (i.e. out of all products produced by the subjects of SMB of Kazakhstan in January-December 2021 in the amount of 8011562 million tenge. Almaty SMB produced

1936867 million tenge). The second place is taken by Astana. It accounts for 13%. Almaty region is the leader in the regions. Its specific weight in productivity is 7%. The consequence of this trend is also: developed infrastructure, the effectiveness of programs to support entrepreneurs in these cities, a large population.

If we consider the structure of SMB, legal entities of medium-sized businesses are significantly more productive here.

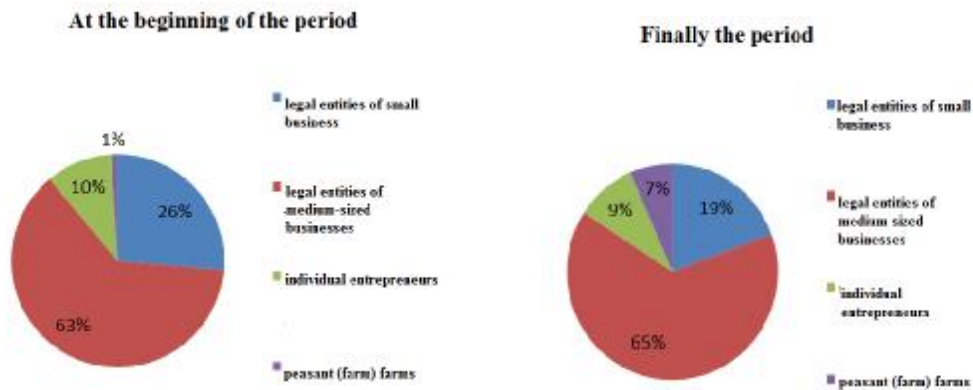


Figure 6. Structure of output by SMB in January-December 2021

The share of legal entities of medium-sized businesses amounted to 64.8% in the total volume of products produced in the Republic of Kazakhstan. Despite the predominance of individual entrepreneurs in quantitative terms, their contribution to productivity was only 9.2%. This fact can be explained by the fact that most transactions of individual entrepreneurship are not officially registered and taxes are paid from the declared quarterly amount. In addition, it should be noted that most small enterprises actively invest in fixed assets, increase working capital and other extensions for their development. Another reason may be the small number of sole proprietors and their low productivity. Figure 7 shows the structure of SMB by industry.

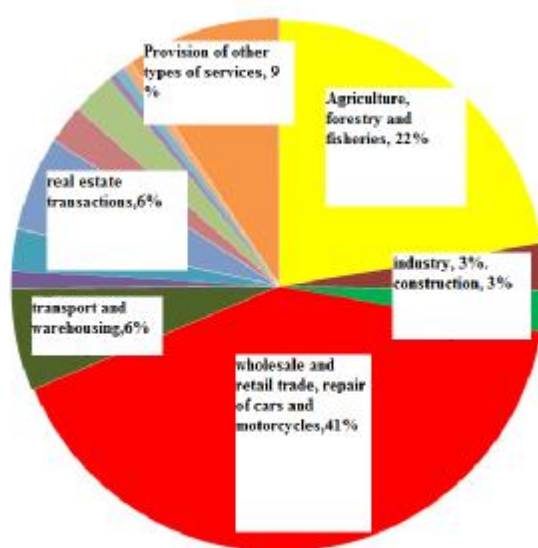


Figure 7. Structure of the small and medium-sized business sector

Analysis of the data of the Agency for Statistics of the Republic of Kazakhstan for 2021 shows that Kazakhstan's SMB are mainly concentrated in the wholesale, retail trade, repair of cars and motorcycles.

We also analyzed the number of SMB by sector in developed countries such as England and Germany, in comparison with the statistical data of Kazakhstan (figure 8).

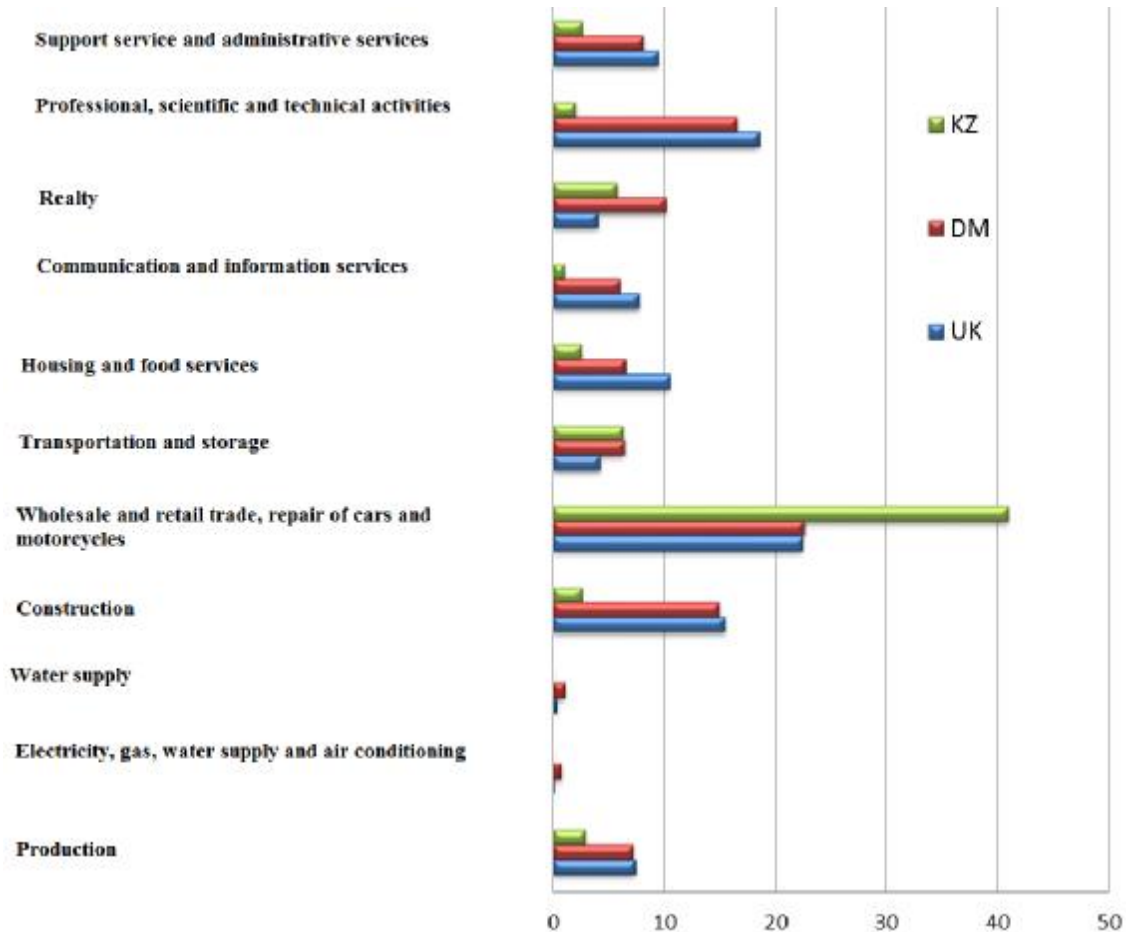


Figure 8. Number of active SMB by sector

As in Kazakhstan, in these countries, most SMB companies are located in the wholesale and retail trade sector. This may be due to the fact that it is easier for SMB to conduct their activities in this sector. This sector does not require large investments in research activities, fixed assets, the operating cycle in this sector is short. In this regard, the owners will have fewer problems with liquidity.

Figure 8 shows the number of active SMB in Kazakhstan by sector in comparison with SMB in the UK and Germany. The figure shows that the structure of SMB in England and the UK is much more diversified than the structure of SMB in Kazakhstan. Their SMB have developed in such sectors as construction, scientific and professional activities. In addition, some companies in these countries are involved in the disposal and recycling of garbage waste, which is not observed among Kazakhstani companies.

According to the World Bank data, the contribution of SMB to GDP varies, starting from 16% in low-income countries and up to 30% in middle-income countries, up to 51% in high-income countries (Figure 9).

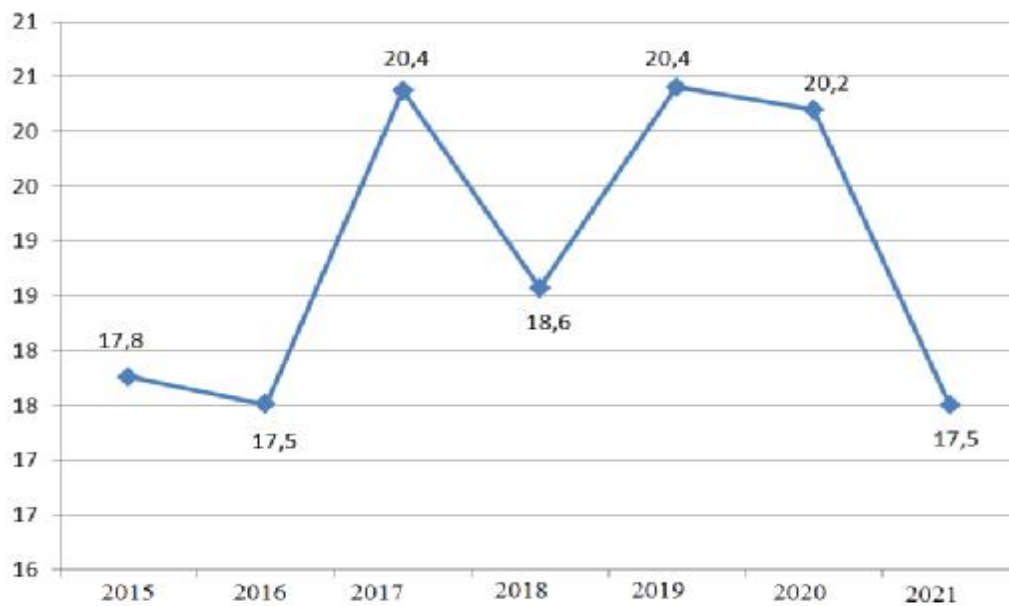


Figure 9. Assessment of the contribution of small and medium-sized enterprises to the gross domestic product of the Republic of Kazakhstan, %

Figure 9, compiled according to the Statistics Agency of the Republic of Kazakhstan, show the dynamics of contributions made by Kazakhstani enterprises. In 2021, the total contribution of Kazakhstan SMB amounted to approximately 17.5%. This result is close to low-income countries. The maximum contribution of SMB to GDP was made in 2019, amounting to 20.5%.

For example, consider the contribution of Canadian SMB to the GDP of their country according to Table 2.

Table 2. Data on the contribution of Canadian enterprises to GDP by business structure for 2021

Enterprises	Millions of dollars.	GDP, %
Small (less than 100 employees)	414,093	41,9
Average (100-499 people)	122,409	12,4
Large (more than 500 people)	451,935	45,6
Total	988,437	100

If we compare the contribution of Canadian enterprises to GDP with similar indicators of Kazakhstan according to Figure 18 and Table 7, it is easy to see that the productivity of Canadian SMB far exceeds Kazakh companies. For example, the contribution of small and medium-sized enterprises to Canada's GDP is more than 54%, while in Kazakhstan this figure is only 17%. This is due to the shadow sector of the economy and the weak development of SMB in Kazakhstan.

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BUSINESS PROCESS REENGINEERING AND ITS APPLICATION IN BUSINESS

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Business Process Reengineering (BPR) involves the radical redesign of core business processes to achieve dramatic improvements in productivity, cycle times and quality. Based on this definition, the BPR is considered as the most fundamental factor to improve undesired management system of a company. In Business Process Reengineering, companies start with a blank sheet of paper and rethink existing processes to deliver more value to the customer. They typically adopt a new value system that places increased emphasis on customer needs. Companies reduce organizational layers and eliminate unproductive activities in two key areas. First, they redesign functional organizations into cross-functional teams. Second, they use technology to improve data dissemination and decision making.

The BPR is a potential and helpful system that can support any company in Afghanistan especially the GREENHOUSE COMPANY to reduce cost, deliver more value to customers, and eliminate unproductive activities that are harmful in terms of catching up customers and retaining them. The author has chosen the BRP here to discuss the principles and factors that can influence the chosen company and will implement these basic principles into the company to increases customer satisfaction and, redesign functional company into cross functional team.

In order to deeply understand the method of implementation of BPR, principles, how to design a BPR in its organization in Afghanistan (the GREENHOUSE COMPANY), have reviewed and studied many books including Business Process Reengineering by Break Point Strategies for Market Dominance, John Wiley and Sons (2010); Business Process Re-Engineering by Chichester (2012); Theoretical Framework and an Integrated Model by Mohammed A. Youssef, Ashok Kumar and Jaideep Motwani (2015) and, an Analysis of the Business Process Reengineering (BPR) Implementation Practices and their Impact on Customer Satisfaction in the Banking Sector by Forbes Makudza, Gibson Muridzi& Darlington Chirima (2016). These books and publication provided helpful insights for the researcher to design and promote a well-ground BPR system for the GREENHOUSE COMPANY that omit unproductive activities and help his company to reduce unnecessary costs.



Figure 1. Business process re-engineering

Business process re-engineering (Figure 1) is a mechanism use to reform an organization for the sake of effective changes in management, system, core value of companies, their behavior and actions toward building and effective team. The BPR on the other hand is a business analysis model to find gaps and bridge them with effective productivity. It assesses the weakness points in a company and seek solution for them to improve the quality. It's a model help companies to reduce cost, and change their old behavior and ineffectively actions to a new one that help it to capture value from customer.

The international companies use business process re-engineering to reduce costs, and cycle times by eliminating unproductive activities and the employees who perform them. Re-organization by teams decreases the need for management layers, accelerates information flows and eliminates the errors and rework caused by multiple handoffs.

Other companies use the BRP to improve quality by reducing the fragmentation of work and establishing clear ownership of processes. Workers gain responsibility for their output and can measure their performance based on prompt feedback.

On the other hand, some of the international companies believe that BPR is a dramatic change initiative and they divide them into five major steps that managers should take – they are as the following:

- Refocus company values on customer needs;
- Redesign core processes, often using information technology to enable improvements;
- Reorganize a business into cross-functional teams with end-to-end responsibility for a process;
- Rethink basic organizational and people issues;
- Improve business processes across the organization.

One of the most obvious adverse effects of a company's decision to re-engineer is a lowered employee morale. Most people are wary of change and do not manage to adapt to it easily. This aspect needs to be kept in mind when trying to make the decision

to go through with the activity.

Business Process Re-engineering (BPR) usually focuses on the two most main business factors. The first area is the technology. The business company uses modern technology to make better data dissemination, and improve decision-making. The second is a functional team, the functional organization is changed to form a functional team.

The aim of eliminating or of improving the activities to BPR is to enhance the critical improvement metrics such as service, cost, quality, and the speed of production. Although, we can say that the main purpose of re-engineering and BPR is to improve the subpart of the process, which impacts the overall performance of the process, or to re-design the whole process if it is inefficient.

In the early 1990's, Michael Hammer and James Champy published a book, *Re-engineering the Corporation* (1990), which stated that in some cases, radical redesign and reorganization within a company were the only way to reduce costs and improve service quality. To this end, they said, information technology was the key element for allowing this to happen.

Hammer and Champy said that most large companies made (now invalid) assumptions about their goals, people and technology that were impacting the workflow. They suggested seven principles that could be used to reengineer and help streamline workflows, thus improving quality, time management and cost.

Hammer and Champy suggested the following seven principles in their book:

- Organize around outcomes, not tasks.
- Identify all the processes in an organization and prioritize them in order of redesign urgency.
- Integrate information processing work into the real work that produces the information.
- Treat geographically dispersed resources as though they were centralized.
- Link parallel activities in the workflow instead of just integrating their results.
- Put the decision point where the work is performed, and build control into the process.
- Capture information once and at the source.

The author chooses the GREEN HOUSE GROUP company to study the application of BPR. GREEN HOUSE GROUP is one of the most prominent trading and construction companies in the Northern Region, Afghanistan. GREEN HOUSE GROUP has been producing and supplying construction materials export/importing leased markets / FMCG, engineering and construction services, as well as logistical services. The company ventured into commercial and industrial developments in 2007. Over the years, the company has grown from strength to strength, having successfully completed over 50 projects, ranging from single residential units to large industrial and commercial complexes. It has now achieved an annual turnover in excess of USD 100 million.

How to implement the business process re-engineering in the GREENHOUSE COMPANY in Mazar-e sharif:

The following steps the author provides can help BPR realize its core principle of customers satisfaction, reduce costs of business and can increase the competitiveness:

1. Business vision and objective: Any BPR activities need to begin with a clearly defined and measurable objectives. Whether the goal is reducing the cost, improving quality of product, or increasing efficiency, the framework that needs to be achieved have to be decided upon at the outset in line with the company vision and the mission.

2. Identification and slacking process: once a clear goal is mind, all processes need to be studied and those seen as slacking or that can be improved need to be identified. Among these, those processes with direct impact on the organization's output that clash with the firm's mission become part of the red list. This clear identification makes the difference between BPR success and failure.

3. Understand and measure the 'red' processes: The red process includes spending high cost on unnecessary equipment's, paying large taxes without considering negation. With a list of slacking processes in hand, it is imperative to identify how they were identified as such. Are they taking too much time to complete? Is the quality of the outcome being compromised? Whatever the issue, each process must be judged objectively either against industry standards or ethically obtained competitor best practices.

4. Information system and technology capabilities: An efficient and relevant IT system is an essential BPR enabler. Without such a system, it is not possible to keep a check on all factors affecting the change. Before setting out on a radical BPR activity, it is vital to set in place information systems that can deal with the magnitude of the change. For the time being, the company is using an information system which is not upgraded and can't cover all the construction system into it. Thus, the author recommends for upgrading of the information system to a new version.

5. Design, build and test the new prototype of project management. Before any new product is launched, a prototype of project management is tested out. A failure at a testing stage should never be implemented at a larger scale. BPR projects fail often for a variety of reasons, but a basic reason is the inability to identify and accept any limitations at the testing stage. Among other factors, both the management's attitude towards the new way of work and the employees' outlook towards the change should be carefully assessed.

6. Adapting the organization: Managing change brought about by BPR activities is the final effort towards a successful project. Providing updated documentation, organizational structures, governance models as well as updated charts of authority and responsibility leave little room for confusion and allow a smooth transition into the new way of work.

The GREENHOUSE DEVELOPMENT COMPANY is spending a lot of money to build houses, departments, markets, and basements. The supervision of these infrastructure building must be re-engineered. For instance, the BPR system helped the author to design an effective system for his company to reduce costs. Before the implementation of the BPR system, there was not a proper framework and strategy that can manage the input and output of the company from the grassroots. Running construction business is not cheap in Afghanistan and it cost a lot of money and efforts. In the meantime, it requires a significant capital investment. In the construction project, one cannot cut corners because this mostly would mean spending more money in the long run.

However, there are a few ways to reduce cost in the construction project of the GREENHOUSE COMPANY. These expenses management will help the company to be among the most profitable company in the country. Thus for, the author found out these costs which are manageable and will help the management team members to be smart with the money and manage these costs.

- Manage the fleet of vehicles cost-efficiently: firstly, analyze the usage of your fleet. Estimate how much you need to spend each month depending on the size and quantity of your fleet. And, replace old and unused vehicles with new energy-efficient ones that can save you money in the long run. If budget is a constraint, then try renting

them. Consider opting for fuel- efficient, hybrid or electric vehicles.

- Reduce Electrical Materials costs: consider purchasing electrical materials from electrical liquidators. These electrical liquidators buy electrical surplus materials from various sources and then sell them at a competitive price to you without compromising on the quality.

- Implement energy efficient sustainable practices: Optimize all the aspect of construction business, optimize their function to deliver more for less, recycle all that can be recycled, and reuse all that can be reused.

The goal of this publication was to develop a business process re-engineering (BPR) plan for GREENHOUSE COMPANY, a large construction business in Mazar-e Sharif, Afghanistan. To explore its expenses and costs, and offer a re-engineering initiative based on the BPR system requirements to reduce its costs, improve sales and overall quality of work.

The objectives included the study of the major concepts, principles, and elements of re-engineering, and the factors contributing to its efficiency and effectiveness and then implementing it for the chosen company. In order to do this, the researcher carried out a secondary review of the books of major theorists including Maria Vakola, Majed Al-Mashari, Mohamed Zaire Bradford, John Wiley, Brain Tracy, John Maxell, Mohamed A. Youssef, Ashok Kumar and Jaideep Motwani, Hesamuddin Arab and Mohammad Abbasid, and others.

The author also reviewed GREENHOUSE COMPANY documents, including the Annual Report of the organization (the latest version available for 2021), General Code of Conduct and Principles, Implementation manual and profile (2021). It included the sections/chapters on Principle and Mandate, Project Assessment, Designs, Numbers and Planning, Planning for Emergency and Rehabilitation, Field Office Management, Monitoring, Reporting and Evaluation.

Based on the analysis of the current situation at the Greenhouse Company and the main steps and principles of BPR, the author developed specific steps for implementing BPR at the company, including identifying “red” processes that require urgent change, specific recommendations on reduction of operational costs, improvement of Information System management and adapting overall organizational structure to the make the Greenhouse Company a multifunctional team.

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SALES PRINCIPLES AND THEIR INFLUENCE ON BUSINESS

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Why is it that some salespeople are more successful than others? What is it that some salespeople earn more money, faster and easier, and make more sales? Why do they enjoy greater success, acquire better material benefits, such as cars, homes, and beautiful clothes, and achieve greater satisfaction from their careers while the great majority of salespeople underachieve and underperform? I have discovered the famous 80/20 rule known as the Pareto principle. This rule says that 80 percent of the sales are made by 20 percent of the salespeople. This means 20 percent of the sales are therefore made by 80 percent of the salespeople. When I learned this principle, I decided, to write this publication on sales and sales success to provide insight for the readers and to get into the 20 percent. I have chosen this top, to provide insight on successful sales, the analysis of sales, and the differentiation of successful and unsuccessful salespeople – it also gives significant support for the salespeople to take the right path to become successful in selling.

To provide a better publication for the readers, the author researched, gathered, and selected the best successful notes from several sales publications and books related to sales success. The most effective of these books in which the author paraphrased their concept here is the book of sales success by Mr. Brain Tracy and the power of selling by Kimberly K. Richmond. The author found out these books relevant to the sales concept used in Afghanistan and they can fit the essential requirement very well [1].

Some years ago, a major insurance company with thousands of agents decide to test out the validity of the 80/20 rule in terms of its income and sales. The company subsequently ran all of its agents' sales and income data through a computer and found that rule. Twenty percent of the agents were generating 80 percent of the business. Company managers then asked what this meant in terms of annual income. They found that the top 20 percent of the agents were earning on average. Did this mean that the top 20 percent were sixteen times better, smarter, or more competent than those in the bottom 80 percent? The answer is obvious, no one is sixteen times better or smarter than someone else. Some people are just a little better in certain ways, consistently, over time.

The top 20 percent of the top 20 percent: they are also looked at the top 20 percent of their agents (the top 20 percent of the top 20 percent) and compared their earnings to agents in the bottom 80 percent of sales and income. It turned out that the top 4 percent of agents were earning, on average, thirty-two times that of those in the bottom 80 percent. Taking this one step further, they compared the top 0.8 percent of agents (the top 20 percent of the top 4 percent) and found that this elite group was making, on average,

more than fifty times the income of the people in the bottom 80 percent.

In every city or large office, there was one person, by himself, who was earning as much as (or more than) fifty full-time adults selling the same products to the same people at the same prices, under the same competitive conditions and out of the same office. When the average salesperson, especially in all commission fields, is earning \$30,000 to \$40,000 per year, the top 10 percent in those fields earn more than \$800,000 per year, and some of them earn millions.

Because of this incredible disparity in sales and income, the aim of every salesperson in every field should be to join the top 20 percent in that industry. The top 20 percent always sell well and make an exceptional living, no matter what the current market conditions. They are always employed and always in demand, and they enjoy their work the most.

In the meantime, the sales team is required to develop the winning edge, one of the most important discoveries in human performance in the twentieth century was that the top performers in every field, including the field of sale, are only a little bit better than their peers in certain critical areas.

This small difference in performance is called the winning edge, the top people in each field have developed the winning edge in those fields, and as a result, they achieve extraordinary performance and extraordinary results.

A favorite analogy is that of a horse race, in a horse race, the horse that comes in first, by a nose, wins ten times the prize money of the horse that comes in second, by a nose. Is the horse that comes in first by a nose ten times better or faster than the horse that comes in second? Is the horse that wins 10 percent faster than the horse that loses? And the answer is no. The horse that wins is only a nose faster. In a photo finish, this can be as little as three inches [2].

The salesperson that closes the sale for this or her company gets 100 percent of the business and 100 percent of the commission. Is the salesperson who gets the sales twice as good as the salesperson who did not make the sales? In every case, the difference between the highest performers and the lowest performers are very small, marginal edges in skills and ability. The salesperson who earns \$250,000 a year in sales is not ten times smarter or better or working ten times harder than the person who earns \$25,000 per year, selling the same product.

Intelligence is not the key, in a study in New York some years ago, researchers selected 1,000 adults at random and measured their IQs. They found that the difference between the person with the highest IQ and the person with the lowest IQ was two and a half times. But the person earning the most in this group which was not necessarily the person with the highest IQ- was earning more than 100 times more than the lowest earner in this sample group. The conclusion is a sample; it is not raw talent or ability that accounts for great success. Everyone has natural sales talent and abilities. Success is determined solely by what you do with those natural talents and abilities.

The magic touch, top salespeople have been analyzed extensively to find out how they think and behave. What emerges from these studies is the finding that the highest-paid salespeople have an easy ability to enter into friendly relationships with a great number of diverse prospects and customers. They establish rapport early and build high levels of trust in the course of the sales process, in fact, personality factors probably account for 80 percent or more of sales success [3].

Interpersonal effectiveness is based, more than any other factor, on the self-image and self-esteem of the salesperson. There seems to be a direct relationship between self-

esteem and sales success. Salespeople who like and respect themselves tend to like and respect their customers. In return, their customers tend to like and respect them and are willing to follow their product or services recommendation.

Selling is a skill that everyone uses every day, no matter what they do for a living. Want to be successful? Learn how to sell. “You can have everything in life you want if you will just help enough other people get what they want,” according to famous sales expert, Zig Ziglar. That means listening and connecting with people, understanding their needs, what they want, what motivates them, and then capturing their imagination with a reason to buy...from you (Ziglar).

If you think personal selling is only for salespeople, think again. Everyone in every walk of life uses personal selling (some more effectively than others!). Selling is what makes people successful. We all have to sell our ideas, our points of view, and ourselves every day to all sorts of people—and not just those related to our jobs. For example, when you work on a team project, you have to sell your ideas about how your team should approach the project (or, sometimes more delicately, you will have to persuade others as to what you should do about a lazy team member). When you are with your friends, you have to sell your point of view about which movie you want to see or where you want to go to eat. When you pitch in for a friend’s gift, you have to sell your ideas about what gift to give. You are selling every day whether you realize it or not [4].

Think about the products and services that you buy (and concepts and causes that you believe in) and how selling plays a role in your purchase decision. If you rented an apartment or bought a car, someone sold you on the one you chose. If you read a product review for a new computer online and then went into the store to buy it, someone reinforced your decision and sold you the brand and model you bought. If you ran in a 5K race to raise money for a charity, someone sold you on why you should invest your time and your money in that particular cause. A professor, an advisor, or another student may have even sold you on taking this course!

Selling is vital in all aspects of business, just as it is in daily life. Consider Ike Richman, the vice president of public relations for Comcast-Spectacor, who is responsible for the public relations for all NBA and NHL games and hundreds of concerts and events held at the company’s Wachovia Center in Philadelphia. When you ask Ike to describe his job, he replies, “I sell stories.” What he means is that he has to “pitch”—or advertise—his stories (about the games or concerts) to convince the press to cover the events that he is promoting. So, even though he is not in the sales department, his job involves selling. Gary Kopervas, similarly, is the chief creative strategist at Backe Digital Brand Communications. He works in the creative department of an advertising agency, yet he describes his job as “selling ideas,” not creating ads. Connie Pearson-Bernard, the president and founder of Seamless Events, Inc., an event planning company, says she sells experiences. For many of her clients, she also sells time because she and her team execute all the required details to create the perfect event. As you notice, all these people are engaged in selling, even though “sales” may not be included in their respective job descriptions. Whether you pursue a career in sales or another discipline, selling is an important component of every job...and everyday life [5].

Some people might think of selling as a high-pressure encounter between a salesperson and a customer. Years ago, that may have been the case in some situations. But in today’s world, successful selling is not something you do “to” a customer, it is something you do “with” a customer. The customer has a voice and is involved in most selling situations. Internet-based tools such as forums, social networks like Facebook,

Myspace, and Twitter, along with Web sites, live chat, and other interactive features allow customers to participate in the process no matter what they are buying.

With a good plan and the right information, you can achieve whatever you set out to do. It may seem like a distant dream at the moment, but it can be a reality sooner than you think. Think about successful people who do what you want to do. What do they all have in common? Of course, they have all worked hard to get to their current position, and they all have a passion for their job. There is, additionally, a subtler key ingredient for success that they all share; all successful people effectively engage in personal selling, the process of interacting one-on-one with someone to provide information that will influence a purchase or action. Michael Levens, *Marketing: Defined, Explained, Applied* (Upper Saddle River, NJ: Pearson Prentice Hall, 2010), 181.

The factories that are influencing sales effectiveness:

The quality product: the quality product or services play an important role and do matter. The salesperson may be able to talk prospects into buying what your company has to offer. If a product is of low quality, it would be hard to convince the prospects to become repeat clients. It's also worth noting that negative reviews usually influence 86% of buying decisions. So, it may not matter how good your salespeople are. Neither would it matter what kind of best practices you implement to improve your sales performance.

The price of the product: 80 percent of buyers want to discuss the price on the first meet or call. So, what would happen if the product price is considered expensive to them. Recent research shows that 35 percent of salesperson consider overcoming objection to price as one of their biggest challenges. Price isn't to be something that you have any control over. However, pricing is a vital factor when selling. So, you may talk to your senior management member to offer discuss and determine to reduce the prices of your product to gain more customers' attention. "How much your product costs will determine the volume of sales your company makes. It's, therefore, essential for you to address that issue. It may be the thing that prevents your sales team from performing well".

The customers care center or service: The lifetime value of customers that have been referred to your company is 16%-25% higher than that of non-referred customers. There is just one problem: customers are likely to refer others to your company if they have had a positive experience. And that positive experience is determined by the organization's customer care representatives. "If your sales reps report that many prospects complain about their issues not being addressed adequately, you have a customer care service problem. That means you must reach out to your customer experience colleagues and request them to deal with the issue. Otherwise, you will continue to miss many sales opportunities among existing customers and thus fail to hit your sales quotas".

The quality of salespeople: The salespeople need to be passionate about what they do. They should be doing sales that improve the sales revenue. Soft skills are some of the most underrated skills there are. Many people don't think that skills such as time management, communication, and problem-solving matter. But they do. Studies show that 60% of salespeople who work on their soft skills will hit their sales targets compared to 53% of those who don't. Another study shows that "But there are other challenges as well. About 46% of salespeople did not even intend to go into sales as a career. Many sales reps may not even have a passion for their jobs. And 68% of them already have one foot out the door because they are determined to look for another posi-

tion within the year. They are not happy with their job situation at the moment”.

The budget for sales activities: “spend money to make money”. Activities such as prospecting, qualifying leads, meeting prospects, driving to see prospects, making presentations, training, etc. require money to happen. What if a company is underfunded or does not provide enough financing for sales activities? “Research shows that around 20% of sales teams don’t have enough resources to reinforce their sales processes. Yet, companies with dedicated sales enablement have a higher win rate of 52.1% than those who don’t (45.5%)”. You may not be able to expect every salesperson to produce great results when they are so ill-equipped for their jobs.

Spend enough on selling: for the sales team to have good performance, then they have to spend more time on selling and spending time selling the company product but this is not the case for some sales reps. Over 81 percent of top performers usually spend at least four to five hours on sales-related activities. They are not spending most of their time writing emails, data entry, attending meetings, etc.

The lack of collaboration across departments: selling requires collaboration. It’s not just members of your sales team that should work together. Your department must also communicate with other departments to achieve company quotas.

Here are some facts to ponder:

- Did you know that 44% of decision-makers consider the company’s website as the marketing asset that influences them most when making a purchasing decision?

- Despite 85% of the marketing departments saying that supporting sales is their priority, 56% of salespeople must prepare their materials.

- Top salespeople believe social selling tools, CRMs, sales intelligence tools, productivity apps, email tracking tools, etc., are essential to their success.

Collaboration across multiple departments is necessary for sales teams to succeed. But not every company has collaborative work environment. Some organizations have departments that are too autonomous. As a result, they fail to share information and work together to improve their bottom line [6].

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ECONOMIC AND LEGAL STIMULATION OF RESOURCE SAVING

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Today, the leaders in environmental pollution in Kazakhstan are the main areas of industry: metallurgy, machine building, mining, energy, etc. For many years, the problem of energy and raw material shortages has been solved not by introducing resource-saving technologies, but by increasing the rate of production. The excessive material intensity of production eventually led to an increase in extraction of minerals, which had a negative impact on the environmental situation in the country.

The reserves of non-renewable natural resources in the Republic of Kazakhstan can be exhausted within a limited historical period. With extensive exploitation, experts estimate that oil reserves will be sufficient for 70 years, and natural gas reserves for 85 years. The mining and metallurgical industry is on the verge of exhausting the explored effective deposits. There is just over 80 years left of iron ore, 90 years left of aluminium, and copper will be exhausted in 20 years. The lead-zinc industry is provided for 25 years, the chrome-ore industry for 50 years, and nickel deposits are already fully developed.

In recent years, a lot of attention has been paid to energy conservation issues, although Kazakhstan is well positioned to ensure its sustainable development based on the use of renewable resources:

- the country has a significant untapped potential of renewable resources, and favorable conditions on the mineral and raw material market should provide an opportunity to invest additional income in effective technologies for the reproduction and exploitation of renewable resources in agriculture, water, forestry and fisheries, as well as in the energy sector;

- import of technology and export of capital for direct learning of experience in the relevant industries abroad will reduce inflationary pressures within the country and provide Kazakhstan with a stable income in the long term, about more than \$ 12 billion a year;

- through the development of profitable, geographically diversified industries based on renewable resources, the employment structure will be optimized, the welfare of the country's population will increase, and additional jobs will be created that will be freed from non-competitive industries;

- transition to efficient technologies for waste-free processing of raw materials to produce environmentally friendly products and the use of renewable energy sources to ensure the health of the nation and the environment;

- by ensuring sustainable development, Kazakhstan can implement the experience gained in EurAsEC partner countries, strengthening economic and political stability in the region.

Currently, Kazakhstan has become a leader in the application of green economy approaches, turning this concept into a strategic goal. At the same time, the expansion of fossil fuel development and production is the most important national priority.

The legal basis for resource conservation and the transition of the economy to energy efficient development was laid in the Law on Energy Conservation and Energy Efficiency Improvement.

This bill:

- targets key sectors in the area of energy saving: industry, housing and utilities,

and the public sector;

- introduces comprehensive mechanisms of state regulation, including regulatory, incentive and administrative measures for energy saving;
- provides a basis for formation of a national institutional infrastructure in the sphere of energy saving;
- establishes a ban on the sale and production of electrical appliances without energy efficiency class markings.

Then amendments were made to the Tax and Customs Codes, to the Laws "On architectural, urban planning and construction activities in the Republic of Kazakhstan", "On licensing", which allowed intensifying energy saving activities at the national and regional levels.

Introduction of energy-saving technologies and projects in the industrial sector guarantees a large number of benefits.

To date, the main document of our country, which determines the rates of payment for the use of environmental resources, is the law "On Approval of the Methodology for Determining the Norms of Emissions into the Environment" from March 10, 2021. But, the existing rates of payment for environmental pollution are so low that they do not provide an opportunity to prevent or compensate for environmental damage. As a consequence, it is economically more profitable for many enterprises to pay small payments for pollution than to install expensive resource-saving equipment or treatment facilities [1].

Therefore, it is advisable to pursue a comprehensive environmental policy with increased rates of payment and fines for pollution of the environment. The natural resource user, paying for excessive emissions, will be forced to reduce the volume of production or put into operation treatment facilities.

A comprehensive environmental policy requires:

- encouraging the rational use of natural resources through the use of resource-saving technologies;
- financial support for the acquisition of new technologies;
- creation of transport and logistics infrastructure to bring products to the world market;
- development of domestic enterprises with a developed distribution system, their own marketing and promotion services;
- conducting selection and genetic and research activities;
- adequate tariff policy and pricing, taking into account indirect costs;
- introduction of renewable energy certification for power generation;
- financial support for construction of energy facilities;
- development of differentiated rates for resources to create economic incentives for sectors of the economy to use energy-saving technologies;
- state incentives for the development of industries in the effective use of renewable resources and energy based on innovative technologies.

According to the Environmental Code of the Republic of Kazakhstan, economic incentives for activities aimed at environmental protection are implemented through:

- 1) application of a coefficient of 0 to the rates of payment for negative impact on the environment from the date of obtaining a comprehensive environmental permit;
- 2) guaranteed purchase by the Settlement and Financial Center for Support of Renewable Energy Sources of electric power produced by waste energy utilization facilities;

3) organization of transfer and adaptation of "green" technologies, promotion of "green" investments;

4) providing state support under the "green" financing [2].

Economic methods of influence are based on the use of material interests, include separate techniques of influence and their totality. A set of interrelated economic measures, which are aimed at achieving the result, forms an economic mechanism that ensures the rational use of resources. Different levels of economic management form a system of economic mechanism.

Environmental payments are the main element of the economic mechanism of regulation and impact on the environment. The economic mechanism includes regulation, economic incentives, financing from different sources.

The adoption of a new Environmental Code in Kazakhstan in 2021 required additions and amendments to a number of related documents regulating environmental issues:

- provides for division of fee payers into operators of facilities of three categories: I, II and III;

- changes were introduced with regard to the objects of payment taxation, payment rates, and the procedure for calculating and paying payment for negative impact on the environment.

- According to the Code, the objects of payment are the actual volume of negative impact in the form of:

- emissions of pollutants;
- discharges of pollutants;
- buried waste;
- Disposed sulfur in open form.

Fee rates, according to Article 576 of the Tax Code of the Republic of Kazakhstan, will be determined in multiples of MRP.

The share of environmental taxes in GDP of the Republic of Kazakhstan and the European Union for comparison is presented in Figure 1. Analyzing the data from the graph, we can say that Kazakhstan is at the level of European countries in the ratio of environmental taxes to GDP [3].

Table 1. Share of Environmental Taxes in GDP of Kazakhstan, %

Type of environmental tax	2016	2017	2018	2019	2020
Energy taxes	1,8	2,2	2,7	2,5	1,2
Transport taxes	0,1	0,1	0,1	0,1	0,1
Pollution taxes	0,1	0,1	0,1	0,1	0,1
Resource use taxes	0,4	0,5	0,5	0,6	0,5
Total environmental taxes	2,4	3,0	3,5	3,3	2,0

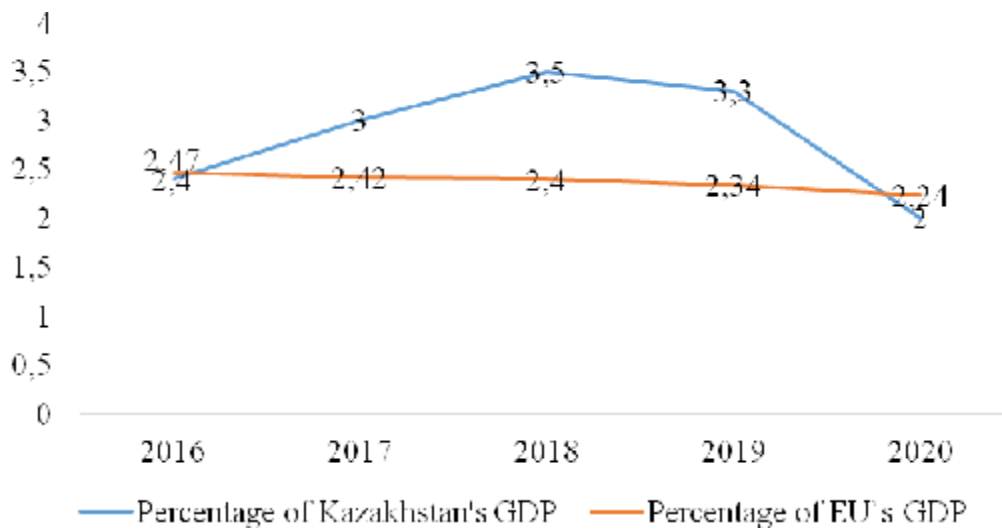


Figure 1. Environmental taxes in the GDP structure, %

It is important to note that environmental taxes and fines levied at the local level are most often not used effectively to improve the environment and develop a green economy.

Only 30 percent of revenues from environmental payments go to pay for environmental protection measures.

Current economic incentives for environmental protection include:

- tax and other incentives for implementing low-waste and non-waste technologies, using secondary resources, and building treatment plants;
- incentive prices and mark-ups for environmentally clean products;
- special taxation of environmentally dangerous products and technologies;
- preferential crediting of enterprises and organizations, effectively implementing environmental protection measures [4].

For example, the Damu Fund lends on favorable terms to large businesses in the following areas:

- investments for the implementation of renewable energy technologies, implemented through the acquisition, construction, modernization, reconstruction, overhaul of fixed assets, acquisition of intangible assets;
- refinancing of the existing loan issued not earlier than January 1, 2019, for the purposes of financing of the projects related to the list of renewable energy technologies.

Baiterek Holding also supports Kazakhstan's initiatives on the transition to a green economy, so through its tools it supports the implementation of green projects.

In this case, subsidiaries of the Holding for the development of "green" energy provide various tools of financial support: debt, equity, lease financing, subsidies and guarantees with a total volume of support of 236 billion tenge [5].

In addition, the Holding "Baiterek" is interested in investing in recycling plants, in competent waste management, secondary use of resources and waste-free production.

In particular, through the JSC "DBK" supported six investment projects in RES for a loan amount of 82 billion tenge, as well as approved for financing 3 more projects worth 81,9 billion tenge.

As of December 31, 2021 the loan portfolio of DBK JSC amounted to 1,733 bil-

lion tenge and the share of supported green projects in the portfolio of DBK JSC amounted to 2.37% (including 4.74% approved).

Data on the total environmental costs and investments in environmental protection are presented in Table 2 [6].

Table 2. Total environmental protection costs and investments in environmental protection

Year	Total environmental protection costs, thousand	Investments in environmental protection, thousands
2015	257533290	82883241
2016	196142530	43936904
2017	262407175	86 961 995
2018	302177008	111161429
2019	420392105	198721626
2020	384015734	173618612

In general, we can see a steady growth trend of investments aimed at environmental protection. Kazakhstan's public financial institutions invest in "green" projects, however, so far their share in the total portfolio remains low. Mobilization of "green" financing is not part of the investment criteria of these financial institutions.

The Green Economy Transition Concept estimates that the total investment needs for its implementation from 2014 to 2049 will be \$120 billion at 2010 prices. This amount will cover energy supply and consumption, water resources, air pollution, waste management and efficient agricultural practices. It is important to note that this represents 1.8% of the country's GDP from 2020 to 2024 and about 1% of GDP for the entire implementation period. Another feature of the Concept is that a large proportion of investments will be implemented with the involvement of private investors, but the document does not indicate the sources and measures to stimulate these investments.

Consequently, further work on economic and legal incentives for resource conservation should be continued and special attention should be paid to it.

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CORPORATE SOCIAL RESPONSIBILITIES' IMPLEMENTATION PROBLEMS

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Some leaders do not insist their organizations behave responsibly towards society because of the lack of faith in the cost-effectiveness of socially responsible projects.

Corporate social responsibilities' advocates believe that it is important to provide managers with evidence of the benefits of such investments for the company, and they will begin to invest in environmentally friendly products or safe working conditions.

Managers believe in the economic efficiency of socially responsible projects when their beliefs are consistent with the views of the economic system as a whole. More specifically, leaders with positive ideological views of the market economy are more likely to believe in the business case for CSR. In other words, their belief is based not on data, but on ideology.

It is commonly believed that if leaders knew that socially responsible initiatives would pay off, they would participate more often. Managers with a positive view of the market economy were no more likely to invest in social or environmental projects than others, although they were confident in their cost-effectiveness. This market philosophy not only makes executives believe in the commercial potential of CSR, but also prevents them from noticing potential social or environmental problems in the economy. And this muffles awareness of the importance of action to address these problems. In other words, they see the economic rationale for CSR as obvious, and they think others do the same. By choosing profitable projects, they are less likely to notice social or environmental problems that remain unresolved. After all, unmet needs represent business opportunities, and in a world where the commercial potential of socially responsible projects is obvious, a smart leader cannot miss such good opportunities.

Thus, managers are indeed skeptical about the social responsibility of business, but the reasons for their skepticism are not a lack of faith in its economic justification. Rather, the same psychological process by which they believe in it (the worldview and philosophy of a fair market) prevents them from noticing the social problems caused by the activities of commercial companies, which can be solved by investing in CSR.

Many experts, nonprofit leaders, and consultants are still trying to convince executives to invest more in socially responsible business by talking about how this will positively impact the company's bottom line. However, such attempts to convince business leaders will probably not bear the desired fruit and will not force companies to more regularly participate in socially responsible initiatives, because the vast majority of leaders already believe in the economic feasibility of such initiatives, and there is no need to convince them of its existence. In addition, leaders who believe in the commercial potential of CSR fail to see the problems they are designed to solve. Because they don't see the problems, they don't fund initiatives to solve those problems.

Instead of talking to managers about the financial benefits of socially responsible projects, proponents of these projects should help managers break free from ideological blinders. This will make them more sensitive to social and environmental issues.

Managers who do not need to prove that CSR projects can bring benefits should draw two conclusions. First, they are not alone in their confidence, but rather belong to the majority. Knowing that their views are shared by many, managers can feel bolder and take more action based on their beliefs. Second, their beliefs are linked to ideologi-

cal worldviews that create blind spots. Realizing this is the first step towards more thoughtful decisions that apply not only to socially responsible projects, but also to other areas of business [1].

Many Kazakhstani enterprises carry out CSR unconsciously, and among those who carry out CSR in practice, there is a fairly high proportion of enterprises that do this not out of internal motivation, but under pressure from circumstances. Often, local authorities force businesses to resolve social issues in the regions in which they operate. The practice of concluding memorandums on the social responsibility of business between local governments and large enterprises in the region is not always voluntary on the part of enterprises.

The current level of understanding and attitude towards CSR is insufficient for the wide involvement of enterprises in the practice of social responsibility. Often corporate social responsibility is identified with PR and/or advertising.

Some people think that corporate social responsibility is not serious and unworthy of the attention of top managers of large companies, or they underestimate the potential benefits of CSR and think only about the costs and expenses associated with it.

All these misconceptions occur mainly due to an underestimation of the objective factors that underlie the formation of the concept of corporate social responsibility, as well as the potential benefits from its use [2].

According to the results of a survey conducted by the SANJ Research Center in 2013, only 63% of business representatives in the Republic of Kazakhstan are aware of CSR, of which large companies are 100% aware, while small businesses are only 47%. Significant gaps in the understanding of CSR are noted among civil servants and representatives of the civil society. Both those and others consider the social responsibility of business exclusively as charity [3].

Among Kazakh companies, only 57% believe that business should be socially responsible. Moreover, the majority of respondents believe that CSR is the prerogative of big business, as well as companies that harm the environment and public health, such as oil and gas and mining enterprises. Small businesses, unlike medium and large ones, are not ready to be actively involved in CSR today [3].

The main factors preventing companies from implementing social responsibility activities are: lack of financial resources; lack of incentives from the state; lack of relevant knowledge and skills [4]; imperfection of the legal framework; lack of information in society; insufficient recognition by the public of the contribution of companies to society and the difficulty of measuring the effect of CSR [3]. Despite the fact that the Tax Code of the Republic of Kazakhstan provides for a tax deduction for charity in the amount of 3%, for many companies this is not an incentive, since the rate itself is small, and the procedure for submitting documents to confirm this deduction is characterized by a high degree of bureaucracy.

For the further development of CSR in Kazakhstan, it is important to stimulate this area. On the part of the state, it is necessary to support enterprises that are actively working in the field of social responsibility of business. New Kazakhstan companies operate in conditions of high economic risk, insufficient legal framework, as well as predominantly financial interest in their business from the state.

These conditions do not always contribute to the formation of a high corporate culture, but, despite this, the most forward-thinking leaders try to create a microclimate in their companies that contributes to the emergence and development of corporate culture and management.

The most priority areas for social investments, both in the short and long term, can be identified as investments in infrastructure development and regional development, including environmental protection, support for vulnerable groups, education and healthcare.

The current system of corporate social responsibility in companies, including regular preparation of social non-financial reports, increases the transparency of the business, makes it possible to justify its profitability. Conversely, the lack of transparency does not allow enterprises to become adequately valued in the market. This is especially true for Kazakhstani enterprises of the mining and metallurgical and fuel and energy complexes.

Thus, the improvement of corporate governance should be carried out in the following areas:

Clarification of what CSR will mean and what it brings in the long term. To do this, it is necessary to emphasize the relationship of CSR with the core business of companies and provide opportunities for a more inclusive decision-making process regarding the principles and priorities of CSR.

Effective management of the organization (establishing a connection between one's own interests and capabilities with the interests and needs of society).

Legislative standardization of corporate behavior, regulating its basic principles.

Formation of a new system of corporate relations covering the entire process of reproduction.

Strengthening requirements for information and financial transparency of organizations. Greater transparency builds trust and support from all stakeholders.

Enterprises need support to develop their social practices. One of the basic needs of business is the need for training, forums and workshops. A more complete coverage of domestic experience would allow enterprises to better master advanced models of social behavior. The media should be more actively involved in promoting social responsibility.

Business understanding of CSR as an advantage for its competitiveness can be the key to the future development of CSR practice in Kazakhstan. Expectations for the formation of a positive image are also a good incentive for enterprises to carry out socially oriented business [2].

A balanced combination of social, environmental and economic components will undoubtedly improve the reputation of organizations, increase staff efficiency and consumer loyalty, reduce business risks, strengthen competitiveness, etc. An important role in the definition and practical implementation of the sustainable development system is played by non-financial (integrated, corporate, social) reporting [5].

The process of company development is a constant process of interaction, coordination and resolution of contradictions in the expectations and requirements of stakeholders and the company itself as a self-organizing structure. The main goal of the company is still the growth of value for shareholders. However, in the course of its functioning, the company creates value for all its participants, and this is what allows it to develop and increase its sustainability [6].

There is also the concept of non-financial risk, which can be defined as the possibility of failure to achieve certain company goals associated with conscious or unconscious opposition of stakeholders. These risks can be managed only by effectively building dialogue forms of interaction with all stakeholders of the organization.

Employees of the company are interested in wages and social package (they have

the right to demand salary and collect it in court), labor safety (legally regulated area, the employer is obliged to ensure the safety of workplaces, working conditions, etc.), career.

Trade union organizations are interested in observing labor legislation and fulfilling the terms of an employment contract, a decent level of wages and social security of employees.

Shareholders and investors in dividend payments, high production and financial results, adherence to the strategy and achievement of the company's strategic goals.

Consumers in high quality products, affordable prices, fulfillment of contractual obligations, timely consideration of claims (secured by contractual conditions).

Residents of the regions in the development of the region, compliance with environmental standards and non-harm to the health of the region, potential jobs.

Authorities in compliance with the law in all aspects, tax deductions.

Public organizations in compliance with the law, charity, development of the region.

Suppliers in the fulfillment of contractual obligations, long-term relationships.

Only by analyzing and introducing additional sections and, above all, a well-developed economic and mathematical toolkit for the company's interaction with all stakeholders, it is possible to reduce non-financial risks and raise the social responsibility of the business as a whole in the annual non-financial reporting.

Thus, in the modern world, the social responsibility of business plays a decisive role. With the development of production, scientific and technological progress, the urbanization of life, new, extremely complex problems arise and become more acute: environmental, socio-economic, technical, informational, cultural, etc. The future of civilization depends on a comprehensive solution to these problems. But their solution is largely determined by the activities of modern corporations, their responsibility to society and the future. That is why issues of corporate social responsibility are becoming central to management today. Many representatives of politics, science and business are engaged in the search for their solutions.

The development and implementation of a reasonable and effective policy of corporate social responsibility is a step towards the recognition of Kazakhstan companies in the international arena. This is the beginning of a long journey of changing stereotypes, the image of enterprises in the Republic of Kazakhstan, the possibility of combining market policy and the social orientation of business structures.

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INNOVATIVE APPROACH TO INCREASING THE LEVEL OF ENERGY EFFICIENCY OF THE ECONOMY OF THE REPUBLIC OF KAZAKHSTAN

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The goal of the energy policy of Kazakhstan is the most efficient use of natural energy resources and the potential of the energy sector for sustainable economic growth, improving the quality of life of the country's population and helping to strengthen its foreign economic position [1].

The main vectors for the long-term development of the fuel and energy complex are: transition to the path of innovative and energy-efficient development; change in the structure and scale of energy production; creation of a competitive market environment; integration into the global energy system.

In this regard, it is necessary to start a program for the efficient use of energy, i.e. to improve the energy efficiency of the country's economy. As discussed above, energy efficiency is inversely proportional to the energy intensity of the economy. Thus, in order to improve energy efficiency, it is necessary to reduce the energy intensity of GDP, and it is necessary to start with thermal power.

Optimization of the development of the heat and power industry requires an unambiguous modernization of fixed assets. Hot water boilers with a capacity of 48.9 MW (45 Gcal/h) to 139.6 MW (120 Gcal/h) act as fixed assets of heat sources.

Thus, according to the analysis, natural gas savings when replacing 27 boilers will amount to 51.3 m³ s.t. (natural gas), which, taking into account the density of gas in the amount of 0.87 kg/m³, will amount to 44.6 thousand tce. If we consider the contribution to increasing the energy efficiency of the republic's economy, then the figures will be insignificant, but very significant. So, in the 2nd chapter, the energy intensity of the GDP of the Republic of Kazakhstan was calculated, which amounted to 1.13, or rather, 1.13172. With the replacement of 27 hot water boilers at thermal power plants and boiler houses, with the same GDP value and taking into account the savings of 44.6 thousand, the energy intensity of GDP will be 1.12969. Accordingly, the energy efficiency of the economy of Kazakhstan will increase from 0.8836 to 0.8852, the change will be 0.002% compared to the previous indicator. Despite serious capital investments, modernization is justified, as can be seen from the mathematical justification of innovative modernization and the industry development management model in Chapter 3.

It should also be noted that today such an innovative modernization in the thermal power industry is the only right decision in the field of thermal power engineering, since

there are no alternative methods of operation of hot water boilers, which was shown by a patent search in the Republic of Kazakhstan with a depth of 30 years [2].

In addition to the modernization of hot water boilers, it is considered necessary to pursue an intensive policy to improve the energy efficiency of the economy. In this regard, specific solutions are proposed in the heat and power industry, which are listed below.

It should be taken into account that the energy efficiency policy should start not with the end consumer, but with the energy sector. Thus, in order to reduce losses in the production of thermal energy, it is necessary to develop, design and implement new boiler equipment that will increase the efficiency of using the same volumes of fuel. It should be recalled that in addition to hot water boilers, CHPPs and boiler houses have steam boilers, the number of which is many times greater than the number of hot water boilers.

Attention should also be paid to heat supply systems, namely the quality of heat networks, as we said, district heating is justified, and in many countries of the world there is simply no problem of losses in heat networks of such a scale as in the CIS countries [3].

The current state of DH in Kazakhstan does not look optimistic due to the imbalance in the energy system that formed after the collapse of the Soviet Union, which led to disruptions in maintenance and repair, etc. In addition, heating networks are outdated both physically and morally. Real heat losses on heating mains range from 20 to 50% in winter, coolant leaks exceed the norms adopted in developed countries by a thousand times, and pipes due to corrosion must be changed 45 times more often than in other countries due to sharp -continental climate. In this regard, the number of accidents increases every two years by almost 100%, and significant financial resources are spent on eliminating emergency leaks.

Due to these reasons, in many cities the efficiency of the entire centralized heating and hot water supply system does not exceed 10-15%, that is, at least 50% of fuel consumption goes to street heating.

One solution may be to use special heat-insulating materials to cover the pipes. For example, polypropylene, which is corrosion resistant and has low thermal conductivity. Its service life is more than 50 years. It is also possible to use plastic and metal-plastic pipes, the main requirement for which, in addition to their main properties, is the ability to withstand the temperature regime established on the heat source.

The issue of decentralized and autonomous organization of heating is also becoming very relevant. In the first case, heat generating sources serve individual settlements, and, as a rule, there are no connections between them. So, in Almaty, its own boiler house was built for the Akhselkent residential complex, on which the considered hot water boilers are installed [4].

The objective prerequisites for the introduction of decentralized heat supply systems are:

- lack of free capacities at centralized sources;
- compaction of the development of urban areas with housing objects, a significant part of which falls on areas with undeveloped engineering infrastructure;
- lower investment;
- the possibility of temperature control;
- availability for sale of water-heating boilers of small and medium power.

With decentralized heat supply, it is possible to reduce:

- annual fuel consumption - by an average of 30-40% (depending on the scale of decentralization);
- maintenance costs - approximately 2.5–3 times;
- operating costs.

Disputes about the effectiveness and expediency of centralized, decentralized heat supply systems are ongoing to this day. Each system has its own area of application. Of course, by reducing the total number of heat networks, it is possible to save part of the generated thermal energy, but one should remember about the increase in the number of chimneys and, accordingly, emissions into the atmosphere [4].

You can also consider the use of apartment heating, which is already used in some regions of the Russian Federation, and is also widespread in Europe, Japan and some others. However, there is still a question of the acceptability of this type of heating in the social and climatic conditions of the Republic of Kazakhstan. In particular, there is a possibility of non-payments for thermal energy.

In this regard, the issues of increasing energy efficiency must also be addressed in the field of changing attitudes towards the use of resources, which requires a fundamental change in the foundations of managing this sector of the economy. One of the important components of increasing energy efficiency is also energy saving.

In modern conditions, speaking of effective energy saving, we often mean companies in industrial production sectors whose work is based on heat technology, since only here is it possible to save large reserves of fuel, heat and energy in practice.

Energy saving is the implementation of organizational, technical, technological, economic and other measures aimed at reducing the amount of energy resources used [5].

Energy conservation affects all areas, such as increasing financial capital (profit maximization), improving environmental performance, national security (national energy conservation policy), personal security and human comfort (end users of energy and its products - the population).

The main directions of energy saving in Kazakhstan are:

- stabilization of production and consumption of energy necessary for the intensive development of the national economy;
- optimization of modes of production and consumption of energy, organization of its accounting and control;
- organization of energy efficiency surveys of enterprises, institutions and organizations;
- conducting an examination of energy saving products, operating and reconstructed facilities, technologies and equipment;
- development of renewable energy sources;
- recycling of secondary energy resources and waste;
- implementation of projects for the introduction of energy-efficient equipment and products, advanced technologies;
- introduction of scientific research and new methods of management in this area;
- reduction of losses of fuel and energy resources during their extraction, transformation, transportation, storage and consumption;
- ensuring the accuracy, reliability and unity of measurement in terms of accounting for supplied and consumed energy resources;
- introduction of new and improvement of existing building codes and regulations that ensure the conservation of energy resources.

Taking into account the main directions and objectives of the energy saving policy in Kazakhstan, it should be noted that its implementation is possible only with constant consistent coordination and control actions. Thus, the management component is an important aspect of the implementation of the energy saving policy in Kazakhstan [6].

The main goal of the state policy of energy conservation is to reduce the specific costs of all types of energy carriers per unit of products, works and services while maintaining the effect of their use.

If we consider an industrial enterprise as a system, then it can be established that on the one hand there are costs of energy, raw materials and labor, on the other hand, output, output of secondary energy resources and materials. To maximize profits, it is necessary to reduce production costs. Energy costs, in the face of ever-increasing energy prices, should be given due attention.

You can save energy both by improving the process of converting energy from the utilization of secondary energy resources, and by reusing secondary materials. There are great opportunities in this use of the technology to achieve significant energy savings. But to determine the area of possible savings, it is necessary:

- find out where or what the energy saving potential is;
- to determine its quantitative characteristics using modeling;
- to determine effective and economically justified energy saving measures [6].

By analyzing and evaluating many studies in industrial production, it is possible to achieve at least 30% energy savings as a result of energy saving measures.

The main directions for improving technological processes in order to increase the efficiency of the use of energy resources in industry are:

- increasing the level of utilization of secondary energy resources;
- implementation of a set of organizational and technical measures aimed at improving the system of accounting and control of energy consumption at all levels of production;
- expanding the use of existing, creation and implementation of new energy-saving technologies, equipment, less energy-intensive structural and building materials;
- improvement of existing technological processes, modernization and reconstruction of fixed assets with the indispensable improvement of their energy-technological characteristics.

The obvious benefit of saving energy is that we can slow down the depletion of energy resources so that more energy can be used in the future. Efficient and wise use of energy can alleviate the problem of the energy crisis. However, there is also an argument against efficient use of energy, which is that efficient use of energy will lead to a drop in the demand for energy supply, and this in turn will lead to lower energy prices. Low fuel prices will only encourage energy consumption, destroying the concept of energy conservation to smithereens. This is called the "rebound effect". However, economists believe that the magnitude of the rebound effect is smaller compared to the energy savings after the introduction of energy efficient methods [7].

Thus, energy saving is a set of measures or actions taken to ensure a more efficient use of energy resources, for example, measures aimed at achieving fuel and energy savings, their rational use, replacing expensive energy resources and scarce energy carriers with others that are more accessible and cheaper (replacing liquid fuel coal, non-traditional renewable energy sources, use of biofuels and biogas, etc.). Such measures can be legal, organizational, industrial, scientific, technical and economic, as well as implemented at any level of economic entities, both in the face of the state, and in the

face of a commercial organization or individual.

In addition to pursuing an energy saving policy, it is necessary to develop concepts for the development of the heat and power industry within the regions, taking into account all the above recommendations, as well as within the framework of the prospects for the economic and social development of the region.

To improve the energy efficiency of the economy of the Republic of Kazakhstan, it is also necessary to develop the development of options for the use of non-traditional and renewable energy sources for energy supply based on technological equipment for heat pump installations, wind farms, solar collectors, hydroelectric power plants.

For a dynamically developing energy sector, natural energy balances annually developed for the next five years with the content of information on power, energy, fuel in the regional context, investment programs and key financial indicators based on a systematic study of the development of energy supply as a whole are in demand. In this regard, the author proposes to include in the investment programs of the regions a solution for the development of the industry based on the modernization of hot water boilers, which are considered in this paper.

Taking into account the peculiarities of management in the industry, it is also necessary to develop at the government level an apparatus for scientific management of the development and operation of the fuel and energy complex.

There are two main areas of energy conservation policy in the Republic of Kazakhstan:

- industry, including the energy industry, the expected level of annual savings of primary energy resources is not less than 7.8 million toe.

- Housing and communal services and the public sector, the expected level of annual savings of primary energy resources is not less than 0.9 million toe. [7].

The thermal power industry is a resource base for the development of many other industries, in this regard, it is necessary to be persistent in finding sources of financing for investment projects and increasing the investment attractiveness of the thermal power industry, only the development of the industry will help to keep the growth of negative trends, including the growth of the tariff for the supply of thermal energy .

At present, the issue of forming a holistic organizational plan for the development of the industry, covering all stages and levels of forecasting and design support, remains open.

Of course, this requires careful work to improve the legislative and legal framework in the country. Thus, the current laws “On the Electric Power Industry”, “On Energy Saving”, “On Housing Relations”, “On Ensuring the Uniformity of Measurements” require urgent changes. For the comprehensive development of the heat and power industry, normative acts of the level of GOSTs, SNiPs, guidelines and methodological documents, technical regulations, methods, instructions, etc. are waiting for development.

Development of a regulatory framework for methodological, informational and organizational coordination of the stages of forecasting and design work will ensure the regularity of their implementation.

It is important to take into account the regional aspect when managing the industry, since the imbalance in the development of regions, especially in the heat and power industry, is obvious. Thus, when coordinating national and regional programs for the development of thermal power engineering, a document should be obtained that reflects the problems and prospects for the development of thermal power engineering, the vol-

ume of investments in the industry, the dynamics of heat consumption and tariffs. A single document will help implement the planned investment projects, create a common information field for work, set the main parameters for making management decisions and attracting private investment in the development of innovations in the industry [8].

The implementation of the above activities will allow to form directions for the development of the industry, as well as to implement the management of its development.

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LINGUISTIC FEATURES OF THE TEXTS OF VIDEO GAMES AND TRANSCREATION TECHNIQUES USED IN THEIR LOCALIZATION BASED ON THE STUDY OF THE TEXT OF “THE HOLLOW KNIGHT”

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The video game “Hollow Knight” is a 2D action-platformer in the style of metroidvania, i.e. the game is built around exploring an open map, searching for secrets and abilities that allow the player to reach previously inaccessible areas. The game takes place in the underground kingdom of Hallownest. The uniquely themed areas are connected by a coherent logic that is only revealed through exploration - all built on the fading history of this kingdom, the details of which are never explained directly, but instead presented to the player in the kingdom’s crumbling architecture [1].

The game has been translated into 10 languages, including: Russian, German, Spanish, Brazilian Portuguese, Italian, French, Spanish, Simplified Chinese, Korean and Japanese. In Russian, there is a professionally localized version and several versions of an amateur translation.

If we talk about the degree of localization of this product, then we can characterize it as in-depth and redundant. In the official version in Russian, there is a translation of images, processing of graphic objects. All advertising material related to the promotion of this product is also localized. There is a Russian version of the description of the game on the STEAM platform, through which the product is promoted to the market; there is a Russian version of the Wiki dedicated to this game that is completely identical to the original English version in structure and content.

In our work, for the analysis of textual material, its translation and features of transcreation (pragmatic adaptation), we will use the official version of the translation.

Much of the story of Hollow Knight is not told directly, but is given through objects, signs, thoughts of other characters, and the like. The game also features signs with text in the fictional Shroomish language: “*Nyush oola mumu?*”, “*Shruba dungo ola, ola mu... gungi*”, “*Gungi, gungi... Mishi umo sanga. Poggi u dungo?*”, “*Mumushi ola, mumushi u nungoo. Myusha? Dungo myusha? Gungi, gungi*” [2].

Among the linguistic features of the text of the game, the following can be distinguished.

The text of the game contains proper names - in the vast majority of cases these are toponyms and anthroponyms, if the use of this term in this case can be considered appropriate, since the game takes place in a fictional kingdom inhabited by beetles and there are no people among the game characters.

Toponyms include the names of game locations: Ancient Basin, Fungal Wastes, Greenpath, The Abyss, King's Pass, Ancestral Mound, Fog Canyon, Kingdom's Edge, Colosseum of Fools, Deepnest, City of Tears, Queen's Station, etc.

All locations are accompanied by a description of the place, the events taking place in this location.

Anthroponyms include character names such as Leg Eater, Little Fool, Mallibelle, Mallibelle The Thief, Mallibelle The Banker, Nailsmith, Relic Seeker Lemm, Salubra, Jinn, Sheo, Mato, Iselda, Esmi and others.

The text of the game uses a lot of interjections, and since the game does not have voice acting, the spelling of these interjections varies, probably in order to convey different emotions. Among the interjections there are both traditional English interjections

and those invented specifically for this game, among them: “Mmmnnnnnnngghhh...”, “Mnngh”, “Ah!”, “oh”, “Hmph”, “hm”, “ahh”, “ahhh”, “Ho ho!”, “Eeeauuggh!”, “Ea-urgh...”, “Urgh!”, “Eh”, “Pah!”, “Mmm”, “Oh yes”, “ugghh”, “Mmmnnnnnnngghhh”, “Heh”, and others.

The next feature of the text is the use of graphons to simulate stuttering:

- W-w-what a horrid warren of angry beasts;
- Oh...A-ah, hello again d-dearie;
- I think I might j-j-just rest right here a little;
- Y-y-yes, I think that would be b-best...

The game is built in the form of a dialogue with the player on behalf of various characters, so the text contains a large number of words of address: creepy little thing, my dear, my dapper gadfly, little one, greedy nasty little wretch, little thing, little scoundrel, little fellow, little gadfly, little ghost, dearie, dear, sweetums, sweetling, sweetie.

Since the characters of the game help the players to cope with the task and move from one location to another, the text of the game has a very large number of sentences in the imperative mood:

- Don't go judging me by my size.
- Go find somewhere else, preferably in another building.
- Find me more.
- Go on, take this charm home with you.
- Go on... spoil yourself!

The text of the game has a large number of clarifying questions. The purpose of a clarifying question is to ask the listener or reader to confirm the correctness of the statement.

Question tags are known to have epistemic, interactive, and discourse-structuring meanings, including functions such as seeking agreement and acceptance, reinforcing points of contact between participants, playing a role in collaborative construction of discourse in relation to the expression of a topic [1]. This is a shift that acts as a dialogic marker and contributes to the segmentation of speech discourse. Examples of such questions in the text are:

- Handsome thing, isn't it?
- Impressive fountain isn't it?
- The crystal set in the center is lovely, isn't it?
- You're weak, aren't you?
- You want to wear a lot of charms, don't you?

The text also contains a large number of exclamatory sentences. Exclamatory sentences are known to be used to express strong feelings and emotions such as surprise, excitement, and anger [1].

However, not all sentences ending in an exclamation mark are exclamatory. Sentences that do not contain the words "What" or "How" are just different sentence functions driven by emotion and tagged with an exclamation point to highlight that emotion. Declarative sentences composed with feeling and ending with an exclamation mark that are present in the text [1].

- It's time!
- Hello again!
- Just imagine how they must have looked during the kingdom's height, thick with traffic and bustling with life!

- And while you're hunting for secrets, beware those who are hunting you!
- And what a time I chose to arrive!
- I can hardly believe those dusty old highways led to such a lush and lively place!

Ellipsis is also used to express emotions in the text. Ellipsis are used to indicate broken speech, especially if the broken speech is associated with a long pause or a sentence that is cut off or deliberately left unfinished [1]. As a rule, no other terminal punctuation marks are used.

Examples of such sentences in the text:

- You need to share your Geo...
- Give me Geo, and you can see something... nice.
- I'll trade them... for more Geo.
- You're sweet... to share such a tasty smell with me. Do you want a gift in return? Cheaper... Yes. My beautiful gifts... I'll give them to you. Cheaper.

Another notable characteristic of the text of the game is a large number of rhetorical questions. A rhetorical question is a technique used to persuade or subtly influence an audience [1], [3]. This is a question not asked for an answer, but for effect. Often a rhetorical question is used to emphasize a point or simply to get the audience to think. Sometimes a rhetorical question is asked, to which the questioner already knows the answer. Since the game is a dialogue between the characters and the player, and the players are deprived of the opportunity to answer, all the questions of the characters essentially become rhetorical and require the player not to answer, but to take certain actions. The following are examples of rhetorical questions in the text:

- You don't like to be hurt, do you? Or... maybe you don't mind...?
- Dangerous things are drifting through here now... are you scared?
- Are you curious? You're wondering... how I make my special gifts.
- You won't make a contribution? No one ever won glory by clinging to their

Geo...

Will you place your mark and attempt a trial?

Thus, we can conclude that the text of the game is formally a dialogue in which we see only the characters' lines, while the player can only perform actions. Since we do not hear the dialogue, but only see it on the screen, the use of graphic signs - dashes, ellipses, question and exclamation marks - gives it emotionality, and in addition to emotionally colored words, the text is characterized by a fairly large number of interjections. The implied participation of the player in the dialogue is ensured by the constant appeal of the characters to him. The player is encouraged to act with the help of sentences in the imperative mood and rhetorical questions.

To analyze the text of the localized version of the Hollow Knight game, we used the classifications of pragmatic transformations given in the theoretical part of the study. We have chosen 371 examples, the translation of which was likely to be accompanied by transcreation. Since, as we managed to establish, the original text contains practically no culturally marked vocabulary, such as cultural realities, names of brands, organizations, we focused our attention on those language units, the translation of which into Russian sounds unnatural, or requires the use of completely different grammatical forms and lexical units. In the analysis, we divided all the examples into four categories according to the pragmatic focus of the translation. It would have the same communicative effect as the original utterance in the original language. And it would have an identical desired effect on the receptor, which is often achieved by modifying the statement. The focus of the most pragmatic adaptation can be on the message itself, on the situa-

tion of communication, on the reproduction of the original text, or on the emotions of the recipient of the information. Since, as we have seen, the emotions of the utterance are mainly conveyed in our text through graphic means, we have not found any cases of pragmatic adaptation with a focus on emotions. All the examples we have chosen have been translated by localizers, taking into account the situation of communication, the message, or the original text. The results of the analysis are shown in Figure 1.

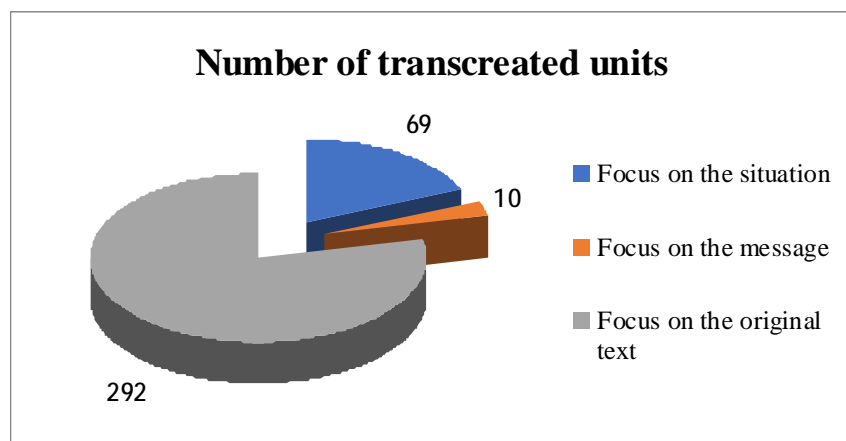


Fig.1 A focus of transcreation in the localization of “Hollow Knight” video game

As we can see, the vast majority of cases are translations made with consideration of the original text: 79% of cases. Least of all in the text of a localized game, we found cases of transcreation that focuses on the message - 2% of cases.

It should be noted here that in many cases it was rather difficult for us to determine what is most important in translation - the message or the features of the source text.

Let's consider examples of implementation of pragmatic adaptation taking into account various aspects of the text.

The smallest number of examples is in translation with a focus on the message itself:

1. *Luma*fly Lantern - *Светомушый фонарь*. The communicative task of this message is to name the object and highlight its characteristics. These features are in the name. We see here two roots - *luma* from *Luminosus* (Latin), denoting “light”, “bright”, “glowing”, especially in the dark, and *fly*. Using the translation technique of linguistic calquing, that is, the morphemic rendering of the meaning of a word, the translator created a new word in Russian - “*светомушый*”, that is, glowing in the darkness and attracting flies. Without this item, in certain dark areas, the player cannot see their path. In our opinion, the translator here managed to achieve an absolute pragmatic adaptation.

2. *A map of the Ancient Basin, a land buried deep down at the bottom of the world* – *Карта Древнего котлована – земель, похороненных глубоко под толщей этого мира*. In this case, we are again talking about the communicative task of conveying a message, designating an object that is important to the player. We see that here the translator took into account the description of the Kingdom, which is located underground, the presence of the verb “buried” and replaced the phrase “at the bottom of the world” (на дне мира) with the phrase “under the thickness of this world” (под толщей мира). We consider this an example of a partial pragmatic transformation, since although the context and certain background knowledge of the game were taken into ac-

count, the sentence does not sound quite natural in Russian.

3. A map of the City of Tears, capital of Hallownest. Does water really fall from above the city? It sounds beautiful... Карта Города слёз, столицы Халлоунеста. Неужели вода там действительно струится с небес? Звучит очень красиво... In this sentence, the purpose of which is to convey information, we see three units that required the translator to apply certain transformations. These are the names of the locations – ‘Hallownest’ and ‘City of Tears’, and ‘water really fall from above the city’. We see that when translating, the translator decided to use transcription and calque when transferring proper names, which did not require cultural adaptation. But when translating the phrase “water really fall from above the city”, the translator performed a pragmatic transformation – “water falling from a height above the city”, this is most likely a rain of tears, and the properties of water imply that water does not fall, but flows. Pragmatic transformation in this case can be defined as partial.

4. *Quill* - *Пепо*. If we look up the meaning of the word “*quill*” in the dictionary, we will see that the word “quill” is translated as the language of quantum machine instructions [4]. That is, it is a kind of code that allows you to record certain information. In the game, this is an item that allows players to record their route through a location. Without it, the entire path passed by the players will be lost. This function is provided by stationery – a pencil, a pen. Also, given that the time of action in the game is the Middle Ages, the time of knights and castles, the translators considered it correct to call this item “*непо*”, a quill, a feather used for writing. There was a complete pragmatic adaptation.

5. *Of all the places to end up, we've picked this dreary town. И ведь надо же было остановиться именно в этом мрачном городишке!* In this example, we paid attention to the translation of the phrase “dreary town”. The adjective “dreary” defining and describing the word “town”, has the meaning of “gloomy, dreary, sad, monotonous, monotonous, bleak” [5]. Taking into account all these characteristics, the translator considered it necessary to translate the word “town” as “*городишко*”, which due to the use of the diminutive suffix “-ишк” has a disparaging connotation in its meaning.

6. *Ah, hello! I knew we'd meet again. How do you like my cosy little store? Ах, привет! Я знал, что мы встретимся снова. Как тебе мой уютный магазинчик?* In this example, the phrase “*cosy little store*” has been translated as “*магазинчик*”, a word with a diminutive-hypocoristic suffix “-чик” that helps to convey the meaning of the word “little”, which defines the word “store” and the attitude of its owner, the character of the game, who speaks of his store as of “cosy”.

When localizing the game, using various translation techniques and linguistic means, translators managed to achieve varying degrees of transcreations. We have defined them as zero, partial and complete. It should also be noted here that the determination of this degree of adaptation is a rather subjective process and may raise doubts among other researchers. For ourselves, we have identified the following criteria:

1. Absolute pragmatic adaptation. We defined absolute pragmatic adaptation as the achievement by the translator of maximum equivalence at all levels: denotative, connotative, textual-normative, formal, pragmatic, when the translator managed to make the text as clear as possible to a foreign recipient. In such cases, the translator managed to choose such a variant of translation into Russian that would sound as naturally as possible, meet all the norms of the Russian language, meet the requirements of the situation, take into account the recipient’s possession of a certain set of background knowledge. Such a translation allows to achieve an equivalent communicative effect.

Translation in this case is not perceived as a translation, but as an original text created in the language of the recipient of the message.

2. Partial pragmatic adaptation. In the framework of our study, we will call partial pragmatic adaptation those cases when the translator managed to achieve equivalence not at all levels, but, say, only at textual-normative and formal, when the translation took into account the norms of the Russian language, but failed to take into account a certain cultural situation, when the connotative meaning was not conveyed in full. Also, we will consider as partial pragmatic adaptation those cases when in one semantic fragment of the text there are several units to be adapted, and not all of them were equally successfully translated into Russian.

3. Zero pragmatic adaptation. Finally, we will consider the adaptation as zero pragmatic transformation in those cases where a simple translation was made, in which the translator failed to find a solution that would bring the translated text closer to natural sound in Russian, when the cultural characteristics of the Russian language were not taken into account, the context was ignored and connotative meanings of lexical material were not taken into account.

The ratio of cases of achieving absolute, partial and zero pragmatic adaptation is shown in Figure 2.

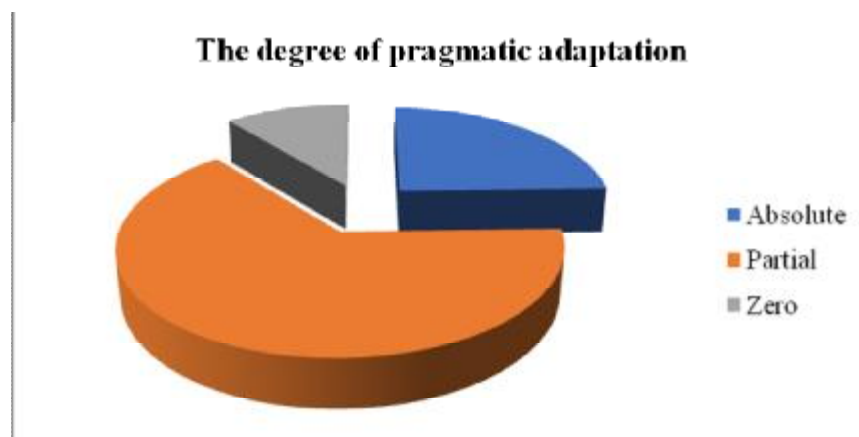


Figure 2. The degree of pragmatic adaptation achieved during the localization of the video game "The Hollow Knight"

Next, we would like to show what translational or pragmatic strategies allow us to achieve a certain level of pragmatic adaptation. Having studied the examples we have selected, we came to the conclusion that in order to ensure a partial degree of pragmatic adaptation, the most effective method was the method of reinterpretation (65%), that is, rethinking of the original text and replacing of units of the original language with units of the target language in such a way that they are logically derived from the message in the original language (Fig.3). Various kinds of lexical substitutions or transformations make up 15% of pragmatic strategies that have led to an absolute pragmatic adaptation of the original text when localizing the product. 5% of pragmatic strategies account for illocutionary changes and 5% for all the remaining transformations.

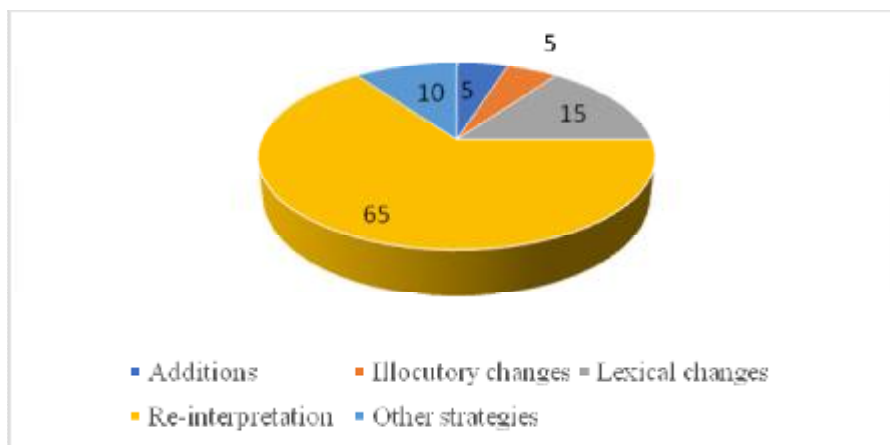


Figure 3. Use of translation strategies to achieve partial pragmatic adaptation, %

Having analyzed the use of pragmatic strategies in cases where translators managed to achieve absolute pragmatic adaptation, we found that the focus of pragmatic adaptations was the situation of communication, and, accordingly, the strategies inherent in this type of adaptation are lexical changes (84%), changes in the explicitness of the statement (6%) and 10% for all other transformations (Figure 4).

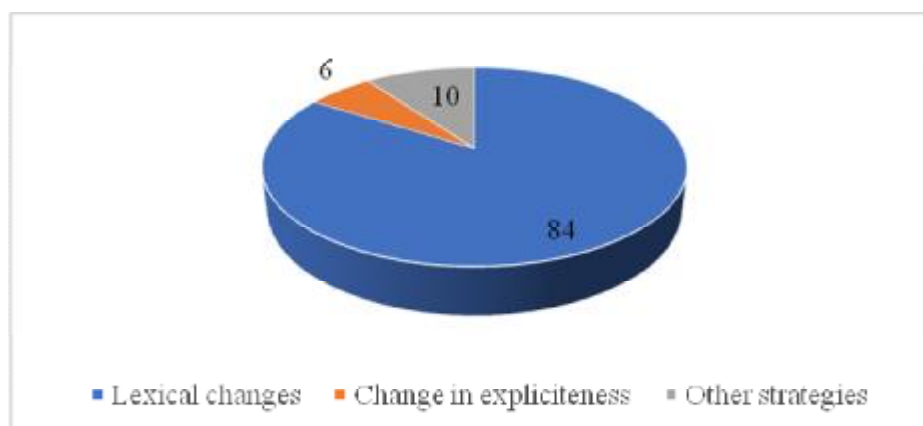


Figure 4. Use of translation strategies to achieve absolute pragmatic equivalence, %

The use of translation strategies that do not provide a certain level of equivalence, in descending order of their frequency, is as follows:

- omissions;
- simplifications;
- change in consistency;
- preservation of the features of the original text.

We can consider the most effective focus for pragmatic adaptation is be the focus on the situation, and the least effective one is the focus on preserving the features of the original text. Of course, in order to draw a final conclusion, it is also necessary to study other types of texts for games of a different theme and with a different organization of dialogues.

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LITERARY SYNTHESIS IN ANASTASIA MISHCHUK'S NOVEL "AND THEN I LEARNED TO ENTER THEIR DREAMS"

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1. Introduction

1.1. The topicality of the research

Our time has initiated a new type of writers who face challenges, which they can solve by means of knowledge in culture and art, philosophy, and psychology. Their mission is not to bewilder readers and even not to make them wonder but persuade them to take a fresh look at the world, challenge stereotypes and find novel ideas.

The modern prose evolution, synthesizing methods caused by the new outline of thought, the aspects of narrative techniques have created a new paradigm in literary fiction, typified by multidimensionality, non-linearity, pluralism, and determined the originality of reflective writing.

A minimalist novel is an aesthetic phenomenon in modern prose fiction, which incorporates modernist and postmodernist styles and creates reality in its own way. It is a so-called slipstream. According to Bruce Sterling, American science-fiction writer and literary critic, slipstream is a "feeling very strange" fiction book (Kelly & Kessel, 2006). The term originated from aviation, wherein it means "a current of air behind a quickly moving object" (Slipstream, n.d.), whereas in literary criticism it is represented as "the apotheosis of surprise": a purely realistic story suddenly "breaks into dimples", the completely unexpected images and pictures rise from a recess of the subconscious.

The plot in such a novel is marked by its synthetic and hypothetical character, fragmentary and nonlinear nature, and variability. Creating the organically realistic novel, nevertheless, minimalists constantly play with texts, readers, language. It means that it is such a kind of novel wherein the main attention is focused on the poetics of literary synthesis.

1.2. Materials and Methods

The analysis is based on a set of general scientific and empirical methods (the theoretical, comparative, psychological, receptive ones), which consider a better understanding of the novel conceptual genre model (literary genre synthesis) within the exist-

ing literary traditions and scientific theories.

Multiple research findings build understanding the fact that a literary, or conceptual, synthesis is a complex phenomenon in literary fiction, typified by the search for integration, a unique symbiosis of different narrative modality and worldviews to comprehensively present the complex reality and human destiny (Mihilev, 2012, pp. 53-54). The latest models for interpreting man and the world mainstream analyzing the works of those writers who soar to new heights, while actively using pronounced humanism-oriented "hybrid" poetics, experimenting with literary techniques, borrowed from modernism and postmodernism.

Based on the modern scientific discourse concerning a conceptual literary synthesis as a specific phenomenon of modern literary process (existential and realistic synthesis, the genre model of "a world of dreams and fancies"[Proust, 2008, p. 322], transcendental philosophy, the functions and categories of artistic psychologism, stream-of-consciousness, psychological time and memory, existential modes, etc.), we are intent on analyzing A. Mishchuk's novel "And then I learned to enter their dreams" (А далі я навчилася приходити у їх сни), focusing on:

- the signs of conceptual literary synthesis;
- an inimitable singular independent postmodern experiment, which centralizes the integration of artistic energies;
- the poetics of a multilevel reduced plot;
- the hybrid genre matrix of the novel;
- psychologism manifestations;
- the existential modes of human existence;
- the elements of play cultural paradigm;
- the literary forms of the stream-of-consciousness embodiment (contiguity, non-linearity, interactivity).

2. Methodological framework

2.1. The concept of literary, or conceptual, synthesis

The issues of defining the phenomenon of literary (or conceptual) synthesis are instrumental for modern literary criticism, as evidenced by L. Andreev, T. Denysova, O. Mikhilov, T. Muvvafak and others. The literary synthesis gives rise to complex aesthetic systems, whose belonging to a certain literary movement (realism, modernism or postmodernism) is quite difficult or impossible. This is attested by the functioning of such modern literary definitions as "postmodern romanticism", "postmodern realism", "existential and realistic synthesis", aimed at creating a universal method of obtaining knowledge (Andreev, 2000, pp. 253-254), etc.

In a generic form, the conceptual features of literary synthesis represent the following: in the first place, all of them are more or less within the humanistic field (the problem of man, who seeks oneself, asks about one's role in the society and the Universe, remains intact in the focus of reflection); in the second place, it is an artistic representation of the specific worldview attitudes, shaping a new mentality; in the third place, employing all means of modern literature which generate new meanings (Mihilev, 2012, pp. 64-65). The studies, conducted in recent years, show that literary synthesis is often manifested in the combination of realism, existentialism and postmodernism elements. In particular, T. Denisova construes the concept of existential-realistic synthesis as a combination of existentialist motifs and the pictorial repertoire of realism within the literary fiction. Existential thinking designs, according to the researcher, a

new type of man - the world configuration, a tendency towards equilibrium among all the components of human existence in time and space, the search for harmony in the relationship between the individual, civilization, and the world (Denysova, 1995, p. 70).

Postmodernism masters and reconstructs existentialist principles, themes, motifs and narrative structures, it reproduces them in a decentralized world, includes a number of paradigms which define human life as man's existence "alone" in the context of "limit situation", which interposes man between being and non-being and allows one to realize oneself as an existence.

2.2. Artistic psychologism

The newest novel poetics' intrinsic priority is a tendency towards broadening the artistic functions of psychologism (artistic psychologism), which has acquired a new dimension, i.e., it expresses itself through "psychologizing" the tiered arrangement of a literary text (in particular, narrative, compositional and intertextual). According to S. Sushko, currently, psychologism manifests itself as an active plot-determining and structure-directing factor, in other words, the transition from "psychologizing the picture of the world" to psychologizing the whole novel space can be noticed; the psychological description of the inner world is a mode of existence and a means of explicating a wide range of sensitive issues (Sushko, 2014, pp. 147-149). T. Muvvafak considers literary synthesis texts to have the statements of absolutizing sensory, emotional, and unconscious spheres as the conceptual foundation for shaping the worldview. At the same time, T. Muvvafak believes crystallizing "true self" through "self" and searching ways to express this "self" to be the constitutive dominant of the textual frame (Muvvafak, 2012, p. 39). Artistic psychologism correlates to the philosophy of transcendentalism (in particular, R. Emerson), which is based on the notion that truth is known by man through both experience and intuition or transcendence: man can be understood only by poring over the man's inner world, "the soul broods" through meditation (Corrigan, 2012, p. 65).

2.3. The literary forms of the stream-of-consciousness embodiment (contiguity, non-linearity, interactivity)

"New psychologism" blends in with the modernist stream-of-consciousness, which becomes a means of transmitting the characters' deep, unconscious experiences, impressions, memories and fantasies. The mentioned culture phenomenon was actualized by American psychologist and philosopher W. James. In his imagination, consciousness corresponds to the river, the flow, wherein thoughts, feelings, associations "interrupt" each other at any given time, and become "illogically" intertwined. The expression stream-of-consciousness was first mentioned in W. James' fundamental book "The Principles of Psychology" (in particular, in the chapter "The Stream of Thought"). There, the stream-of-consciousness derived from the following background:

Consciousness, then, does not appear to itself chopped up in bits. Such words as chain or train do not describe it fitly as it presents itself in the first instance. It is nothing jointed; it flows. A river or a stream is the metaphors by which it is most naturally described. In talking of it hereafter, let us call it the stream of thought, of consciousness, or of subjective life (James, 2007, p. 155).

The properties of the flow – fluidity, continuity, variability – were compared with the processes, occurring in human consciousness, with consciousness itself. The stream-of-consciousness, according to James, is a metaphor, an "abstract thesis" which conveys

how thought process is organized, its dynamics and continuity, clearly illustrated by the "pictorial imagery" of the river. However, it was the metaphor that later found the status of a category. The Oxford Companion to Philosophy (Honderich, 1995) accounts for the change: "It may be that James, who devotes much of his psychology to unconscious processes, changed the title, and thus, the metaphor, in order to emphasize that the metaphor is a purely phenomenological one - consciousness seems streamlike" (Honderich, 1995, p. 855). The theory of psychological time and memory, proposed by H. Bergson, provided an essential theoretical background for the stream-of-consciousness. H. Bergson introduced the notion, which he fixed as "indivisible present": "My present, then, is both sensation and movement; and, since my present forms an undivided whole, then the movement must be linked with the sensation, must prolong it in action" (Bergson, 1911, p. 177).

Psychological and philosophical properties of the stream-of-consciousness determine the artistic forms of its embodiment, which core principle is contiguity in structuring the text (nonlinearity is observed in the time imagery, the implicit manifestation of the unconscious in the processes, occurring in consciousness etc.). The principle of contiguity, operating in consciousness, "turns off" the linear irreversible time, investing the text of the stream-of-consciousness with timelessness, providing a domain for discovering a mythologem in the text. Associations, being "the connections in the memory between certain ideas, feelings or behaviors" (Statt, 1998, p. 79), by virtue of its impulse nature, may fill gaps in consciousness, which W. James (2007) defined as "transitive parts". The principles correspond to the literary modernist intentions, which reveal the essence of the material world through intuition.

Synchronizers and associations help the reader to compare any text fragments and, thus, to get an overall picture of the book. Interpreting the text like that, reproducing the story in the reader's mind, which requires the direct reader's involvement, endues the text with large interactivity, which becomes a key property of the stream-of-consciousness text. The interactivity of the textual associative series depends on the reader's active attitude towards the text:

A text's unity lies not in its origin, but in its destination. Yet this destination cannot any longer be personal: the reader is without history, biography, psychology; he is simply that someone who holds together in a single field all the traces by which the written text is constituted. (Barthes, 1977, p. 148).

Thus, the concept of literary synthesis is currently used in literary studies as a definition for a new phenomenon in the literary process of the latter half of the 20th – the early 21st century. A peculiarity of this phenomenon is the search for integration, a unique symbiosis of different narrative techniques and worldviews, realism – modernism – postmodernism combination in a literary fiction book. Through the lens of a conceptual synthesis, a novel evolution has found expression at all levels of the text: it is, in particular, representing existential motifs (related to the issues of human existence), broadening the artistic functions of psychologism ("artistic psychologism"), which manifests itself in psychologizing the composition, narrative, intertextual space and blends in with the modernist stream-of-consciousness), using purely postmodern techniques (in particular, an intense interest in the concept of play as a cultural paradigm, etc.).

3. Results

3.1. The genre model of A. Mishchuk's novel "And then I learned to enter their dreams"

The novel "And then I learned to enter their dreams" written by A. Mishchuk is a kind of independent postmodern experiment, wherein the self-concept is manifested in the stream of complex and non-hierarchical perception – imagination – memories – comprehension [Levin, 1998, p.321]. The means of composing contexture within the framework of "integration of artistic energies" [Ivanov, V. V. & Ivanov, V. I., 2001, p. 99] (modernism, postmodernism, impressionism, existential and realistic synthesis) suggest that this novel be new style, wherein the poetics of literary synthesis is positioned.

Going beyond the classic books, the author proposes her own conceptual genre model, that gives the best fit to the image ("a world of dreams and fancies" [Proust, 2008, p. 322]), she combines the thesis of postmodernism and the antithesis of realism, synthesizing thereby the postmodern and realistic code elements. In the genre fusion, the philosophical and psychological novel attributes and the elements of understanding perpetual problems draw together.

A. Mishchuk's novel hybrid matrix joins several semantic genre dominants, the fact makes it possible to construe the novel both as a psychological confessional novel and as a philosophical novel showing the prominent signs of a parable. The parable motif is observed to be in keeping with the tenor of the entire novel, which does not describe, but carries the sense: her literary characters seek the truth but can find it only at the end of the novel.

There are at least two dimensions of reading the novel: the so-called worldly reading (common, everyday) and the parabolic one (philosophical). In the first part of the book, the author introduces the reader to the characters, talks about their fateful meeting, emphasizing her heroine's aspiration to stop the guy from committing suicide.

The first dimension of reading is worldly, i. e. the common one, includes both the depiction of the central characters, and the other characters of the book. The genre of the book is characterized by the signs of a philosophical novel, which gives a further scope for reflection, conclusions, emotional experiences, evaluations, and re-evaluations. The philosophical aspect is manifested in the artistic understanding of human existence, in the depiction of the characters' inner reflections. The memoirs and philosophical markers of the novel present confessional intentions, understanding the characters' life experience through the pain and suffering, which arise from the feeling of existence as catastrophe, the characters' address to their painful experience, their ability to empathize. The features of the psychological novel are no less important, as it depicts the eternal in man, penetrates the "ego", in the characters' consciousness. In the novel, the personality, its destiny, and the search for life purpose remain in the center of the narrative.

The parabolic, i. e. philosophical, dimension is presented in the very title of the novel, which became the compositional, or narrative, core of the novel. The title of the novel "And then I learned to enter their dreams" carries an obvious impressionistic connotation, it sets the reader on a special intonation of reflection, confession. The author seems to hint at the further reader's immersion in the aura of fleeting impressions, the sphere of feelings, the secret workings of the human heart, moods, the reader's falling under the spotlight of the characters' view, which may face the readers' own consciousness. The title is embodied in the idea of literary synthesis, which underlies the impres-

sionist model of interpreting the world. Having titled the book like that, the author provokes the readers to comprehend her novel as something incomplete, implicit and open-ended: "But my story has just begun in such a way... And what was further on ... And then I learned to enter their dreams"; and the end of the novel "P.S.: And the following winter happiness came..." (Mishchuk, 2019, pp. 110-111). Concurrently, the reduced plot of the novel (its sketch composition consists of several lyrical fragments, corresponding to the main characters' mutual feeling) is permanently replaced by describing the free thinking of a "transcendent" inner Self, that draws the readers into emotional experiences.

3.2. Existential modes of human existence in the novel

A main internal theme of the novel is the main characters' sufferings and their existence in a limit situation (Jaspers, 1955). The author's interest in man is manifested in the author – main characters' value systems relationship: the fundamental inseparability between the visibility and the transcendence underlies the writer's worldview. In the novel, the existential mode of the "limit situation" can be read as the main female character's encrypted transcendent discomfort. The philosophical concept of the limit situation correlates with the characters' rethinking of the outlook and personal values, as they are at the edge of being and non-being.

The key issue of human existence, which has aroused mankind's consciousness for centuries, concerns a man's destiny variability. The heroine often pores upon the problem of human choice: "The only right that belongs to a person is the free will... I made my choice a long time ago" (Mishchuk, 2019, p. 70).

Man can make any choice... Fate means no something inevitable, but the moral choice, made in the settings. Strong-minded people can resist ordinariness, they can fall down, or make an unfortunate slip, but they know how to regain temper and fight to a finish and become stronger with each step. (Mishchuk, 2019, p. 32)

"And above all, you should always remember that impossible is nothing! All you have to do is to believe everything is possible" (Mishchuk, 2019, p. 73). The obvious hints at any momentous life events may be perfectly acceptable as metaphors for searching the own reality, wherein the heroine is looking for the only true vector, leading to the only reasonable goal:

And I get the feeling that all of us should understand a certain something ... People have their own task, everyone has a sense of purpose to understand, study, go through various emotions, vary from case to case, find the way. (Mishchuk, 2019, p. 76)

The existential modes of fear pervade the novel:

On a gut level, I felt his fear, his doubts, his phobias. He was definitely frightened of the dark, being locked-in, he was afraid of strangers. Well, the worse for him. He will have to overcome them, and there are no such words "but" or "maybe". He simply must overcome them. (Mishchuk, 2019, p. 25)

Sometimes the heroine felt an instinctive fear for the guy: "Stop! What are you doing? By what right do you sacrifice your life! Look at yourself..." (Mishchuk, 2019, p. 4) or stoicism: "The more man conquers his fear, the more he is man, – and that's for sure!" (Mishchuk, 2019, p. 26). "This is our World, we create it every day and it is we who choose the World to live in" (Mishchuk, 2019, p. 51).

A subtle hint to specify the genre definition of the book is the author's summary to the novel, which is a kind of the writer's personal message, putting the readers in the author's intonation of lyrical history, wherein life and magic are indiscrete. This particu-

lar message encodes the genre matrix of mystery, but it is real (the nature of reality is mixed: a little about reality, a little about unreality. Being a genre of religious-mystical symbolic drama, a mystery play is compliant with the symbolist worldview, which is relatable to the "eternal" ideas. By the rules of the "mysterious plot", compromising the original world's integrity, bearing sufferings, death, acquiring arcane knowledge and finding harmony are the most important archetypes of fiction form. Just in this regard we can agree with the author's message that her novel is a "mystery", it has some unknown secret ("the mysticism of human communication") (Kuz'mina-Karavaeva, 2004), her characters are inspired by the sources of faith, have a gift for mutual understanding, look for God. Suffice it to mention the philosophical reminiscences, in which Euthyphro is recalled. We cannot but mention the episodes (a letter on the topic of "Knowledge evaluation") concerning the Euthyphro dilemma, which deals with the choice: "Is the pious loved by the gods because it is pious, or is it pious because it is loved by the gods?"... And how can they assess my vision of this dilemma?" (Mishchuk, 2019, p. 87). In Plato's dialogue Euthyphro, piety is noted to be aspiration for justice, prayer and offering sacrifices; all the points of the general concept of piety arise solely because the one, who defines it, regards a general idea as a prototype. The heroine's reflections, associated with Euthyphro, do not visit her subconscious by accident, they are part of her inner vision of the world, her search for answers to the perennial questions about "sacrifice".

This is what the first part of the novel is about, wherein the heroine tries to save a guy who is on the verge of suicide (i. e. in the limit situation of "unhappy consciousness", which presents him with a challenge, find himself or not):

He stood on the very edge of the bridge... he fixed his eye on where no boundary between reality and his imaginary was, he looked at the infinite darkness of the water... his life seemed to him to be destroyed by a stroke of fate ... It was a brief instant, his irretrievably lost instant (Mishchuk, 2019, p. 3).

And then the heroine takes him through real and mystical circles of self-knowledge, wherein the prayer services, piety and justice are intertwined. The "circle of self-knowledge" is a coded message of the world which helps to realize that changing one's life is not enough, one should take incredible pains to change it: "I won't let myself lose myself. I won't let myself execute myself" (Mishchuk, 2019, p. 89). The main characters look for the lost integrity of the artistic worldview, aspire to cope with the rupture of consciousness (the slipping instant reality); they are poised for spiritual transformation. It is really a miracle play about the World and its perception; about the "reason for being ", in which the heroine tries to "find herself"; about the Soul and its "on the verge" pain); about the "genetics of Dreams" and Happiness, which is a moment; about the nature of time and memory; about Fear and its overcoming; about Destiny, which is not doom, but a moral choice; about Life and what changes it (Mishchuk, 2019).

The novel's second part is a kind of epistolary novel, i.e., it is written as several letters, which "preserve feelings, live in the moment, dream and live in dreams, hope, find answers" (Mishchuk, 2019, p. 74). An epigraph from Lina Kostenko:

Write letters,
Sending in due course,
When they are waited for
By distant addressees...
And don't say why

You're keeping silent...

Yoo-hoo! –

And that'd be that –

Through years and regret..." (translation our own) (Mishchuk, 2019, p. 74) is the key message of the novel's second part, but at the same time it is a kind of the author's reflection, a step of penetration into the text, through which the author opens the limits for intertextual connections, thus filling and revealing the inner content.

Earlier, in the first part of the novel, the heroine, as a lyrical digression, reasons what the letters to herself mean:

The letters about what I failed to enounce. Only they know the whole truth. The open pages of a closed soul... In general, this is such a mystery. Letters which speak more than everything else, decrypt the views and spare the feelings, live in the moment, dream and live in dreams. (Mishchuk, 2019, p. 34)

The subheadings of the letters emphasize the semantic core of the text, as they point to the object – the heroine-narrator – who expresses philosophical ideas on the reality and unreality of being ("New Reality", "A Little About Reality. A Little About Unreality"); memory, reason for being, dreams and happiness ("Memory", "Reason for Being", "Genetics of Happiness", "Genetics of Dreams"; crisis state ("Am I losing myself?", "On the verge", "Finding myself", "I need advice, or help, or something else", "I just believe"), the borderline state of the heroine's mind; reflections on free associative illustration ("Photograph", "Photograph. History?") and the category of the moment ("To You... the Real One", "I Just Believe", "Feeling Sad"), which is marked by contemplation, or a name, associated with spatiotemporal data ("Summer", "Autumn"). The subheadings sparkle with associative branching, correspond to the poetics of the hint, indicate the heroine's specific state, her mood, mark the visual sense modalities, enhance the role of the perceptually tinted background. Mystical elements allow the writer to combine the incompatible things: the past and the present, the real and the unreal, the conscious and the subconscious.

The genre markers in the novel's poetics are also the chronotope, the system of minor characters, the means of psychological analysis. Characterizing the chronotope, we note the semantics of narrative time, the spatiotemporal organization, which is defined by the antithesis, when the horizontal, linear (objective) time of the physical world is opposed to the vertical nonlinear time of the sacred world. Through literary device details, the author conveys how her heroine disengages herself, goes beyond the objective experience of the world. Through retrospection, the linear story is interspersed with the pictures of the past life.

3.3. The Poetics of Multilevel Plot

The poetics of A. Mishchuk's novel characteristically exhibits a multilevel content structuring, a special type of writing (which can be defined as "simultanism" (Lipsey, 1988, p. 97), the two-dimensional elements of the art form, an additional "transcendental" dimension. To involve the reader in the finale, which remains open up to now, in the world conceived by God as a creation that goes into infinity, in the sense of purpose is intrinsic to the author's writing style. The form of episodes, "started in one place, continued here and there and completed in the third place", specifies one more principle of a postmodern text construction, i.e., the principle of nonlinearity. The structure of the novel is both streamlined and chaotic, the syncretic matrix of the novel is a kind of decentralized chronotope, wherein the multifaceted intermittent background of the book

correlates with the retrospective depictions of events. The story is often presented not in chronological sequence, but in retrospect – the plot of each part is enriched with temporary and eventual shifts, reminiscences and memory lanes. The scenes from everyday life segue to the heroine's consciousness, and then they are positioned through various discourses, which end with dialogues, revealing insights into the realness. The text space is dichotomous, it is divided into two parts. In the first part, the author sums up the story of which she spoke in the second part. If in the first part, the author describes the mystical acquaintance of the still nameless heroine with a guy and focuses on presenting time segments in 31 December of the mysterious 20 year, and she indicates the specific time points: 4 a.m., 10 a.m., 2 p.m., 7 p.m., 10 p.m., 11 p.m., etc., then in the second part, the objects of her presentation are memory and the specific themes of her letters to herself – here the motif of memory is actualized, just the memory connects the heroine with the real life, allows her to find its sense again, if only for a moment.

In the novel, the important place belongs to the reality and illusions, which form two worlds, wherein the characters, objectively existing in the first of them, feel themselves in the second one – illusory. This is a consequence of their “disturbing memories”, “a long day trip to the night”, an attempt to get rid of its pursuit by withdrawing into the timeless “space”. The storyline involves both a philosophical speculation about the illusion or reality priority, and the problem of human responsibility for a fellow creature, guilt and forgiveness, finally, ways out of deadlock, that is, about that type of illusions and the nature of the proposed truth, which are humanistic concepts to begin with. Being under the illusions of the simulated world, the search for the personal reason for existence, the nature of existence, wherein the absurd-fancy “mirror-world” and the real being are intertwined, and phantoms unseat the reality (Amusin, 2008): “...One more step to go and he'll find the answers to all his problems... Suddenly, through the darkness, he saw the silhouette of a girl moving to him... Well, that's that, either now or ...” – he had barely finished the sentence, when she ran up and began telling him something, he did not hear her words, but she kept on talking and took him by the shoulder affectionately” (Mishchuk, 2019, p. 3).

Thus, the characters system provides the reader with a complex opposition of the reality and the unreality in the novel.

3.4. Visual literary details

The author's genre experiments include a free associative illustration, introducing a visual literary detail into the textuality. In the analyzed book, the free associative illustration performs several functions: it is instrumental to represent the personage, it is a powerful means of creating the heroine, her inner world; it has a significant semantic emotional charge and receives its own author's interpretation. In the book, such visual details are sixteen author's drawings and photos, which complement this magical, but a life story; they activate the reader's attention and offer a fertile ground for various textual interpretations: cityscapes against the sky, trees upon the hillocks and on the river-side, a bench, pebbles, a pond, and a swan swims in the pond.



Emphasizing the routine of episodes from the lives of the main characters by means of photographs, drawings, the author explains their meaning in the text. For example, against the urban building: "He was just silent, he had nothing to say and no one to tell, his life seemed to him to be destroyed by a stroke of fate ..." (Mishchuk, 2019, p. 3): it's as if the power and beauty of this building place an emphasis upon the characters' state of mind.



Or at the municipal cafe: "... she called the waiter and ordered two coffees.



A few minutes later, two cups of hot coffee were on the table..." (Mishchuk, 2019, p. 10).

Describing a particular episode of everyday life, the author provides it with a fundamentally different, not ordinary meaning: he and she are passing by the local florist's. He asked for her to wait a while, and "a few minutes later he went up to her with a large bouquet of roses" (Mishchuk, 2019, p. 52).



3.5. Internal monologues and dialogues evolution

The event center of the book is the evolution of the heroine's internal monologues and her dialogues with other characters. The heroine's monologues indicate her interest in life in general, and for the life of a given person – a young man whom she met on the bridge – in particular. They combine her thoughts about her destiny, her past, and in her unconscious – the thoughts are about life purpose. All the techniques help make the complete picture of the main characters' inner world. The novel positions both a dramatic (addressed) monologue and a soliloquy (the internal one). In the novel, the author often refers to describing the heroine's mental state through a dramatic monologue. For example, a monologue from 4 a. m on 31 December: "I had to change something in his

perception. I was aware of that... I experienced every little sense or feeling along with him. Perhaps, it's my gift, perhaps, it's my curse, but I feel everything he feels" (Mishchuk, 2019, p. 52). The soliloquies are no less important than the dramatic ones in the novel – they are statements, made by the heroine either alone or in psychological isolation against others (in the second part – each letter is just that "talking" for herself "about herself").

A stylistic dominant in the book is psychologism, fed on reaching after the personal truth, the selfhood. Focusing on the characters' psychological states and responses, the writer creates several inter-individual relations, which cause misunderstandings and conflicts, and often exact a tragic toll. In the novel, there is represented a significant area for depicting the man's mental world. These are both compact impressions of what is happening in the main character's soul and the spatial characteristics of his experiences: "His movements were awkward, asynchronous, he didn't feel the rhythm, but a few minutes later everything changed. He felt more free, more open, he felt the music" (Mishchuk, 2019, p. 23). Or, for example, the episode at the municipal cafe, where the young people happened after the guy tried to commit suicide, she suddenly asked him: "Do you love her? Who is she? Your girlfriend. Your ex-girlfriend. Yes. No... I just don't know" (Mishchuk, 2019, p. 17). After that short dialogue, the heroine talked about her affections, about what happened to her:

It was odd of me just not to tell them about myself, and I almost used not to tell, much less I did not talk about my feelings ... No one... Never... When asked if I would like to, I would answer Yes. (Mishchuk, 2019, p. 18).

Thus, for the heroine, thinking about her feelings, understanding the world, where she lives in, is of utmost importance.

Psychologism, which reflects the author's text, is observed to be a stylistic principle, which is demonstrative to provide insights into personality, to deeply convey the characters' vagaries of fortune. A dominant idea that unites various aspects of viewing the world in A. Mishchuk's prose is a dramatic nature, manifested primarily in the novel's characters accentuated psychology, in reproducing their emotional and psychological states.

A. Mishchuk's novel manifests artistic psychologism which blends seamlessly into the modernist stream-of-consciousness, contiguity, the main characters desperately seek the reality in memories, and more specifically, in spontaneous flashbacks, they experience complex borderline states, sink into the innermost layers of the consciousness, by which a spiritual existence is reproduced. The kaleidoscope of the changeable states of mind, instant impressions, feelings is associated with Proust's stream-of-consciousness (fragmentary structure; the "fragmentation" of the main character; the postmodernist "insignificance" of the plot), it shows the postmodernist sensitivity, where reminiscence, as a "snapshot" of life, becomes a creative impulse, whereby a continuous internal human being's environment is created. The mentioned principles of stream-of-consciousness, in particular the phenomena, when the past intersects with the present, turned the novel from a story about life facts and events into an exquisitely essayistic, impressionistic narrative of the characters' spiritual life: a personality is described to live in two environments in equal measure, memory is observed to be absolute in the spiritual life of such a person.

3.6. The novel's play elements as a cultural paradigm

Among the key concepts that should be mentioned in the novel pride of place goes to play as a cultural paradigm. The poetry of literary synthesis presents understanding play as the main organic principle of all human culture, which was formulated by Dutch

historian and cultural theorist Johan Huizinga (1976) in his book "Homo Ludens" ("Man, the player"), wherein there were actualized the following theses: "It is a significant function that is to say. There is some sense to it. In play there is something "at play" which transcends the immediate needs of life and imparts meaning to the action. All play means something" (Huizinga, 1976, p. 46). According to the author, the "function of play in the higher forms which concern us here can largely be derived from the two basic aspects under which we meet it: as a contest for something or a representation of something. These two functions can unite in such a way that the game "represents" a contest, or else becomes a contest for the best representation of something" (Huizinga, 1976, p. 55).

In A. Mishchuk's novel, the play elements realize the postmodernist principle of pluralism, which, according to Huizinga's concept, has the main features of play. Playing for the characters seems to be a choice, a definition for their life:

Let's play a game with you, she said with a strange fervor in her eyes. – Because, and this is first, you haven't asked my name, so we can play this magic game. – Actually, I wonder, first you ask me what I was thinking about, when I looked down toward the water, then you suggest me a game to play ... (Mishchuk, 2019, p. 15)

The episode headed "The tariff package "I'm so done" has reached the ceiling...", illustrates that with the advent of postmodernism, any coherence disappears between art and sense: now the relationship becomes strictly playing. Adjusting the rights of the reality and fiction, play leads to an infinite number of meanings in the book, as its sense bears no relation to the previous reality. Manipulating the text of a play, which have been playing by two actors for five years, is a striking case in point: "When they met, they were eighteen years old, then they played that play for the first time, and later on it became their lifestyle, namely the style, its basis, form, breath, anthem, its highlight" (Mishchuk, 2019, p. 55).

They've been performing for five years, every Sunday and all this time it has the same ending. You will say that it's not strange, it's nothing but show, it's only natural for it to have a stable ending, but you should believe me, for them it is not just a show, it is their life, a tiny fragile self-created dimension, full of emotions and a constant struggle for them. (Mishchuk, 2019, p. 55).

As if in jest, the characters talk about the play's message, comment it, weigh it against mass culture: "... If you watch movies, you know exactly what I'm talking about), and there will be the same situation, the same views, only rarely real and true, and there will be the same conversations and the same world" (Mishchuk, 2019, p. 54). However, the conventionality of play soars the situation to new heights, and that gives it a different character, wherein the characters are getting on to the reason for human existence:

However, for them, theater is not play, it is their life. And they don't just underact, the role makes them tick, and every Sunday they go through the same period of their life, so like anyone's perception, so realistic ... They don't play, they just live. (Mishchuk, 2019, p. 56)

Thus, the category of play in Mishchuk's aesthetic system is observed to be a method of structuring the text, identifying the author's understanding of the meaning of life: "Life is priceless. And that's final!" (Mishchuk, 2019, p. 56).

4. Conclusions

Analyzing A. Mishchuk's novel "And then I learned to enter their dreams" attests

to the fact that the poetics of literary synthesis is positioned by the author at all levels. At the genre level, there is represented a genre diffusion, in particular the integration of artistic energies, the elements of a minimalist novel, a synthetic, fragmented plot, existentialist motifs, and the realistic imagery combination within the literary set of the novel patterns. The author proposes her own conceptual genre model, that gives the best fit to the image (a world of dreams and fancies), she combines the thesis of postmodernism and the antithesis of realism, synthesizing thereby the postmodern mysterious plot and realistic code elements, making it possible to construe the novel both as a psychological confessional novel and as a philosophical novel showing the prominent signs of a parable.

At the level of her individual style, A. Mishchuk's novel manifests a tendency to broadening the literary functions of psychologism ("artistic psychologism"), which blends seamlessly into the modernist stream-of-consciousness, it shows the postmodernist sensitivity, it is the most adequate means aimed at revealing the innermost layers of the characters' life, their "spiritual existence", closely related to the meaning of human life and an existential choice. At the level of the literary techniques, there are taken place multilevel content structuring, intertextuality, play elements as a cultural paradigm, focusing on the plural interpretations of the text, the principle of the author – reader co-creation.

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EFFICIENCY OF USING ONLINE PLATFORMS AND TOOLS IN CONTROLLING AND ASSESSING NON-LINGUISTIC STUDENTS

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Recently, there has been a constant increase in the amount of information received by students. The consequence of this is an increase in the mental load in the classroom. These facts make us think about how to support students' interest in the educational material, their activity throughout the lesson. Therefore, preparing for the lesson, we have to look for new teaching methods and such methodological techniques that would activate the activities of students, stimulate them to acquire knowledge independently. The emergence of students' persistent interest in learning is determined by the methodology of its teaching. The active and enthusiastic work of each student in the lesson is the very starting point for the emergence and development of curiosity and deep cognitive interest.

Speaking about the use of modern educational technologies, it is necessary to note

the possible forms of the introduction of ELT in the educational process:

- distance learning;
- online training;
- online platforms;
- interactive simulators, tests, surveys, etc.

Distance learning involves getting education more independently on a pre-developed individual route [2].

Online learning is carried out by creating an information educational space by the teacher.

Educational platforms involve the use of various tools for the productive activity of the student.

An educational platform is an Internet resource that necessarily contains a bank of educational materials that are provided to users under certain conditions.

The purpose of these platforms is to provide high-quality education through digital technologies.

These platforms are relevant for school-age children and students as visibility and high-quality visualization allow to facilitate the process of memorizing information.

The practical application of online educational platforms in an educational organization allows:

- to develop new pedagogical approaches to the organization of the educational process;
- simplify the process of developing and adapting pedagogical applications (due to the knowledge base available on the platform, electronic educational tools with links to educational portals and websites, as well as built-in tool systems);
- apply testing and diagnostic systems in the learning process, which include a bank of questions, tasks and exercises in all subjects of the school cycle with the possibility of making changes and additions to questions and tasks;
- monitor the dynamics of the development of the child's creative abilities and the professionalism of teachers.

Among such educational platforms, the platforms are the most popular Stepik.org, Uchi.ru, Yaklass, Yandex Textbook, eSchool.pro and others [3].

Stepik is an online service with assignments in various subjects for students with automatic verification of answers and instant feedback.

The platform provides a secure individual login for each student and parent, who can also track their child's progress. Extremely simple navigation will allow the child to study independently or with minimal adult participation (Figure 1).

While students are completing tasks, the educational platform collects statistical data. In case of an incorrect or incomplete answer, the online platform offers to return to its implementation. In turn, the service records all incorrect attempts to solve the problem and reduces the final score. As a result, you can get ready-made statistics both for the class as a whole and for each student separately. This allows us to realize the idea of creating an individual learning trajectory for each student.

Of course, it is important that each student correctly understands the task. To do this, you can use the full-screen demonstration of the task and analyze the task in detail with the students. This feature allows you to solve tasks in the classroom using an interactive whiteboard.

Consistently completing tasks, studying one topic after another, students master the curriculum at a comfortable pace and with the right number of repetitions. This approach allows you to study and consolidate the material obtained in the lessons completely and avoid gaps in knowledge.

The use of these products allows you to carry out your plans, make the educational process more effective than using traditional methods. The use of ELT in the learning process affects the growth of professional competence of teachers, it contributes to a significant improvement in the quality of education [5].

INTEGRATION OF SKILLS AS ONE OF THE BASIC CHARACTERISTICS OF STEM TECHNOLOGY

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Language is being a part of culture, a component of different people's history has always been a means of communication and has also been undergoing a lot of changes related to the development of the communities.

Kazakhstan is a multinational country and different nations speak different languages and of course our government pays great attention to the development of languages. The Law of Languages established in 1997 says that all the languages that are spoken by people of multinational Kazakhstan are of great importance but three languages such as Kazakh, Russian and English have become prior in state language policy of our independent country. The state language is the Kazakh language; the Russian language is the language of communication and the English language as a foreign language that has become global language for different peoples all over the world.

The language policy in Kazakhstan is the integration of our country into the global community and such significant spheres as economy, culture and science will develop and promote our country to grow and become competitive on the world stage.

STEM is one of the most contemporary technologies of teaching integrated skills, communicative skills and the content knowledge which is both learning the material in a particular subject such as Biology or Physics for example and at the same time learning the English language. A great attention has been paid to the use of authentic materials at the lessons of Biology, Physics, Maths and other subjects which are taught in English. Why are authentic materials considered to be the most effective means of teaching both foreign languages and a certain subject such as Physics or Biology? Authentic materials are functional and have communicative integrity due to which they meet learners' needs and activate their thinking activity.

In modern conditions it is important for teachers to take into account the following didactic principles such as:

Systematic involving of students into autonomy activity of applying their acquired knowledge in different sciences and real situations

- Ability to use and integrate their knowledge using cross-curricular links as integral and complex
- Transition from reproductive activity to productive one.
- Teaching students to solve complex problems, which is supposed being able to transfer knowledge and skills from different subjects such as : Physics, Chemistry, Biology, Economics, Maths, Geography and consolidation of complex application of knowledge and skills for solving real problems in our life and labour for improving our quality of life.
- It is necessary to teach our learners to use laboratory equipment correctly and safely, to follow the rules of technical safety, their ability to fix the results of surveys and measurements with the help of different things such as: drawings, tables, graphs, photos, video records, schemes.
- At the lessons of Biology, Physics, Chemistry and Geography, as well as at Information Technology and Maths, students learn to carry out practical and laboratory assignments, they learn to analyze and compare, generalize and synthesize , they evaluate and make forecasts, make calculations, explain quantity and quality characteristics

of different phenomena and processes in nature and organisms. Students are taught to work at different projects, they learn to work in teams or groups while working at projects and each student has a good opportunity to develop his individual natural abilities and creativity, as well as responsibility for the task given for him and autonomy and individual potential.

- Students develop practically - orientated thinking abilities, when at the lessons of Biology, Physics, Chemistry, Maths, Geography and IT when teachers widely use Information- Communication Technologies. And teach learners to work with information in electronic form.

- Computer technologies at the lessons of Biology, Physics and other natural sciences can be the following types:

1. Intensive use of multi-media technologies during the process of learning the course material.

2. Intensive use of computers as tools for every day work by teachers and students.

3. Carrying out the technologies of cross- curricular links.

4. Project and research work of students.

5. Searching and treatment of the information in terms of the target material using Internet.

6. Use of electronic tables for solving problems.

7. Holding virtual practice and laboratory work.

Taking into account the specifications of studying natural sciences such as Biology, Physics, Geography, Chemistry it has become very important for learners to work at research projects that can be done in three directions:

- 1) theoretical researches (group researches, individual ones connected with theory research and work with the information and its selection and analysis);

- 2) empirical researches (practical and laboratory work);

- 3) individual research projects.

Teachers can choose the themes of practical work and laboratory work autonomously, taking into consideration the equipment and other technologies and school facilities. Every student should be assessed for his or her practical or laboratory work.

In this article I want to give some examples of short term lesson plan based on STEM method in Biology.

Theme of the lesson is: The theory of Evolution

Lesson aim: In this lesson students learn about the theory of evolution established by Charles Darwin.

1. The lesson starts with warm –up exercise. The teacher writes the words on the board: Darwinism, evolution, natural selection. Then teacher finds out what students know about evolution, Darwinism and natural selection. The teacher explains that learners are going to read the text about the history of Darwinism. Then teacher asks if they can remember any information related to the words.

2. At the second stage the teacher draws learners 'attention to the photos on the interactive board or

On the projector and in pairs asks them to guess who Charles Darwin was.

Then the teachers offer the learners to read the text quickly and then answer the questions on the text.

When was the theory of evolution established?

Who were Charles Darwin and what was he famous for?

Before reading the text again, the teacher should remind students of the facts the learned in the Warmer, and go through the words in the Glossary box. Then teacher asks them to find them in the text and pre-teach some of the more complex words if necessary.

3. Students read the text again in detail and fill in the missing information in the diagram.

A. Variation: individuals of species cannot be fully identical. For instance, siblings might be of different height and have different eye colours.

B. Inheritance: traits of species are determined by inheritance and passed from generation to generation. In other words, offspring will inherit traits that are passed by genes.

C. Competition: more offspring are born than can survive given the scarcity of natural resources. To illustrate, members of the species compete for limited natural resources available, for instance, food

D. Natural selection: only the individuals who survived in the struggle for existence would be able to breed and pass on inherited traits to the offspring. More officially, the traits that helped parents to survive will be passed on to the next generations.

The next task is to choose the correct alternative: true or false statements.

Then students work in groups and answer the questions about the text and support their answers with examples and solid arguments from the text or real life.

Students can be offered to work in groups at the project:

1. Choose one of the outstanding scientists in evolutionary biology.

2. Find out more about the scholar you have chosen. And what was their contribution. Think about the historical, economic, and political context they lived and worked in. Select information that is insightful and try to collect multimedia files if possible. Consult with your Biology textbooks and seek advice from your teacher if you need.

3. Make a poster about the discovery of your chosen scientist. Describe the steps of completing this project; indicate the sources of information, and photographs if possible. Try to highlight the public's reaction to the works of your chosen scientist and critically analyze whether the discovery was controversial and why. Present your poster to the class, be open to feedback, and reflect on what you have learned and what you would do differently next time.

This project can be given to students as homework.

Such creative assignments develop autonomy of students, their logical and creative thinking abilities,

Also such kinds of work teach students to work in groups, develop their communicative and language skills, their ability to work creatively and individually and to be responsible and active participants of the research work.

The role of video is very big at the lesson because when students present their projects, learners can see the presentation and they have a good opportunity to memorize the information because visually helps them to understand the material better and deeper and such materials makes the lesson more interesting, memorable and understandable for every student.

V.I. Pisarenko says that the use of video materials at the lesson can be explained in the following way:

1) availability of video materials which can be recorded from different resources

2) a certain experience of how to use video materials

3) more active and creative activity of instructors (3, p.77-81).

Elukhina N.V., Komarova YU.E., Mikheeva I.V., Shabalin YU.V. have researched the use of video-materials and the analysis has shown that video materials enhances the following things:

- a) forming students' steady associations of a certain context with expected speech behavior;
- b) stimulation of learners' imagination and creative activity;
- c) developing all types of learners' memory;
- d) creating friendly atmosphere;
- e) learners' motivation;
- f) effective learning outcomes.

Video materials shouldn't be too difficult and it should correspond to learners' level, age, interests and the content should be motivating and carefully selected according to students' needs and future career.

As we have already said project work develops students' integrated skills, learners develop speaking, writing, reading skills as well as knowledge in the particular subject on a definite theme in Biology.

Integrated skills can be developed also when we use Information Technology at our lesson, particularly when we provide information through the power point presentation.

Here is the example of the use of ICT at the lesson.

The aim of this lesson is to get students to learn how to design and deliver a Power Point Presentation.

At the first stage we should have warm- up discussion.

The following questions can be offered for discussing.

- 1 How often do you present information?
- 2 What programmes do you use?
- 3 How often do you use the power Point Presentation?

At the second stage we can offer the students to look at the infographics and discuss it in pairs. Then we can elicit answers from the class and discuss why the power Point Presentation is the most popular programme for designing presentations.

The next step is reading the text about making presentations using the Power Point Presentation.

But before reading the text we should work at the new words from the text, that is pre- teach the topic vocabulary. We should write the words in the Glossary on the board and ask the students to find them in the text and explain the meanings of some more complex words, if that is necessary.

Then students read the text and decide if the statements are true or false.

The next step is to focus learners' attention on the presentation tips and ask them to scan the text to find the correct answers.

Do's: develop a story and stay focused

Use visuals to present information

Make the presentation accessible

Back up the presentation

Practice

Don'ts: Don't use too much text on the slides

Don't use too many effects

Don't use a font size smaller than 28

Learners can be offered to make a project: Present information using the Power

Point Presentation on the target theme, following the plan:

1) Choose a topic that interests you or that is part of your homework. Research prepares information on your theme and structures it. Follow this plan.

2) Create a Power Point presentation to inform your class about the topic. Add some infographics to your slides for data visualization.

3) Deliver the presentation in your class and welcome questions at the end. Evaluate each other using positive feedback.

This example of the lesson plan can be use full not only at the lessons of Biology but at other Lessons such as: Physics, Chemistry, Maths, Geography and other subjects. Such lessons give learners to understand the course material much better in Biology or Physics, it doesn't matter what subject it is, and learners improve their knowledge of English at the same time.

Another good example of combining education and technology is learning new material with the help of online course in Biology or other subjects. I want to give an example of a short lesson plan on the theme: Online courses.

At the first stage we can offer the learners a few questions for discussion:

Have you learned online? Have you enjoyed on line learning? Learners can discuss the questions in pairs or in groups and so we can find out what students think about on line courses.

We can offer students reading an article about on-line courses and at first pre-teach new words which are difficult and then students read the text about the on-line course production. After reading the text they answer the questions on the text. Students learn the information about the process of of on-line course creation.

The third step is to complete the chart about the phases of creating the on-line course:

Pre- Production	Phase 1: a project plan and course structure is produced.
Pre- Production	Phase 2: on-line course lecture scripts are written
Production	Phase 3: the on-line course is filmed
Post- Production	Phase 4: video and audio are edited
Post – Production	Phase 5: the online course is published on a platform
Post- Production	Phase 6: a final product is presented passed on to the next generations.

As for the hometask students can be offered to work on the project: Work in group and make a presentation about an online course.

Imagine that you are designing your own on-line course in Biology. Decide what theme you would like to choose, brainstorm the content, structure, teaching methods and key learning outcomes.

Look at the course you have researched in Step 1 and use it to present your course.

In your group, prepare a presentation to launch your on-line course to the rest of the class.

In conclusion I want to say that project work develop learners' ability to work creatively, to make researches and work collaboratively and solve problems, this project method contribute to learners' integration of knowledge and skills and combining a particular subject with Technology. Students have a good opportunity to use their knowledge in different subjects and link this knowledge to get new skill or new knowledge. Students' knowledge of Technology, Biology and English are integrated and orientate students to choose their future career successfully and purposefully.

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TRAVELOGUE: THE JOURNEY OF THE GENRE

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Travelogue is a literary genre that has evolved and transformed over many centuries. At the same time, each era has its own styles, forms and features of the narrative of the journey, its own way of describing the movements of people to meet each other. Likewise, each age also has its own propensity to travel. Today it is impossible to study travelogue as a literary genre without understanding its evolution.

One of the modern researchers of the genre, Professor Roland Le Unin, summarizes the historical development of the travelogue from antiquity to the 15th century: "Travel notes are a very old genre, based on the story of Herodotus' journey. The Crusades, as you know, gave impetus to the development of trade between Europe and Asia. Their failure led to the search for new routes to India and to the fabulous lands of Cathay and Sipango, whose wealth and wonders were extolled by the book of Marco Polo (1254-1324). Therefore, in the last quarter of the 15th century and in the next century, great sea expeditions were organized, leading to great discoveries. These travels were reflected in relations, for example, the first trip around the world by Ferdinand Magellan, successfully described thanks to the pen of Antonio Francesco Pigafetta, or "Travels and Conquests of the Spanish Priest Francisco López de Gomard" [1].

The author believes that it is thanks to travel through Europe and Asia, as well as the discovery of new routes, that travel notes begin to develop. The truth is that Marco Polo's Book of the Diversity of the World, written in 1299 while he was in prison, is considered one of the first books in the travelogue genre. Petrarch, on the other hand, earned the preeminence in the field of "travel notes" with his account of the march to Mont Ventoux in 1336, carried out for the pleasure of moving towards what he described as an endless reach. He blames his guides, who have fallen behind at the foot of

the mountain, for their “*frigida incuriositas*” (cold lack of curiosity) and allegorically describes his ascent as a great progress made by a man in his life.

In the Middle Ages, travel stories of pilgrims appear. Christian tourists visited Rome and Jerusalem, while Muslim travelers traveled to Jerusalem and Mecca. Pilgrimage essays are tools of geographical knowledge. Among them are the travel notes of the famous Moroccan traveler Ibn Battuta (1304-1377). His notes are considered as guides for pilgrims and Arab and European merchants on the description of routes, culinary traditions and currencies of various countries.

During the Renaissance, two simultaneous facts explain the explosion of travel literature: the invention of printing and the spread of paper made the book a more accessible object, and the discovery by Europeans of the African coast and the new world (America) arouses a thirst for gold and a desire for new knowledge.

In the XV-XVI centuries, travel stories usually convey accurate geographical and ethnographic realities. Only at the end of the first half of the 17th century did travel notes become a literary genre. Normand Doiron believes that since 1632 the term “*recit de voyage*”, that is, travelogue, appeared in literature as a real genre: “... the time when travelogue is recognized by both modern readers and travelers as a clearly established literary genre with its own style, poetics and rhetoric...” [2: p. 98]. It was at that time that travel writings with a religious and missionary character, especially those compiled by the Jesuits, were a huge success, although there were also Protestants among the travelers. But most of them had no literary talent or education.

Then, according to Francois Moureau, professional travel writers had not yet realized the literary aspect of travel. Travelogue appeared in the form of reports of a missionary, a diplomat or a scientist’s diary. And towards the end of the 16th century, the essays of merchants developed more, such as Francois Bernier, who visited India and became the first European in Kashmir; or Jean-Baptiste Tavernier, who made five journeys to India through Turkey, Syria, Iraq and Iran in forty years, overcoming more than 240,000 km on his way to Persia, present-day Iran. He died while passing through Moscow, and, apparently, he was buried there. Another well-known travel writer is Jean Chardin who lived for thirteen years in Persia.

In the 18th century, the travelogue finally found its place in the literary space: it was at this time, rich in scientific expeditions and individual travels, that a huge number of travelogues appeared, which “encourage comparison of different civilizations... All these travels have a significant impact on philosophical ideas » [1: p. 12]. Travel writers are now realizing the benefits of literary influence by combining concern for style with narrative composition. The epistolary form in the description of the journey was widely used during the Enlightenment. From now on, she thrives. And at the end of the 18th century, Alexander Radishchev “Journey from St. Petersburg to Moscow” was published in the Russian Empire. This book marked the beginning of Russian travel notes.

The nineteenth century is considered the golden age of the travelogue. It was through the proliferation of military, commercial, and research expeditions that travel writing became widespread. The irresistible European colonial expansion is accompanied by a new phenomenon: from now on, the author can live with his pen. In addition, a travel diary is not only the result of a trip, but its necessary condition and purpose. Thus was born the travel writer, whose goal is to make a journey in order to describe it. Jean-Claude Berchet credits François René de Chateaubriand with his book *Journey from Paris to Jerusalem* as the originator of the literary journey: to describe it” [3: p. 94-95].

The travel writers are becoming more and more professional, full-time writers and reporters for educational papers aimed at young people who want to learn. Specialized periodicals also appear: for example, *National Geographic* was launched in 1888. Among the famous travelers of this period are Jean Charles Emmanuel Nodier, Alphonse de Lamartine, Stendhal, Victor Hugo, George Sand, Gerard de Nerval, Gustave Flaubert, Eugene Fromentin, Guy de Maupassant, Pierre Loti, Paul Bourget, the Goncourt brothers (Jules de Goncourt and Edmond de Goncourt), Théophile Gautier, David Livingston, Rene Caille, Miklouho-Maclay. It should be noted, that at that time many famous Russian writers also resorted to the essay genre (A.S. Pushkin, I.A. Goncharov, I.S. Turgenev, F.M. Dostoevsky, A.P. Chekhov, etc.). Many writers, having fully realized the possibilities of the essay genre, began to resort to the travel essay in order to share their thoughts on the future of Russia with readers.

In the 20th century, the travel writer finally becomes a travel writer. The first professional ethnographers appear, for whom the new lands, the colonial countries (Africa, Latin America, the Middle East, Asia), will become destinations and studies par excellence. Claude Levy-Strauss goes to Brazil to the Nambikwara and Tupikawahib Indians, Michel Leiris goes to Africa in the “Dakar-Djibouti Mission”, and from Russia, in 1913 Nikolai Gumilyov sails to Abyssinia at the expense of the Museum of Anthropology and Ethnography in St. Petersburg. Marked by “rhetoric of spontaneity” and daily fragmentary descriptions, the travel diary and ethnographic report are the most common forms of travel writers of the 20th century.

Further, that is, in our time, with the advent of the camera and television, many writers have ceased to resort to travelogue; the circulation of relevant books has significantly decreased, because photo reporting and special television programs have become more popular with the public than long and boring travel stories. On the other hand, there is nothing new to discover anymore and in every corner of the globe, there is a series of travel notes. However, some journalists are increasingly turning to this complex and time-consuming genre.

It must be said that after the Second World War, travel notes, travel diaries and reports as a separate genre began to be increasingly studied in literary criticism. This new wave is partly motivated by a resurgence of research in another new field of literary studies, post-colonial literature. Today it is not about the genre nature of the travelogue, but rather about expanding its boundaries and how to clearly define the term “travelogue”.

The problem of defining the term “travelogue” is related to the fact that recently in literary criticism the term “travelogue” is increasingly used to refer to the writings of writers about travel instead of “travel notes, travel diaries, travel notes or essays”, as it used to be called before all works about travel. At the same time, researchers very often do not agree on what concerns this term, which came from the English language.

To the question “What is a travelogue?”, the answers are very different. Some define it as simply a “journey” or as “a narrative or lecture about a journey, often accompanied by illustrations and geographical maps.” And others give this word a broader meaning: “travel report”, which includes “not only the chronology of the trip, but also the reflection and experience of what he saw, the modern travelogue combines the art of intellectual travel with the ability to penetrate the life and culture of a foreign country, discovering it not immediately obvious, but strong ties with the whole world” [4].

A more specific explanation of the term was given by the St. Petersburg literary critic Y. Ponomarev in an interview published on the Radio Liberty website. Answering

the questions of his interlocutor Ivan Tolstoy about his book "Farewell, Europe!", the scientist draws attention to the fact that "travel, on the one hand, immediately leads to thoughts about the trip that a person is making, and the travelogue immediately points us to a written a record of what happened on this trip. That is, a journey, as it has been used for quite a long time, means both a trip and a book about a trip. But travelogue means exclusively a book about a trip, and in this respect it is already more convenient than the word "journey" [5].

If, according to Ponomarev, the translation of "travelogue" in direct sound in Russian is "travelogue", this is "a very good word", then in French this genre is studied as "récit de voyage or carnet de voyage", which means in Russian "travel notes, travel diaries" and is defined as "a story about an adventure, a period of life in some space. This may be a story about the expedition of the discoverers or about the personal experience of the traveler. In addition, the term "journey" has a dual function - narrative and descriptive, because during the journey, the author not only talks about adventures, but also describes those things that he observes" [6: 46].

In his research on travel writing, Adrien Pasquali classifies "adventure story", "science fiction", "geographic novel" and texts that combine adventure and exoticism into the general genre of "récit de voyage", i.e. travelogue. In his opinion, "here we are talking about a genre consisting of other genres, as well as a genre that has made a significant contribution to the genesis of the modern novel and to the development of the autobiographical novel" [6: 47]. The Italian researcher considers the travelogue as "a crossroads and montage of discursive genres".

According to the Hungarian scholar Georgy Tverdov, "travelogues belong primarily to the so-called 'epic' literature, that is, a long multi-genre narrative: they tell about the adventures of movement, alternating with impressions and reflections" [7].

If we draw conclusions from most Western and Russian scientific works, we can conclude that travelogues can connect all types of narrative and discourses: geographical, political, historical, linguistic and ethnological. The people who do it come from all occupations: missionaries, sailors, writers, scientists, journalists, and historians. Besides, travel is not a specialty and has no strict rules other than educating readers. Wandering, watching and telling - these are the three main elements of a mariner's logbook, archeologist's notes, notes of a travel writer. Travelogue can also be associated with two other genres: writing, epistolary novel and intimate diary. Usually the travelogue is regulated by what the narrator, the traveler, sees, and what happens before his eyes. Therefore, the story oscillates between description and narration. The alternation of these principles can be regarded as one of the main features of this genre.

In fact, already in the 17th century, they began to talk about the relationship between the travelogue and the novel. According to the German researcher Friedrich Wolfzettel, the journey was used in the "novel about education" or "philosophical novel" [8] - literary genres are interesting and entertaining for the reader, especially since their components are descriptive and narrative, as Adrian Pasquali stated:

"The convergence of the travelogue and the novel is very appropriate, given that the story is presented not as a series of puzzles, the truth or falsity of which must be checked, but as a whole narrative that can be decomposed into a series of sequences in which direction and meaning could be sensed". Canadian professor Roland Le Hunin also supports this position. He argues that "The order of the travelogue is primarily chronological ... it seems that this chronology and the absence of a logical protocol distinguish this narrative genre from "fiction" [1: p. 24].

If there is a novel that comes closest to being a travelogue, it is first and foremost an adventure novel. The novels of Jules Verne and Pierre Loti are considered the best examples of how travel can be the subject of a plot. However, Sarga Moussa highlights some of the differences between the two types of writing. The French scholar believes that travelogues are largely the sources of the novel [10: p. 50].

It must be said, that the difference between these two genres lies in the fact that the literary travelogue places great importance on description, which plays an essential role and allows the traveler to communicate his observations and convey his knowledge to the reader, while the novel is based on the sequence of events. Travelogue is open to the outside world and follows its own rules; where reality takes precedence over fiction. The novel forms a closed and autonomous space, not susceptible to the accidents of reality. Thus, the travelogue is concerned with preserving the truth: what is said must be true to what has been seen, the author must present his conclusions as accurately as possible. Travel notes have a didactic purpose, as they want to teach something, to provide reliable and useful information. In the 17th century, it was this "... educational side of the journey that was intended to convince some of its superiority over the novel" [11: p. 133].

Although, on the other hand, travel notes can simultaneously tell real and imaginary events. They cannot be absolutely objective and transparent, because they always include an element of subjectivity. To show the connection between the novel and the travelogue, let us take the example of Gerard de Nerval, who introduced fictional stories, real tales, into his *Journey to the East*, like the *Thousand and One Nights*, as, for example, about the caliph Hakim. As in a normal novel, its story contains characters, around whom most of the events take place.

The travelogue, even if it often presents intimate data, differs from the autobiographical novel: in contrast to the autobiographical narrative, in the travelogue "the adventure of the subject begins not from birth, but from departure, and does not develop arbitrarily, but must be completed by return" [12: p. 631]. In sum, even if both genres are prose and feed on the life experiences of their authors, however fictional they may be, in the end it is their construction, the style of storytelling, and the purpose for which they are written that distinguish them most. Sometimes a travel writer draws on his travel memories to write a realistic novel, but the opposite is rarely the case. After all, one of the main principles of the travelogue is to collect information while traveling through a foreign land, where peoples with different customs live. However, it is in the course of this daily description of his experiences that the travel writer, without realizing it, can connect his data with the history of the place visited.

Travelogue is on the border of literature and history. Canadian professor Normand Doiron believes that "history and travel have a natural relationship: movement occurs in one in space, and in the other in time. Both are sources of human experience" [13]. The travelogues include historical descriptions and essays such as those of Claude Etienne Savary and Constantine Francois Volney (French travelers who wrote about Egypt and the traditions of the Arab world).

However, there is a certain difference between these two areas, since a literary travelogue depicts the impressions of travelers during a certain period, but it does not cover all aspects of the life of a people; at a time when history studies the development of society over the centuries. The travel story, which focuses on observations and testimonies about the journey, can be used as a "historiographic tool" [14: 301]. Since the 1980s, more and more often, old travel reports and diaries of conquistadors and em-

ployees of the colonial administration have been studied by scholars as real historical sources. Today, these “travelogue” works have proven to be very useful for reconstructing fragments of the history of some countries in Africa, Latin America and Asia over the past five hundred years.

It should be noted that some historical travelogues, such as “Anabasis” by Xenophon, are written in the form of a travel journal, in which the journey itself is auxiliary to history. Other stories are used as guides for navigators or sailors. In addition, travelogue texts are classified because they are diverse: Jesuit reports, traveler reports (Marco Polo, Ibn Battuta, Bougainville and Cook), diaries of explorers and explorers (Christopher Columbus) and chronicles of military expeditions (Xenophon).

In conclusion, we can say that travelogue is a complex genre, which is still difficult to give any specific definition. This genre “is at the crossroads of several literary genres”, as pointed out by Adrien Pasquali. In addition, the mixing of genres is one of the most notable characteristics of the travelogue. It consists of heterogeneous forms and genres and is characterized by multiple intertextual connections and frequent digressions. For Chernyshevsky, “Journey is partly a novel, partly a collection of anecdotes, partly history, partly politics, partly natural science” [15: 978]. Isabelle Donay, a professor at the University of Montreal, also almost shares this point of view, suggesting “a travelogue is not a complete and unfinished work, but a kind of transition to creativity, reflections on creation” [16: 24]. Therefore, it is more productive to rely on the characteristics of a travelogue than to try to define it as a specific literary genre. The main genre-forming feature of the travelogue, in our opinion, is the desire for a reliable image of the “alien” world, passed through the perception of the traveler.

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MEDIA DIDACTICS IN INTERNATIONAL STUDY PROGRAMS – USING E-LEARNING FOR TRANSNATIONAL TEACHING

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Introduction

In the context of the COVID-19 pandemic, the digital transformation has vehemently affected the education sector, especially universities. Digital teaching concepts had to be created and deployed within a short time. In the crisis, however, there was initially no time for innovative teaching concepts or a uniform digital teaching strategy to support teachers and students (cf. Demmer 2021).

Moreover, out of the COVID-19 pandemic situation, students and teachers alike were called upon to switch to e-learning and use digital teaching methods within a short time, which significantly accelerated the digital transformation at higher education institutions (cf. Bils und Pellert 2021, pp. 31, 37; cf. Karapanos et al. 2021, p.2). E-learning stands for electronic learning and means learning in scenarios with the support of information and communication technologies (cf. Erpenbeck et al. 2015, p.5).

In general, E-learning or digital teaching concepts have some advantages compared to traditional physical teaching, which allowed them to be a suitable teaching method in the COVID-19 pandemic due to enacted face-to-face restrictions. Significant advantages include time and location-independent and self-organized teaching, e.g., through blended learning or flipped classrooms (cf. Arkorful & Abaidoo 2015, pp. 29f.).

In addition to the advantages e-learning offers, there are also disadvantages to international online teaching, such as language barriers, no face-to-face contact with teachers, and a lack of student feedback in the virtual room during 90 minutes of full-time lectures (cf. Radović-Marković 2010, p.290ff.).

General physical teaching didactics and methods can not just be transferred to the digital teaching world. Regarding this, lecturers must deal with new challenges when preparing digital teaching content.

Didactics can be understood as a subfield of educational science (cf. Porsch 2021, p.25). In a broad sense, it means the teaching and training of lecturing and learning and design of educational content at all levels of the educational system (cf. Lehner 2019, p.12; cf. Terhart 2010, p.73). Media didactics, as a specific sub-form of didactic, deal with the learning materials themselves and the usage of media in lecturing and learning (cf. Kron and Sofos 2003, pp. 48-51; cf. Brandhofer 2017, p.45f.).

This report is dedicated to the media-didactic challenges in designing efficient and effective digital teaching content, especially in e-learning, to conduct successful transnational teaching and learning scenarios.

Problem and objective of the research

An international study was conducted in the framework of the DAAD (German Academic Exchange Service) funded research project IDEA – Internationalization through advanced Digital Education in Asia and Caucasus at the University of Applied Sciences Zwickau (WHZ). The research aimed to ask students about their general perception of e-learning, used tools during the pandemic, and challenges during digital teaching. The results shall benefit the IDEA project, especially the media didactical teaching content design.

As part of the IDEA project at WHZ, an international double degree master's pro-

gram is being established between WHZ and five partner universities in Georgia, Kazakhstan, Kyrgyzstan, Armenia and China. This master's program links the interdisciplinary fields of management and computer science and is intended to attract international students to counteract the declining regional student numbers at WHZ. The development of the study program is dedicated to developing digital teaching and learning materials and the media-didactic revision of primarily presence modules. The digital orientation of teaching is intended, among other things, to meet the geographical challenges of international teaching and to ensure time and location-independent teaching.

Against this background, the disadvantages of e-learning and the challenges of transnational teaching mentioned above play a unique role in the international double degree program. The conducted research connects to these challenges and asked students from management and computer science master programs from the involved universities of the project and other partner universities of WHZ connected to the region of the project universities.

The partner universities involved are the University of Applied Sciences Zwickau, as coordinator of the project; the ASUE – Armenian State University of Economics, Yerevan, Armenia; IBSU – International Black Sea University, Tbilisi, Georgia; the INAI.kg – Kyrgyz-German Institute of Applied Informatics, Bishkek, Kyrgyzstan and the KAFU – Kazakh-American Free University, Ust-Kamenogorsk, Kazakhstan. Additional WHZ partner universities considered in the study are DKU – German-Kazakh University, Almaty, Kazakhstan; Ala-Too – Ala-Too International University, Bishkek, Kyrgyzstan; VSU – Volgograd State University, Volgograd, Russia and VSUT – Volga State University of Technology, in Yoshkar-Ola, Russia. The WHZ has a longstanding cooperation with these universities and regulates teaching and research relations through a Memorandum of Understanding for each partner. Although the DKU and Volgograd State University were contacted for the study, no student answered the survey.

To ensure transnational accessibility to the study, an online questionnaire was developed and students could answer from the 21.01. to the 14.02.2022. The survey was analyzed with the statistical software SPSS Statistics from IBM and Microsoft Excel.

On the one hand, specialist literature related to the topics of e-learning and e-learning in universities as well as university teaching during the Covid-19 pandemic was used to create the questionnaire. On the other hand, existing studies on the perception of digital teaching, correlating challenges and applied digital teaching materials of learners were identified and woven into the questionnaire or used for orientation. This procedure is based on the literature recommendations for creating questionnaires (cf. Steiner and Benesch 2018, pp. 11f.; cf. Hollenberg 2016, p. V; cf. Kallus 2016, pp. 7ff.).

The study aims to investigate how the master's students at the considered universities and disciplines perceive the online teaching initiated during the COVID-19 pandemic, which digital teaching methods and media are used, and what challenges arise for the students. The aim is to generate findings on implementing digital teaching at participating universities. Furthermore, the generated findings will flow into the development of an e-learning concept and the media-didactic revision and development of international digital teaching and learning materials within the framework of the IDEA project. In this context, the following central question is considered within the research:

How do students of management and computer science-related master programs from selected partner universities of the University of Zwickau, as well as the WHZ itself, evaluate the implementation of digital teaching methods in the framework of the

COVID-19 pandemic and what conclusions can be drawn from this for the media didactic design of international E-Learning materials?

Research results – Sample

In total, 298 master's students of the universities mentioned above were contacted by E-Mail in the research framework. The contacted master's students are potential candidates for the new WHZ study course developed within the project IDEA. 93 students participated in the survey at the beginning, which results in a gross response rate of 31,21 %. During answering the questions, so-called dropouts occurred, which is why only 59 students answered the questionnaire thoroughly. This totals to a net response rate of 19,80 %.

Nearly all responding students got into contact with e-learning or online teaching during the COVID-19-related online semesters. More than half of the students had 1 to 10 hours a week of online lecturing. At IBSU and INAI.kg, one student responded that he or she attended more than 20 hours of online classes per week. In total, five students attended more than 20 hours of extensive online teaching per week. Therefore, the students who participated in the survey are a good group to ask about their experience with online lecturing as they experienced it a lot during the COVID-19-related online semesters.

Regarding the perceived advantages of e-learning students experienced, the survey results cover existing studies. So discovered Gabriel and Pecher in a study from 2020 that especially master's students and PhD students perceive flexibility as one of the most significant advantages of e-learning (cf. study from Gabriel und Pecher 2020). Also, a study from Dittler & Kreidl (2021) discovered that students perceived more flexibility in their learning process (cf. Dittler und Kreidl 2021, p.101). In the research of this report, over 70 % of the asked students see the self-creation of the learning process and more convenience and comfort as advantages of e-learning.

Furthermore, 84 % of the students perceive time and cost savings as an advantage of e-learning. This also results from a study by Karapanos et al. (2021), where this item was perceived as the most significant advantage of e-learning (cf. Karapanos et al. 2021, pp.16f.).

However, a perceived disadvantage of E-Learning is the lack of contact with fellow students and lecturers. 30% of the students agreed that they had more social interaction with fellow students and lecturers through e-learning. This results in an opportunity for higher education institutions to use social media or information and technology tools to enhance social interaction in an e-learning scenario. Especially with social media platforms or blogs, a lecturer can create a social learning environment (cf. Hajli et al. 2013, pp. 851f.). Aspects of social e-learning or gamification could be integrated into lectures to increase learning motivation (cf. Shi et al. 2014, p. 116).

Moreover, the study investigated the students' satisfaction with the frequently used e-learning tools. 35 of 93 participants answered that they frequently used learning management systems (LMS) in their online lectures during the COVID-19 pandemic. LMS are digital platforms where teachers can provide learning content, interact with students and even do online examinations; moodle is an example of an LMS. The usage among the participants is very low (cf. Karapanos et al. 2021, p.14 for a study with frequent usage of LMS from 78%). Furthermore, only 13 of the 35 students who used the LMS frequently in online teaching want to continue using the university's LMS. This could indicate that, despite frequent usage, there is still room for improvement in the

design of the existing LMSs. This is astonishing, whereas LMSs are seen as one of the key technologies to enable an e-learning scenario or blended learning scenarios. They enable most of the e-learning advantages like independent and self-determined learning as well as the flexibility of the learning process. Moreover, LMSs provide the intersection between the students and the digital classroom (cf. Perrier 2015, p. 208).

Another digital medium in online teaching represent recorded lectures. Ca. 47 % of the participants used recorded lectures for their learning process and more than 50 % wished to continue using recorded lectures in a regular teaching mode. The recording of lectures can be seen as a famous method among students for their learning process. However, the question arises if this method will be used further in physical teaching, despite students' wishes.

Regarding the project IDEA, all partner universities are familiar with recording lectures and their implementation. A challenge for the project will be to provide students with recordings of when lectures are being held physically. However, lecturers should cope with using new technology like lecture capturing systems to fulfill the demand of students and benefit from the advantages of e-learning (cf. Brown 2022, p. 44).

Conclusion

The research aimed to investigate how the students of WHZ and the related partner university of the project IDEA perceived the initiated online teaching during the COVID-19 pandemic. Similarly, the challenges faced by the students during the COVID-19 pandemic and the impact on their studies were analyzed. In this context, it was essential to determine how e-learning was implemented at the universities. Furthermore, the research shall contribute to the e-learning concept of the project IDEA and shed light on the media didactics of e-learning among the universities of the project. In the project context, an efficient and effective digital teaching concept shall be integrated, enabling a flexible and location-independent knowledge exchange for the students.

Through the COVID-19 pandemic, nearly all universities worldwide could realize e-learning models and experience the advantages and disadvantages of it. The research focused on the transnational cooperation between German, Central Asian and Caucasian higher education and aimed to shed light on the student's perspective on the applied e-learning concepts.

However, in the context of media didactics, digital media and digital teaching and learning scenarios should be developed in a sustainable manner and need corresponding time for integration into existing course models to unfold their full potential. Accordingly, the e-learning models used, such as blended learning or flipped classroom, as well as the digital media used, such as LMS, conference systems, recorded lectures and much more, should be underpinned with a didactic concept.

In conclusion, the research provides further research streams and measures for the e-learning concept of the project IDEA. Follow-up studies could focus on qualitative research and interview students and teachers based on the survey results. It could be interesting to ask teachers how they interacted with students through digital media and how they designed their courses on the LMS. Moreover, students can be interviewed about their satisfaction with specific e-learning tools and how they used them.

E-learning finally made its way into the standard repertoire of higher education institutions. The next challenge will be integrating the lessons learned from the COVID-19 pandemic into daily teaching methods and implementing didactic concepts into

online teaching scenarios. A media didactic framework for e-learning is needed to enhance the advantages and the learning success as well as the study satisfaction of students.

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USING DENOTATION CARDS IN AN EFL CLASSROOM

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The role of the English language in the modern world is obvious. It is the most important communication tool at the international level. A modern person without certain linguistic knowledge cannot use the latest benefits of civilization. All spheres of our life require knowledge of the English language in one way or another. Learning English is becoming more popular every year. Any modern person should own it at least at the initial level.

Reading is one of the main skills that a pupil must acquire in the process of mastering a foreign language in school. Every teacher should understand that reading is one of the most important types of communicative and cognitive activity of students. This activity is aimed at extracting information from a written fixed text. Reading in foreign language lessons performs various functions:

- serves for practical mastery of a foreign language;
- is a means of learning language and culture;
- a means of information and educational activities;
- a means of self-education.

Reading as a process is connected with the work of visual, kinesthetic, aural analyzers, and thinking. The visual analyzer is at work when the reader sees a text. While seeing the text he "sounds" it silently, therefore the kinesthetic analyzer is involved. When he sounds the text, he hears what he pronounces in his inner speech so it shows that the aural analyzer is not passive, it also works and, finally, due to the work of all the analyzers the reader can understand thoughts. In learning to read one of the aims is to minimize the activities of kinesthetic and aural analyzers so that the reader can associate what he sees with the thought expressed in reading material, since inner speech hinders the process of reading making it very slow. Thus the speed of reading depends on the reader's ability to establish a direct connection between what he sees and what it means.

There are two ways of reading: aloud or orally, and silently. People usually start learning to read orally. In teaching a foreign language in school both ways should be

developed. Pupils assimilate the graphic system of the target language as a means which is used for conveying information in print. They develop this skill through oral reading and silent reading.

When one says that one can read, it means that one can focus one's attention on the meaning and not on the form; the pupil treats the text as a familiar form of discourse and not as a task of deciphering. "The aim of the teacher is to get his pupils as quickly as possible over the period in which each printed symbol is looked at for its shape, and to arrive at the stage when the pupil looks at words and phrases, for their meaning, almost without noticing the shapes of the separate letters". A good reader does not look at letters, nor even at words, one by one, however quickly; does he take in the meaning of two, three, or four words at a time, in a single moment. The eyes of a very good reader move quickly, taking long "jumps" and making very short "halts". We can call this ideal reading "reading per se". Reading per se is the end to be attained.

It is well known that reading occupies a significant place in a person's life. It not only develops a person's ability to think and allows a deeper understanding of the world around him, but also enriches him spiritually. Reading is one of the most important means of human communication, and one of the most important means of human culture. In the modern world, with the ever-increasing flow of information between countries, reading in a foreign language begins to occupy a large place in a person's life. One of the main tasks of teaching a foreign language in school is teaching reading and understanding of a text in a foreign language.

Reading in a foreign language is a type of speech activity that allows not to imitate, but to reproduce one of the forms of real communication in a foreign language. Based on this function, reading instruction should be built, in my opinion, in such a way that students perceive it as a real activity that has practical significance [1].

Speaking and writing, according to B. V Belyaev and L. I Razygraeva., are an active form of speech communication, and listening and reading are a passive form. However, reading from a psychological point of view is a process of perception and active processing of information graphically encoded according to the system of a particular language. Thus, in this process of speech communication, there are two main inextricably interrelated distinguishing features: a) the process of perception of printed or written text; b) the process of comprehension of what is being read [2].

Reading as a type of speech activity is the extraction of information from a printed text. This activity is differentiated by different characteristics, which is embodied in different types of reading. In any educational institution, including primary school, the purpose of training is to develop the ability to read about yourself, synthetic, untranslated. Other types of reading prepare its functioning as a type of speech activity and generally serve as a means of teaching a foreign language.

S.K. Folomkina's observations and conclusions about the ratio of reading to oneself and aloud are useful for learning a foreign language. The main task in teaching reading aloud is to achieve the correct intonation of the text from the point of view of the logical division of the sentence, the allocation of the main and secondary. However, the abuse of reading aloud hinders the formation of reading fluency, as it strengthens the habit of full pronunciation. When reading to himself in class, the teacher should explain difficult passages or lead students to understand them before they read the text themselves. Reading to yourself must be carried out both in the classroom and at home [3].

Reading is not only an aim in itself; it is also a means of learning a foreign language. When reading a text the pupil reviews sounds and letters, vocabulary and gram-

mar, memorizes the spelling of words, the meaning of words and word combinations, he also reviews grammar and, in this way, he perfects his command of the target language. The more the pupil reads, the better his retention of the linguistic material is. If the teacher instructs his pupils in good reading and they can read with sufficient fluency and complete comprehension he helps them to acquire speaking and writing skills as well. Reading is, therefore, both an end to be attained and a means to achieve that end.

The text as a system of speech product of native speakers of a foreign language is of particular value as a systematized model of the functioning of the language and is one of the main educational and methodological units of training. For the most adequate use of it, the teacher needs to clearly imagine, and then use in the work the content and structural features of the text as the basis for the student to compose his own speech utterances in a foreign language.

Teaching foreign language speech activity can be carried out on the basis of a text in the broadest sense of the word and is associated with the laws of its understanding and generation.

Teaching reading in English as a systematic model of the functioning of the language is a very valuable factor, as well as one of the most important educational and methodological units of training. For the most productive use of it in practice, the teacher needs to clearly and meaningfully use the content and structural features of the text in his work as the basis for the student to compose his own English-language speech utterances.

Investigating the psychological conditions of understanding and generation, despite their divergence, scientists emphasize that both processes are characterized by coagulation. When understanding the text, folding completes the process of forming a holistic image, and when generating, folding manifests itself in the selection of such elements of thinking that should make up the content of the future text. Based on this, A.I. Novikov concluded that the image of the text content obtained in the process of understanding and the idea acting as an image of the future text are structurally identical and can be reproduced graphically in a denotational scheme [4].

Most scientists, investigating the psychological conditions of understanding and generation, despite their divergence, emphasize that both processes are characterized by coagulation. Folding in the understanding of the text completes the process of forming a holistic image and manifests itself in the selection of such elements of thinking that will later form the essence of the text, its content. The scientist A.I. Novikov concluded that "the image of the text content obtained in the process of understanding and the idea acting as an image of the future text are structurally identical, and consequently can be reproduced graphically in a denotational scheme" [4].

"Denotation" denotes objects, phenomena and processes of the real (or: conceivable) world, which are reflected in human consciousness - in the form of concepts, and in language - in the form of words. The totality of these concepts and objects is called a "subject-denotative" plan, which can represent the content of the text. The connections formed between the denotations and the resulting semantic complex is the denotational structure of the text.

The denotational structure of the text is a system of subject matter of the entire relevant area of reality represented in the individual's experience. A denotation is understood as an object, process or phenomenon that constitutes the content of a linguistic expression. It is the denotations, and not the words reflected in thinking and expressed in the text, that is the objects of real reality and are the units of the content of the text

[4].

The system of denotations represents the content of the text, that is, the dynamic model of the subject situation described in the text. The denotational structure of the text content is a microtezaurus or information structure. The external form of the text is the representation of knowledge and information.

The study of the denotational structure of the text is one of the most interesting approaches to the study of the process of understanding. It is interesting, first of all, when teaching reading of English-language literature of a special nature (popular science texts, regional studies texts, and so on). Understanding the inner form of the text allows you to penetrate deeply into the subject area under study and activate the intellectual activity of the student, during which the "school of memory" would give way to the "school of thinking".

Taking into account the features of the subject plan of the educational text as the main means of teaching is a significant methodological problem, since with its correct didactic and methodological organization; several tasks can be solved, namely:

- on the part of the teacher or the author of the textbook, the student is included in a pre-selected "piece of reality", taking into account its ethno-socio-cultural value;
- the structured organization of this piece of reality (with the help of a denotation map) allows you to represent horizontally and vertically various forms of subordination of denotations and transitions from more general to more particular phenomena;
- the problem of the adequacy of the understanding of the text is solved, because, as N.I. Zhinkin showed, "a piece of text is understood if the denotation that arose at the receiver corresponds to the denotation in the speaker's speech plan" [5];
- the organization of the denotation plan can ensure the placement of socio-cultural accents of individual fragments of the map, for example, by comparing the subject reality of the native and the studied languages.

When teaching various types of reading at the pre-text, text and post-text stages, the use of the denotative analysis method significantly optimizes the traditional system of exercises with text, stimulates comprehension, assimilation and memorization of information in the text. When implementing this method in the classroom, the teacher uses various technologies and techniques for working with a denotation card. Such maps greatly facilitate the perception of the text, outlining the subject area of the lesson in advance, and allow you to correlate the system of subject relations reflected in the text with the subject relations of this field of knowledge through the personal experience of students. Also, denotation cards can be used to reproduce the semantic content of the text through linguistic means. Using these cards in the classroom greatly facilitates speaking. With their help, the teacher has the opportunity to teach the technology of processing the source information in such a way that it is adequately understood, firmly assimilated and convenient for updating [4].

According to A.I. Novikov, drawing up a denotation card will help to formally reflect the content of the educational text. He also proposed a consistent plan for denotative analysis. It looks like this:

- definition of the names of denotations in the text,
- highlighting the "key" denotations in the text,
- establishment of internal links of each "key" denotation with other denotations;
- formation of a table of relations of denotations and the construction of the neck;
- definition of subject relations between denotations;
- formation of an integral structure of content, taking into account the subject rela-

tions of denotations and their place in this structure [4].

The presentation of the subject plan of the text in the form of a denotation card allows you to materialize its content on paper, making it visual.

Denotation card, on the one hand, opening subject relations, and on the other - setting some linguistic ways of expression in the form of denotations and names of subject relations, allows to a large extent to remove these difficulties.

Advantages of using denotation cards:

- when filling out denotation cards, children are more actively involved in work, they become interested in this type of activity;
- children are active when planning a monologue utterance;
- the use of diagrams helps to establish the sequence of the material being presented, to trace the logical connections between sentences in the text, so their answers become clearer, coherent and consistent;
- when using denotation cards, as well as with other methods of working with text, vocabulary is activated, ideas about the surrounding world are expanded [5].

When teaching students various types of reading at the pre-text, text and post-text stages, the use of the denotative analysis method significantly optimizes the traditional system of exercises with text, allows students to activate the processes of comprehension, memorization and assimilation of textual information. When starting to implement this method in the classroom, the teacher uses various techniques of working with the denotation map of the text being studied [5].

So, at various stages of working with the text, you can offer the student:

1. In exercises to understand the lexical and thematic basis of the text;
 - study the denotation map of the text and supplement it with keywords from the text;
 - read the text and complete the compilation of its denotation map.
2. In the exercises for predicting the content of the text;
 - read the title, view the text and determine how the topic develops: inductively or deductively;
 - read the text, compare your suggestions with the denotation card given after the text.
3. In exercises to establish a semantic connection between single facts of the text;
 - read the text and fill in its denotation card (empty columns are given, only one block is filled in);
 - read the text and study its denotation card;
 - tell which information from the text was not reflected in it.
4. In exercises to control the understanding of the main content of the read text;
 - make a denotation card of the read text and explain it;
 - retell the text using the denotation card as a support.

It seems very promising to use denotation cards in the educational process, used as if in opposite directions. On the one hand, such schematic maps facilitate the perception of the text by outlining its subject area in advance, allowing to correlate the system of subject relations reflected in it with the subject relations of this field of knowledge presented in the student's experience. On the other hand, denotational maps can also be used to reproduce the semantic content of the text through language means available to the student, since the subject relations reflected in them provide a system of supports or semantic milestones, the presence of which, as practice shows. Greatly facilitates speaking. The fact is that even with a fairly good knowledge of this subject area, the student

often experiences difficulties at the stage of grammatical construction and lexical deployment of the text. The denotational map, on the one hand, exposing the subject relations, and on the other - setting some linguistic ways of expression in the form of denotations and names of subject relations, allows to a large extent to remove these difficulties. Thus, both in the orientation towards perception, that is, in the reproductive aspect, and in the orientation towards the generation of one's own text, that is, in the productive aspect, the use of the denotation structure provides significant assistance in activating the speech-thinking process.

The use of denotative analysis in teaching reading in English makes it possible to overcome the psychological barrier among students, which in elementary school is associated with the fear of a large text, since at the sight of a large volume, students have a desire to resort to the help of a dictionary about any unfamiliar word. The use of denotative analysis helps to develop different types of reading in a complex: introductory, studying, searching, allowing you to form a natural reading.

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USING SCAFFOLDING TALK TECHNIQUES IN TEACHING SPEAKING TO DIFFERENT TYPES OF LEARNERS

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In modern pedagogy, there are different approaches to teaching a foreign language, one of which is a personality-oriented approach. In connection with this trend, new methods and theories are emerging. For example, the theory of multiple intelligences put forward by Howard Gardner, an American psychologist, makes it possible to use a student-centered approach to teaching, taking into account all the characteristics of students. Based on this theory, teachers revise the learning process, focus on the individualization of learning. The unique traits of an individual student directly affect the motivation to study a particular subject.

Scaffolding, as one of the methods of teaching a language, can help develop the potential for students who initially have a hard time understanding English. Scaffolding helps students overcome the barrier of a small vocabulary, inexperience in verbal communication, difficulty remembering new information and problems in speaking English.

For the first time such a term as “scaffolding” was used in 1976 in the works of David Wood and Jerome Bruner. Having considered the problem-solving process between experts and novices, the authors defined “scaffolding” as a specific process by which an expert motivates a novice to cope with problems that are more complex. In

this sense, an analogy can be created between scaffolding and the kind of teacher support that allows the student to participate in the highest level of functioning.

A well-known American psychologist Jerome Bruner investigated scaffolding primarily as the development of students' speech. He noted that when students try to speak, adults transform for themselves a developed form of speech and do not reduce their speech to the level of primitive sentences of two or three words. At the same time, adults also change the level of help and the strategies they use: children expand their sentences, repeat particularly important words, use gestures, and respond to children's chatter by focusing on the meaning of expressions rather than imperfect grammar. Adults enter into dialogue with the child and support him, as if communicating with an equal interlocutor. By focusing on a level of speech that has not yet been reached by the child, adults thus maintain communication at the highest level of the child, rather than at the level of the child's current development. In a sense, they are talking to the "unborn child".

Scaffolding is a collaborative, strategic effort between teacher and student to build a wide range of compatibility and help preschool students develop new skills in mental application and other practical skills [1].

Scaffolding forms in the child the ability to possess important communication and other tools, these include:

- 1) various kinds of mediators to help the child with the mastery of children's activity;

- 2) skills of speaking, or speech, including the so-called "speech for oneself" or egocentric;

- 3) creation of various symbols created by the child to indicate certain meanings. Scaffolding contributes to the development of higher mental functions in a child; it creates a specific environment in which the student can apply cognitive tools to develop the corresponding functions of his mind. For example, this type of scaffolding is role-playing games, where students in groups alternately change controlling and active roles, in teaching social interactions and studying the process of speaking.

Teachers can use different types of scaffolding to apply them in all contexts, based on the individual inclinations and needs of the student, as well as taking into account their level of development. When teaching counting skills, the teacher uses various strategies: in order to advance the student in the study of numbers, the teacher resorts to methods of interacting with objects by touching or moving them. When there is a task to help the student to use external picks, various objects are introduced, in which a certain value is fixed and helps the child to perform the necessary action (for example, at the moments of the transformation, simple objects can be used, such as calculating figures, bars or cubes, and more complex ones, such as numeric axis). Also, the teacher is obliged to give the student one of the active roles, while the other student will receive the role of the so-called controller and then give each of them the appropriate cards with pictures. This activity allows students to interact with each other to create a joint scaffolding, so they monitor each other's work, forming skills that allow them to use the corresponding skills in future educational activities.

D. Wood, J. Bruner and G. Ross first mentioned the term "scaffolding" itself. It is defined as a type of certain educational assistance of the teacher, in extreme cases when it is difficult for the student to cope with a particular task. In scaffolding, the process of provoking the student to solve a difficult problem takes place, forcing them to step out of their comfort zone and face new and interesting challenges. It is also called work in

the zone of proximal development.

Vygotsky became the author of the idea of scaffolding, creating a theory about the discrepancy between the levels of actual and potential development, since there are types of pupils or students who are unable to achieve the expected results without the help of a teacher.

If we briefly describe the essence of scaffolding technology, then it lies in the fact that the teacher guides and helps the student to develop and form adequate abilities to overcome difficult situations when the student encounters them while completing the assignment.

The technology, which is scaffolding, is considered by experts as one of the special types of student training, which has an important place in the interactions of a teacher, or any other knowledgeable adult, and a student who overcomes cognitive barriers in solving certain problems. The main characteristic of the scaffolding technology is the so-called fading help of the teacher to the student, during which, during the threshold entry into the solution of the problem, the teacher participates in active assistance to the student, over time reducing his influence of the mentor giving him the opportunity to solve the problem himself.

Since the main criterion for scaffolding is fading help, that is, a decrease in teaching interference in the learning process of students in order to form their skills that allow them to solve the problem on their own, the authors nevertheless have two basic rules for scaffolding. One of them is to help the student with a task that is still impossible for him independently, while the second rule is the number and volume of tasks that the student can cope with independently. Scaffolding is applied until the student is completely autonomous in their actions.

The use of scaffolding technology implies multiple use of this method in the teaching strategy, for example, such a method as splitting a large task into smaller ones is used, and so-called "thinking aloud" is also used. Thinking aloud means discussing or verbally speaking the assignment or the results of the assignment after it has been completed. Attention is also paid to teamwork, drawing up dialogues, and the distribution of roles in the role-playing game between the participants. Particular attention is paid to the purposeful help of the teacher, his tips, questions and prompting cards, as well as modeling real situations. Scaffolding also includes the activation of existing qualities and skills, the direction in choosing a strategy for completing a task.

The authors identify five main characteristic scaffolding strategies: the intention to take an action, the appropriateness of the action, the structure of the action being performed, cooperation between the participants during the action, and the assimilation of the action done.

The strategy used in the scaffolding method is considered one of the most effective strategies used in the interaction between students during joint assignments. The table below shows the main points used in the scaffolding strategy.

This table reflects well the whole essence of "fading assistance". According to this table, there are types of adults involved in interacting with students, helping them to form cognitive skills for solving complex problems. The table lists all possible types of actions suitable for the above mentioned types of adult mentors to guide students in the learning process.

Scaffolding strategy - "fading help" from the teacher in the course of students' independent work

Authoritative specialist, source teacher, trainer	is a source of information, creates independent work for students using clear instructions and recommendations, monitors the results
Motivator	instructs and indicates alternative ways of organizing independent work, corrects the process of its implementation
Educator-coordinator	helps in planning, conducting and evaluating the results of independent work, facilitates the learning process by guiding students
Educator-advisor	the term is used in individual learning and in educational situations when a training contract is concluded between the teacher and the student

It is important for students to understand what they are reading and what they are talking about. Many experts, such as Karshen, believe that the student's desire to understand what he has read is a natural part of the learning process; this can be called the basis in the study of a foreign language. However, the typing process based on student comprehension is not the same as a "simplified" typing process. Students need to interact with a language that is ahead of the part of their skills that is responsible for something that is already easy for them to reproduce on their own. However, there are many other ways that have evolved from learning a foreign language without having to interact with the simplification process, for example:

1) Demonstration of practical teaching elements such as science experiment or mother tongue. Their use is necessary to familiarize themselves with new ideas; this introduction is carried out in front of the students before the introduction of abstractions in the target language;

2) you should always use your native language when introducing a new topic, and only then switch to the target language;

3) organize a dialogue based on the empirical experience of students, talk about their time spent outside of school;

4) the use of visual aids, which may include pictures, diagrams, tables and diagrams, they are needed for a simplified understanding of a complex program;

5) using interactive learning tools;

6) establish a connection between what the students already know and what is being studied at the moment;

7) explain the same things in different words and terms;

8) before reading written texts, study the basic information with the children and during the reading itself, draw the students' attention to the visual material: pictures, diagrams.

Students must use the target language on their own. If the concept of input in the study of a second language is an integral and paramount part of learning, then in itself it is not the only necessary criterion. Merrill Swain points out that students need to take part in a communication situation that would encourage them to use the language they are learning on their own. From her point of view, the use of a foreign language is an adequate way output. Pupils should be given the opportunity to use the studied language as widely as possible, for the ability to express their thoughts and understand the thoughts of others encoded in complex language constructions. For Swain, unlike what

happens when we listen or read, striving to make the language more open to others encourages students to explore the depths of their own language. In her opinion, this practice will lead to a more grammatically correct and constructive discussion. Swain also refers to the development of conversational speech as a means of solving many problems in the process of group communication or dialogue in pairs.

All of the following double and group exercises create a context in which students can interact with the extended language while interacting with others:

- 1) games that create barriers, among them may be games that focus on finding differences;
- 2) solving problems in paired works;
- 3) creation of original ways of solving problems;
- 4) using pictures in a visual way to better create an associative array that contributes to the formation of new cognitive functions;
- 5) reporting work done or learning new material in small groups to the whole class;
- 6) solving problems related to puzzles.

Students must also learn to interact and use what is called a "stretched". In the process of learning and preparing for an acceptable output of information, the student must learn to think wider and go beyond the usual ideas about the language, it is necessary to leave the comfort zone. Merrill Swain, explaining the phenomenon of "stretched language" explains it with such an example; a person having trouble in the process of describing his thoughts in the target language "stretches" the language. Such situations arise in those moments when the interlocutor needs to use the skills of his language that exceed his current abilities, experience and knowledge. This is a very important element in language learning, attempts to surpass oneself bring the student closer to a better understanding of the language, especially if the act of communication is established with a person useful for learning the language. These practices allow the student to identify his gaps in the knowledge of the target language. It also contributes to the development of the student's attention, it becomes possible for him to catch the answers of the interlocutor directly related to what the student wants to convey [2].

For learners of foreign languages, the process of overcoming their linguistic limit is extremely important, this expands the communicative boundaries by consolidating grammar and vocabulary at a more advanced level. The point in a comprehensible output using a stretched language is not that the so-called "form" should be the main component of language teaching, but that students from time to time have the opportunity to be in an uncomfortable state to overcome barriers and linguistic minimum. This way, students can focus on expanding their linguistic resources and focus on what and how they say and pronounce. Exercises should be designed in such a way that they encourage students to go beyond their capabilities, thus motivating them to expand the boundaries of their cognitive abilities. An important element of this practice is that the problem solved by the student arises in a context when the student understands that his efforts made in the process of solving the problem enjoy universal recognition and support. The following are examples of topics in which students may feel quite capable of solving problems at risk, applying the skills they have acquired in the process of learning a foreign language:

- 1) there are types of educational activities where, in the learning process, the teacher divides students into pairs, however, to complicate this task, divide the students into two pairs, so that each participant in oral communication has a partner who helps to

participate in the dialogue;

2) it is necessary to strengthen students' confidence in their ability to speak, always encourage the student who is trying to construct complex sentences, and even if his speech sounds inaccurately formulated, still encourage the student with the words - "Yes, I understand what you mean by this";

3) at the time of the act of communication between students or between student and teacher, try to give them time to correct or correctly formulate your idea before you formulate a grammatically correct sentence for them;

4) encourage students to use language informally, outside the context of the usual formal dialogue process, students should be able to go beyond the communication process;

5) avoid situations where the student continues to push himself to the point of rejection or embarrassment, and create a friendly atmosphere in the group to increase student confidence [3].

Students studying foreign languages working in groups will not be able to provide themselves with models of the academic language, because they are not yet familiar with the basics of the academic style. If the student intends to develop in the direction of the academic field, the teacher should understand how important his role is in modeling the language in the learning process.

1) it is necessary to develop the correct methodology for teaching subject language, the academic language is not just "selected";

2) when planning a lesson, choose a specific spoken and written language that integrates with a specific work unit;

3) when entering into verbal communication with students, simulate the process of communication in an academic language, developing and paraphrasing everything that students say;

4) discuss with students the transformation of the language depending on the context of its application;

5) when discussing the target language, talk about the language with students in the context of its use, avoid isolation. Provide students with grammar rules and terms in the context of the discussion;

6) in the process of drawing up written assignments, include in the program joint constructions when a student writes a text with the participation of a teacher: this practice contributes to the development of the writing process and the establishment of a dialogue about the language in the context of its direct use.

Studies carried out in a huge number of countries have demonstrated a close relationship between a mother tongue and a second language. Those studies over the years have shown that bilingual students are much more likely to use all of their linguistic resources when engaging in communication, reading or writing. In addition, according to research, it can be seen that among students of foreign languages, those who are fluent in their native language learn a foreign language much better. The process of teaching students a foreign language should not yield to the basic linguistic identity of students, just as familiarization with the culture of the people of the target language should not be a one-sided immersion in an alien environment. There are several ways to use your native language as teaching a foreign language, using it as an educational resource.

1) during the lesson, create situations so that students can work with other people who speak the language of study, for example, in situations where a solution to a given problem is required, while listening to instructions or during the practice of reading,

writing and speaking;

2) encourage students to use their acquired skills in writing and reading, their high literacy, prevailing in their native language and being an important part of their identity, can help them in practice, which is often overlooked;

3) allow students to review bilingual books or textbooks for younger learners;

4) let students create their own bilingual dictionaries;

5) before introducing students to a new terminology, concept, or new rule, it is necessary to discuss the innovation in the student's native language before they encounter it in a foreign language. This will expand their possibilities of using linguistic resources in the process of an oral-communicative act;

6) during the learning process, motivate students to compare their native and foreign languages. Students, based on the knowledge of their native language, will be able to successfully understand the logic of the language being studied; they must be able to use other languages in learning the main one. Joint discussions and comparisons of languages give the teacher the opportunity to provide valuable information about the student's ability to use the native language, which, as a result, contributes to the formation of a foreign language-teaching plan [4].

In teaching speaking, the need for dialogue is an integral part of learning a foreign language. Thanks to Vygotsky's works, recently under his influence, the social and cultural foundations of teaching a foreign language have gained more attention. Adhering to this opinion, the teacher has the opportunity to practice a methodology that allows you to put the interaction with the interlocutor and the dialogue itself at the center of the educational process, which allows you to create cognitive resources. The formation of spoken forms of the language is necessary to create a bridge to the academic language associated with the development of literacy in school learning. Research also demonstrates the relationship between the development of speaking and reading comprehension. In such conditions, it should be borne in mind that one cannot do without a critical analysis of the quality of the dialogues in which students participate. The researchers note that the quality of the dialogue between student and teacher plays an important role in the speaking process.

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AN EMPIRICAL STUDY OF THE PERSONAL CHARACTERISTICS OF WOMEN PRONE TO THE FORMATION OF EMOTIONAL DEPENDENCE ON MARITAL RELATIONS

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This study was conducted on the basis of «the Leader» Training Center from November 2021 to April 2022. The experiment involved 60 women aged 27–30 years who have been married for 3–5 years.

The study was conducted in accordance with all types of psychological diagnostics,

1. The preparatory part of the empirical study examines the literature on the problems of the personality of women, as a rule, develops emotional development depending on the marital relationship.

2. Formation, selection and conduct of psychological diagnostics.

3. For processing diagnostic data by mathematical statistics.

4. Interpretation of results and formulation of conclusions.

The selection of a psychodiagnostic tool is carried out in accordance with the objectives of the study. To achieve the goals and objectives of the study, alternative methods were used:

1. Test of interpersonal dependence according to R. Hirshfield (according to O.P. Makushin).

Purpose: the test allows to evaluate the characteristics of dependence on interpersonal relationships. In the adaptation, O.P. Makushina notes that this method is aimed at diagnosing dependence on another person - in other words, love dependence on a relationship partner.

2. Test to determine the level of codependency in a couple.

Purpose: to study the level of propensity to build co-dependent relationships in a married couple.

3. Scale for measuring the level of anxiety (Ch. D. Spielberger, J. L. Khanina).

Purpose: to study situational (reactive) anxiety as a reaction to the situation and personal anxiety as a stable characteristic.

4. Methodology for assessing mental states (G. Eysenck).

Purpose: to determine the level of anxiety, frustration, aggressiveness, rigidity.

5. Questionnaire for mental stress T. A. Nemchina.

Purpose: to study the severity of symptoms of neuropsychic stress.

Neuropsychic stress is a special type of mental state that develops in a person in difficult conditions of his life and work.

6. A. Beck Depression Scale.

Purpose: to study the level of severity of depression.

Rationale: the methods were chosen in accordance with the personal characteristics of women presented in a number of studies who are prone to the formation of emotional dependence in relationships: increased anxiety, rigidity, emotional tension, depression (E.V. Emelyanova, 2014; O.A. Kondrashikhina, V.V. Moiseeva, 2014; L.A. Puzyreva, 2013, etc.).

For the processing of empirical data, an application package was used: an Excel spreadsheet, a Word text editor, and the STATISTIKA 8.0 statistical package. Processing included methods of statistical data processing.

At the first stage of the study, an analysis was made of the severity of the studied indicators in a sample of women in terms of their correlation with the standards of the method.

The results of correlating diagnostic data with the R. Hirshfield test standards (adaptation by O.P. Makushina) are presented in Table 1:

№	indicators	standards	Diagnostic results (people,%)	Degree of expression
1	Emotional reliance on others	18-37 low 38-54 average 55-72 high		
2	Lack of self-esteem	16-24 low 25-37 average 38-64 high		
3	Striving for autonomy	14-22 low 23-33 average 34-56 high		
4	General indicator of dependency in a relationship	20-35 low 36-62 average 63-80 high	33 (55%)	average
			27 (45%)	high

The results of the diagnosis of women according to the test of R. Hirschfield (adapted by O.P. Makushina)

The diagnostic results showed that 45 women showed a high level of reliance on other people, lack of confidence in their strengths and capabilities, a reduced level of their own autonomy, independence of thinking and behavior.

In 55 women, an average level of emotional reliance on other people, lack of confidence in their own strengths and capabilities, and a reduced level of their own autonomy, independence of thinking and behavior were revealed.

The results of correlating diagnostic data with the test standards for identifying the degree of codependency in a couple (P. Gaverdovskaya, E. Sigitova) are presented in Table 2:

Table 2. The results of the correlation of diagnostic data with the test standards for identifying the degree of codependency in a couple (P. Gaverdovskaya, E. Sigitova)

№	indicators	standards	Diagnostic results (people,%)	Degree of expression
1	Degree of codependence	Less than 5 points = low	35 (58%)	average
		5-20 points = average Over 20 points = high	25 (42%)	high

The diagnostic results showed that 42% of women showed a high degree of codependency in relations with a partner. According to P. Gaverdovskaya, one can speak of codependency if the following signs are present:

- own discomfort is not a sufficient reason to change the situation;
- without a partner there is no sense of one's own integrity;
- you have to not be yourself in order for the relationship to continue;
- in a relationship, a partner is always more important and valuable;

There is no true intimacy in a relationship.

In 58% of women, an average degree of codependence in relations with a partner was revealed, i.e. these indicators are present to a lesser extent.

Scale for measuring the level of anxiety (Ch.D. Spielberger, Yu.L. Hanini)

Below are the results of correlation of diagnostic data with standards.

The diagnostic results showed that 55% of women had a high level of situational anxiety, and 45% of women had moderate situational anxiety.

The authors (Ch.D. Spielberger, Yu.L. Khanin) note that situational (reactive) anxiety can be caused by any specific life situations. Accordingly, we can say that women react with anxiety when faced with certain situational stress factors, experiencing an unpleasant emotional state associated with a sense of tension, anticipation of an unfavorable development of events.

Table 3. The results of the correlation of diagnostic data with the standards of the Scale for measuring the level of anxiety (Ch.D. Spielberger, Yu.L. Khanin)

№	indicators	standards	Diagnostic results (people,%)	Degree of expression
1	situational anxiety	до 30 score - low anxiety; 31-45 score - moderate anxiety;	27 (45%) 33 (55%)	moderate high
	Personal anxiety	46 or more points - high anxiety	36 (60%) 24 (40%)	moderate high

The diagnostic results showed that 40% of women had a high degree of personal anxiety, and 60% of women had moderate personal anxiety.

According to C.D. Spielberger, Yu.L. Khanin, personal anxiety is a property of the individual and therefore relatively stable since it is not related to the situation. That is, we can say that women experience a personal threat, increased sensitivity to failures and mistakes, concern, dissatisfaction with themselves. They react to any life situation with a state of intense anxiety. A high degree of personal anxiety can become the basis of a neurotic conflict, an emotional breakdown, and psychosomatic illnesses.

The following are the results of the correlation of diagnostic data with the standards of the methodology for self-assessment of mental states (G. Eyzenk).

The diagnostic results showed that the majority of women were dominated by the average severity of anxiety (57%), frustration (63%), aggressiveness (70%) and rigidity (65%). At a high level, the "aggressiveness" indicator is the least pronounced (30%), i.e. in women, to a lesser extent, such features as incontinence, impulsiveness, irritability, and a tendency to aggressive outbursts in behavior are manifested.

Table 4. The data are presented in the form of tables and figures. The table presents general data on the results of the methodology. The figures reflect the data for each mental state according to G. Eysenck's self-assessment methodology.

№	indicators	standards	Diagnostic results (people,%)	Degree of expression
1	anxiety	0-7 score – missing 8-14 score – average, acceptable level; 15-20 score – high.	34 (57%) 26 (43%)	average high
2	frustration	0-7 score – low level of frustration, resistance to failure; 8-14 score – average level, frustration takes place; 15-20 score – high level, avoidance of difficulties, fear of failure.	38 (63%) 22 (37%)	average high
3	aggressiveness	0-7 score – low 8-14 score – average; 15-20 score – aggressiveness expressed, incontinence	42 (70%) 18 (30%)	average high
4	rigidity	0-7 score – no rigidity, easy switch ability; 8-14 score – average level; 15-20 score – severe rigidity, immutability of behavior, beliefs, attitudes	39 (65%) 21 (35%)	average high

The sample of women is characterized by an average level of severity of the following features: a state of frustration, increased anxiety, a tendency to experience anxiety and fear, difficulties in changing one's line of behavior, even when external conditions change, i.e. lack of flexibility in emotions and behavior.

Questionnaire of neuropsychic stress T.A. Nemchina

The results of correlation of diagnostic data with the standards are presented in Table 5:

Table 5. The results of the correlation of diagnostic data with the standards of the questionnaire of neuropsychic stress T.A. Nemchina

№	indicators	standards	Diagnostic results (people,%)	Degree of expression
1	Neuropsychic stress	weak neuropsychic tension from 30 to 50 points; moderate from 51 to 70 points; excessive from 71 to 90 points.	41 (68%) 19 (32%)	Moderate excessive

The results of the diagnostics showed that 32% of women had excessive neuropsychic stress, in 68% of women it was moderately pronounced.

According to T.A. Nemchin, we are talking about a special kind of mental state that develops in a person in difficult conditions of his life and work. Tension in the mental state of women is manifested in fatigue, emotional instability, and frequent mood swings.

The results of correlating diagnostic data with the standards of the A. Beck Depression Scale are presented in Table 6:

Table 6. The results of correlating diagnostic data with the standards of the A. Beck Depression Scale

№	indicators	standards	Diagnostic results (people,%)	Degree of expression
1	depression	Less than 9 - no depressive symptoms; 10-18 - mild depression; 19-29 - moderate depression, critical level; 30-63 - pronounced depressive symptoms.	44 (73%) 16 (27%)	mild form moderate

The diagnostic results showed that 73% of women had a mild form of depression, and 27% of women had moderate depression. According to the A. Beck Scale, moderate depression is a critical level that requires significant attention to the mental state.

Thus, as a result of correlating diagnostic data with the standards of the methods taken in the study, in particular, according to the test for identifying the level of codependence in a couple (P. Gaverdovskaya, E. Sigitova), the total sample of women was divided into groups with more pronounced and less pronounced emotional dependence:

1. In 42% of women, a high level of codependence in relations with a partner was revealed - they made up group 1 (with more pronounced emotional dependence).

2. In 58% of women, an average level of co-dependence in relations with a partner was revealed - they made up group 2 (with less pronounced emotional dependence).

Further, in the groups of women, the Kolmogorov-Smirnov test was carried out to test the normality of the distribution (to justify the further choice of a parametric or nonparametric research method).

The results of checking the normality of the distribution according to the Kolmogorov-Smirnov criterion are presented in tables 7-8:

Table 7. The results of the Kolmogorov-Smirnov criterion in the 1st group of women (with more pronounced emotional dependence)

indicators	quantity	Criterion	Significant level	
	N	max D	p	
Emotional reliance on others	25	0,3316	$p < ,01$	**
Lack of self-esteem	25	0,1726	$p > ,20$	
Striving for autonomy	25	0,1915	$p < ,20$	
General indicator of emotional dependence	25	0,2158	$p < ,15$	
The level of codependency in a relationship	25	0,1734	$p > ,20$	

Anxiety	25	0,1984	$p < ,20$	
Frustration	25	0,2333	$p < ,10$	
Aggressiveness	25	0,1767	$p > .20$	
Rigidity	25	0,3916	$p < ,01$	**
Neuropsychic stress	25	0,2162	$p < ,15$	
situational anxiety	25	0,2438	$p < ,05$	*
Personal anxiety	25	0,1637	$p > .20$	
Level of depression	25	0,1735	$p > .20$	

As can be seen from Table 7, in the group of women with a more pronounced emotional dependence, significant differences in the distribution from the theoretical normal were identified for 3 out of 13 indicators, and therefore we can say that the data distribution obeys the normal distribution law.

Table 8. The results of the Kolmogorov-Smirnov criterion in the 2nd group of women (with less pronounced emotional dependence)

indicators	quantity	Criterion	Significant level	
	N	max D	p	
Emotional reliance on others	35	0,2865	$p < ,05$	*
Lack of self-esteem	35	0,1634	$p > .20$	
Striving for autonomy	35	0,1875	$p < ,20$	
General indicator of emotional dependence	35	0,1934	$p < ,20$	
The level of codependency in a relationship	35	0,2916	$p < ,05$	*
Anxiety	35	0,1488	$p < ,20$	
Frustration	35	0,1920	$p < ,10$	
Aggressiveness	35	0,1954	$p > .20$	
Rigidity	35	0,3714	$p < ,01$	**
Neuropsychic stress	35	0,1930	$p < ,15$	
situational anxiety	35	0,1850	$p < ,15$	
Personal anxiety	35	0,1462	$p > .20$	
Level of depression	35	0,1612	$p > .20$	

As can be seen from Table 8, in the group of women with less pronounced emotional dependence, significant differences in the distribution from the theoretical normal were identified for 3 out of 13 indicators, and therefore we can say that the data distribution obeys the normal distribution law.

Therefore, further it is legitimate to use parametric methods of statistics, in particular, Student's T-test.

To study the differences in the personal characteristics of women with varying degrees of emotional dependence, a comparative analysis was carried out using the Student's T-test.

The results of the comparative analysis are presented in table 9:

Table 9. Differences in the personality characteristics of women (group 1 - with a more pronounced dependence; group 2 - with a less pronounced emotional dependence)

Indicators methodologies	group 1	group 2	T-test Student	Significance level	
				p	p
Emotional reliance on others	61,8	47,3	4,21	0,001	***
Lack of self-esteem	54,3	31,3	5,17	0,001	***
Striving for autonomy	16,9	26,8	-3,98	0,002	**
General indicator of emotional dependence	99,2	51,8	6,24	0,001	***
The level of codependency in a relationship	22,3	15,1	3,87	0,002	**
Anxiety	17,4	11,6	3,66	0,002	**
Frustration	17,1	10,3	3,91	0,002	**
Aggressiveness	15,3	9,4	3,71	0,002	**
Rigidity	15,9	8,7	3,58	0,002	**
Neuropsychic stress	73,2	60,6	4,18	0,001	***
situational anxiety	48,5	36,7	4,21	0,001	***
Personal anxiety	46,4	33,2	4,16	0,001	***
Level of depression	18,2	15,8	2,77	0,002	**

An analysis of the differences showed that women of the 2nd group had significantly higher values in terms of the "Desire for autonomy" indicator (at the level of $p \leq 0.002$).

That is, women with less pronounced emotional dependence, compared with women with a higher level of emotional dependence in marital relations, are characterized by the ability to self-determine their position, their desires, the desire for isolation, the ability to take responsibility for their actions and feelings, to show freedom of choice in ways of behavior, regardless of the influence of others. They rely more on themselves, achieving their goals without the help of other people.

Women of the 1st group (with more pronounced emotional dependence) showed higher values for all other indicators.

That is, women with a pronounced emotional dependence in marital relations, compared with women with a lower level of emotional dependence, tend to focus on the emotional support of other people, expect high marks from them. Women of this group are sensitive to disapproval and criticism of others, their need for close relationships is associated with high anxiety, fear of losing closeness.

Women with pronounced emotional dependence are characterized by internal uncertainty in their abilities, qualities, they expect condemnation, they prefer a leading position in relationships, they ask advice from other people when it is necessary to make independent decisions. Easily yield, quickly agree with the opinions of other people, in particular the opinion of their partner in a relationship.

Women of the 1st group are also characterized by the need for emotional intimacy, love and acceptance from significant people, a rigid desire to receive help and support against the background of a constant feeling of being helpless and weak, regardless of the specific situation. In terms of the mental state in the group of women with more pronounced emotional dependence, there is a high degree of frustration, neuropsychic

chic tension, anxiety and aggressive tendencies in behavior.

Summing up, we formulate the main conclusions:

1. To study the personal characteristics of women prone to the formation of emotional dependence in marital relations, a set of psychodiagnostics methods was used that allow us to identify the severity of emotional dependence and such indicators as anxiety, frustration, aggressiveness, rigidity, the level of neuropsychic stress and depression.
2. To obtain reliable empirical results, statistical data processing methods were chosen: the Kolmogorov-Smirnov test to test the normality of distribution and a comparative analysis using Student's T-test to study differences in personality characteristics in groups of women with more pronounced and less pronounced emotional dependence.
3. Comparative analysis in groups of women showed that women with higher emotional dependence in marital relations are characterized by lack of confidence in their abilities, the desire to rely on others, low independence of thought and behavior. They have high rates of situational and personal anxiety; women react with anxiety when faced with certain situational stressors, experiencing an unpleasant emotional state associated with a sense of tension, anticipation of an unfavorable development of events. In addition, women experience a personal threat, increased sensitivity to failures and mistakes, preoccupation, dissatisfaction with themselves. They react to any life situation with a state of intense anxiety. Women with higher emotional dependence in marital relationships also tend to experience neuropsychic stress, frustration, and show rigidity in behavior (it is difficult for them to change their behavioral scenarios in relationships). Women with less pronounced emotional dependence in marital relations are characterized by the ability to self-determine their position, their desires, the desire for isolation, the ability to take responsibility for their actions and feelings, to show freedom of choice in ways of behavior, regardless of the influence of others. They rely more on themselves, achieving their goals without the help of other people.

THE CONCEPT AND ESSENCE OF TUTORING: PSYCHOLOGICAL AND PEDAGOGICAL ASPECT

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Today, the education system is characterized by innovations, accompanied by the emergence of new subjects of the educational process. One of such innovations is the strengthening of the tutor's position as a full-fledged participant in the educational process. "In many ways, this trend is connected with Russia's accession to the Bologna process, which, in turn, determines the orientation of higher education on the principles of individualization" [1, p. 53].

The provisions and grounds of tutoring activity are reflected in the Constitution of the Russian Federation, the President's messages to the Federal Assembly, the National Doctrine of Education of the Russian Federation until 2025. The documents strengthen the requirements for the training of future teachers and reflect the constant complication of their professional activities. This is primarily due to the increased requirements of society and the state for the quality of training of future educators.

Today, the role of the teacher is being transformed: he acts as a teacher-mentor

(tutor), creating favorable conditions for the student to build an individual educational trajectory.

Tutoring as a pedagogical phenomenon follows from foreign experience, which has a long tradition. The question of what evolutionary path tutoring has taken is important for understanding the essence of this phenomenon, determining the features of its manifestations in modern foreign models of education [2, p. 62].

Translated from English, the word "tutor" means "home teacher, tutor, mentor" (school), "head of a group of students" (English un-t), "junior university teacher" (amer.), "guardian" (legal). The etymology of this word (Latin tueor - to take care, to protect) is connected with the concepts of "defender", "patron", "guardian".

The tutoring culture is at least nine hundred years old. The phenomenon of modern tutoring is closely connected with the history of European universities. Since the Middle Ages, tutoring has been understood as an established form of university mentoring [3, p.42]. The tutor becomes the student's closest adviser and assistant in all his difficulties [4, p.11].

After 4 centuries, the tutor becomes a central figure in university education, responsible mainly for the upbringing of his wards. This is evidenced by the research of M.I. Popov, who notes the following: "We must... not only enlighten, but educate: together with knowledge, we must inspire a sense of moral and religious responsibility; forming the mind, we must resist and start with behavior... The student obeys different rules here and is placed under the supervision of tutors, who ... are clothed – collectively – with both paternal and official authority, demands at every step a certain self-restraint and self-government, and thus serves him as a real school preparing for the real world. On the contrary, deprive the university of this device, and the academic career of students immediately becomes for it a period of unbridled freedom, knowing neither restrictions nor responsibility ..." [5].

In the XVII century, the tutor system was officially recognized as part of the English university system, gradually replacing the professorial one. From 1700 to 1850, there were no public courses and departments in English universities at all. The tutor prepared the student for the exams. When free departments (private lectures) and collegiate lectures appeared at universities at the end of the XIX century, the student always had the right to choose professors and courses throughout the entire period of study. During the XVIII-XX centuries, in the oldest universities in England, the tutor system not only did not give up its positions, but, on the contrary, took a central place in teaching; the lecture system in many modern universities still serves only as an addition to the tutor [6].

In Russia, tutoring practices in educational institutions did not initially arise at all, both during the creation of the first domestic university in St. Petersburg on the model of Western European royal academies, and during the historical formation of the domestic education system. Individual examples of analogues of tutor support were found in a number of closed privileged educational institutions in Russia, for example, "uncles" in the Tsarskoye Selo Lyceum, providing supervision of underage pupils.

Only at the end of the twentieth century in Russian pedagogy, there was an interest in tutor support of the educational process for students who require additional attention from the teacher. For example, in the 70s, the practice of tutoring was widely used as an unspoken individual tutoring. Tutoring developed as an independent pedagogical movement in the 1980s, during the reform of the entire system of national education [7, p.76].

The experience of tutor support in full-time education was first analyzed in detail within the framework of the School of Cultural Policy (head - P.G. Shchedrovitsky) during the preparation and holding of the first tutor competition in Moscow in 1989 to participate in one of the international educational programs. P.G. Shchedrovitsky faced, first of all, the practical task of staffing this international educational program. A year later, in Artek, P.G. Shchedrovitsky gave a series of lectures for young teachers from different regions about a new pedagogical position – a tutor [8, p.10]

Today, in many foreign countries, a tutor form of teaching gifted children is functioning today. Tutors operate in the leading educational systems of the world: in the UK, USA, Finland, Japan and France, relying on the idea of individualization as a core, but at the same time introducing originality into the activity depending on the national context [2, p. 63].

The study of foreign experience in the development of tutoring allows us to identify common features of tutor training models in Russia, Germany and the UAE: the Socratic method is the basis of tutoring; the main form of the tutor's work is individual consultations and conversations; and most importantly, tutor support focuses on the process of individualization of the student and aims at self-determination of the individual [9].

According to Charles Leadbeater (Great Britain), individualization means that "users" are no longer just their consumers, but become "co-authors" and "co-producers" of the service provided to them: they take an active part in its development and provision [10, p. 23]. As a result of individualization, a person becomes an object of reflection and influence on it for the purpose of correction [11, p. 3].

This position is close to the modern understanding of the tutor activity of a teacher in Russian pedagogy - as a type of his professional activity aimed at designing, building and implementing an individual educational trajectory of a student, carried out on the basis of making optimal decisions in various situations of life choices, for the purpose of his education and socio-cultural integration [12, p. 13].

At the same time, today the institute of tutoring in modern Great Britain is accompanied by 1) allocation of additional resources and funds; 2) close connection with the professional sphere; 3) support of students by various specialists (tutors, internship coordinators, employment consultants); 4) selection of the optimal type of model for the university of the relationship of planning individual development of students and implemented educational programs [13]. In other words, pedagogical conditions aimed at building individual educational trajectories are being created in English universities today.

Thus, the development of the institute of tutoring shows that in different countries of the world there are many models of tutor support with their own characteristics due to the national and cultural traditions of their countries.

At the same time, the situation of our time is in many ways similar to the enlightened Middle Ages. A student also needs a guide in the world of modern education. According to our version, this guide and mediator can be a Tutor who serves the enduring values of freedom and the pursuit of knowledge. It is the tutor who supports the idea of individuality in modern culture, reforms the educational space for the tasks of individualization of education.

However, despite the general approach to the institution of tutoring through the process of individualization, a single concept and unambiguous understanding in the psychological and pedagogical literature has not yet been developed. Many scientists

rank tutors with curators, advisors, coaching coaches, tutors, mentors, etc.

Kovaleva T.M. gives the clearest concept of a "tutor" – "a teacher who accompanies the development and implementation of an individual educational program for students. This is a teacher who works directly based on the principle of individualization, accompanying the construction of each student's own individual educational program" [14, p. 75].

It is this definition that gives the tutor certain competencies, which are understood as "the integrative quality of the personality of a teacher who has knowledge of psychology and pedagogy, has the skills of subject-subject interaction in society and implements in practice the ability to build a trajectory of personal development of the ward" [15, p. 100].

Practical experience at the university allowed Belyaeva T.K. and Nikishina O.A. to identify the classification of the tutor. Firstly, the tutor is an intern, who is most often a senior student, whose main task is to help junior students. A trainee tutor helps first-year students adapt to the learning process, engages them in extracurricular work, provides assistance in mastering the university space. Secondly, there is an academic tutor, who, as a rule, is a master. The work of an academic tutor is primarily aimed at the development and implementation of an individual curriculum [16].

Based on the descriptions of the two possible positions of the tutor presented, the need for the formation of the tutor's own organizational competencies is clearly traced. The third position, which is highlighted by the authors, is a tutor-mentor. The tutor-mentor is faced with the task of fully accompanying students, helping in the formation of personal and professional competencies, revealing personal potential [16].

Also, a tutor is understood as a scientist who personally directs the research work of students [1, p.54].

Of particular importance in this context is not just the research competencies of the scientist-teacher himself, to which high requirements are imposed, namely those that accompany "... the research collective activity of a university teacher together with students" [17]. It is primarily about the process of transferring such competencies from a teacher to a student through an academic discipline. We note the most important, but not exhaustive scientific competencies that are offered by Sidorina M.S. and Malkina O.V.: possession of the skills to build a joint educational and research process, to include students in building architecture, platforms, technologies, a system of methods and tools for building technological, educational and other systems in a complex experiment,... possession of the skills to provide adequate research methodology assistance to students in discovering scientific and practical novelty, in building scientific apparatus and research methods, to provide conditions for independence and initiative of the student - researchers who exclude fear of the supervisor. [17].

As the practice of higher education shows, the formation of all the above-mentioned competencies is unlikely to be possible only for a subject teacher, who, first of all, will be aimed at mastering the content of the subject by students and forming their educational competencies. Therefore, there is an objective need to assist a subject teacher who occupies the position of a tutor-mentor (borrowings.16) on the part of a special person who has "broad knowledge in the field of scientific specialty, which allows us to assess the capabilities and inclinations of students in mastering the educational program" [1]. Such a person can be a tutor-researcher who works not just in parallel, but in close relationship with subject teachers, and is able to maintain an individual scientific trajectory of a student, depending on his abilities and interests.

Thus, the evolution of the institute of tutoring, as well as its functional purpose, make it possible to distinguish it from a tutor, adviser, coach-coach and define a tutor as a specialist with a wide range of psychological, pedagogical and research competencies, accompanying the development and implementation of an individual educational program for students.

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ENVIRONMENT AND NEEDS ANALYSIS TO DESIGN AN ACADEMIC ESSAY WRITING IELTS COURSE FOR HIGH SCHOOL STUDENTS

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The International English Language Test System is one of the most reputable English tests that is used to assess and provide information concerning the English level of the applicants based on which the students will be labeled based on the English proficiency level according to specific bands course of the IELTS testing organization. The structure of IELTS contains four equally weighted sub-components, namely speaking, listening, reading and writing [1]. IELTS writing test is a direct test of writing in which tasks are communicative and contextualized with a specified audience, purpose and genre, reflecting the recent developments in writing research. Writing task in Academic module requires students to present an Academic essay in response to a point of view, argument or problem of at least two hundred fifty words in limited time. In terms of the constructs and criteria for writing ability, general language construct in IELTS is defined both in terms of language ability based on various applied linguistics and language testing models and in terms of how these constructs are operationalized within a task-based approach. Task scripts are assessed on task response (making arguments), lexical resource, and grammatical range and accuracy criteria [2]. Designing exam courses is thought to be a more complex process since the results (“pass” or “fail”) that students get demonstrate the effectiveness of the course, teachers’ qualification, and students’ determination and motivation.

Course design is quite complex and challenging process which should be based on strong system and requires multi-faceted practical approach. Designing a language course has several components; these include the learners’ present knowledge and lacks, the resources available including time, the skill of the teachers, the curriculum designer’s strengths and limitations, and principles of teaching and learning [3]. Graves (2000) believes that course design is a system in the sense that planning for one component will contribute to others; changes to one component will influence all the others. If the teacher is clear and articulate about content, it will be easier to write objectives. Providing that the teacher changes the content, the objectives will need to be changed to reflect the changes to the content, as well as the materials and assessment plan. What makes sense to the teacher will depend on beliefs and then the understandings articulated or not, and the reality of the context and what they know about their students. Teachers who teach within explicit curriculum guidelines can be active agents in the courses they teach if they are clear about what the processes are and how they can take responsibility for them. here is a wide range of factors to consider when designing a

course. If factors such as these are not considered, then the course may be unsuited to the situation and learners for which it is used and may be ineffective and inefficient as a means of encouraging learning [4].

Environment analysis

Primarily, let us look at the peculiarities that differ exam course from any other English course design. The main difference is that an exam course has clear goals, and accordingly, teacher's lesson plans will also have specific objectives. In this context, an exam course places greater demands on the learners and all students in a group have a common objective to follow. In addition to this, exam classes are at high stakes and may have different effects on the course, such as harmful or beneficial backwash. Doing IELTS writing course students target to gain a particular score that is required for university admission that is the key objective for students who take the IELTS writing course.

Testing has a great influence on teaching and learning - what is assessed becomes, what is valued, which becomes what is taught. It can be said backwash has the direct or indirect effect on teaching methods. If the course is planned purely "to the test" and does not take into account the linguistic needs of the learners, it will lead to harmful backwash [4]. In order to avoid harmful backwash, there must be a logical balance between testing and teaching. Undoubtedly, students have a particular sense of purpose and different expectations from the course, but not always expectations are met because writing skill is considered to be the most difficult for teachers to teach and for learners to learn.

There are various reasons that have negative effects on students, such as anxiety, burnout effect, class time, student age, and others. In order to avoid these negative factors, the course should incorporate interesting tasks, select topics of interest and plan discussion activities, before doing writing. Another key factor is motivation. The level of motivation among students tends to be quite high especially at the start, but the strong feeling that they can succeed may fade away because of the complexity of writing and the main reason why students become demotivated is their poor results. Therefore, teachers have a great role in class to sustain motivation throughout the course by giving inspiring feedback and applying different techniques, such as motivating tasks and tasks selected to individual student's needs so that students carry on progressing throughout the course [5]. More to the point, students ought to develop autonomy as soon as they have got acquainted with writing assessment criteria, they follow the descriptors and evaluate their work according to them, and of course this skill cannot be gained overnight that is why from the very beginning they are in constant touch with this document. How it works: students write the essay and according to the descriptors they can assess their writing with a teacher, then in groups, in pairs and independently; thus, step by step they hone this skill.

Environment analysis engages looking at the factors that will have a profound influence on decisions about the goals of the course, what to include in the course, and how to teach and assess it. These factors can arise from the learners, the teachers, and the teaching and learning situation, which we can see from the Figure 1.

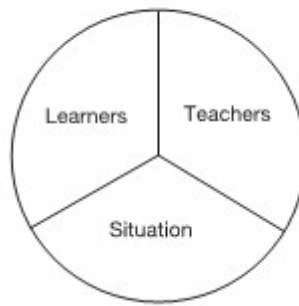


Figure 1 – Factors in environmental analysis
 Source: Source: Nation and Macalister (2010)

Environment analysis is an important part of curriculum design because at its most basic level it ensures that the course will be usable. For example, if the course material does not correspond to the students' level, a teacher cannot handle the activities, thus the course may be unusable [3].

Here are some factors that are considered to be important:

the amount of time available for the course

the size of the class

the wide range of proficiency among the students

the teachers lack of experience and training

the need for the learners to take more responsibility for the exam preparation

Environment analysis is also called "constraints analysis". A constraint can be positive in curriculum design. For example, a constraint could be that the teachers are all very highly trained and are able and willing to make their own class activities. This would have a major effect on curriculum design as much of the format and presentation work could be left to the teachers [3]. Table 1 lists a range of environment constraints. Columns 1 and 2 list some constraints. Column 3 suggests some of the effects on curriculum design. There are numerous other possible effects.

Table 1. Environment constraints and effects

General constraints	Particular constraints	Effects on curriculum design
The learners: What do they know about writing?	What previous learning have they done? What do they know about formal style? What essay types have they learned about, if any?	Include expected material (essay types) Allow learners to negotiate the nature of the course
The teachers: How trained are they?	Can they prepare some of their own material?	Variety of activities: ready-made, pair, group work
The situation: The classroom equipment Time	Arrangement of the desks for individualized learning and groupwork, whiteboard (size and visibility), TV set Short time, high score	Provide plenty of material Intensive course

In order to understand a constraint fully, it is usually necessary to examine the nature of the constraint in the environment. Regarding learners, the following information ought to be found out: what knowledge they have concerning academic writing, whether they have attended any other classes and learned about essay types. Such kind of information about learners' previous experience impact on material that is to be incorporated in the course and possibility to negotiate before and during the course. Another constraint may refer to the level of training of the teachers, if it is low, it might happen that the teachers are unable to prepare themselves or search the activities from outer sources; in this case, the course should provide ready-made activities, including those for different types of tasks – individual, pair and group work. Finally, let us look briefly at the time constraint that is very important. The time may be severely limited, or the desired goals might not fit into the time available, which means the course should be developed in the way to give students opportunity to do an intensive course.

Environment analysis involves considering the factors of the situation in which the course will be used and determining how the course should take account of them. The importance of environment analysis is that it makes sure that the course will really be suitable, practical and realistic [3].

Needs analysis

Graves (2000) notes that Needs analysis is a systematic and ongoing process of gathering information about students' needs and interpreting the information in order to have an effective course to meet the needs [4]. Needs analysis in language teaching may be used for a number of different purposes: to determine their writing abilities in English; to determine if an existing course adequately addresses the potential of students; to identify gap between what students are able to do and what they need to be able to do; to collect information about particular problems learners are experiencing. Needs are often described in terms of a linguistic deficiency, that is, as describing the difference between what a learner can presently do in a language and what he or she should be able to do. This suggests that needs have objective reality and are simply there waiting to be identified and analyzed [8].

Nation and Macalister (2010) divide needs into necessities, lacks and wants (Figure 2). The main thing to look at in necessities is the demands of the target tasks. The latter requires learners to write an argumentative essay in formal style of at least 250 words in no more than 40 minutes. The ways of investigating lacks focus on an assignment task. To gather data about the learners' general proficiency, their scores on IELTS test can be a very useful source of information particularly when they provide information about separate aspects of language proficiency such as writing if students have already taken one. Concerning wants, learners have their own views about what they think is useful for them. At the very least, information about this is useful in working out whether the learners' views and the needs analyst's views are the same or not. The times of needs analysis can include needs analysis before a course begins, needs analysis in the initial stages of a course, and ongoing needs analysis during the running of the course.



Figure 2 – Three types of needs

Source: Nation and Macalister (2010)

A variety of procedures can be used in conducting needs analysis, and the kind of information obtained is often dependent on the type of procedure selected. Since any one source of information is likely to be incomplete or partial, a triangular approach is advisable. Triangulation is the practice of using multiple measures of collecting data and/or multiple sources for data collection. This practice increases the amount and variety of data the analyst has to work with and increases the credibility, quality, and dependability of the NA and results in a better understanding of learner needs and a more defensible curriculum [7]. In IELTS writing course Needs analysis can be attained through two methods. The first one is essay writing done by the learner, the second one is a questionnaire for the learner. The essay writing is chosen as one of the Needs analysis methods because it can be a tool to analyze the learners present situation (PSA).

The assignment can be analyzed from an information perspective, from a grammar perspective and from the discourse perspective. The teacher can observe how learners can organize their thoughts in paragraphs, what arguments they can present, and whether they have a general idea of how to write an essay. Also, the teacher can identify what sentence structures students mostly use and see if the student is able to work in a limited timeframe. The quality of an assignment often depends on the conditions under which it was written. Observing students writing can give some insight into these conditions and the learners' control over parts of the writing process [5].

The example task is "Discuss advantages and disadvantages of living in media-rich society". Write at least 150 words in 30 minutes.

Questionnaires are one of the most common instruments used. They are relatively easy to prepare, they can be used with large number of subjects, and they obtain information that relatively easy to tabulate and analyze [8]. IELTS questionnaire is based on unstructured items in which open-ended. questions are given that the respondents can answer as he or she chooses. The questionnaire in Table 2 contains the questions related with their Learning situation (LSA) and Target situation (TSA) analysis. The questionnaire is divided into four parts. Those questions represent the learning situation, target situation, and part of present situation of the learner, as can be seen on the table. Briefly looking at the questions in this questionnaire, the first part of the questions is about experience in taking IELTS test future plans. The second part gives information about language experience: how interested the student is in language learning. The next set of questions is about English learning process - these questions can show how determined the student is to study language, if they are studious, thorough, and inquisitive. The last section demonstrates their attitude to language learning process and mostly says about

backwash, whether it is negative or positive - whether students only exam-oriented or they are interested in learning writing skill for their future life as well.

Table 2. Questionnaire on learner's situation.

1. IELTS

What is your target Writing Score?

Have you taken IELTS before? What was your score?

When do you expect to get your target score? When do you plan to take the test?

What do you know about Academic Writing?

2. Language Experience

- Do you speak any other languages, if so to what level?

- Do you have any other language teachers?

- What course books did you use/have you used?

- Do you use English for communication at work/school or pleasure (reading and writing and watching movies count)? Please explain when and how often you do what. Every day? Once a month?

3. Time of Studying English

- Are you studying English at the moment?

- How long do you spend studying English every week?

- Do you do any English language self-study?

- How long have you been studying English?

- Do you like your English lessons at school?

4. Use of English

- How often do you use English (in your studies/ free time)?

- Do you have any foreign pen friends?

- When did you last use English (outside the classroom)?

- Do you think you will need English more in the future? (Why/ Why not?)

Needs analysis is a kind of assessment and thus can be evaluated by considering its reliability, validity and practicality. Reliable needs analysis involves using well-thought-out, standardized tools that are applied systematically. Valid needs analysis involves looking at what is relevant and important. Consideration of the type of need that is being looked at and the type of information that is being gathered is important. Practical needs analysis does not occupy too much of the learners' and teacher's time, provides clear, easy-to-understand results and can easily be incorporated into the curriculum design process [9].

CONCLUSION

This brief description of environment and needs analysis for curriculum design has only touched lightly on the processes involved in designing the course. Needs analysis makes sure that a course will be relevant and satisfying to the learners. This is such a basic requirement that it is worth giving careful thought to needs analysis procedures [5]. The result of an environment analysis is a ranked list of situational factors and a consideration of their effects on the design. The result of needs analysis is a realistic list of a language, ideas or skills to be achieved based on the present proficiency and future needs and wants of the learners needs. Analysis should assess how the learners will need to use the language after they leave the course, measure the learners present level of proficiency and ask the learners what they considered to be most important for them. The outcome should be a list of tasks or language features that can be the basis for the course [9].

The findings of needs analysis need to be balanced against constraints found in environment analysis, particularly the limitation of time. Environment analysis looks at the way the course needs to fit the situation in which it occurs. Development of IELTS Academic writing course requires all-round approach and take into careful consideration all the parts: learners' needs, strengths and weaknesses, teachers, their qualification and training and the situation – classroom equipment and availability.

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GAMIFICATION IN FOREIGN LANGUAGE TEACHING AND ITS IMPLEMENTATION IN THE CLASSROOM

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Initially, gamification came from the marketing, business, and wellness sectors, but a few years later it started to be applied in the educational context as well. Gamification has great potential in education because it can inspire users to engage in activities for which they are not intrinsically motivated [1]. Gamification has so far been researched in a university context. Because of the positive results, there is also a need for research in the school context [2]. In general, attempts are being made to incorporate gamification into teaching to achieve more successful learning.

Kapp (2013) states the following teaching goals: motivate students, influence behavior, encourage innovation, improve skills, and acquire knowledge. Game elements or mechanics are used to try to motivate students, which should lead to better learning outcomes. Stocklin (2018) believes that gamification has the potential to increase the use of student-centered forms of learning. With the continued development of tradi-

tional forms of learning such as behaviorism, cognitivism, and constructivism, teaching processes have been replaced by learning processes and students are increasingly the focus [3].

This has also led to the growing popularity of student-centered teaching in recent decades. The goal of student-centered teaching is to develop students' independence and maturity. For this reason, there is an attempt to move away from frontal teaching, as it may hinder the road to independence. This includes self-directed learning in which "students can co-direct some or more aspects of their learning processes". The trend away from goal-oriented teaching to competency-based curricula allows students to determine their own goals [4].

Gamification in the classroom can be built into individual work assignments, even lessons, semesters, classes, or entire schools can be gamified. In New York, there has been a public Quest to Learn School since 2009, with gamification at the core of its education. Instead of subjects, there are so-called domains, as this makes it easier to work on subjects. The focus is on exploration and discovery. Students must complete missions in which they act as writers, for example. By completing these missions, they engage in activities that are meaningful to them. In addition, this system gives students a great deal of freedom because they must organize themselves. Teachers are provided with their experts to help them develop these work assignments to create the quests. Because of the complexity of such teaching concepts, schools usually gamify individual units of instruction rather than entire semesters or classes. Almost all components of instruction can be combined with gamified elements. Points can be assessed for parts of a lesson such as individual or group work, presentations, homework, or exams, and student behavior such as tardiness.

One of the many methods of introducing gamification into the learning process is scoring. Students receive points for individual performances. This score can then be translated into points and used for grading. In addition, game language can help gamify learning sequences, for example, by naming work assignments as quests.

A distinction is made between structural and content-related gamification [5]. Whereas in structural gamification the content does not change, in content gamification it does. This means that in structural gamification, the work task remains unchanged. For example, a book presentation contains several tasks that remain the same, even if gamification items such as points are awarded for them. The work order will remain the same, even if no points are awarded for it. Elements commonly used in this type of gamification are as follows: Points, badges, rewards, levels, progress indicators, or free choice. In content gamification, the content or work task also changes. The following elements are often used for this purpose: A story or problem. The digitalization aspect is an important step toward gamification in teaching because the computer and the Internet can help in creating game-based learning projects, and a learning scheme. The computer can help the teacher communicate with students because it is easy to communicate with students and distribute assignments via the Internet.

For some tasks, the output device even gives feedback on the completed task immediately after input. In addition, the computer can save ranking lists and work statuses, and students can thus continue working on their assignments at any time. In this way, students are also able to collaborate outside the classroom. Digitization allows teachers to use game elements that cannot be used so easily in the analog version, such as an avatar, a game character that players use to act online. Another advantage of the computer for the teacher is the ability to easily swap or even exchange assignments. For

these reasons, gamification is mostly used in computer-supported lessons.

Huang and Soman (2013) have developed a concept that explains step by step how a teaching sequence can be gamified so that gamification is also effective [6].



Figure 1. Models of gamification application in education

The first step is to understand the target group and the context. After that, the learning objectives should be defined before structuring the teaching unit with gamification. Furthermore, the availability of resources must be clarified. Only then can the successful application of gamification can take place.

Step 1: Target audience and context The first question to ask as a teacher is: “Who is the target audience, and what is the context that surrounds the education program?”

To effectively implement gamification in the classroom, one must be clear about the composition of the participants and the context. Factors such as age group, learning ability, and current skills play a role. Context includes, for example, the size of the group, the space, and the time frame. It would mean a difference whether the instructional sequence would happen in a classroom or at home, or whether the instruction would happen in a group or as a one-on-one session. The answers to these questions help define pain points. These so-called pain points mean factors that might prevent the course participants from achieving the learning objectives.

Pain points in teaching can be the following:

- Focus: Education should be made as interesting and fun as possible so that students do not lose focus.
- Motivation: to keep students motivated, it is necessary to design education so that they are not distracted.
- Skills: It is important to design the tasks according to the participants so that they are not over or under-challenged.
- Pride: It can happen, especially with adults, that they overestimate themselves. They often think that they already know the learning content.
- Physical, mental, and emotional factors: learning ability may depend on factors such as emotions, fatigue, or hunger.
- Learning environment and type of course: class size, time, location, and the structure of the educational system must be considered when developing gamified units.

Step 2: Defining learning objectives “What does the instructor want the student to accomplish by completing the education program?”

Before gamifying an instructional sequence, the general instructional objectives, specific learning objectives, and behavioral objectives must be clarified. A general instructional objective would be to pass an exam. For the specific learning objectives, it is important that learners understand the concept and can use their knowledge for further tasks. Concentrating in class or completing a task quickly is among the behavioral goals. Gamification wants learners to be motivated and thus enjoy solving the work as-

signments more.

Step 3: Structuring experience “How can the learning program be broken down and what are the pain points?”

A teaching sequence should be divided into several stages. The teacher and the students can set intermediate goals in this way. In this way, the learning content can also be structured in that certain competencies should be present after each stage. In the first sequence, basics should be learned that will be applied in the next stage. The teacher must ask what motivates learners to continue learning after a stage is completed. Thus, a motivational boost is needed to move learners from one level to the next. Stages should be designed to gradually increase in difficulty.

Step 4: Identify resources “What are the resources needed to gamify education?”

After structuring the stages, it is necessary to consider which stages of them can be gamified. In doing so, one should ask the following questions: Can a tracking mechanism be applied to this specific stage? What would be the currency and what determines the accomplishment of a level? Are there clear rules that can be implemented? Does the overall system give the student and/or instructor feedback? The individual stages are assessed with units of measurement. The units of measurement can be points, time, or money. These units indicate whether each stage was completed. The teacher has the option of incorporating rules within each stage, which are then assessed by the unit of measurement. This provides both students and the teacher with information about learning progress. Feedback is very important in terms of gamification.

Step 5: Application of gamification elements “What gamification elements should be applied?” Many elements of gamification have already been presented in this paper. Huang and Soman divide game mechanics into self-elements and social elements. The elements that are self-elements trigger competition with oneself. These can be elements such as points, achievement badges, levels, or time constraints. Leaderboards that cause interactive competition or cooperation fall under social elements. This is where performance is measured against each other, but also where there is cooperation when there are benefits. The teacher must carefully consider which gamification element is most appropriate for which stage. For example, when learning something new, it is beneficial to refer to the self-referential elements, as compared with others might intimidate the weaker students. Ultimately, it is the understanding of the context that surrounds the learning program, the overall objective, the specific objectives of each stage, if any, and the resources available, that allow game mechanics to be applied accurately, and with a higher probability of positive results.

Overall, understanding the context and objectives, defining learning goals, identifying resources, and applying game mechanics are the basic requirements for the success of an instructional unit using gamification.

Self-directed learning in foreign language teaching is regarded as a key competence in the 21st century key competence [7]. This self-directed learning can be promoted by student-centered instruction, which should take the place of receptive information intake. Thereby, action-oriented, self-directed learning should occur, which is caused by suitable situations. Such situations can arise through multiple resources.

Important in self-directed foreign language teaching are the learning environments in which students can learn on their responsibility. A suitable learning environment can be created through gamification.

The use of Gamification in educational settings for L2 learning involves pedagogical approaches, methodologies, and strategies. All of these are part of the transition

made by language learning instruction throughout generations [7].

Gamification can be incorporated very well into foreign language teaching, as it can be a motivational strategy and approach to traditional pedagogy. Among the best-known learning theories are probably behaviorism, cognitivism, and constructivism. In behaviorist learning, what counts is the “visible and ascertainable behavior to be controlled from outside the individual, whereby the human being is seen primarily as the product of his environment” [4]. Here the learner is rather passive and reacts only to external stimuli. Cognitivism describes learning as a process of understanding “based on cognitive insight and active processing of information”. People respond to external stimuli and store them as cognition. “From a constructivist perspective, learning is an active process of knowledge construction in which information is received and interpreted and then manifests as an individually represented construct in the learner”.

Gamification would most likely be attributed to the basic constructivist position. Here, the material is acquired through active-discovery forms of exercise and teacher-centered instruction recedes into the background [8]. In this approach, the teacher acts as a learning companion. In a digital gamification unit, the learning environment joins in, which can also be used as a signpost and leads to self-directed learning.

Digitalization has changed foreign language teaching, which is now more technology-oriented [7]. Since most students are digital natives, their needs must be taken into account. An important step toward student-centered instruction with digital media has been Computer Assisted Language Learning, which focuses on “the use of language in authentic social contexts”. The use of Web 2.0 has also played an important role. Students thus have the opportunity to interact in social networks and web-based communities. For example, they can write or comment on blogs and develop oral language skills with podcasts. Through Computer Assisted Language Learning (CALL) and the use of the Internet, learners can be addressed, but the psychological aspect of motivation is missing here. This missing aspect can be integrated into the lessons through gamification because intrinsic and extrinsic motivation is necessary to learn a foreign language.

The concept of gamification is fundamentally new for foreign language teaching, but the positive results of gamification in education can be transferred to foreign language learning. In particular, gamification is said to contribute to the development of some personality factors such as self-esteem, risk-taking, and motivation [9]. Most students are used to blogging, gaming, and social networking, so it makes sense to integrate components like gamification into the classroom. Gamification aims to provide learners with an engaging and effective learning experience by motivating them.

Incorporating gamified elements into the foreign language classroom also offers benefits for teachers. Moving Educational Gamification into the L2 learning process lets the instructor plan instruction using a gamified shared vision, along with an increase in the time dedicated to the learning tasks and in the level of difficulty, in this case, fluency towards the language approach [7]. For example, they have the option of planning instructional sequences, which allows more time to be devoted to the learning tasks. This should also improve fluency among students. Curriculum reference The AHS curriculum provides information about the goals to be achieved in the classroom. Teachers have the task of designing learning situations to achieve these goals. Such a learning situation can be created through gamification. Under the heading “general didactic principles, “the curriculum points out” to particularly promote the self-active and independent form of learning [10] As already explained, gamification is a suitable concept for promoting self-directed learning. The curriculum also calls for the use of up-to-date and

descriptive materials and media in the classroom that encourages students to actively participate, for which gamification seems suitable.

Furthermore, the use of digital gamification addresses the curriculum's requirement for digital technologies, which is intended to promote contemporary learning and support age-appropriate information and learning management. Students are mostly familiar with computer games, which is why the use of digital gamification would also appeal to them, as many playful elements from computer games can be used here. In the area of the second living foreign language, the AHS curriculum also leaves open possibilities to incorporate gamification into the lessons.

The use of playful and musical elements or holistic creative methods is also necessary for foreign language teaching to create the most conducive learning conditions for students [10]. This use should motivate learners and also activate their receptiveness and memory capacity.

As mentioned earlier, students should be guided towards “independent handling of teaching or learning and exercise materials” Gamification can also be used for differentiation. Here, different tasks or different worlds can be generated to match the students' abilities. In addition, the use of digital gamification offers the opportunity to repeat games or work assignments and motivates learners to try themselves in a world. For example, the curriculum also calls for “risking violations of target language norms” [10]. Within the game world, learners can try themselves out without having to reckon with consequences.

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TEACHING STUDENTS INTEGRATED SKILLS

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CLIL is one of the most contemporary methods of teaching integrated skills, communicative skills and the content knowledge which is both learning the material in a particular subject such as Biology or Physics for example and at the same time learning the English language. A great attention has been paid to the use of authentic materials at the lessons of Biology, Physics, Maths and other subjects which are taught in English. Why are authentic materials considered to be the most effective means of teaching both foreign languages and a certain subject such as Physics or Biology? Authentic materials are functional and have communicative integrity due to which they meet learners' needs and activate their thinking activity.

In modern conditions it is important for teachers to take into account the following didactic principles such as:

Systematic involving of students into autonomy activity of applying their acquired knowledge in different sciences and real situations

- Ability to use and integrate their knowledge using cross-curricular links as integral and complex

- Transition from reproductive activity to productive one.

- Teaching students to solve complex problems, which is supposed being able to transfer knowledge and skills from different subjects such as : Physics, Chemistry, Biology, Economics, Maths, Geography and consolidation of complex application of knowledge and skills for solving real problems in our life and labour for improving our quality of life.

- It is necessary to teach our learners to use laboratory equipment correctly and safely, to follow the rules of technical safety, their ability to fix the results of surveys and measurements with the help of different things such as: drawings, tables, graphs, photos, video records, schemes.

- At the lessons of Biology, Physics, Chemistry and Geography, as well as at Information Technology and Maths, students learn to carry out practical and laboratory assignments, they learn to analyze and compare, generalize and synthesize , they evaluate and make forecasts, make calculations, explain quantity and quality characteristics of different phenomena and processes in nature and organisms. Students are taught to work at different projects, they learn to work in teams or groups while working at projects and each student has a good opportunity to develop his individual natural abilities and creativity, as well as responsibility for the task given for him and autonomy and individual potential.

- Students develop practically - orientated thinking abilities, when at the lessons of Biology, Physics, Chemistry, Maths, Geography and IT when teachers widely use Information- Communication Technologies. And teach learners to work with information in electronic form.

- Computer technologies at the lessons of Biology, Physics and other natural sciences can be the following types:

1. Intensive use of multi-media technologies during the process of learning the course material

2. Intensive use of computers as tools for every day work by teachers and students.

3. Carrying out the technologies of cross- curricular links
4. Project and research work of students
5. Searching and treatment of the information in terms of the target material using Internet

6. Use of electronic tables for solving problems

7. Holding virtual practice and laboratory work.

Taking into account the specifications of studying natural sciences such as Biology, Physics, Geography, Chemistry it has become very important for learners to work at research projects that can be done in three directions:

- 1) theoretical researches (group researches, individual ones connected with theory research and work with the information and its selection and analysis);

- 2) empirical researches (practical and laboratory work);

- 3) individual research projects

Teachers can choose the themes of practical work and laboratory work autonomously, taking into consideration the equipment and other technologies and school facilities. Every student should be assessed for his or her practical or laboratory work.

In this article I want to give some examples of short term lesson plan based on CLIL method in Biology.

Theme of the lesson is: The theory of Evolution

Lesson aim: In this lesson students learn about the theory of evolution established by Charles Darwin.

1 The lesson starts with warm –up exercise. The teacher writes the words on the board: Darwinism, evolution, natural selection. Then teacher finds out what students know about evolution, Darwinism and natural selection. The teacher explains that learners are going to read the text about the history of Darwinism. Then teacher asks if they can remember any information related to the words.

2 At the second stage the teacher draws learners ‘attention to the photos on the interactive board or

On the projector and in pairs asks them to guess who Charles Darwin was.

Then the teachers offer the learners to read the text quickly and then answer the questions on the text.

When was the theory of evolution established?

Who were Charles Darwin and what was he famous for?

Before reading the text again, the teacher should remind students of the facts the learned in the Warmer, and go through the words in the Glossary box. Then teacher asks them to find them in the text and pre-teach some of the more complex words if necessary.

3 Students read the text again in detail and fill in the missing information in the diagram.

A. Variation: individuals of species cannot be fully identical. For instance, siblings might be of different height and have different eye colours.

B. Inheritance: traits of species are determined by inheritance and passed from generation to generation. In other words, offspring will inherit traits that are passed by genes.

C. Competition: more offspring are born than can survive given the scarcity of natural resources. To illustrate, members of the species compete for limited natural resources available, for instance, food.

D. Natural selection: only the individuals who survived in the struggle for existence would be able to breed and pass on inherited traits to the offspring. More officially, the traits that helped parents to survive will be passed on to the next generations.

The next task is to choose the correct alternative: true or false statements.

Then students work in groups and answer the questions about the text and support their answers with examples and solid arguments from the text or real life.

Students can be offered to work in groups at the project:

1 Choose one of the outstanding scientists in evolutionary biology.

2 Find out more about the scholar you have chosen. And what was their contribution. Think about the historical, economic, and political context they lived and worked in. Select information that is insightful and try to collect multimedia files if possible. Consult with your Biology textbooks and seek advice from your teacher if you need.

3 Make a poster about the discovery of your chosen scientist. Describe the steps of completing this project; indicate the sources of information, and photographs if possible. Try to highlight the public's reaction to the works of your chosen scientist and critically analyze whether the discovery was controversial and why. Present your poster to the class, be open to feedback, and reflect on what you have learned and what you would do differently next time.

This project can be given to students as homework.

Such creative assignments develop autonomy of students, their logical and creative thinking abilities,

Also such kinds of work teach students to work in groups, develop their communicative and language skills, their ability to work creatively and individually and to be responsible and active participants of the research work.

The role of video is very big at the lesson because when students present their projects, learners can see the presentation and they have a good opportunity to memorize the information because visually helps them to understand the material better and deeper and such materials makes the lesson more interesting, memorable and understandable for every student.

V.I. Pisarenko says that the use of video materials at the lesson can be explained in the following way:

- 1) availability of video materials which can be recorded from different resources;
- 2) a certain experience of how to use video materials;
- 3) more active and creative activity of instructors.

Elukhina N.V., Komarova Yu.E., Mikheeva I.V., Shabalin YU.V. have researched the use of video-materials and the analysis has shown that video materials enhances the following things:

- a) forming students' steady associations of a certain context with expected speech behavior;
- b) stimulation of learners' imagination and creative activity;
- c) developing all types of learners' memory;
- d) creating friendly atmosphere;
- e) learners' motivation;
- f) effective learning outcomes.

Video materials shouldn't be too difficult and it should correspond to learners' level, age, interests and the content should be motivating and carefully selected according to students' needs and future career.

As we have already said project work develops students' integrated skills, learners

develop speaking, writing, reading skills as well as knowledge in the particular subject on a definite theme in Biology.

Integrated skills can be developed also when we use Information Technology at our lesson, particularly when we provide information through the power point presentation.

Here is the example of the use of ICT at the lesson.

The aim of this lesson is to get students to learn how to design and deliver a Power Point Presentation.

At the first stage we should have warm- up discussion.

The following questions can be offered for discussing.

1 How often do you present information?

2 What programmes do you use?

3 How often do you use the power Point Presentation?

At the second stage we can offer the students to look at the infographics and discuss it in pairs. Then we can elicit answers from the class and discuss why the power Point Presentation is the most popular programme for designing presentations.

The next step is reading the text about making presentations using the Power Point Presentation.

But before reading the text we should work at the new words from the text, that is pre- teach the topic vocabulary. We should write the words in the Glossary on the board and ask the students to find them in the text and explain the meanings of some more complex words, if that is necessary.

Then students read the text and decide if the statements are true or false.

The next step is to focus learners' attention on the presentation tips and ask them to scan the text to find the correct answers.

Do's: develop a story and stay focused

Use visuals to present information

Make the presentation accessible

Back up the presentation

Practice

Don'ts: Don't use too much text on the slides

Don't use too many effects

Don't use a font size smaller than 28

Learners can be offered to make a project: Present information using the Power Point Presentation on the target theme, following the plan:

1 Choose a topic that interests you or that is part of your homework. Research prepares information on your theme and structures it. Follow this plan.

2 Create a Power Point presentation to inform your class about the topic. Add some infographics to your slides for data visualization.

3 Deliver the presentation in your class and welcome questions at the end. Evaluate each other using positive feedback.

This example of the lesson plan can be use full not only at the lessons of Biology but at other Lessons such as: Physics, Chemistry, Maths,

Geography and other subjects. Such lessons give learners to understand the course material much better in Biology or Physics, it doesn't matter what subject it is, and learners improve their knowledge of English at the same time.

Another good example of combining education and technology is learning new material with the help of online course in Biology or other subjects. I want to give an

example of a short lesson plan on the theme: Online courses.

At the first stage we can offer the learners a few questions for discussion:

Have you learned online? Have you enjoyed on line learning? Learners can discuss the questions in pairs or in groups and so we can find out what students think about on line courses.

We can offer students reading an article about on-line courses and at first pre-teach new words which are difficult and then students read the text about the on-line course production. After reading the text they answer the questions on the text. Students learn the information about the process of of on-line course creation.

The third step is to complete the chart about the phases of creating the on-line course:

Pre- Production	Phase 1: a project plan and course structure is produced.
Pre- Production	Phase 2: on-line course lecture scripts are written
Production	Phase 3: the on-line course is filmed
Post- Production	Phase 4: video and audio are edited
Post – Production	Phase 5: the online course is published on a platform
Post- Production	Phase 6: a final product is presented passed on to the next generations.

As for the homework students can be offered to work on the project: Work in group and make a presentation about an online course.

Imagine that you are designing your own on-line course in Biology. Decide what theme you would like to choose, brainstorm the content, structure, teaching methods and key learning outcomes.

Look at the course you have researched in Step 1 and use it to present your course.

In your group, prepare a presentation to launch your on-line course to the rest of the class.

In conclusion I want to say that project work develop learners' ability to work creatively, to make researches and work collaboratively and solve problems, this project method contribute to learners' integration of knowledge and skills and combining a particular subject with Technology. Students have a good opportunity to use their knowledge in different subjects and link this knowledge to get new skill or new knowledge. Students' knowledge of Technology, Biology and English are integrated and orientate students to choose their future career successfully and purposefully.

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DEVELOPMENT OF EDUCATIONAL TOURISM IN KAZAKHSTAN

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Nowadays, in the modern world educational tourism is gaining popularity. Educational tourism is one of the types of tourism that provides education in the territory of another country. This type of tourism helps not only to obtain a certificate of completion of training, but also allows you to exchange experience with foreign teachers and students, get acquainted with the culture of another country, acquire valuable skills and knowledge in the field of a particular specialty. Universities, language schools and consulting companies provide services to students in applying abroad.

First of all, it is necessary to give a definition of what is meant by educational tourism. In conditions of multiculturalism, a modern person needs development in all spheres of activity, through the exchange of experience with foreign teachers and entrepreneurs, which is successfully achieved through educational tourism (Nicolau & Maga Anastasia, 2018). Therefore, many Kazakhstani and foreign researchers pay special attention to this topic and describe it in their works. Educational tourism has been studied in the works of such scientists and associate professors as Mamraeva D.G., Tashenova L.V., Firsova A.V., Myshlyavtseva S.E., Zorin I.V., Solomin V.P., Birzhakov M. B., Makarov A.G., Bodger D., Richie B.V. Educational tourism is understood as educational tours made by residents of one country to the territory of another, in order to gain new knowledge and training, without paid activities and staying there for up to one year, but not less than 24 hours (Mamraeva & Tashenova, 2019). The result of these trips is the receipt of a supporting document - a certificate or diploma.

Educational tourism began to develop back in the 17th-18th centuries with the emergence of educational and entertainment tours across Europe, known as "grand tours". During this historical period, the travels of the British aristocracy were very popular. In the future, "Grand Tour" becomes one of the most demanded forms of education. The tour was aimed at providing quality education to future leaders and acquainting them with the politics of other countries. The purpose of the Grand Tour was to expand knowledge and study the culture of different nations, study foreign languages and improve communication skills. As the idea and purpose of the Grand Tour developed, the foundations for the structure of the modern concept of educational tourism and tourism in general were laid (Ritchie, 2003, 84).

The main components of educational tourism are a combination of education products and the tourism sector (Bystrov, 2013). A tourist student has the opportunity to develop both in educational terms and tourism: attend language courses, educational exhibitions, conferences, undergo internships in foreign companies, improve their qualifications or study at foreign universities, and travel, get acquainted with the culture and

sights of the new country. Thus, educational tourism activity is one of the most important conditions for increasing the efficiency of the process of teaching and upbringing at any stage of education. Moreover, modern authors already classify education as one of the types of tourist services, i.e. services to the tourism industry (Birzhakov & Makarov, 2011). There are several groups of factors influencing the development of educational tourism (Fig. 1). These include factors such as political, legal, social, environmental, technological and economic (Solomin & Pogodina, 2007).

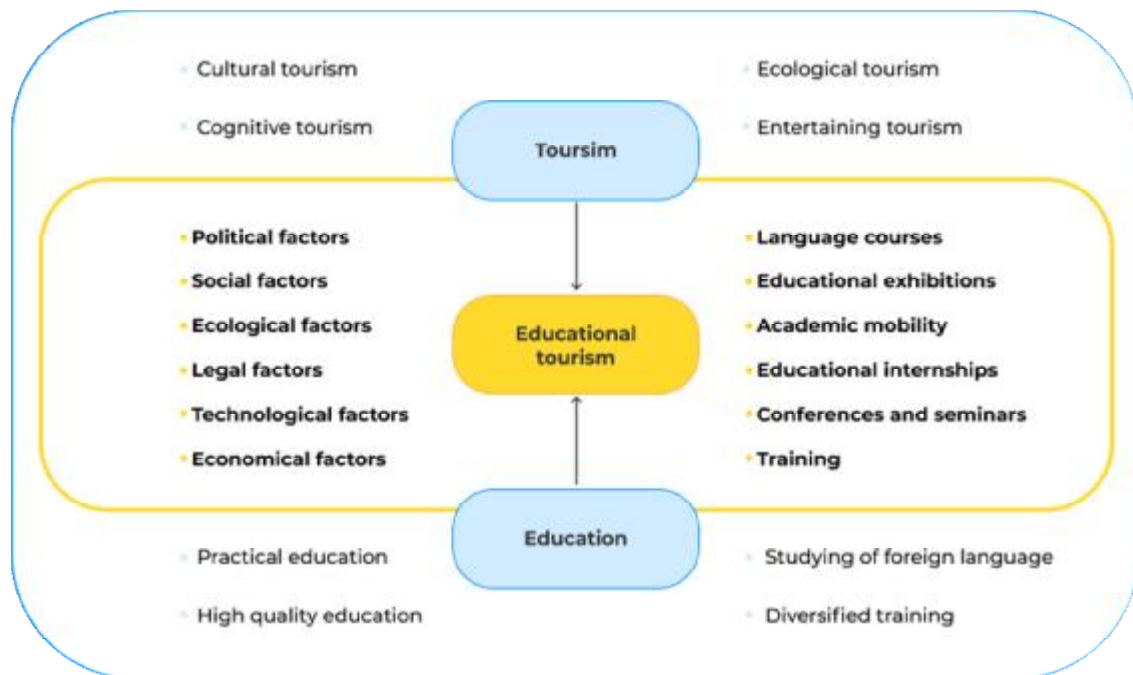


Figure 1. Structure of educational tourism

Source: compiled by the author himself

Having analyzed a large volume of thematic literature, educational tourism can be classified into the following types or areas (Zorin & Kvartalnov, 2003):

1. Academic mobility. Academic mobility is understood as admission to a foreign university in order to obtain credits in certain general education or special subjects lasting one or two semesters.

2. Educational language tours. Tours of this type are group trips with the aim of learning and improving the level of foreign languages.

3. Study tours to institutions, organizations and enterprises. This type of educational tourism is associated with advanced training.

4. Scientific and educational internships. Internships are held in foreign companies in order to gain experience and expand a resume.

5. Participation in various short forms of study. Foreign companies and individual entrepreneurs organize narrowly focused seminars, conferences, congresses, creative workshops and master-classes in order to exchange experience and obtain new and relevant professionally important information.

6. Educational and cognitive tours. Excursion and study trips to various cities, natural zones and countries on a specific topic and for educational and cognitive purposes.

Further, it is necessary to note the functions that educational tourism performs

(Fig. 2). There are three functions: intellectual-educational, cultural-cognitive, recreational-health-improving (Firsova & Myshlyatseva, 2014). Through these functions, the tourist-student not only acquires knowledge, acquires a profession, but also develops culturally and cognitively and also finds time to rest and recuperate.

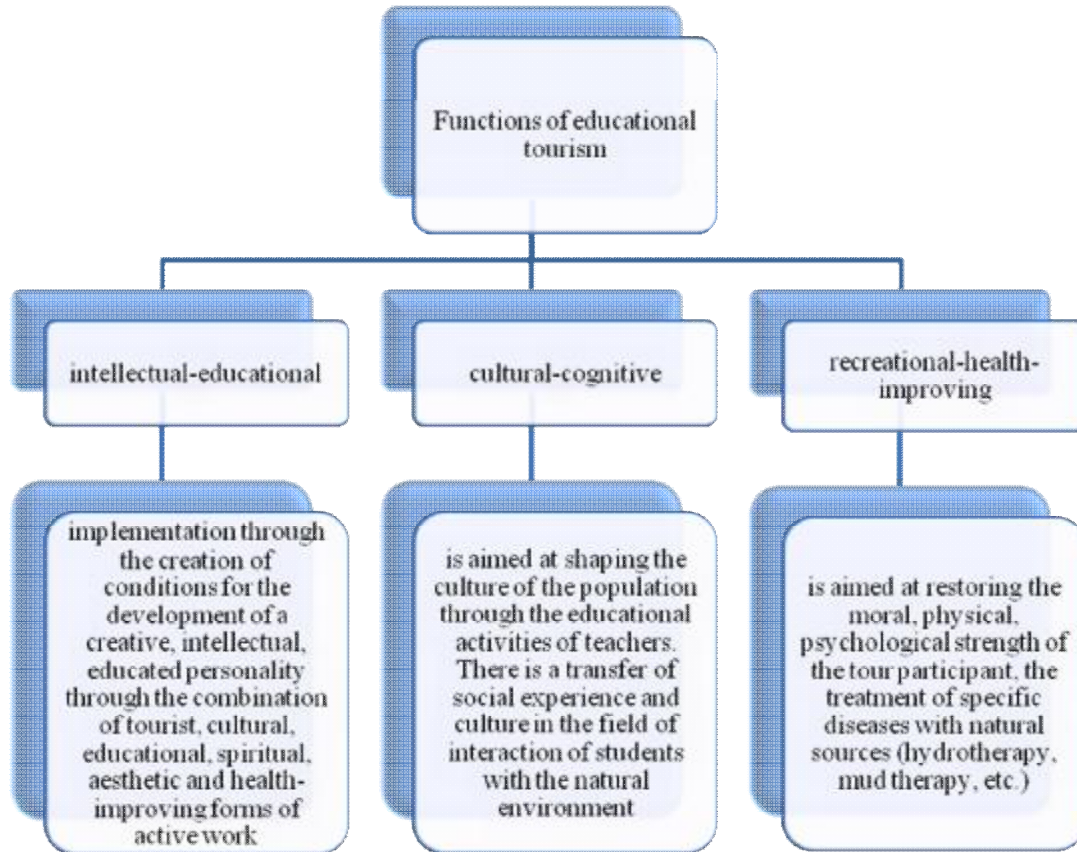


Figure 2. Functions of educational tourism

Source: compiled by the author himself

The benefits and economic efficiency of educational tourism are obvious, therefore most developed countries pay great attention to this aspect. Therefore, Kazakhstan, as an actively developing country, needs to promote not only domestic, but also foreign education. Today's students who study abroad are future managers, leaders, specialists. Most of the leaders of large companies received training abroad. That is, financing of academic programs and support of educational and consulting business is a promising investment in a bright future for the country. So, at the VI meeting of the National Council of Public Trust, the President of the Republic of Kazakhstan K.Zh. Tokayev noted that one of the basic components of policy is the strengthening of human capital, the creation of an intellectual nation. Therefore, our country has great prospects in the development of educational tourism. Kazakhstan is actively involved in promoting foreign education by providing scholarships and developing special programs. In addition to universities, educational tourism promotion services are provided by various consulting agencies and educational centers. However, difficulties arise in the full assessment and analysis of information on the number of students who went abroad. The reason for this is the lack of attention given to this type of tourism by the statistical authorities. Data can be obtained in part from universities and other organizations, or information

on the number of students who went to study abroad can be found on the UNESCO website. According to their official data, in 2021, 71,089 students of Kazakhstan studied abroad (Fig. 3). According to the statistics of the Ministry of Education and Science of the Republic of Kazakhstan, 624,263 students study at domestic universities. Thus, today only 10% of students attend foreign universities.

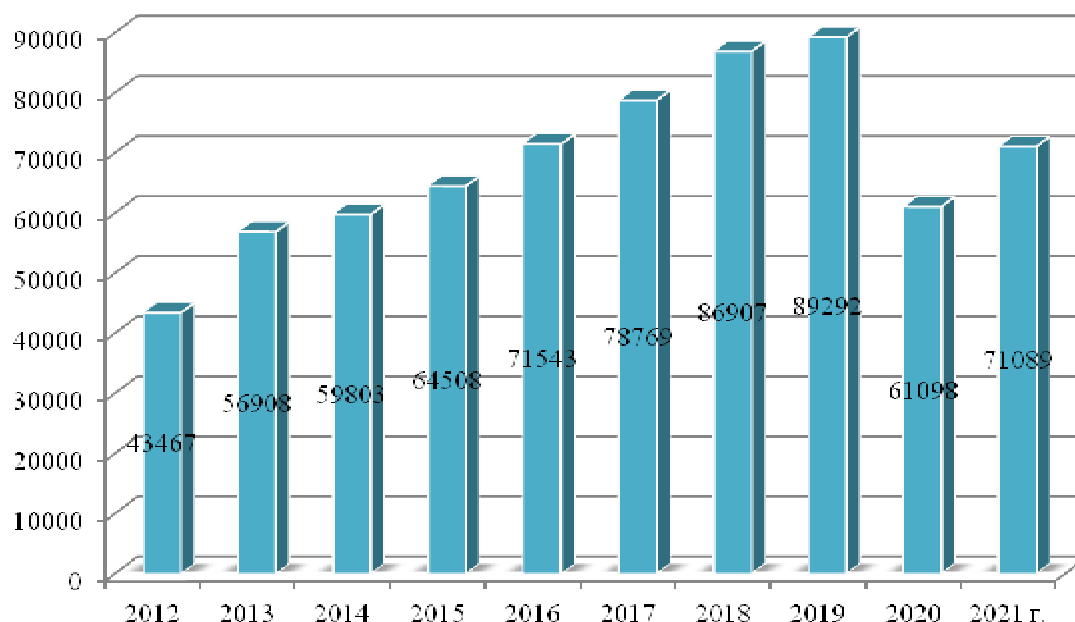


Figure 3. The number of Kazakhstan students studying abroad in the period 2012-2021, people

Source: compiled by the author based on UNESCO Statistics, URL: <http://uis.unesco.org/en/uis-student-flow>

It should be noted that the geography of education is very extensive and covers all continents. Thus, more than 70 thousand students from Kazakhstan study in Russia. China is in the second place in the list of countries. About 1-2 thousand people are students of European universities. In addition, Kazakhstanis can be found both in Africa (about 100 students) and in Australia (140 students). The ranking of the 10 most popular countries can be presented as follows (Fig. 4):

In order to assess the place of educational tourism in Kazakhstan and its prospects, it is necessary to compare indicators from different countries. According to UNESCO, the leading positions among the countries sending their students to study abroad are occupied by China and India, 17.5% and 7.6%, respectively. The rest of the countries, including Kazakhstan, make up only 0.1% to 1.7%, which is a relatively low indicator of student mobility. Chart 5 shows 10 countries of the world with different indicators for a more visual comparison of the share of educational tourism.

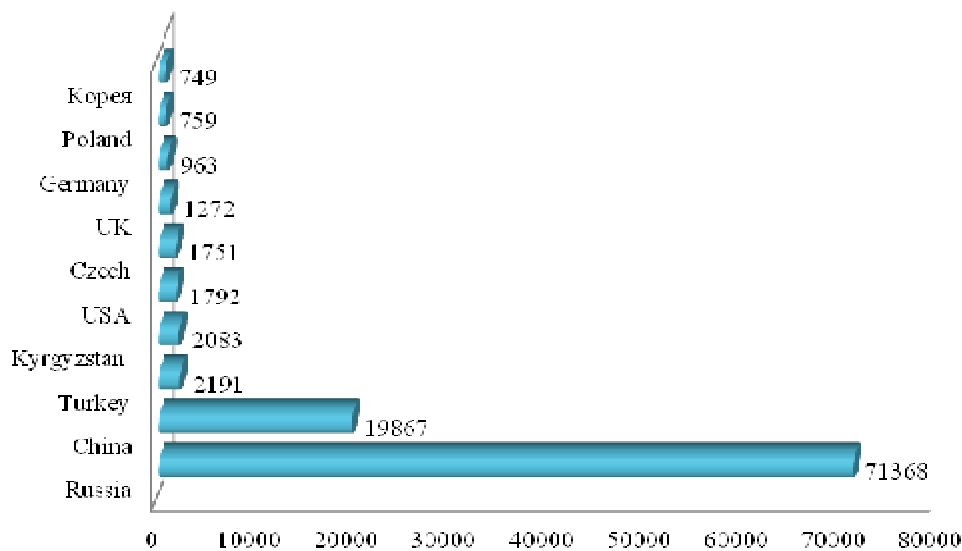


Figure 4. Leading countries in admission of students of the Republic of Kazakhstan in 2019

Source: compiled by the author based on UNESCO Statistics, URL: <http://uis.unesco.org/en/uis-student-flow>

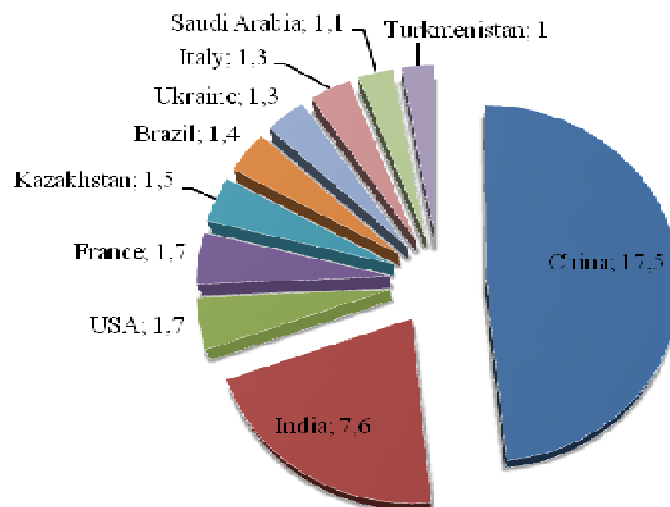


Figure 5. The number of students from the country studying abroad, expressed as a percentage of the total number of mobile students in the world in 2019

Source: compiled by the author based on UNESCO Statistics, URL: <http://uis.unesco.org/en/uis-student-flow>

Today, the education system is undergoing numerous changes due to the integration processes. With the help of the Bologna Process program, a single world educational space is being formed through the unification of curricula and educational standards in different countries. The governments of developed countries understand the importance of the development of educational tourism for the growth of popularity and competitiveness of countries and higher educational institutions, as well as for the for-

mation of a single world labor market. Kazakhstan takes part in financing academic mobility programs. The Ministry of Education promotes the development of cooperation between Kazakhstani and foreign educational organizations from Europe, America and Asia. The total number of Kazakhstani students who took part in the program of external outgoing academic mobility at the expense of the Ministry of Education and Science of the Republic of Kazakhstan and extra-budgetary funds for 9 years amounted to 21,978 people (Fig. 6). 6,605 people went abroad for budgetary funds. Annually, on average, the Ministry of Education sponsors 600-700 people, mainly to the countries of the CIS and Europe. Sources of extra-budgetary funding for external outbound mobility of a university are funds of students or a university, an equivalent exchange with a partner university, funds of a host university, various international grant programs (analytical report “Implementation of the principles of the Bologna Process in the Republic of Kazakhstan in 2019”, 2019).

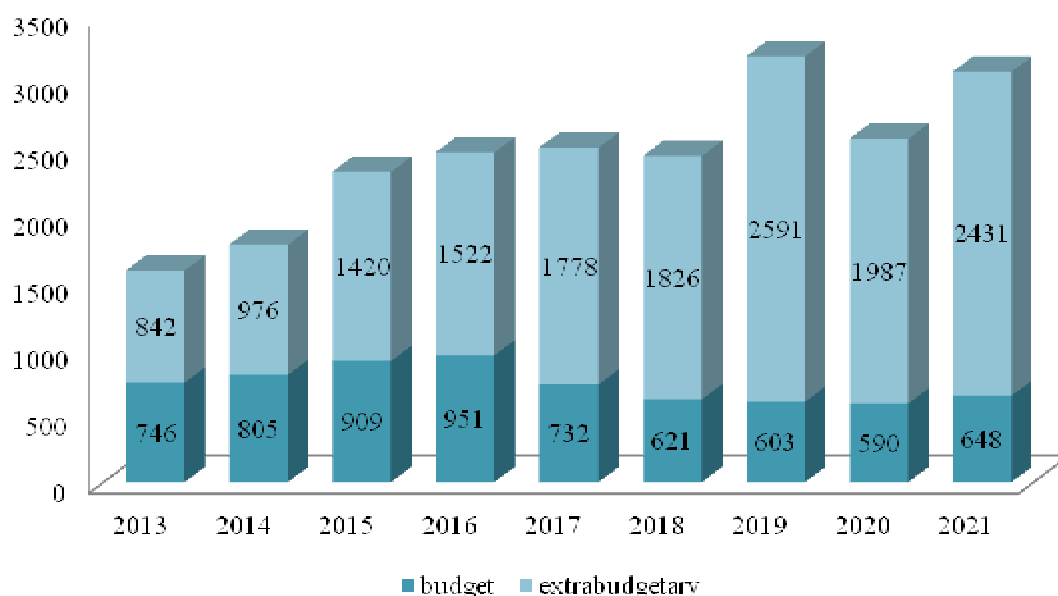


Figure 6. External outgoing academic mobility of students, pers

Source: compiled by the author based on statistics from the Center for the Bologna Process and Academic Mobility of the Ministry of Education and Science of the Republic of Kazakhstan, URL: https://enic-kazakhstan.edu.kz/uploads/additional_files_items/56/file/analiticheskiy-otchet-za-2019-god.pdf?cache=1581490562

Currently, there are about 100 agencies and educational and consulting firms in the Kazakhstani tourism market that provide services for admission abroad. Companies offer the following types of services to students: language courses, summer vacations, secondary, higher education programs, as well as admission to master's and MBA programs.

Going abroad is a rather laborious and complicated process, so many parents decide to use the services of educational agencies in the preparation of their children. Agencies, as a rule, provide a full range of services - consulting and selection of universities and scholarships, development of an admission strategy and plan, preparation of

application documents, assistance in writing motivation letters, communication with universities on all issues, visa paperwork and support even during training. Table 1 shows organizations that provide services for admission abroad.

Recently, language courses have become very popular. This type of educational tourism implies an opportunity not only to improve knowledge of a foreign language, but also to get acquainted with the culture of another country, exchange experience. But, unfortunately, there are no official statistics by country, which makes it impossible to assess the flow of students to language courses. However, based on the analysis of the activities of the agencies presented in Table 1, the popular destinations are the UK, Malaysia, Singapore and the island of Cyprus.

Table 1. Data on the services offered in the field of educational tourism for residents of the Republic of Kazakhstan

Name of organization / travel company, agency	The nature of the service offered	Direction	Educational period	Average cost of the service
M&K Educational Center (Nur-Sultan)	Secondary, higher education and master's programs at universities in Europe and America	Obtaining bachelor's and master's degrees	From 1 year to 4 years	From 8000 USD USA
	Language courses (UK, USA, Canada, Austria, Germany)	Language training, excursion program, obtaining certificates	From 1 to 4 weeks	From 990 USD USA
	Summer and winter holidays (UK and Switzerland)	Intensive language learning	From 1 week to 3 months	From 500 USD USA
Educational and consulting company CraneCult (Almaty)	Programs of secondary, higher education and magistracy (in any university in the world)	Obtaining bachelor's and master's degrees	From 1 year to 4 years	From 3000 USD USA
Travel agency VIPKZTOUR (Almaty)	Summer language courses in Malaysia	Learning English in a game format, daily walks and excursions in Kuala Lumpur	1 month	From 1380 USD USA
	Summer language camp in Singapore	Improving English, tours of Singapore	20 days	From 1500 USD USA
Travel agency TUMAR travel (Karakanda)	Free higher education in Slovakia	Getting a bachelor's degree and the opportunity to move and get a residence permit	From 1 year to 4 years	From 1500 USD USA
Travel agency "Idealny variant" (Pavlodar)	Educational tours to Malta, to the UK, to the island of Cyprus	Learning English in international groups; excursion and entertainment program	2-3 weeks	From 545 to 1000 dollars. USA

In general, the following conclusions can be drawn. In modern realities, educational tourism in Kazakhstan is developing thanks to the effective projects of the Bologna Process and the popularization of international programs, the active promotion of educational and language services by travel and consulting agencies. Over the past 10 years, there has been a gradual increase in the number of students studying abroad. However, amid a pandemic in 2020 and 2021, there is a decline in demand for education abroad for obvious reasons. On average, 10% of all students in Kazakhstan study in foreign educational institutions. In a global ratio, this figure is 1.5% of all mobile students in the world. Russia and China are leading the way in providing study places for Kazakh students.

After analyzing the amount of the allocated budget, we can conclude that the state allocates insufficient funds to promote educational tourism. So, since 2016, there has been a decrease in budgeting funds by 24% in 2017, and by another 10% in the following periods. Thus, the overwhelming majority of students, namely 60%, go abroad at their own expense, or for a grant from the host country. Travel and consulting agencies provide a wide range of services in entering foreign countries, which facilitates this process and makes it more accessible for Kazakhstan students.

The following directions for the development of educational tourism in the Republic of Kazakhstan can be considered as proposals:

- 1) An increase in the budget allocated by the state for the provision of grants for those wishing to study abroad, thereby promoting the growth of educational tourism;
- 2) Active government support of educational, travel and consulting agencies in their creation and promotion, allocation of a budget for grants for entrepreneurs who want to promote educational tourism;
- 3) Expanding the base of host countries, concluding new contracts with foreign universities and colleges, active student exchange;
- 4) Improving marketing campaigns in firms providing services for academic mobility and language courses in order to popularize this direction of tourism;
- 5) Conclusion of contracts by firms with schools in order to promote educational tourism and increase its recognition already from school age, to acquaint schoolchildren with information about the opportunities that this type of tourism provides.

Such measures will simultaneously increase the income of specialized firms that can participate in preparing for admission abroad, and at the same time become tools for the popularization of educational tourism, which in the future will lead to the development of human capital, as well as the education of competitive employees in the labor market and an increase in the country's economy in the whole.

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TEACHING WITH NEW CLIL TECHNOLOGY

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In the Republic of Kazakhstan, the introduction of teaching of natural and exact sciences in English is one of the priority areas in reforming the education system. More precisely, this experiment can be called “trilingual education”, since it will include teaching in Kazakh, Russian and English [1].

For a number of years, integrated teaching of the subjects “Informatics”, “Physics”, “Chemistry”, “Biology”, “Natural Science” and “English” has been carried out.

The idea of using the principle of subject-language integrated learning arose as a result of increased requirements for the level of proficiency in a foreign language. This approach allows teaching in two subjects at the same time, while the main focus can be on either a language or a non-linguistic subject.

In different countries and in our country, the CLIL approach has been practically used for a long time, but not systematically. For example, foreign literature, physics, geography in schools where a number of subjects are taught in a foreign language, etc [2].

Since the 1990s, more attention has been paid to this technology in Western countries and the term CLIL has been used. The European Commission has been highlighting this technique since the end of the 20th century [3]. In the spring of 2014, the European Commission adopted further decisions on the widespread implementation of CLIL has been brought to life as a methodology to promote bilingualism and multilingualism and is now widely used. In particular, the British Council has opened courses for teacher training and the development of teaching materials. The Cambridge University Press and the Cambridge Examination Syndicate have released instructions for taking the TKT – Teaching Knowledge Test for English language teachers in the CLIL format [4]. In Europe, conferences are held with the inclusion of consideration of the problems of studying and applying the CLIL methodology, for example, Internet resources are

being created at the University of Bremen [5]. There are online resources describing data on CLIL maintenance in the UK, Hungary, Spain, Italy, Finland, Estonia, Germany, France and teaching (see CLIL online resources).

In all projects, there was a significant improvement in the quality of training in the specialty and in business English, as well as adaptation in the context of international cultural cooperation, integration into the international educational space, the sphere of culture, and general socialization [2].

The CLIL implementation examples demonstrate the success of the trainees achieved in a relatively short period of time in the field of the profession and in the field of knowledge of business English, the development of translation skills, in the field of integration into the international business, educational and cultural space and confirm the effectiveness of the CLIL methodology. Participants in Italian cultural projects showed significantly increased motivation and achieved good results in the profession and in their non-native language, English. The CLIL technique has proven itself well in conditions of real immersion in the profession and the language being studied. The opportunity to show independence, to assert oneself in the field of the future profession, to touch the history of world culture in the conditions of real business intercultural communication played a positive role [2].

New conditions require new approaches, so new educational technologies appear, and one of these technologies is subject-language integrated learning called CLIL. CLIL technology considers learning a foreign language as a tool for learning other subjects. Learning a language goes through any subject area, that is, a lesson in which CLIL technology is used is not a foreign language lesson, but a subject lesson in a foreign language. The basis of integrated learning is the use of interdisciplinary connections both in terms of ultimate goals and in terms of content, methods and methods of work [6]. Besides, CLIL is a didactic technique that allows pupils to form linguistic and communicative competencies in a non-native language in the same educational context in which they form and develop general educational knowledge and skills [2]. Usually this approach is discussed and described as language immersion in an artificially created environment.

One of the most popular and effective technologies in our country of today is CLIL. One of the main tasks of CLIL in the classroom is the use of a second language (English) for students to communicate with each other and between the teacher and pupils, understand the content of the academic discipline and acquire new terms (vocabulary) in the second language. At the beginning of the lesson, children should become familiar with the new specific scientific terms that define the topic of the lesson and will be used by them throughout this and subsequent lessons.

The approaches to learning a foreign language have also changed. The language is considered as the main tool for obtaining high-quality knowledge that meets international requirements. One such approach is Content-Language Integrated Learning (CLIL). The term was first introduced by multilingual education researcher David Marsh in 1994 while coordinating research on the state of language education in Europe. CLIL is "the study of subjects through a second or third language and the improvement of language skills through the study of subject areas, that is, the achievement of subject and language goals at the same time" [3].

CLIL has two goals: learning a subject through a second language, and a second language through a taught subject. Advantage: Language learning becomes more focused as the language is used to solve specific communicative tasks [7]. The goal of

CLIL is not to teach the entire curriculum in a second language, but to make a reasonable choice of subject modules that are compatible with CLIL.

The integration of subjects is one of the means of enhancing the cognitive activity of students. By studying subject areas in the second and third languages, pupils develop metacognitive and metalinguistic skills through the study of cross-cutting topics in three languages, which are also integrated with different subject areas, so each of the topics is studied from different perspectives. Integrated learning focuses on the content of the subject and terminology, and the second language becomes a means of studying different subjects.

It should be noted that when teaching subjects using the approach (CLIL), it is necessary to determine the level of language proficiency of children. This means that they must listen to the speech of the teacher and their classmates in situations of everyday communication; be able to represent themselves and others; ask questions and answer them; understand short, simple texts, finding specific, easily predictable information in them; write simple short notes and messages [7].

When planning an integrated lesson, teachers need to adhere to the basic statement "all teachers are also language teachers". A lesson using this approach has two goals: subject and language. Lesson planning assumes that the teacher must anticipate the possible language difficulties of his students in mastering the subject material and provide support for the "removal" of these difficulties. Any topic from the subjects of the school cycle, which is taught in the second or third language of instruction, but taken from a rather narrow perspective, can be chosen as the subject content. It is more difficult to plan language content, since, on the one hand, it is associated with subject content, and on the other hand, it must serve both the cognitive and communicative spheres and at the same time enrich students' knowledge of the language. The lesson should, if possible, include all types of speech activity, although the features of the CLIL approach are such that reading takes up most of the study time. However, the teacher can plan the lesson in such a way that part of the material can be presented in the form of an audio text, and, using search teaching methods, it is possible to come to an understanding of the material through dialogue and conversation [7].

The educational material should contribute to the achievement of two goals: subject and language. Texts are perceived better if they are divided into small parts and accompanied by illustrations, diagrams, maps, etc. Texts should contain pre-text and post-text tasks. These tasks should develop not only language, speech, but also cognitive skills. Texts provided with diagrams or tables are ideal for the recognition stage. Entering the material from the text into the table, the student thus classifies the information, differentiates between main and secondary information. Planning a lesson, which is taught in a second/third language of instruction, requires cooperation between teachers of language and non-linguistic disciplines and should be based on content-language integrated learning.

The CLIL teaching methodology includes 4 "Cs": Content, Communication, Cognition, Culture [3]:

Content. It is necessary to stimulate the process of mastering knowledge and developing skills in the subject.

Communication. It is necessary to teach students to use the means of a second language to gain knowledge in the subject.

Cognition. It is necessary to develop the mental abilities of students to understand the language and subject.

Culture. Understanding the characteristics of different cultures will help pupils to socialize more effectively in the modern multicultural world, better understand their own culture and stimulate its preservation and development.

Preparing for the CLIL lesson, the teacher should think over the subject content of the lessons, coordinate with the structure of the training course, and carefully select material that can supplement or repeat what has already been studied in a particular subject. Task types are designed according to the level of complexity, built with an emphasis on subject content, its understanding, verification and subsequent active discussion [7].

When conducting a lesson, it is necessary to clearly state the goals and expected results of the lesson; create a favorable educational environment for learning languages; develop four types of speech activity (reading, listening, writing, speaking); repeat sentences and phrases that are incomprehensible to students several times, if necessary; use vocabulary accessible to pupils; work with keywords; at the initial stage of studying the subject, in the second or third language when students use the first language in the lesson, it is necessary to answer in the second / third language; encourage children for using a second / third language in the lesson; use different activities to increase student motivation. An important aspect is the mutual attendance of the lesson by colleagues, which directly contributes to the exchange of experience and resources between teachers (teaching in the second or third language of instruction).

The CLIL methodology includes a lot of work to stimulate the acquisition of knowledge and the development of the necessary skills in the subject which is facilitated by carefully selected educational materials for reading special texts, not only for studying a specific subject, but also for teaching the language: lexical and grammatical units and structures; all types of speech activity: reading, speaking, writing and listening [7].

Specifics of the CLIL methodology:

- 1) Knowledge of the language becomes a tool for studying the content of the subject.
- 2) Attention is focused both on the content of special texts and on the necessary subject terminology.
- 3) The language is integrated into the curriculum.
- 4) The need for immersion in the language environment in order to be able to discuss thematic material significantly increases the motivation for using the language in the context of the topic being studied [7].

In CLIL lessons the development of language skills and subject knowledge is equally important, most often such a lesson is based on a four-step scheme: 1. Text processing. 2. Awareness and organization of acquired knowledge. 3. Linguistic understanding of the text. 4. Tasks for students.

Step 1. Text Processing: An ideal text should contain illustrations to visualize what is being read. When working with a foreign text, children need structural marking of the text (line numbering, paragraphs, headings, subheadings), which makes working with text much easier.

Step 2. Awareness and organization of acquired knowledge. Texts are most often presented schematically, which helps students to identify the idea of the text and the information presented in it.

Step 3. Language understanding of the text. Pupils will be able to convey the idea of the text in their own words. They can use both simple language tools and more ad-

vanced ones, there should not be a clear gradation of which vocabulary to use, but the teacher still needs to draw pupils' attention to certain lexical units that are suitable for the topic and subject. But the teacher should pay attention not only to some special vocabulary, but also to some universal language units: phrasal verbs, set expressions, degrees of comparison, which are useful regardless of the topic of the lesson or subject.

Step 4. Tasks for pupils. Tasks should depend on the level of preparation of the students, on the learning objectives, as well as on the preferences of the students [7].

The role of a "critical friend" is very important, it can be a colleague with whom you work in parallel, or subject teachers can choose language teachers as a "critical friend" and vice versa. It is necessary to coordinate each step in training among them in advance. For the successful implementation of learning objectives, it is necessary to create conditions for teachers and students [8].

The CLIL approach provides for the integration between linguistic and non-linguistic subjects not only in the classroom, but also outside the classroom. To ensure and maintain subject-language integrated learning, joint extra-curricular activities, subject weeks, circles, electives, intellectual tournaments in two / three languages of instruction can be held.

Undoubtedly, the principles of integrated learning are aimed at developing the thinking of students. The role of human knowledge in the field of sciences adjacent to the specialty and the ability to comprehensively apply them in solving various problems is increasing. From a practical point of view, integration involves strengthening interdisciplinary connections, reducing student overload, expanding the scope of information they receive, and reinforcing learning motivation.

CLIL principles are as follows:

- CLIL is, first of all, teaching general knowledge, not multilingualism, so the latter is only an additional function;
- training takes place based on the main 4 "C": content, communication, cognition and culture. All these components are in continuous connection with each other;
- requires the construction of a safe psychological climate in the classroom;
- implies the use of exclusively one (foreign) language, the same teacher and audience;
- for a better understanding of the material, the teacher can connect facial expressions, gestures, pictures, presentation sound, etc [7].

Advantages of using this model of methodology:

1. The student learns a large amount of language material, which is a complete immersion in the natural language environment;
2. Working on various topics allows students to learn specific terms, certain language constructions, which helps to replenish the students' vocabulary with subject terminology and prepares them for further study and application of the acquired knowledge and skills.
3. The method of language integration allows teachers to move away from the standard presentation of the material and allows children to gain more extensive knowledge that will undoubtedly be useful for their future professional and everyday communication.

The CLIL methodology is an extraordinary approach to teaching foreign languages to children in Kazakhstani schools, which allows solving the following tasks of the educational process:

- significantly increase the motivation of pupils to learn foreign languages;

- teach children to consciously and freely use a foreign language in everyday communication;
- expand the horizons of children, knowledge and acceptance of other cultures and values;
- prepare children for continuing education in the chosen specialty;
- develop and improve linguistic and communicative competencies through the study of a foreign language [9].

In addition to being fluent in a foreign language, CLIL requires a completely new approach to teaching. Teachers need to use a variety of forms of presentation of material, organization of work, and focus on the individual and creative activities of students. The study of basic subjects will become much more interesting and effective for children if it takes place within the framework of an activity and communicative approach. Thus, we can talk about the specific professional competencies of CLIL teachers [7]. In Kazakhstani schools, teachers of natural science subjects have taken language courses; teachers are united in teams in order to improve the quality of educational services.

There are several problems in implementing CLIL approach such as:

- 1) Lack of sufficient knowledge of second language teachers in a particular subject, and vice versa, imperfect second language skills of subject teachers.
- 2) Poor knowledge of the second language by the pupils themselves, which leads to an increase in the workload of students, as well as to a number of psychological problems associated with the assimilation of material in the second language.
- 3) Development of curricula and preparation of educational material that would meet the needs of students.
- 4) Learning through a foreign language can aggravate the process of mastering the subject itself.
- 5) The problem of student assessment. What should we evaluate the linguistic achievements of students or acquired knowledge in the discipline? And if both, how to do it? [7]

Different models of CLIL are presented in the following table [10]:

Types of training in accordance with the approach	CLIL Models	Models of CLIL according to D. Coyle	CLIL Implementation Models
<ul style="list-style-type: none"> •Soft CLIL (teaching individual topics from the content of special disciplines in foreign language classes). •Hard CLIL (partial immersion programs where more than half of the disciplines are taught in a foreign language). •Modular CLIL (the subject is taught in a foreign language for a certain number of hours) 	<ul style="list-style-type: none"> •Courses organized by topics of professional disciplines (theme based courses). •Additional courses (adjunct/linked courses). •Teaching the subject in an adapted foreign language (sheltered subject - matter instruction). •Second language medium courses (foreign language as the language of instruction) 	<ul style="list-style-type: none"> •C1 - multilingual (bilingual) education. •C2 - support/additional training. •C3 - subject courses with language support included 	<ul style="list-style-type: none"> •Audio and video podcasts. •Flash animations. •Web quests. •Discussion club. •Thematic and project "language immersions"

Based on the degree of immersion, there are currently three models of CLIL:

- "Soft" (Soft) model is a teaching model with an emphasis on the language, is carried out on a regular basis once a week, the lesson lasts approximately 45 minutes. At the same time, as part of a language course conducted by a linguist teacher, some topics of the subject discipline are studied.

- "Modular" model is a teaching model with an emphasis on the study of the subject discipline, is carried out on a regular basis in the amount of at least 15 hours per semester. At the same time, the linguist or subject teacher selects sections of the subject discipline taught in a foreign language.

- "Hard" model is a model of partial immersion with an emphasis on the study of the subject discipline, takes approximately 50% of the curriculum, that is, half of the disciplines are taught in a foreign language. At the same time, the content can duplicate what has been passed in the native language or be completely new [10].

Innovative methods in Kazakhstan are gradually developing into innovative education, aimed at ensuring that innovation is new in the educational environment, which allows raising new competitive teachers of the modern generation.

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THE WOMEN'S EDUCATION RIGHTS UNDER THE TALIBAN GOVERNMENT

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Afghanistan's contemporary history attests to the fact that there was still no thought of Pakistan's existence, which educational system was established in Afghanistan and education was compulsory for men and women, because education right was known as one of the fundamental rights in Islam, national and international law, as the basic principle about the assumption of knowledge is this Hadith Sharif "The demand for knowledge is the duty of every male and female Muslim [1, p. 151]." Learning knowledge is obligatory both for men and women. Therefore, national and international laws today take this vital principle seriously and require governments to observe them. Fortunately, most of the countries in the world today are well aware of the importance of education and are trying their best to provide educational platforms for both men and women. Unfortunately, Afghanistan, as it was two decades ago, is once again an obstacle to women's knowledge and prevents women's education through unreasonable policies [2, p.17].

"Teaching", in Latin, generally involves both general concepts and specific concepts. In a general sense, it includes any form of conceptual transfer and influence in inclusive thinking in order to create learning in individuals. Education in the specific sense includes activities designed by teachers to facilitate learning and circulation between teachers and one or more learners in a reciprocal manner. An education defined by today's sociologists consists in forming a generation mature for the education of tomorrow. Education is the foundation of being human, as Kant said: "Only through education can people become human" [3, p. 5]. Sadly, Afghan women have been victims of the unjust policies of the Taliban government, and their most fundamental right – the right to education – has been denied. In a particular culture, the term deprivation means to be deprived of something and is actually a process in which people are deprived of various rights, opportunities, and resources that are normally available to other members of society. The principle is that a country should pay more attention to society while pursuing vitality and development.

An educational community means an academic, vibrant, and developed environment where all citizens of the community have equal educational opportunities, a society that prioritizes the right to education and always strives to provide better educational opportunities to its citizens. There is no doubt that the educational community has educated women, while educated women include those who have a degree at one of the required levels and sufficient knowledge in a unified or diverse field. In a society in which women are engaged in an academic setting, in general, such a society will spontaneously evolve towards prosperity and continuity. Specifically, the role of educated women in building and strengthening families and improving society has multiple implications in different spaces [4, p. 34]. One of the benefits of education is that, in the cognitive realm, it provides a clear way of thinking and eliminates misunderstandings, as the Regional Director of UNESCO commented on this subject: "The education of women means educating society, empowering women through education. It can create a strong social network as a strategy" [5, p. 35].

Today, one of the most significant indicators of human development is the level of women's presence and functioning in various fields, and to achieve this educational ob-

jective, basic needs are taken into account. So the right to educate women in national and international documents has been discussed.

For example, in the 2003 Afghan Constitution, supporting families, especially children, and mothers, orphans, developing and implementing education programs for women, providing a basis for women's involvement and participation in politics and society, allocating certain seats in the Wolsey Jirga, all these are all rights and benefits that the government is obligated to provide and maintain [6, p. 19]. Similarly, Article 3 of the Afghan Education Law states: "The Islamic Republic of Afghanistan has the equal right to education without discrimination [7, p. 20]. Other provisions of the law relating to compulsory education, formation of committees, improvement of the education system, the way education is arranged, etc. In fact, it is impossible to see the education right in any provision, nor, in legal language, to make the right to education specific to men or women, but the word "national" is used in general. Therefore, it should be stated that women have the right to education and that education must be provided jointly by the family and the government. Either in article 5 of the law on Prohibition of violence against women [8, p. 17]. excluding them from school is considered as one of the examples of violence against women, or when studying international documents, clearly find that the education right as a fundamental and natural right which is important for men and women.

As an example, the global Declaration of Human Rights: one of the most prestigious international documents for the protection of human rights, proclaims the education right [9, p. 8]. Everybody has the privilege to profit from education. Education and training, at least when it comes to basic education, should be free. Primary education is compulsory. It is possible to interpret this article as such, as it uses words in the general sense, namely that the right to education is important and everyone has the right to educate, regardless of gender, in fact, this right is mandatory for all individuals to have access to education. It is here that women can also take advantage of this sacred right. Conventions on Civil and Political Rights, Convention on Non-Discrimination in Education, and Convention on the Prohibition of All Forms of Discrimination against Women are also explicitly supportive of the education right [10, p. 15]. For example, article 10 of the Convention on the prohibition of all forms of prohibits all forms of discrimination against women states the following regarding the right to education. As a part of ensuring equal rights for women and men in education, Member States shall take any measures necessary to eliminate discrimination against women, particularly on the basis of equality: promoting mixed education and other educational methods that can assist in achieving goals in order to eliminate stereotypical expectations of men and women. Providing equal access and enhancing academic opportunities for all students to scholarships and other academic benefits [11, p. 3].

These legal documents were originally legal support for the observance and protection of women's rights. However, as a result, Afghan women's educational platform has become hell and they are denied schooling because neither national nor international law can meet their needs.

There has been not much research on women's deprivation of their right to education, but Soda Karimi, the author of the article examining women's right to education in international documents on women's exclusion has expressed that "The principle on education is not gender discrimination which we have created this discrimination ourselves, is a sign of our ignorance [12, p. 7]." Similarly, the U.S. Institute of Peace issued a report on the obstacles women face to justice. "This situation is disappointing that

women should have the right to access justice, and justice requires that women promote knowledge among themselves" [13, p. 4]. Similarly, the Afghanistan Independent Human Rights Commission (AIHRC) published a report in 2021 entitled "We are investigating why girls are less engaged in school than boys, whether because of government structures or unsuitable customs in Afghanistan" [14, p. 2]. The problem in this research is that the issue of women's education has been discussed generally, in particular, there is no explanation as to what the cause of this deprivation is, which also indicates that the only way for women to achieve justice and specifically the right to education is women's litigation for justice and the world's attention to them. Therefore, more research on women's education rights is needed to reveal the uncover reasons for this class deprivation in Afghanistan's educational dimension. These things motivated the author to do research in this field.

The research points out information about women's education right under the Taliban's regime after August 2021 in Afghanistan. The focus of the paper is on determining the most important consequences of the Taliban's dominance of women's education rights in Afghanistan and the fate that the country might face by depriving women access to education.

The research structure is based on the study of the most important impact of the Taliban's dominance on women's education rights and the destiny of nations with such restrictions on education rights.

The objectives of the research are:

- to understand the cause, effect, the importance of education rights based on Islamic, national, and international documents;
- to identify the most important results of the Taliban's dominance on women's education rights;
- to prognose the impact of denying women their education rights;
- to review the usefulness of Afghan women's protest movements in the current situation to access education rights;
- to evaluate the usefulness of Afghan women's protest movements in the current situation to access to education rights;
- to identify the role of investment in girls' education in the future of Afghanistan's educational community;
- to consider the role of the international community and international institutions in condemning the Taliban's decision to deprive Afghan women of their education rights;
- and to propose solutions to the problem of how women could adapt to the Taliban's restrictions.

In this study, 393 questionnaires were distributed to different educational classes, educational organizations, civil society activists, and students in four regions and 10 provinces of Afghanistan (2–3 provinces in each zone), as a statistical community in Afghanistan is covered by this study.

According to this study, 88.5% of respondents are female, and 11.5% are male; 51% are students, 19.8% of respondents are school graduates, 23.0% are university students, and 5.1% of respondents hold master's degrees. You can include a couple of visuals here).

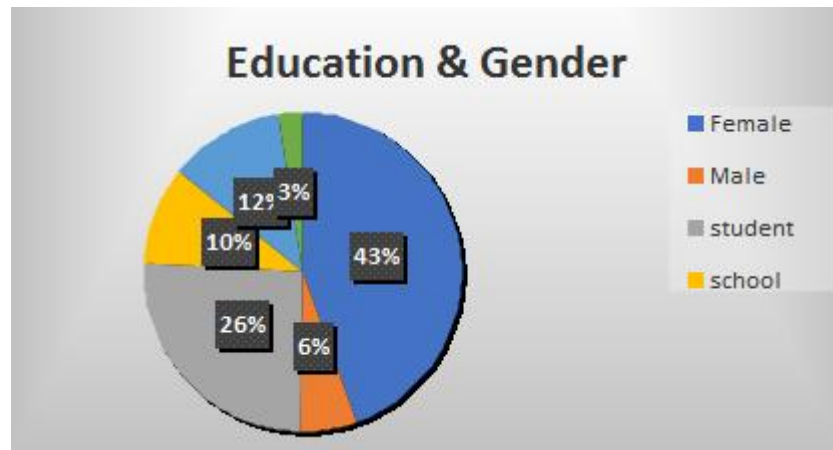


Figure 1. Education and Gender of the survey respondents

The responses to the questionnaire were as follows, the most important consequences of the Taliban's dominance of women's education rights in Afghanistan include: according to 6.6% of respondents, the Taliban government is responsible for the increasing violence against women and for promoting it, while 6.1% of respondents cited a serious threat to the growth of the Afghan educational community as the most important consequence of the Taliban government. 1.8% of the respondents believe that the Taliban government has increased unemployment and class poverty in society, especially among women. And 4.1% of responders said that the lack of women's presence in society is one of the main consequences of the Taliban government, about 81.4% of the interviewees agreed with all the cases and considered all these points as the most important consequences of the Taliban government on the right to education of Afghan women.

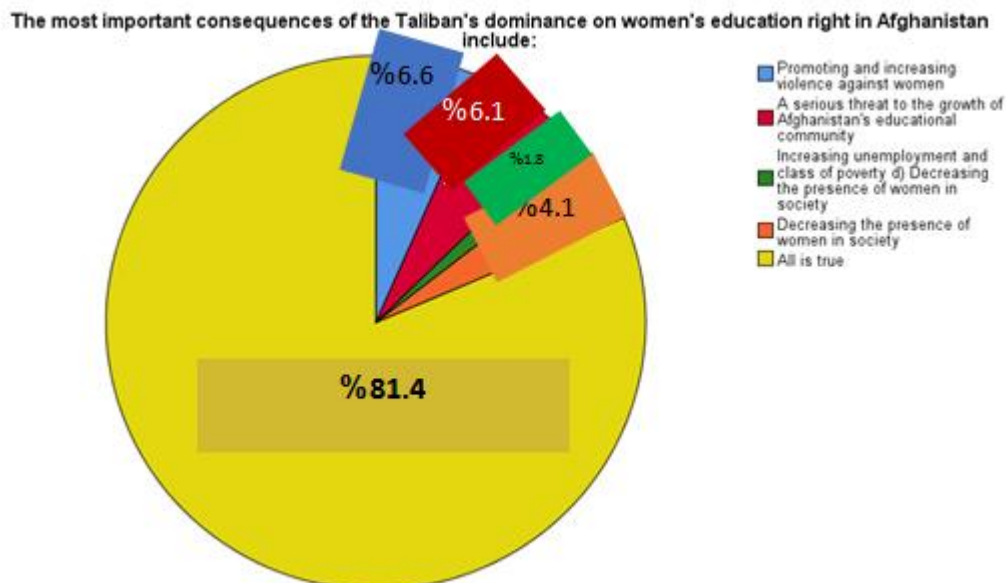


Figure 2. Consequences of the Taliban dominance on women's education rights

Regarding the answer to this question, "From what perspective does the Taliban oppose women's education rights?" the following: 21.1% of respondents believe that the

source of the Taliban's disagreement is extremism, 8.9% of the interviewees expressed the Taliban's opposition to the right to education of women as Islamic teachings in special schools, as well as 11.2% of participants, believe disparity among Taliban leaders. One of the main reasons the Taliban oppose women's right to education, 5.1% of the respondents described the reason for the Taliban's opposition to women's right to education as foreign and cultural factors, and finally, about 53.7% of respondents replied that all the above (extremism, teachings in special schools, differences of view between Taliban leaders and foreign and cultural factors) were the reason for the Taliban's opposition to women's right to education.

In response to this question, "By gender discrimination in the educational aspects of Afghan women's lives, the Taliban seeks one of the following points" 12.5% of the people said that the Taliban are seeking to promote the culture of misogyny in Afghanistan by such gender discrimination, and about 18.6% of respondents believe that the Taliban is essentially seeking to create The Patriarchal Government in Afghanistan by gender discrimination in the dimensions of women's educational life. Similarly, about 12.2% of the participants believe that the Taliban are seeking to implement Islamic rules by discriminating against gender in the educational dimension of Afghan women's lives, and finally, about 14.5% of interviewees have expressed that the Taliban, by such gender discrimination seeks to eliminate women from the academic environment and ultimately about 42.2% of participants agree with all these options Promoting the culture of misogyny b) creating a patriarchal government, Implementation of Islamic rules, eliminating women from the academic environment.

In response to this question, "What role does investment in girls' education play in Afghanistan's educational community? About 8.1% of the interviewees expressed this view: One of the most important reasons for education and high investment in the education of women and girls is that literate women lead to poverty eradication and public welfare, and 6.9% of respondents believe that investment in girls' education plays an important role in making positive changes in society and reducing the rate of crime and violence. As many as 15.8% of the participants believe that investing in girls' right to education will lead to the development of a new generation. Finally, about 53.4% of respondents agree with all of the above (Literate women lead to poverty eradication and public welfare. Positive changes in the reduction of crime and violence will lead to the development of a new generation). About 15.8% of the interviewees did not agree with the second option (making positive changes in society and reducing crime and violence).

Regarding the answer to this question, "The role of the international community and international institutions in condemning the Taliban's decision to deprive Afghan women of their education rights includes" about 33.1% of responders expressed the most important role of the international community in forcing the Taliban to recognize women's right to education. Similarly, about 14.5% of repliers described that supporting Afghan women against the challenges and consequences of illiteracy was the most crucial role that the international community should play. According to 4.6% of participants, the international community's and international organizations' most crucial responsibility is to convene urgent discussions on women's education in Afghanistan. 4.1% of surveyed people referred to the international community's primary function as supporting the Taliban to carry out their diplomatic strategies. And ultimately, the fourth choice was rejected by around 43.8% of the survey participants (supporting the Taliban to implementing diplomatic policies).

In response to the question "How do you evaluate the Taliban's restrictions on Afghan women's education rights?" 85% of respondents said that the Taliban's irrational and inhumane restrictions are really catastrophic, especially in the educational and educational dimension, they will undoubtedly limit the scope of women's progress as long as they continue to impose these restrictions and this will destroy the foundation of society, The emergence of the Taliban in Afghanistan is a sign that ignorance and ineptitude have re-emerged in Afghanistan because the only factor is to forbid women and girls from going to school, so these restrictions can lead to women's backwardness and other problems in Afghan society. 8% of the participants had no opinion And 7% of them said that no, the Taliban cannot prevent women from progressing by any means, but they will instead empower women and make them stronger against the Taliban's policies. It is not acceptable to impose educational restrictions on women, perhaps in the short term may prevent women from progressing, but in the long run, the more pressure on women will be reduced from the life of the Taliban's government."

Regarding the answer to this question "What is the solution? Should women adapt to the Taliban's restrictions or not?" 80% of repliers felt that the solution is clear and obvious, women should have education rights and they must give this right to them, as no group or government has the right to deny women education under national and international laws. "If the Taliban's restrictions are within the framework of Islamic law, Afghan women accept those restrictions, while these Taliban's restrictions have no place in Islam, and there is no reason or criterion that indicates the rationality of the Taliban's decision, so Afghan women should not be able to cope with these restrictions that show the height of ignorance of such a group". 15% of the surveyed people said that "Today, women have no supporters, the situation for Afghan women has become so difficult that even sometimes they are humiliated and insulted by their closest relatives, and now women are forced to endure Taliban's conditions, such as having black hijab, black masks, black scarf," 15% of the interviewees replied. The Taliban refuse to acknowledge the education right of women and prevent them from studying if a student is not dressed in such a uniform, which represents the height of ignorance and illiteracy that, regrettably, has prevailed in Afghanistan's current situation. Perhaps the only solution is for Afghan women to try to have domestic and foreign support to support them against such Taliban terror and force them to accept the education right for women and allow them to study. In response to the statement, 5% of respondents replied, "We, Afghan women, must adapt to the Taliban since we have no supporters at the national or international level and if we do not adapt to these limits and restrictions, we will be treated violently".

In reply to this question, "How do you evaluate the role of women protesters and their protest movement in achieving of their fundamental rights in Afghanistan?" They presented various viewpoints, with 60% of participants stating that "Such demonstrations will be successful provided that Afghan women are well-coordinated in the first step, that there is a strong national or international supporter of what they have, and that these women's protest movements are a testament to their tenacity and persistence for the rights of Afghan women. We are therefore very optimistic and think that women's tenacity and endurance will lead to even greater achievement with further success". 30% of those surveyed responded, "The concept is that women's protest movements will get the international community's attention because when women maintain their protests, they will definitely push the international community to support themselves". 10% of those interviews, "Experience shows that these protests have enabled the Taliban to

empower women because it is reasonable that such protests will elicit strong and harsh responses from the international community and that the Taliban may offer women some opportunities for education in the future to stifle these protests".

In such an unfortunate situation, despite the strict restrictions of the Taliban, the people of Afghanistan did not stop trying, that's why some online educational facilities have been provided by private institutions and volunteers for Afghan girl students, for example, currently, the Afghan Education Assistance Institute provides online education services. For more than 2509 girls, in the same way, a number of online schools are volunteered by individuals for the education of women, such as the Afghanistan Online School, the Herat Online School, the Hatwal and Shahmama Online Schools, which provide free educational and educational services online. They have provided for more than 7000 girls.

Unfortunately, during the past year, there were many people who not only did not support but also suppressed the resistance of women and girls in the country. Some people said that these women's protests will be like a symbol for the world and they want to tell women not to protest and be quiet. Because the Taliban are strong, repressive and ruthless. Many do not see the effects of the protests of women fighters in the country. One of the most important factors that has caused governments and international institutions not to recognize the Taliban government has been women's protests. The Taliban themselves have admitted this. Anyone who has an iota of libertarian and progressive thinking should support the protests against social movements, especially the libertarian and egalitarian women's movement.

The research has indicated that the collapse of the republic system and the announcement of the Islamic Emirate's government to the extremist, anti-women group resulted in countless problems for women as the chain of these bottlenecks joined together. A feeling of deprivation and dissatisfaction with the status quo are what motivate women to unison consciously and unconsciously seek a common goal. The protests and movements against the Taliban have taken place on a small and large scale and chanted slogans (work, bread, education, and justice, we are tired of ignorance) but the Taliban responded to them violently with air attacks, floggings, vulgar words, and violence. Unfortunately, over the past year, there were many people who wanted to keep them quiet since they believed their actions would serve as a symbol for the entire world because the Taliban are strong, repressive, and ruthless. Further women's demonstrations have been one of the most significant causes that have prevented nations and international organizations from recognizing the Taliban's governments. The Taliban have confessed this. The legitimate protests of social movements, notably the women's liberation and egalitarian movement, should be supported by anybody with a libertarian or progressive mindset.

The findings of this study indicate that the Taliban have deprived women's education rights and have led to class poverty and cultural poverty in society. The prohibition of the education right is considered a barrier to the right to life, so the results demonstrate that women in Afghanistan are in a lost state, the doors of schools are closed to girls and this situation is accompanied by negative impacts. For instance, the Taliban's regulations denying Afghan women their education rights will first cause a great deal of harm to Afghan women, in the second step, paralyze Afghanistan's educational context, thirdly they will obstruct the growth and development of Afghanistan's academic environment, and ultimately, they will weaken the country's political system and the government structure in Afghanistan. The only solution is the continuation and resistance of

women in the field of their protest movements, the solidarity of Afghan men and women, and ultimately the international community's serious support and attention to the rights of lost and forgotten Afghan women. In essence, the purpose of this research is to learn the hidden causes of women's lack of access to education as well this study is essentially a way to discover secrets behind the reasons that have deprived women's education rights.

Recommendations

1. Families should support their daughters and provide them with education in private schools or online.

2. At least providing an online education platform for girls, especially in places where the security situation is deteriorating.

3. International organizations like UNICEF should support Afghan girls to access the right education.

4. The international community and countries support Afghan women to achieve their lost rights, never recognizing the Taliban's Government.

5. Education is a tool to use against violence and tyranny, so women should be allowed an education.

6. In order to save society from class poverty and academic stagnation, an educational platform should be accessible and available for women.

7. In the current situation, women need the support of the international community more than ever before, so the Taliban cannot succeed in erasing women from the academic environment and promoting patriarchal culture.

Make a change in the defined approaches and styles of women's issues to have a society devoid of injustice, conflict, and violence.

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THE EU ENVIRONMENTAL POLICY IN THE FIELD OF FOREST PROTECTION

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Since 1990, the world's forest area has decreased by 178 million hectares, which is about the size of Libya. The rate of net loss of forest area between 1990 and 2020 has slowed markedly as deforestation has declined in some countries and forest area has increased in others through afforestation and natural forest expansion. The rate of net loss of forest area decreased from 7.8 million ha per year in the period 1990–2000 to 5.2 million ha per year in the period 2000–2010 and 4.7 million ha per year in the period 2010–2020. In the last decade, the net loss of forest area has slowed at a slower rate due to a slowdown in the rate of forest expansion [1].

In contrast to the global trend of deforestation, the European Union (EU) has seen a steady increase in forest area for more than 20 years. In 2020, forests and other lands covered with forest vegetation covered 159 million hectares in the EU countries. European forest area has increased by almost 10% since 1990 (145 million ha). In five EU Member States, more than half of the territory is covered by forests: Finland (66%), Sweden (63%), Slovenia (61%), Estonia (54%), and Latvia (53%) [2].

Since the middle of the last century, the area of forests has been constantly increasing, although recently not at such a rapid pace.

The forest area of the EU is increasing by an average of 0.4% annually, including through special afforestation programs. This factor allows us to assume the effectiveness of the EU policy and law in the field of forestry. The study of the main trends in their development can be useful for comparative analysis and decision-making to improve the forest management system within the framework of a separate federal state.

The first EU Forest Action Plan was adopted in 2006. The plan covered the period from 2007 to 2011. It was a framework document based on political objectives in the field of forestry, as well as instruments and measures designed to achieve other political objectives, but significant impact on the forestry sector.

For example, among the instruments of the 2006 Forest Action Plan was the Natura 2000 Ecological Network program, which was envisaged by two directives within the framework of EU environmental policy. Links of the ecological chain "Natura 2000" are, among other things, forest areas (only about 25% of EU forests) under additional protection, where human activity is limited, but such areas are not completely excluded from economic activity. The Common Agricultural Policy of the EU (2007-2013) was considered in the Plan as an instrument providing for the financing of the forestry sector (for the period from 2007 to 2013, 5.4 billion euros were directed from the EU Agricultural Rural Development Fund to forestry). From the climate change policy of the EU to the instruments that significantly impact the forest sector, the Plan included a directive providing for the use of renewable energy sources (forest

biomass is the source of about half of the energy consumed in the EU from renewable sources). The Plan also considered the Water Framework Directive and many others that indirectly affect EU forestry. The 2006 EU Forest Action Plan had four main objectives: to ensure the long-term competitiveness of EU forestry; improve and protect the environment; improve the quality of life; promotion of coordination and cooperation in the field of forestry. Eighteen key actions specified how these goals should be achieved [1].

The main coordinating and information platform for the implementation of the Plan was the permanent Committee on Forests of the European Commission [4].

On March 1, 2010, the Green Paper on Forest Protection and Information on Forests in the European Union: Prepare forests for climate change au Changement climatique – COM (2010) 66 final) [4]. The discussion of this document was open from March 1 to July 31, 2010, and it took place on June 3, 2010, at the Green Week in Brussels. The Green Book provides data on the state of forests in the countries of the European Union, describes the tools available to protect forests, and outlines the main directions of EU forest policy. Its purpose is to launch discussions within the European Union on forest issues, the various possible approaches to forest management in the EU, forest protection, and forest information systems. The basis of this Green Paper was laid by the White Paper of the European Council "Adapting to climate change: towards a framework for European action", which appeared in 2009. The European Council is concerned that climate change will adversely affect the condition of forests in the future, leading to serious social, economic, and environmental hardships. In this regard, the European Council calls for the protection of our forests so that, years later, they continue to fulfill their so diverse roles. Europe pays special attention to the fact that forests are multifunctional, and their ecosystems are the richest in their diversity. They perform extremely important functions for humans [4].

The main question that is raised in these books is how to preserve forests and their biological diversity in the face of a changing climate and other global changes taking place in the environment. Working on forest conservation programs, the European community is concerned not only with environmental issues but also with the economic side. A significant economic factor is that forests provide jobs for several hundred thousand people in the countries of the European Union, and in different areas of the forestry and timber processing industries employed over 2 million people. In addition, the forest is a renewable energy resource [5].

The Green Book proposes several measures aimed at protecting forests, such as increasing the area under tree cultivation. Remarkably, the "Green Book" also contains measures that are contrary to the principles of environmental policy, pursuing exclusively rational, economic goals - for example, the issues of deforestation or the use of forest resources in the industry.

This book also discusses protective forests that protect human settlement areas, agricultural areas, and the transport network from natural phenomena such as landslides, mudflows, and avalanches. Such protective forests require special measures to protect them and maintain a constant area of forest cover. In different countries of the European Union, various measures are being taken to protect such forests. For example, the Forest Code of France divides such forests into types - "suburban", "mountain", etc. - and prescribes a special status for such forests [5].

In addition, the Book raised the question of possible proposals for improving the efficiency of EU forest management in the future. The information was addressed to a

wide range of respondents: EU institutions and bodies, EU member states, EU citizens, and other interested parties. The discussion of the Green Book lasted 5 months, during which 261 responses were received from a wide range of respondents. The results of the discussion were presented in the report of the European Commission "Results of the consultations on the Green Paper on forest protection and information on forests in the EU". Based on public consultations, a conclusion was made about the need for further active actions in the field of forestry at the EU level. As early as 2011, following the consultations held by the European Commission on EU forests, the Report of the Committee on Environment, Health, and Food Safety was presented in the European Parliament. The Report provides an interim assessment of the implementation of the 2006 Forest Action Plan. The achievement of only the first of the four priority objectives of the Plan (Ensuring the competitiveness of EU forestry in the long term) is positively characterized; progress towards the remaining three goals was considered unsatisfactory. The report pointed to the lack of complete and reliable information about forests. This is largely due to a lack of funding; however, no less important is the fact that there are no generally binding acts regulating the unified presentation of information on EU forestry.

The value of forests is also related to their ability to regulate the climate and maintain the water balance of the region.

The human right to a favorable environment is promoted by European forests, which provide citizens with opportunities for recreation, hunting, and picking mushrooms and berries, as well as being tourist sites.

The competence of the EU regarding forests is significantly limited by one of the oldest principles of international law - the inalienable state sovereignty over its natural resources. Forest traditionally refers to resources that are exclusively under the jurisdiction of a particular state. Physically, forests are located on the territory of a separate state. Many functions of the forest are of great economic, environmental and social importance for the country (first of all, these are economically profitable operational functions, that is, the industrial harvesting of wood and other types of forest raw materials and products; and also such functions include water protection functions, that is, regulation of the regime of rivers, lakes, reservoirs, and other water bodies; protective functions, that is, the protection of various objects and territories from adverse natural or anthropogenic conditions, etc.). And the competence of the EU includes only those sovereign rights that are voluntarily delegated to it by member states [4].

Taking into account the accumulated experience of forestry management in the EU, and also because the EU Functioning Treaty does not properly regulate forestry issues, in September 2013 the European Commission adopted the "New EU Forest Strategy: for the sake of forests and the forest sector". The document integrates foreign and domestic policies, sets strategic priorities for the development of EU forestry up to 2020, and recognizes the multifunctional of forests.

The guiding principles of the 2013 Forest Strategy are: - the principle of "sustainable management and use of forests" - that is, management and use in such a way and in such volumes that allow the conservation of biodiversity, productivity, regenerative capacity, viability, and the potential of forests to be implemented in the present and future relevant environmental, economic and social functions at the local, national and global levels; and the management and use of forests and forest lands in a manner and to such an extent that they do not harm other ecosystems 65. Recognition of the multifunctional of forests; the forest is a source of diverse forest products and an ecosystem of services,

the use of which must be carried out in a balanced way, while ensuring the protection of forests; the “resource efficiency” principle, i.e. optimizing the contribution of forests and the forestry sector to rural development, job creation, and economic development; the principle of “global responsibility”, that is, the promotion of non-exhaustive production and consumption of forest products.

The Forest Europe process is a regional political initiative created voluntarily in 1990 as part of the first conference in Strasbourg. The main goal of this initiative is pan-European cooperation in the field of forest conservation. The Forest Europe Process involved 46 countries, as well as the European Union. Non-European countries and international organizations took part in the work as observers. The work Process is based on regular ministerial conferences and follow-up actions to achieve the set goals.

The first event of the next cycle of work at the expert level was held in Bratislava on 11-12 May 2016.

The meeting was attended by over eighty experts from 31 countries, the European Commission, and 14 international observer organizations. The main topic of the meeting was the discussion and adoption of the program of work for the period 2016-2020.

The key thematic areas of the new program of work were: further development of policies and tools for sustainable forest management; development of monitoring and reporting; inclusion of forestry in the “green” economy; accounting of forest ecosystem services; protection and adaptation of forests to climate change; strengthening social aspects.

In addition to the new program of work, the meeting of experts approved the mandate and composition of the Working Group to review activities and define future directions for the Forest Europe process. Representatives of France and Ukraine were appointed co-chairs of the Working Group [5].

On 16 July 2021, the European Commission adopted the EU's New Forest Strategy 2030, the flagship initiative of the European Green Deal which builds on the EU's Biodiversity Strategy 2030. The strategy contributes to a set of measures proposed to achieve a reduction in greenhouse gas emissions of at least 55% by 2030 and climate neutrality by 2050 in the EU. It also helps the EU meet its commitment to increase carbon sequestration by natural sinks under the Climate Act. Addressing social, economic, and environmental aspects together, the Forest Strategy aims to ensure the multifunctionality of EU forests and emphasizes the key role of foresters.

The Forest Strategy defines a vision and concrete actions to increase the quantity and quality of forests in the EU and enhance their protection, restoration, and resilience. The proposed actions will increase carbon sequestration by increasing sinks and stocks, which will contribute to climate change mitigation. The strategy commits to strictly protecting virgin and old-growth forests, restoring degraded forests, and ensuring their sustainable management - in a way that preserves the vital ecosystem services that forests provide and on which society depends.

The strategy promotes climate and biodiversity-friendly forest management practices stresses the need to keep the use of woody biomass within the framework of sustainability and encourage the resource-efficient use of wood by the cascade principle.

The strategy also includes the development of schemes to pay forest owners and managers for providing alternative ecosystem services, for example by keeping part of their forests intact. The new Common Agricultural Policy (CAP), among other things, will provide an opportunity for more targeted support to foresters and sustainable forest development. The new forest governance structure will create a more open space for

Member States, forest owners, managers, industry, academia, and civil society to discuss the future of forests in the EU and help preserve these valuable assets for future generations.

Finally, the Forest Strategy announces a legal proposal to strengthen forest monitoring, reporting, and data collection in the EU. Harmonized EU data collection, combined with strategic planning at the Member State level, will provide a comprehensive picture of the status, evolution, and anticipated future development of forests in the EU. This is of paramount importance to ensure that forests can fulfill their multiple climate, biodiversity, and economic functions.

The strategy is accompanied by a roadmap to plant three billion additional trees across Europe by 2030 in full compliance with environmental principles - the right tree in the right place for the right purpose.

Frans Timmermans, Executive Vice President for the European Green Deal, said: "Forests are home to much of the biodiversity we find on Earth. To keep our water clean and our soils rich, we need healthy forests. The forests of Europe are under threat. That is why we will work to protect and restore them, improve forest management, and support foresters and rangers. After all, we are all part of nature. What we do to fight the climate and biodiversity crisis, we do for our health and future" [9].

The European Union is not limited to its internal policy towards forests, the Community has signed various international agreements that regulate the state of forests around the world. At a pan-European level, the 1993 Ministerial Conference on the Protection of Forests in Europe (MCPFE) defined sustainable use and management of forests as follows: "to maintain and use forest areas appropriately and sustainably to preserve their biological diversity, productivity, resilience, viability, and present and future environmental, the economic and social potential at the local, national and global levels without causing damage to other ecosystems." Subsequent conferences developed recommendations for the rational use of forestry and forest protection. All member states of the European Union, as well as the European Commission, have ratified the resolutions of the Ministerial Conference. Thus, they confirmed that the sustainable use of forests and the multifunctionality of forests are at the heart of their forest policy. The need to protect forests and manage them rationally has been recognized at the world level since the adoption of the principles of the UN Conference in 1992. The United Nations Framework Convention on Climate Change (CCC) highlights the importance of forests in the greenhouse effect. The Convention on Biological Diversity (CDB) takes the richness of forest ecosystems seriously. The United Nations Convention to Combat Desertification (UNCCD) also draws attention to the role of forests in this problem. The European Union adheres to the main directions of world forest policy. It is trying to strengthen forest conservation through the Forest Law Enforcement, Governance, and Trade plan and initiatives to reduce emissions from deforestation and forest degradation.

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IDENTIFYING GAPS AND VALUE CONFLICTS IN THE APPLICATION OF EQUAL OPPORTUNITY HR POLICIES AT CARE INTERNATIONAL DIVISION AT MAZAR-E-SHARIF

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Introduction: Development of equal opportunity for professional growth of personnel ensures some amazing benefits that every organization can embrace that only by ensuring that equality in providing of opportunities are respected. Providing equal opportunities for professional growth of personnel contribute to formation of a specific culture in the organization. Organizations that fail to create such a culture are prone to fail and vanish. In addition to that, an organization having had the equal opportunities for professional growth of personnel is more productive, creative, profitable and flexible to rapid changes. This paper focuses on creating equal opportunities for professional growth and promotion of personnel. More precisely, it describes the obstacles or problems that prevent the personnel to attain equal opportunities for professional growth in CARE International Organization Office based in Mazar-e-Sharif city. The paper examines practices, which facilitate greater accessibility of personnel to equal opportunities.

Structure of the Paper: This paper is structured in a way that it explains the degree of novelty at the beginning, followed by review of peer literatures in regards to development of equal opportunity for professional growth of personnel, methodology of gathering information, general overview of targeted organization which is CARE international Organization- Mazar-e-Sharif Office, summary of findings and finally recommendation.

The degree of novelty in this paper is its holistic scope, which makes it different and unique from similar literatures about this topic. Even though many researchers have discussed the issue of inequality in workplace, but their core focus was limited to one or more than one variable largely from a gender perspective. This paper does only focuses on gender dimension to create equal opportunity for professional growth and promotion of personnel, but also discusses certain other attention deserving variables impacting professional development and promotion of men and woman in workplace.

Literature Review: A significant amount of work on the subject of creating equal opportunity for professional growth at organizations has been conducted by many dif-

ferent researchers. Among the writers are (Jackson Gruver, 2020) author of compensation research and Equal Opportunity in the Workplace. In year 2000, World Health Organization (WHO) concluded a paper on equity, equality, and gender and organization performance and discussed against and for equity measures in organizations. The paper concludes that improving equal opportunity for professional growth depends on development of policies, commitment of senior leadership. In 2009, three authors, Kolsom Ali, Ali Ahmet Atiq, Ateeq Ali and Sofia Hayati Yusof from Universiti Sains Islam Malaysia (USIM) conducted paper on fundamentals of equal opportunity in employment performance. The paper relies on a range of manifestations of inequalities.

To understand the variable of the study like equal opportunity and to what extend it impacts on professional development and growth, this research paper uses the sources including library research, on-line journals and study of existing HR policies in CARE Organization and interviews/meeting with HR department of the organization

Relevancy: The drivers of change in a company/organization do not only include technological advancement, customer's demand, economic condition, and regulations or polices that are introduced/enforced by the government but also the element of creating equal opportunities for the growth of personnel, which is also crucial. NGOs play a crucial role in Afghanistan providing different kinds of services through health, education, agriculture, sanitation, income generation and humanitarian programs. Additionally, NGOs work in partnership with different ministries of government on variety of national programs. Given to the importance of NGOs role, creating equal opportunities for professional growth and promotion of personnel is deemed a very relevant topic. Some of HR regulations and polices are existing to ensure that the entire personnel in one organization regardless of their gender, ethnic, religion, race can attain the equal opportunities for their growth and professional development. But by looking deeper to the provisions from a gender/ethnic background, there are gaps and the gaps are larger when it comes to the issue of accessing equal opportunities. To this effort, one of the main obstacles to achieve equal opportunity is gender-based discrimination and lack of diversity particularly at the senior level.

Research Methodology: Mixed methods were used to conduct the research, but more focus was on quantitative findings through a questionnaire survey. In this paper not only questionnaire but also other data collection and analysis tools like numerous survey studies, library research, on-line journal, interviews and collection of official data from CARE International Organization were used. Existing policy documents in the organization like CARE Afghanistan National Employment Manual (NEM), CARE Afghanistan Code of Conduct and Managing under Performance Review Policy were reviewed and reasoning behind the review was to gather inputs recommendation. For the survey part, a questionnaire consisting of 29 multiple choice and 7 descriptive questions were prepared to collect the respondent's views and perception regarding importance of equal opportunities on professional growth and promotion of staff. The questionnaire was distributed and answered by 43 employees of CARE organization in Mazar -e-Sharif Field Office both in program and general support service sections which constitutes 95% of entire Mazar division. With the good luck, all the 43 respondents that questionnaire was shared with filled it in and provided their response on a timely manner. The researcher was very appreciative of their valuable support. The collect data by the questionnaire were analyzed by description, table and graphic analysis. Interview also conducted with HR department to know their views to what extend equal opportunities enhance professional growth and promotion of staff.

General overview of the CARE International Organization. CARE, (Cooperative for Assistance and Relief Everywhere) is a major international humanitarian agency delivering emergency relief and long-term international development projects. It is one of the largest and oldest humanitarian aid organizations focused on fighting global poverty. The organizational structure of CARE Organization in Afghanistan is from mechanistic one with top-down hierarchy system that are rule based. The chain of command is centralized in this office. There is also a some degree of divisional structure design as well. CARE organization opened its physical footprint in Mazar-e-Sharif City, Balkh province where we conduct our research/

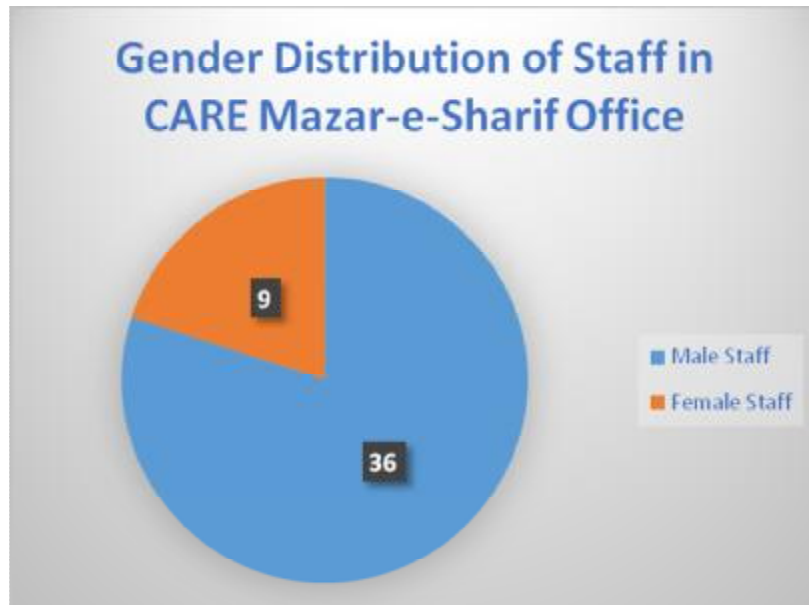


Figure 1. Gender Distribution of Staff in CARE Mazar-e-Sharif Office at the time of research

From a sex-aggregated data, the male staff member is dominant in terms of the numbers and makes the bulk of staff in CARE organization. There is 36 male staff against 9 female which makes only 21% of personnel. All of the respondent fall within the age bracket that is active and drives functions of to the organization.

Table 1. Age and Ethnic Breakdown of Respondents

	Age Break-down			Ethnic Breakdown				
	20-30 Years old	30-40 Years old	40-50 Years old	Pashtun	Tajik	Hazara	Uzbek	Turkmen
Number of Staff	14	24	7	13	9	20	3	0

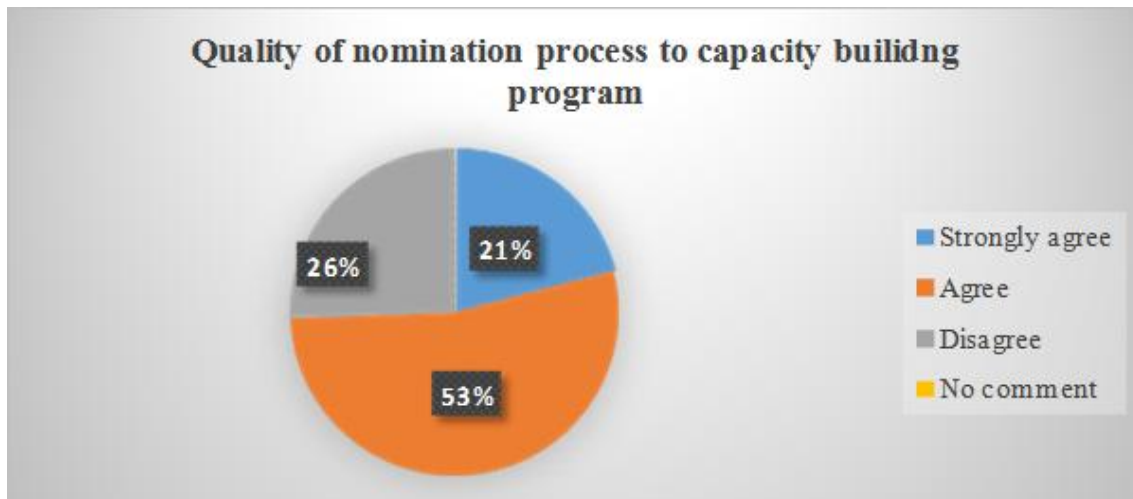
The above table indicate the age breakdown an ethnicity of CARE Mazar-e-Sharif Office. The bulk of staff working in CARE Mazar Office is aged from between 30 to 40 years old. Additionally, majority of staff in Mazar office belong to Hazar ethnic group followed by Pashtun and Tajik.

Table 2. Summary of Survey Questionnaire

No	Question	Answers	Response (%)
Professional Growth of Staff			
1	Do you agree that male and female staffs of CARE Organization are given equal priority to participate in capacity building programs conducted outside the country?	Strongly agree	21%
		Agree	30%
		Disagree	49%
		No comment	0%
2	Do you agree that CARE organization (HR/Supervisors) has a fair and standard system to motivate the staff to participate in opportunities for their professional growth?	Strongly agree	19%
		Agree	42%
		Disagree	39%
		No comment	0%
3	Which of the following system sets out the staff pay/salary in CARE organization?	NTA	
		CARE Salary System	
		CARE daily wage payment policy	
		All of them	100%
4	Do you agree that there is an equal/unified pay and salary system to male and female employees who are holding the same level job in CARE organization?	Strongly agree	25%
		Agree	44%
		Disagree	19%
		No comment	12%
5	Are you satisfied with the way the management involves you in the decision-making process related to your unit?	Strongly Satisfied	5%
		Satisfied	44%
		Note Satisfied	39%
		No comment	12%
6	When was the last time when you were selected as member of a board or committee in CARE organization?	Six Months ago,	16%
		One Year ago,	35%
		Not involved	49%
		No comment	0%
7	Rate your level of satisfaction in staff retention policy of CARE Organization.	Highly Satisfied	12%
		Satisfied	49%
		Dissatisfied	39%
		No Policy	0%
8	Do you agree that Internal Recruitment has a greater potential in CARE International recruitment policy	Highly Agreed	12%
		Agreed	63%
		Disagreed	25%
		No Comment	0%
Promotion of Staff			
9	Do you agree that nepotism policy of CARE organization is too strict?	Highly Agreed	0%
		Agreed	86%
		Disagreed	14%
		No Comment	0%
	Do you agree that most of the promo-	Highly Agreed	0%

10	tion opportunities provided by CARE organization are ethnically biased	Agreed	7%
		Disagreed	93%
		No Comment	0%
11	Do you agree that male and female staff are equally motivated for promotion in their jobs by supervisor/managers in CARE Organization?	Highly Agreed	21%
		Agreed	33%
		Disagreed	39%
		No Comment	7%
12	Do you agree there is a clearly defined policy with CARE organization or HR department of CARE on creating equal opportunities for <u>promotion</u> of staff?	Highly Agreed	5%
		Agreed	28%
		Disagreed	30%
		No Comment	37%
		No Comment	5%
13	Do you agree with the way the decisions are made by the senior leaderships in terms of providing / creating equal opportunities for <u>promotion</u> of male and female staff in CARE international?	Highly Agreed	7%
		Agreed	51%
		Disagreed	37%
		Not Sure	5%
14	In HR Policy of CARE, are there opportunities for promotion of staff who hold short-terms contracts	Yes	19%
		No	81%
15	Rate your level of satisfaction with your <u>promotion history</u> in CARE	Highly Satisfied	2%
		Satisfied	37%
		Dissatisfied	61%
		Highly Dissatisfied	0%

Research Findings. Throughout the survey, the respondents provided interesting and at the same time surprising answers to the questionnaire. In terms of professional growth of personnel, 70% of respondents agreed that there are developmental programs for professional growth of staff in CARE organization. It might be considered as a point for strength that almost two third of respondents believe that there is development program for professional growth in CARE organization and at the same 81% of participant attended in capacity building program at least once in years. 70% were happy and agreed with staff nomination process to attend in capacity building program. However, 50% of respondents disagreed that that male and female staff of CARE Organization are given equal priority to participate in capacity building programs. It can be deemed as a weak point that respondents think on existence of an attitude of preference between male and female to participate in capacity building.



It is quite interesting that 42% of respondent disagreed that capacity building /developmental programs conducted for the employees by the CARE Organization have contributed to their professional growth, however 52% agreed with this statement. The reason behind is that capacity building programs provided by CARE organization are mostly job oriented. The organization can change it to an opportunity. It is identified as a weakness for the organization and CARE organization needs to improve it and make the capacity building a way to contribute to professional growth of staff. With regards to availability of working culture in CARE Organization to motivate the staff to attain professional growth, 60% of respondents agreed and 40% disagreed that working culture is conducive to motivate the staff to attain professional growth. 40% is a quite a huge number of respondents who disagree with working culture of CARE organization conducive for staff.



Figure 3. CARE organization working culture for Staff motivation

It can be considered a threat to CARE and the organization needs to engage with staff as an opportunity to improve the situation. To the same note, 37% of participants did not confirm that they predict their professional growth while working in CARE Organization which is an interesting outcome. Throughout the survey, 70% of respondents were satisfied with their professional growth in CARE International Organization since they joined the organization. This is a welcoming outcome.

With regards to promotion of staff, 100% of respondents confirmed that that most of opportunities provided by CARE organization regarding promotion of staff is not based on connections and nepotism. It is strength with CARE organization that they believe that promotion of staff is not based on connections and nepotism. This is a great piece of development in the organization. However, 28% of respondents think that that most of the promotion opportunities provided by CARE organization are gender-biased (male-dominant approach).

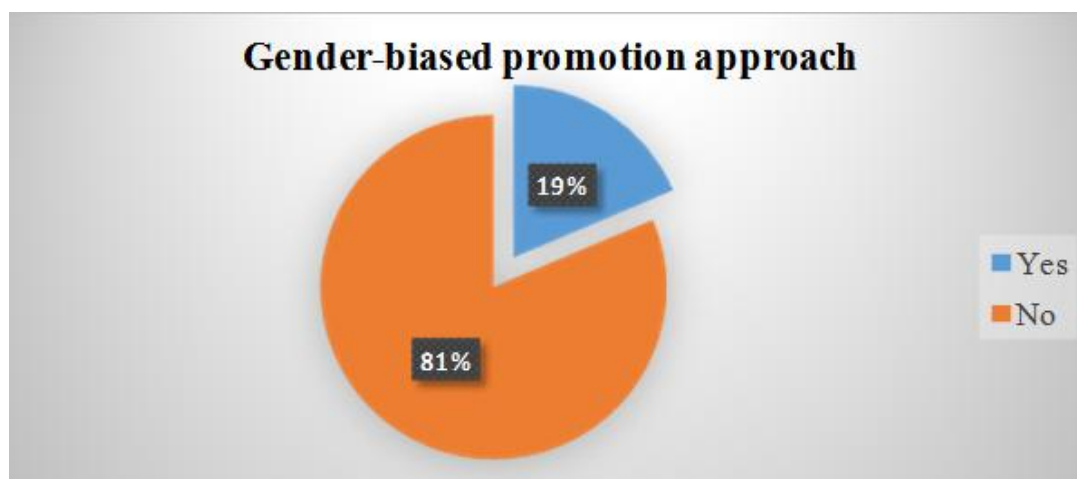


Figure 4. Gender-based promotion approach

Only 28% of respondents agreed that the capacity building/training program conducted for the employees have contributed to their promotion. This the lowest rating throughout the survey on contribution of capacity building programs for promotion of staff in the organization. This is considered a weakness and at the same times an important area for intervention by CARE Organization.

Quiet interestingly, 40% of respondents disagreed that male and female staff are equally motivated for promotion in their jobs by supervisor/managers in CARE Organization. 37% of respondents did not confirm with the way the decisions are made by the senior leaderships in terms of providing / creating equal opportunities for promotion of male and female staff in CARE international.

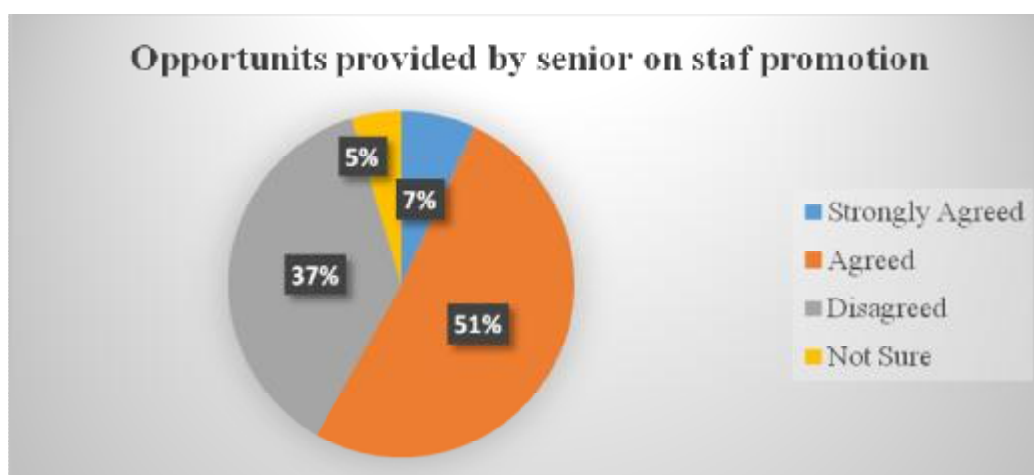


Figure 5. Senior Decision on provision of equal opportunities for staff Promotion

65% of respondents believe that they can predict their promotion while working in CARE Organization however 30% of respondent disagreed. Only 24% of respondents confirmed that they have promoted in their working place within the last one or two years. 81% of respondents disagreed that there are opportunities for promotion of staff who hold short-terms contracts in human resource policy of CARE organization. It is a major threat for CARE organization that it increases the risk of losing staff in case of availability of another working opportunity.

Recommendations. These responses and the ones like them found out through the survey and meetings indicate that there are several key areas for intervention and recommendation. Importantly, the researcher found out and recommend that the organization needs to improve its working culture to motivate the staff to attain opportunities for their professional growth because quite a larger number of respondents think that working culture in CARE organization is not conducive to motivate the staff. Perhaps nothing can increase workplace culture more substantially than employee recognition. More specifically, the researcher will introduce a transparent employee's rewards procedure in the organization. I will propose a welfare committee in every office having the representative from HR, program and field staff to discuss welfare activities aiming at recognition of staff efforts. There is no welfare committee at the CARE Organization. Welfare activities aiming on recognition of staff will lead to increased satisfaction and personal growth. It was found out that external funded projects do not have a clearly defined policy or procedure for promotion of staff. Data indicate that 81% of respondents disagreed that there are opportunities of promotion for short term contract holders in human resource policy of CARE organization. At the same time, the bulk of CARE Organizations positions are project funded. It is considered one of the main findings of the study.

The researcher recommends a set of steps taken by HR department of CARE Organization to consider promotion opportunities in external funded projects, particularly for those projects which have longer lifespan such as two or three year long. The researcher will propose every twelve-month service promotion procedure for short term contracted staff under the new clause of specific protection for short term employees. Having reviewed CARE Organization HR policy, the researcher's recommended procedure is lacking. The study suggests that providing/creating equal opportunities for promotion of male and female staff is a core value agent of driving organization to be more productive and creative. One of the recommendations is that the organization needs to develop a gender disaggregated logbook to track about those who have attended capacity building programs provided by the organization.

There are some recommendations in terms of staff motivation like awarding non-monetary rewards strategies in the organization, using organized training and developing programs to keep the employees motivated and having a thorough understanding of what keep the employees motivated to the organization. It is recommended that the organization should find plenty of ways to show that capacity building conducted for the employees have contributed to their promotion and professional growth. One of the ways that researcher would like to recommend is to conduct mid-year capacity development appraisal system. Using this, HR will remind the employees through online portal of employment appraisal system to report on achievement of their capacity plan and propose their capacity needs taking into account of career development. About prediction of promotion while working in CARE Organization. it was found out that one third of respondents can predict their promotion while working with CARE. The researcher

found out that in HR induction training for newly employed employees, there is no explanation about reasons for promotion of staff. Having understand this, researcher will suggest for inclusion of a briefing in induction package about the reasons for promotion of staff. Shortly, HR induction package will be updated having included this briefing.

With regards to the fact that internal recruitment has a greater potential in CARE International recruitment policy. Similarly, 11 respondents disagreed with the statement that internal candidates have greater potentiality than external applicants. As it is outlined in CARE Afghanistan National Employment Manual (NEM) a CARE internal or former employee candidate and an external person have the same qualification for any given position, CARE will give preference to the internal and former employee. Information indicate that in some of the cases due to load of CVs submitted for a vacancy announced, some of the CVs of former or current employees of CARE are either not printed or overlooked. The researcher will propose to CARE International that at the end of vacancy announcement, there should be two links- one links for external candidates to apply and one link for internal/current or former employee of CARE to employee. Using this way, it will be ensured that all CVs of former and current employees of CARE organization are delivered, printed and considered for shortlisting, given the criteria of the job announced. The researcher will provide the email submissions for vacancy announced as:

1. Afg.Vacancies_external@care.org
2. Afg.Vacancies_internal@care.org

The researcher would recommend for draft of an equal opportunity policy in Department of Human Resource where there is no tolerance for discrimination in providing relevant growth opportunity to employees regardless of their contract tenure.

Conclusion. Based on the goals and objectives specified for this research, the researcher carried out several tasks like distribution of questionnaire with regards to research topic to CARE Mazar-e-Sharif Organization staff, literature review on the topic, secondary study on the topic, CARE organizations policy and document review on human resource like National Employment Manual and using personnel information and observation to achieve these and ultimately come up with solution for the improvement of situation. The main goal of this research was to identify gaps, issues and obstacles to development of equal opportunities for professional development of personnel, as well as to develop recommendations for a model of fair HR policies. The objectives of this research were met through the following research activities, summarized below.

1. In order to understand the equal opportunities and its impact on professional development, the researcher studied articles from Thirusanku, Janemary, and Singh, Manpreet Kaur in: Economics and Business Quarterly Reviews on Equal opportunities in workplace, and from Vinesh D.N (2014). Role of Training & Development in an Organizational Development: Conclusion. International Journal of Management and International Business Studies. Volume 4, P. 218.

2. The second step was a critical overview of Care International Organization, its human resource policy and identification of areas to be improved though development of equal opportunities. The researcher studied organizations policy and document review on human resource like code of conduct and CARE Afghanistan National Employment Manual (NEM). The latter is a HR document only for the organizational internal use. However the organization granted the author the permission to make a reference to internal HR policy documents.

3. The author conducted analysis of existing HR policies and identified the gaps in

applying the policies by interviewing HR department in CARE Mazar-e-Sharif office. To find areas of intervention for development of equal opportunities on professional development of personnel, the researcher conducted a questionnaire survey. The survey was conducted by the distribution of a questionnaire among 43 staff CARE Mazar-e-Sharif office. The responses from the respondents helped the researcher to find areas of intervention for development of equal opportunities on professional development of personnel.

4. Finally, the researcher evaluated the extend in which the current HR policies have contributed to develop equal opportunities in Care International organization and developed further recommendations to improve the overall equal opportunity policy at CARE Mazar-e-Sharif.

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ESTABLISHMENT OF THE SLOVAK FOREIGN SERVICE AFTER 1989

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I

Diplomacy, as one of the methods of advancing national and state interests in a non-violent manner, is a crucial foreign policy tool today.

This is particularly true for the small and young states in Europe, which are united by the historical experience of the entire post-war period (1945) until the early 1990s.

Thus, it also, or especially concerns - Slovakia - for which the key moment in promoting its foreign policy concept or orientation is a quality foreign service, stemming from several sources.

The aim of this paper is to try to present (*very*) briefly how and in what conditions the Slovak foreign (*diplomatic*) service was established and how the foreign policy concept of the state, which de jure came into being on 1 January 1993, was gradually shaped.

As Slovakia gradually went through the stage of economization and especially Europeanization of foreign policy in the context of the anticipated and later realized accession of Slovakia to the European Union.

One of the decisive attributes of the sovereignty and independence of any state - *a subject of international law* - is its independent (*original*) foreign policy, which aims to protect (*safeguard*) national-state interests and create external preconditions for solving issues and tasks of internal development.

The effective pursuit and implementation of the foreign policy of the Slovak Republic after 1 January 1993 (*and partly even before this date*) enabled Slovakia to enter the twenty-first century in the position of an accomplished state, whose level of activity (*in the regional sphere, but also on the world stage*) is unmissable from the point of view of foreign policy effectiveness.

The successful implementation of the functions of the state in the foreign sphere, the solution of the strategic and tactical tasks of Slovakia's policy in the international arena depends to a decisive extent on the competent special ministry, which currently is the *Ministry of Foreign and European Affairs of the Slovak Republic*.

This ministry has gone through a tortuous path (*from the Ministry of International Relations, through the Ministry of Foreign Affairs*) and today, as an executive body, is responsible for the efficiency and effectiveness of the implementation of foreign policy as formulated by the President of the Slovak Republic.

In general, there is a myriad of works devoted to the diplomacy of various countries - its history, which is directly related to the creation of diplomatic structures, the formulation of normative acts (*from protocol to universal documents determining the "rules of the game in diplomatic and consular relations"*).

The year 1989 was a turning point not only in Europe, but also especially in the lives of Slovaks and Czechs (*and other national minorities living in the federation*), but in principle nothing extraordinary. By "*nothing extraordinary*" is meant the fact that only during the 20th century Slovaks and Czechs experienced a set of several (*seven, in an optimistic approach up to eight*) different state or regime configurations.

If we take it in stages, at the beginning of the 20th century the national idea dominated in Europe. In the middle of the 20th century it was a social issue, and at the turn of the millennium, civil liberty became the main theme. These pan-European shifts, ac-

cepting L.N. Gumilyov's concept of passionarity, became a general "... mover of political destinies..."¹ of Slovaks and Czechs, which logically initiated changes in the formation and formulation of Slovak foreign policy.

While the aforementioned national idea offered an explanation of international political conflicts, the social and civic idea in certain doctrines offered an explanation of contradictions, but also a new *universalism*.

If any man were to make decisions - *with knowledge of the matter* - in the sphere of Slovak foreign policy, he would probably not be involved in anything. Foreign policy is a very specific segment of politics, where zero idealism and proper pragmatism are needed. As F. W. Nietzsche "...all idealism is a lie in the face of necessity..."² In other words (*by F. Nietzsche's logic*) all correct calculations give the same result! It is zero.

The manner of the division of the Czechoslovak federation indicated that the political elites of Slovakia and the Czech Republic were at that moment not only reasonable and responsible, but also capable of maneuvering appropriately to avoid the various crises that logically resulted (*and are still resulting*) from this legally clean decision.

The outbreak of World War I in the summer of 1914 gave rise to the "*Czechoslovak programme*". The very outcome of the enormous military clash was to decide (*and it did decide*) the fate of small nations elsewhere in Central Europe. The continuation of the original policy was unthinkable; the new policy was in disarray even though it was in favour of the break-up of Austria-Hungary.

The existence of an independent Czechoslovak army played an important role in supporting the Czechoslovak National Council. Gradually, the goal of the foreign resistance in 1918 was fulfilled, that is, not only the recognition of the Czechoslovak National Council but later the recognition - in 1918 - of the new state that had been created on the ruins and as a by-product of the outcome of World War I - Czechoslovakia³.

Czechoslovakia itself has given the world a large number of diplomats, i.e. people who have left their "*scratch*" in the history of mankind with their intellect, hard work and other qualities. M.R. Štefánik is anchored in the Slovak subconscious as a soldier, a scientist and a politician (*in no particular order*).

However, there are other Slovaks who influenced the 20th century: Š. Osuský, J. Papánek, V. Clementis...⁴, these are all names that guarantee that we have something to lean on, that Slovakia has good foundation and that there is the ability to pass Slovakia on to the next generation in a good shape.⁵

II

After the previous - since autumn 1989 - dynamic, contradictory, in many ways spontaneous, unplanned and hectic, but logical internal political development in the Czech and Slovak Federative Republic, the Constitutional Act of 25 November 1992 on the dissolution of the Czech and Slovak Federative Republic was finally adopted (542)

¹ KREJČÍ, O.: *Geopolitika stredoeurópskeho priestoru (Horizonty zahraničnej politiky Českej republiky a Slovenskej republiky)*, EKOPRESS Praha, 2004, pp. 7.; ISBN 80-86119-29-7;

² NIETZSCHE, E.: *Ecce Homo. Ako sa človek stane tým, čím je*, IRIS, Bratislava 2004, pp. 37;

³ KLIMEK, A. (et al.): *Vznik Československa 1918*, ÚMV Praha, 1994, ISBN 80-85864-07-X.

⁴ JUZA, P. (eds.): *Vlastenec európan Vladimír Clementis*, ASA Bratislava, 2012, ISBN 978-80-971139-0-2.

⁵ For more see: MICHALEK, S. a kol.: *Muži diplomacie (Slováci na významných postoch československej zahraničnej služby)*, Ľ. Mikuláš 2018, ISBN 978-8097201-654.

by the Federal Assembly of the Czech and Slovak Federative Republic.⁶

By this act, the legislature: "...respecting the resolution of the Czech National Council and the National Council of the Slovak Republic..." decided that "...the Czech and Slovak Federative Republic shall cease to exist on 31 December 1992..." and "...the successor states of the Czech and Slovak Federative Republic shall be the Czech Republic and the Slovak Republic..."⁷

From the aforementioned law, which actually *changed the map of Europe*, we will later draw attention to two more of its points, which had a fundamental influence on the fact, which we will try to map in the following text.

If we look at the geopolitical preconditions and consequences, it is possible to agree with the Czech author O. Krejčí, who emphasised two factors whose validity is basically unchanging and which define the absolute power of the state and its prerequisites to establish itself in global competition.

These are *geography and demography*, to which are then secondarily added other and important factors modeling the power potential of the state: *such as the size of the territory, its location, its raw material and agricultural potential, but also the size of the population, its organization, its education and moral unity...* On the basis of the knowledge and combination of facts, O. Krejčí concluded: "...that the territory of the Czech Republic and Slovakia is so small and so poorly equipped with strategic raw materials that it precludes autarkic provision of the necessities of life. In other words, even the transfer of all economic potential into the form of force would not be sufficient to ensure their security in the event of a military threat from the Great Powers..."⁸

One of the reasons for the dissolution of the CSFR was the inability to reach a compromise on the form of the future state-law structure and views on the foreign policy direction of the yet common entity. Let us return to the two points announced above:

The first is how the foreign policy (*and its foreign service*) of the already independent Slovak Republic *had to and did deal with* the influential fact that according to the diction of the law⁹ it should have been like this: "...the Czech Republic and the Slovak Republic may not use the state symbols of the Czech and Slovak Federative Republic after the dissolution of the Czech and Slovak Federative Republic..." However, practice proved otherwise!¹⁰

The second serious moment was the fact that again according to the law on dissolution: "... *The Czech Republic and the Slovak Republic may, before the dissolution of*

⁶ Full text: www.zakonypreludi.sk/zz/1992-542#f5302775;

⁷ See: www.zakonypreludi.sk/zz/1992-542#f5302775;

⁸ KREJČÍ, O.: *Geopolitika střeoevropského prostoru*, 2016, pp. 380.

⁹ Ústavný zákon č. 542/1992 Zb.

¹⁰ "... *It was the know-how of the federal authorities (since they were all based in Prague and only turned into Czech ones, while Slovakia was building them on the green field) that was one of the futile Slovak demands for settlement from the Czech side. They violated the constitutional law and appropriated the common flag. It had psychological consequences abroad, as if a new state, the Slovak Republic, had been created and the Czech one was just a continuation, a successor state to the well-known Czechoslovakia. For example, the Slovak hockey players had to fight from the peak for their previous inclusion among the strongest teams in the world, while the Czechs were included there immediately as successors to the federal team. The Hvezdoň Kočtúch estimated the value of the common flag at 50 billion crowns, which the Czechs would have to reimburse to us...*" In: ŠPÁNÍ, I.: *Delenie majetku ČSFR uzavrela až Dzurindova vláda veľkou nulou*, www.noveslovo.sk/node/766;

the Czech and Slovak Federative Republic, conclude international treaties towards third states on their own behalf, with the proviso that these treaties shall enter into force after the dissolution of the Czech and Slovak Federative Republic...." Fulfilling this article simply allowed Bratislava to prepare for "D-Day".

Simply put, in 1993 Slovakia was given the chance to become an active and influential subject of international law, and it took it.

However - *and this is an objective historical fact* - compared to its neighbours Slovakia suffered from the logical handicap of a lack of foreign policy traditions. And, initially, also the lack of the necessary capacities and infrastructural facilities.

Own statehood is not just an empty phrase, it is also a tool for adopting and securing influence over *"...changes in the international environment in accordance with the most important values shared by its citizens and with national interests..."*¹¹ To have a statehood of one's own means to have, in order to realize these goals, one's own - national diplomacy.

In doing so, diplomacy has its origins in antiquity and its origins are linked to the gender society. Apart from this, we can only speak of diplomacy in the true sense of the word *"...with the development of the state..."*¹², in which diplomacy is part (piece) of its political superstructure. Diplomacy is de facto one of the means of the foreign policy of the state.

III

The nineties of the last - *short* - century are a period when the face and the malleability of the world changed majorly, fundamentally and, above all, rapidly. Favourable socio-political changes in Central Europe, signs of the end of bloc bipolarity and the persuasion of the end of the Cold War were also reflected in the de facto end of the Soviet Union after 1989 (*the consequences of which are still strongly felt in the area today*).

A new international balance of power with new subjects of international law has entered the scene, and it is impossible to think that Slovak diplomacy also has its share (*the size of this share can be disputed or debated*) in the way the Europe is today.

The sovereignty of any state is characterized by several features. One, and perhaps the most decisive, is its *foreign policy*. It is the sum total of the consensually determined objectives, instruments and actions with which a state pursues its interests abroad.

The success of pursuing one's interests is contingent on various seemingly, or even sometimes actually, contradictory factors. From the proficiency of *the foreign service, to domestic political stability, to, for example, knowledge of the processes through which the world, the region, or the object of interest is undergoing to assert its interests*.

A non-negligible factor is the geographical status of Slovakia, the size and location of the neighboring states, at least one of which (*a large one with a long-encoded post-Soviet value chaos*) expects a fundamental decision about its geopolitical-value orientation.

Slovakia's position in the centre of Europe, according to some, predestines it for the task of *"connecting"* the centers of civilization and *"building"* bridges between them.

¹¹ WEISS, P.: *Nová medzinárodná rola a zodpovednosť Slovenska*, In: Mezinárodní politika 1/2006, Praha, pp.30.

¹² CHVOSTOV, V. M. a kol.: *Dějiny diplomacie*, I. díl, SNPL, Praha 1961, pp.7.

¹³ Realism and pragmatism, however, command this ambition to be confronted with geopolitical and geo-economic reality, which ultimately limit Slovakia's options and allow it to act within its capabilities.

The cultural tradition of Slovakia (*as opposed to the political one*) is characterized by the preservation of continuity. It is characterized by a movement from the past to the present, to the future. It is born in its time. It settles the shrubby trees with the "*annual rings of Slovak diplomacy*"¹⁴

The years of "*freedom*" that Slovakia has been experiencing since 1989 brought the creation of an independent Slovak Republic in 1993 and *a strong need to formulate and actively pursue its own foreign policy* under the new realities (*accession to NATO and membership in the European Union*).

However, the thesis that *foreign policy is a reflection of domestic policy* holds true throughout this period. That is why in the relatively short history of Slovakia it is possible to observe huge programmatic (*not systemic*) swings in Slovak foreign policy, in its goals or its results.

After the division of the CSFR, the international environment did not have enough information about Slovakia and its internal political development, and in connection with this, the fear of Slovakia's possible isolation emerged. At the same time, Slovakia was struggling with a shortage of qualified experts, i.e. human resources in the foreign policy field. On the map of Europe, Slovakia ranked among the small states whose vital interest was precisely based on good cooperation with their closest geographical surroundings¹⁵. The priorities of Slovakia's foreign policy after independence were:

- to ensure the Slovak Republic's entry onto the international scene;
- achieve recognition and establish bilateral relations with neighboring countries as well as other countries;
- become a partner of advanced democratic countries;
- achieve membership in the decisive institutions and integration structures of the Western world.

The founding of Slovakia was accompanied by lush diplomatic activity.¹⁶ By means of a diplomatic note sent to individual countries of the world, the establishment of an independent Slovak Republic was announced as of 01.01.1993 on the basis of the constitutional law on the dissolution of the CSFR. The note, based on *the Declaration of the National Council of the Slovak Republic on the Sovereignty of the Slovak Republic*¹⁷, stressed that the Slovak Republic would be guided by the values of democratic states in its internal and foreign policy. These included, in particular, respect for human rights and fundamental freedoms, the principles of pluralist democracy, the rule of law and the rights of national minorities.

The Government of the Slovak Republic has committed itself in the international

¹³ Look at: KREJČÍ, O.: *Geopolitics of the Central European region. The view from Prague and Bratislava*. Bratislava 2005.

¹⁴ Look at: KRÁLIK, J.: *Letokruhy diplomacie*, IURA EDITION Bratislava 2003, ISBN 80-89047-51-3.

¹⁵ MOJŽITA, M.: *Formovanie slovenskej diplomacie v rokoch 1990 až 1993: Kňažko, Demeš, Kňažko*, Bratislava : VEDA, 2004, pp. 125.

¹⁶ HOLÁSEK, P.: *Diplomatické dokumenty o uznaní a nadväzovaní diplomatických stykov Slovenskej republiky s nými krajinami*, In *Medzinárodné otázky*, 1993, roč. II., č. 1-2, pp. 148.

¹⁷ For full wording look at: https://www.nrsr.sk/web/Static/sk-SK/NRSR/Doc/v_deklaracia-o-zvrchovanosti.htm;

arena to respect the rules of international law, the objectives and principles of the UN Charter, the Helsinki Final Act and other documents, and has declared its interest in the process of disarmament, as well as in strengthening confidence and stability on a multi-lateral and bilateral basis.

At the same time, in the note, the Slovak Republic declared its own commitment to multilateral and bilateral treaties signed by its predecessor, the Czechoslovak Socialist Republic, as well as the assumption of its share of financial obligations towards third countries and international organizations. In conclusion, the SR requested recognition of the SR as an independent state by the country to which the note was addressed¹⁸.

Intensive diplomatic activity resulted in the quick and smooth recognition of the Slovak Republic by individual states. The Slovak Republic became a full-fledged member of the family of independent states of the world and immediately from 1 January 1993 began to exercise its right to send and receive diplomatic representatives and to establish diplomatic missions¹⁹. *"The speed and smoothness of the recognition of the Slovak Republic, by which Slovakia entered the international field as an equal partner, was based not only on the peaceful division of the federation on the basis of the constitutional law on the dissolution of the CSFR and the network of treaties with the former federal partner, but above all on the self-defining idea of the emerging state, the declaration of the main principles on which it is based and from which it intends to derive its basic state interests externally"*²⁰.

Since the beginning of the Slovak Republic's existence, the country has been a participating state in the Conference on Security and Cooperation in Europe²¹. On 19.01.1993 the Slovak Republic became a full member of the United Nations, on 30.06.1993 it became a member of the Council of Europe and on 04.10.1993 the European Association Agreement with the European Communities was signed²².

In its first year, the Slovak Republic managed to gain wide international recognition and membership in the most important international organizations²³. Quite quickly it acquired the same international status and position as its direct neighbors, the Czech Republic, Poland and Hungary, which, however, had a much longer tradition of foreign policy.

In foreign policy, however, Slovakia was unable to avoid a number of mistakes, which resulted from the unprofiled nature of the Slovak political scene, the lack of experience of the newly established state administration, and the weak institutional arrangements for the policy of the newly established state. These factors had a significant impact on the practical implementation of the Slovak Republic's foreign policy.

In this context, the testimony of P. Hacker, a former US diplomat in Slovakia, is interesting. In the preface to the book *Slovakia 1990-1993 (Memoirs of an American*

¹⁸ DA MZVEZ SR, f. Zbierka listín o uznaní SR a nadviazaní diplomatických stykov, š. č. 2., 1395/92-23.

¹⁹ HOLÁSEK, P.: *ibid*, pp. 149.

²⁰ MURAD, S.: *Zahraniční politika Slovenské republiky jako faktor konsolidace demokracie na Slovensku*. Brno, L. Marek, 2006, pp. 25.

²¹ In 1995 it was transformed into the Organization for Security and Cooperation in Europe (OSCE).

²² Note: The contract entered into force on 01.02.1995.

²³ For more details see: GRIGELOVÁ, P. *Slovenská politika v Európe v 90. rokoch: Počiatky budovania vzťahov Slovenskej republiky s Rakúskom*, Dizertačná práca FiF UPJŠ v Košiciach č. 36122163609359108, 2020.

Diplomat) by P. Hacker, the Chairman of the Senate Foreign Relations Committee (in 1987-1995), US Senator Calibotne de Borda Pell, states: '*...among the most important diplomatic rules is not to make unnecessary enemies. The performance of diplomats certainly depends to some extent on their ability to maintain a functioning working relationship with the host government..., but "...sometimes the price of upholding principles is the disruption of good relations with the government of the country where the diplomat is accredited...*'²⁴

IV

The interests of the Slovak Republic are based on the values of *freedom, peace, lawfulness, democracy, prosperity, sustainable economic, social, environmental and cultural development of society and respect for fundamental human rights.*

The nature of these interests of the Slovak Republic has been stable in the long term, but they are realized in a dynamically changing security environment. At present, Slovakia's starting position is favorable and it does not have to face undefined or unknown political threats on its own.

Since 1993, the Slovak Republic has been continuously aware of the fact that a successful foreign policy of the state must be based on three, one can say - invariable factors, namely:

- 1) from a realistic assessment of the situation in the world, in the environment of allies and within the domestic political (*ideological, values, historical...*) possibilities;
- 2) its actual capabilities (*staffing, establishment in society, financial and technical security*)
- 3) and constraints imposed by international, alliance and internal conditions.

The Slovak Republic, which came into being on 1 January 1993, has been developing its institutions and institutions in a complex geopolitical situation. At the same time, it was establishing traditions of the functioning of the state having high inertia.

On the other hand, it is unfair not to prefer only negativistic self-flagellation for the "*discontinuity*" of foreign policy, which some think tanks in Slovakia were keen to promote after the early elections, which meant a change, only because they were disconnected from the easy inflow of money from state sources.

In order to integrate, the newly established state needed to declare a clear foreign policy orientation. For Slovakia in 1993, two paths opened up:

- An integrationist concept with majority support;
- minority voices advocating a neutral stance for Slovakia in international relations.

The third way, which is not much talked about, was the fear of possible isolation of Slovakia and deterioration of its position on the international arena.²⁵ This (*possible isolation*) was influenced by several factors:

- (*it was said*) to have lost the advantage of geopolitical as well as historical links with the Western European region;
- it is surrounded by larger countries, one of the neighbouring countries being

²⁴ HACKER, P.: Slovensko 1990-1993 (Spomienky amerického diplomata), Artfórum, 2014, pp. xvi - xvii.

²⁵ DA MZVEZ SR, Správa o plnení úloh a aktuálnych cieľoch zahraničnej politiky Slovenskej republiky 1993-1994, Stanovisko k materiálu MZV SR „Správa o plnení úloh a aktuálnych cieľoch zahraničnej politiky SR“, s. 2.

Ukraine, which was and still is perceived as particularly unstable in the long term;

- has become an economically weaker country with a weaker economic base;
- has ethnic minorities associated with the past centre;
- low international reputation²⁶.

All these facts have led to the already mentioned worsened position of the Slovak Republic in international relations²⁷.

Hence the need for integration into the international community. At the same time, Slovakia was struggling with a shortage of qualified experts, i.e. human resources in the foreign policy sphere²⁸. The priorities of Slovakia's post-independence foreign policy therefore became:

- to ensure the Slovak Republic's entry onto the international scene;
- achieve recognition and establish bilateral relations with neighbouring as well as other countries;
- become a partner of advanced democratic countries;
- achieve membership in the decisive institutions and integration structures of the Western world²⁹.

After the first free elections in 1990, the Slovak National Assembly passed Act No. 347/1990 Coll. on the organization of ministries and other central state administration bodies of the Slovak Republic, which established the Ministry of International Relations of the Slovak Republic. Section 17 stipulated that this Ministry was the central body of the Slovak State administration for Slovakia's involvement in bilateral and multilateral international political, economic, scientific, technical and cultural cooperation and for the development of regional cooperation. The Ministry was also tasked with ensuring the active presentation of the country abroad³⁰.

Slovakia's involvement in international relations was increased with the adoption of Constitutional Act No. 556/1990 Coll. (12 December 1990), which addressed the re-definition of competences between the federation and the republics. Although foreign policy remained within the competence of the Federation, "*... the competence of the Czech Republic and the Slovak Republic, in accordance with the foreign policy of the Czech and Slovak Federative Republic, to conclude agreements with the constituent parts of the federal and federated states on cooperation in the fields of trade, economics, culture, science, education, health and sports, as well as on cooperation in the fields of press, radio and television, was not affected; to conclude international agreements in the field of their legislative competence on the basis of a mandate from the Czech and Slovak Federative Republics; to represent the Czech Republic or the Slovak*

²⁶ OBRMAN, J.: *Perspektívy nezávislého Slovenska*. In *Medzinárodné otázky*, 1993, roč. II., č. 1-2, pp. 79-80.

²⁷ GRIGELOVÁ, P. *Slovenská politika v Európe v 90. rokoch: Počiatky budovania vzťahov Slovenskej republiky s Rakúskom*, Dizertačná práca FiF UPJŠ v Košiciach č. 36122163609359108, 2020, pp. 23.

²⁸ DULEBA, A.: *Slovenská zahraničná politika - bilancia šiestich rokov a perspektívy zmeny*. In *Medzinárodné vzťahy*, 1999, roč. 34, č. 1, pp. 37.

²⁹ DULEBA, A., LUKÁČ, P. WLACHOVSKÝ, M.: *Zahraničná politika Slovenskej republiky: východiská, stav a perspektívy*. Bratislava : Výskumné centrum SFPA/ Friedrich Ebert Stiftung, 1998, pp. 5.

³⁰ Look at: Zákon č. 347/1990 Zb. Slovenskej národnej rady z 28. augusta 1990 o organizácii ministerstiev a ostatných ústredných orgánov štátnej správy Slovenskej republiky; In: www.slov-lex.sk/pravne-predpisy/SK/ZZ/1990/347/19900828.html;

*Republic and to accept foreign representation of entities in the fields (listed above), the status of such representations being governed by the legal regulations in force in the territory of the receiving entity..."*³¹

Today, the Ministry of Foreign and European Affairs of the Slovak Republic is Slovakia's central government body for foreign policy and Slovakia's relations with other states and international organizations.

The Ministry was established by Act No. 347/1990 Coll. under the original name of the Ministry of International Relations of the Slovak Republic.

Act No 453/1992 Coll. was renamed the Ministry of Foreign Affairs of the Slovak Republic. Act No 287/2012 Coll. renamed it to its current name as of 1 October 2012.

V

What were the starting points of Slovak foreign policy in 1993? This is a crucial question. Czech-Slovak foreign policy after November 1989 continued its first-republic traditions, which were based on the historical experience of the Czech environment and emphasized the orientation of Czech policy towards the West - especially towards the countries that were at the birth of the CSR³².

This thesis is confirmed by the facts of the relatively rapid process of international diplomatic recognition of the new state, which claimed succession to the Czechoslovak Federation rather than to the succession to the Slovak Republic of 1939-1945. The non-conflicting manner of the division of the CSFR played a significant role in this.

It is important to pause when defining the challenges of Slovakia's foreign policy when laying its foundations. In laying the foundations of its foreign policy and service, the Slovak Republic had to face three main challenges - as a newly established state - to achieve international diplomatic recognition of the state, to build institutional support for foreign policy and to formulate a programme.

The peaceful division of the CSFR also played an important role in this. Slovakia was able to very quickly gain membership in key international organizations and international status and status similar to that of its immediate neighbors with a longer tradition of foreign policy. At the same time, it is a fact that the newly established state did not avoid a number of mistakes that affected the conduct of foreign policy in the form of an unprofiled domestic political scene, inexperience of the newly formed state administration and insufficient institutionalized provision of the new state's policy.

In order to integrate, the newly established state needed to declare a clear foreign policy orientation. For Slovakia in 1993, two paths opened up:

- An integrative approach with majority support;
- minority voices advocating a neutral position of the Slovak Republic in international relations.

The third way, which is not much talked about, was the fear of possible isolation of Slovakia and deterioration of its position on the international arena. This (*possible isolation*) was influenced by several factors:

- (*it was said*) to have lost the advantage of geopolitical as well as historical links with the Western European region;

³¹ GRONSKÝ, J.: *Komentované dokumenty k ústavním dějinám Československa IV. 1989-1992*, 2007, pp. 229.

³² Note: For example, President Václav Havel's first foreign trip was to the USA. For more details see: BOMBÍK, S.: *Slovensko a budúcnosť strednej Európy. Balansované na geopolitických váhach*, 2016, pp. 131.

- it is surrounded by larger countries, one of the neighboring countries being Ukraine, which was and still is perceived as particularly unstable in the long term;
- has become an economically weaker country with a weaker economic base;
- has ethnic minorities associated with the past centre;
- low international reputation³³.

All these facts have led to the already mentioned worsened position of the Slovak Republic in international relations³⁴.

Hence the need for integration into the international community. At the same time, Slovakia was struggling with a shortage of qualified experts, i.e. human resources in general in the foreign policy field.

The dissolution of the common state of Slovaks and Czechs and the establishment of the Slovak Republic on 1 January 1993 was an illustrative example of the interconnection of internal and external shifts. After the dissolution of the former federation, the Slovak Republic naturally had to focus on securing its own existence! This elementary national and nation-state interest is also relevant for the future, whether in the context of a controlled or uncontrolled process of globalization.

In the case of the history of the Slovak Republic, foreign policy has evolved within a complicated domestic political paradigm, but in principle it has fulfilled its five (basic) functions:

- 1) protective (in the minimum aspect: measures to preserve the existence of the state);
- 2) representative (establishing, developing and improving relations with other actors in international relations);
- 3) integrative (ensuring the prerequisites for joining with partners and achieving goals that the Slovak Republic could not achieve on its own in the international arena);
- 4) flexibility-adaptive (to international rules and international law);
- 5) negotiating (helping to find compromises on contentious issues).

The national interest³⁵ in Slovak foreign policy, the need and possibilities of consensus of the main political forces of the Slovak Republic in the understanding and promotion of the basic state interests: *from the establishment of the Slovak Republic with its own Constitution, through membership in NATO, joining the EU and the Eurozone, or even today's participation in the integration and economic future of Europe, have been and are challenges that presuppose a permanent responsibility of the Slovak political elites to the citizens of Slovakia and to foreign partners and allies!*

If we think in a broader context, Slovakia has had - since 1990 - a total of 12 ministers at the head of its ministry responsible for international relations or foreign affairs (*i.e. they have been in office for an average of about 1.84 years - is that a lot or not enough?*).

³³ OBRMAN, J.: *Perspektívy nezávislého Slovenska*. In *Medzinárodné otázky*, 1993, roč. II., č. 1-2, pp. 79-80.

³⁴ GRIGELOVÁ, P. *Slovenská politika v Európe v 90. rokoch: Počiatky budovania vzťahov Slovenskej republiky s Rakúskom*, Dizertačná práca FiF UPJŠ v Košiciach č. 36122163609359108, 2020, pp. 23.

³⁵ LONDÁK, M., MICHÁLEK, S., WEISS, P. (et al.): *Slovakia a European story*, HÚ SAV, VEDA 2016, ISBN: 978-80-224-1522-4.

Minister	Period
Milan Kňažko	06.09.1990 - 22.04.1991, 24.06.1992 - 31.13.1992;
Ján Čarnogurský (<i>ad interim</i>)	23. 04.1991 - 06.05.1991;
Pavol Demeš	06.05.1991 - 24.06.1992;
Milan Kňažko	01.01.1993 - 19.03.1993;
Jozef Moravčík	19.03.1993 - 14.03.1994;
Eduard Kukan	15.03.1994 - 13.12.1994; 30.10.1998 - 15.10.2002, 16.10.2002 - 04.07.2006
Juraj Schenk	13.12.1994 - 26.08.1996;
Pavol Hamžík	27.08.1996 - 26.05.1997;
Zdenka Kramplová	11.06.1997 - 05.10.1998;
Jozef Kalman (<i>ad interim</i>)	06.10.1998 - 30.10.1998;
Ján Kubiš	04.07.2006 - 26.01.2009;
Miroslav Lajčák	27.01.2009 - 08.07.2010;
Mikuláš Dzurinda	09.07.2010 - 03.04.2012;
Miroslav Lajčák	04.04.2012 - 23.03.2016,; 24.03.2016 - 07.04.2020;
Ivan Korčok	08.04.2020 - now

The proposal for periodization in the context of the foreign policy of the Slovak Republic is as follows:

- **1990-1992** - dismantling of the previous regime, democratization of society and the beginnings of an independent foreign policy of the Slovak Republic, *which was fulfilled*;

- **1993** establishment of the Slovak Republic; The main national and state goal - the establishment and maintenance of a new subject of international law - the Slovak Republic - *was fulfilled*;

- **1993-1996** - the dialogue with the West on the so-called "Slovak democracy" intensified. Slovakia's nation-state interests in representation, integration, adaptation and negotiation are frozen and their fulfillment was threatened;

- **1996-1998** - a period of new hopes, eliminating the previous shortcomings, the negotiation paradigm is activated. However, the actual Slovak internal political development of that time *did not guarantee a lasting change*, which turned out to be more of a propaganda problem than a factual one;

- **1998-2000** - due to shifts in the external environment, Slovakia gains credibility and is able, if not to assert, at least to *articulate its national interests in a clear manner*;

- **2000-2003** - there is a realization of the significant interdependence of internal and foreign policy, which is a common feature of the life of all small states. Consistency of internal political forces on the basic issues of the direction of the state's development was an important element in building the state's credibility in the eyes of the international community. We see a similar kind of interdependence between security and foreign policy;

- **2003-2010** - this period was associated with the following main themes, which despite the election cycle were adopted (*with different instrumental approaches*) as penetrative by the then Slovak elites: integration of Slovakia; bilateral cooperation; the

Central European dimension of foreign policy; the economic dimension of Slovakia's foreign policy; participation in the solution of global problems;

- in **2011-2012** - can be perceived as a return to ground zero by way of a rejection of European solidarity, which was manifested in the ensuing internal political turbulence;

- **2012-2020** - a new dimension of professionalism of the diplomatic service and an increase in its weight (*fully corresponding to the ministry of M. Lajčák and the participation of Smer-SD in the government*), which resulted in the creation of the post of Deputy Prime Minister and Minister of Foreign and European Affairs (*later the post of Deputy Prime Minister was vacated*), including new competences of the Ministry. During this period, Slovakia successfully held the EU Presidency (*the Slovak Presidency of the Council of the EU from 1 July to 31 December 2016 represents one of the most important tasks fulfilled as a result of our EU membership*), the MFEA SR chaired the UNGA (09/2017-09/2018), or in 2019 Slovakia held the presidency or the MFEA SR was the acting chair of the OSCE;

- **2020** - now - promoting respect for international law and interest in upholding and developing multilateralism. Striving for foreign policy consensus in Slovakia, adequate operational and strategic response to the COVID-19 pandemic.

To this end, it is also necessary to develop a modern and high-quality foreign service on the basis of high professionalism and loyalty, as well as to simultaneously strengthen public diplomacy to communicate and promote Slovak cultural and political values in the world.

It was important that the building of the Slovak diplomatic service at that time had reached a completely new level and, especially after the declaration of the sovereignty of the Slovak Republic and the resignation of the then President of the Czech and Slovak Federative Republic, a completely new legal dimension. It was clear that the federation would not last for long and that it was necessary to start building our own foreign service in the given conditions.

VI

The debate about what a diplomat should be (*not what he should do*) is actually part of the history of humanity, the history of diplomacy. O. Maggi, in his 1596 treatise *De Legato*, articulates the formal requirements of what a diplomat of the time should be, as follows: "*.... theological knowledge, a good acquaintance with Aristotle and Plato, the art of making suitable remarks to solve a problem in a precise dialectical form, expert knowledge in mathematics, architecture, music, physics, civil and civil law; he should be fluent in speaking and writing Latin, and proficient in Greek, Spanish, French, German and Turkish... He should have been well schooled in history and geography, and be an expert in military science, and have a taste in poetry. And above all, he must come from an excellent family, be wealthy and endowed with good physical condition....*"³⁶

The search for adequate staffing of the newly emerging Slovak ministry was important and challenging at the same time. It was necessary to build a new foreign service in a historically short time (*mostly relying on Slovak cadres who had worked in the federal ministry*) and to lay a solid foundation for the future ministry by the quality of the personnel selection.

³⁶ KREJČÍ, O.: *Mezinárodní politika*, Ekopress, Praha, 2007, pp.217.

Let us return, however, to the programmatic make-up of Slovak foreign policy. On 23 January 1993, the Government of the Slovak Republic approved a fundamental conceptual document of Slovak foreign policy, which defined Slovakia's orientation and strategic objectives. It was divided into two parts: *The Foreign Policy Basis and the Main Directions*.

If in the *first part* the initial state of affairs was mapped, based on the constitutional dissolution of the Czech and Slovak Federative Republic, the distancing from speeches that could damage the reputation of the new state, up to the accentuation that the mission of foreign policy is to strengthen and increase the prosperity of the Slovak Republic by means of joining and participating in the natural integration paradigms.

In the *second part* - which proved to be significant for the successful future of the Slovak Republic - *the priority task of Slovak foreign policy is emphasized: joining the European structures*.

The current foreign policy of the Slovak Republic is rooted in traditional European values and is a firmly anchored and integral part of the Euro-Atlantic and civilization space. It fully supports a permanent positive Euro-Atlantic dialogue and any form of constructive transatlantic partnership cooperation. It regards such a partnership with dialogue as the cornerstone of the world system of international relations and foreign policy.

Slovak diplomacy - and this is its indelible contribution to the building of Slovakia's statehood - has also been able both to receive information about the external environment and to process and analyses information about the external environment at the required level. At the same time, to formulate its own goals and to find adequate tools to achieve them.

VII

Summarizing the issues and themes outlined in the previous text, it can be said that Slovakia is (*firm*) part of European and global moral and political responsibility. Slovakia's positions and practices continuously confirm this thesis.

The Slovak Republic was admitted as a member of the United Nations on 19 January 1993 as one of the successor states of the former Czech and Slovak Federative Republic. In a broader historical understanding, Slovakia (*as part of the former Czechoslovakia*) is one of the founding members of the UN in 1945 and the names of Slovak diplomats belong to the imaginary "*Hall of Fame*" of the United Nations (*e.g. Jan Papánek and others*).

A specific role of increasing importance will be played by *local authorities* and, in the context of the development of representative and participatory participation of citizens, by non-governmental organizations'. It is therefore necessary that the majority of Slovak society internally identifies with the philosophy of the Slovak Republic's foreign policy and that the obvious, legitimate and beneficial conflict of ideas or political-practical approaches does not endanger the interests of the state.

As former Polish Foreign Minister Władysław Bartoszewski wrote in his book *Warto być przyzwoitym*, "...it pays to be decent..."³⁷ Similarly, the Central Asian thinker and scholar Alisher Navoi (1441-1501) stated: "...the more good you bring to people, the more good you find..."³⁸

³⁷ BARTOSZEWSKI, W.: *Warto być przyzwoitym: Szkic do pamiętnika*, Editions Spotkania Warszawa, 1986, ISBN-10: 2869140126, pp. 51.

³⁸ Cited by: ТЮРИКОВ В., ШАГУЛЯМОВ Р.: *Жамоатчилик фикри кузгусинда*, Ташкент 1997.

With decency, professionalism and readability, Slovakia and its foreign policy and foreign service have achieved solid results in recent years! And it may be added that it still has a lot of issues to tackle, given the dynamics of developments in Europe and the world.

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SOME POINTS OF VIEW REGARDING HUMAN RIGHTS IN ISLAMIC LAW

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The influence of Islam in world politics is manifested mainly through the international activities of Muslim states, especially those where Islam is declared the state religion (Arab countries, Afghanistan, Turkey, Iran, Pakistan, Indonesia), and numerous international organizations and associations of Islamic persuasion. One of the concrete manifestations of the Islam presence in the international arena is the movement for Islamic solidarity, which aims to achieve general Muslim consolidation on the religious and moral-ethical basis of Islam.

The doctrine of universalism in the field of human rights is based on the fact that human rights should be the same everywhere, that is, firstly, the norms of substantive law that enshrine these rights should be the same, and secondly, the application of these norms should be uniform. The theory of cultural relativism proceeds from the fact that human rights are not a product exclusively of Western civilization, but are inherent in all mankind, therefore they cannot and should not be interpreted regardless the people's cultural difference. The disadvantage of the theory of cultural relativism is that there is a risk of its abuse, that is, it can be used to justify human rights violations. On the other hand, the interpretation of international human rights proposed by the supporters of universalism has the disadvantage that, as a rule, it is actually purely Western, and in fact not universal. In other words, such an interpretation can itself be criticized as culturally related to Western values [1, p.209].

K. Osakwe quite rightly notes that "the law of any national legal system exists at two levels - on paper (formal law) and in practice (living law), and in real life there is often a gap between these two levels of law." This applies most of all to the legal realities of the Arab-Muslim world. Any legal innovations do not mean that the population of even the most secular countries in this region lives and acts according to Western legal models - on the contrary, most of the Arab-Muslim world continues to be guided by the principles of Islamic law, and, moreover, their traditional thinking, their sense of justice remain the same. In the legal consciousness of the majority of the population of the Muslim world, it is Islamic law that is considered real, true. This is due to the logic of the development of the Arab-Muslim civilization, the specifics of the Islam syncretism, which allows us to absorb much of the spiritual things that a person lives with, to form on the verge of everyday and theoretical ideas about what is due and what is. However, this is not only the logic of the civilization development, but also the first of the fundamental features of the justice logic development, which consists in "uniting people in recognizing the primacy of certain principles, ideas and beliefs" [2, p.209].

Based on the fact that article 31 of the International Covenant on Civil and Political Rights of 1966 establishes that the elections to the Human Rights Committee take into account the equitable geographical distribution of members and the representation

of various forms of civilization and the main legal systems, it can be concluded that the Covenant itself recognizes the need for such an approach to its interpretation which would not be based solely on any one concept of human rights [3].

To interpret universal human rights, taking into account various historical, cultural and religious characteristics, one could use the doctrine of the discretion limits, which assumes that up to a certain limit, States should have freedom of action regarding the interpretation of certain provisions of international treaties in accordance with the moral values of society. Many provisions of international treaties are formulated with a high degree of abstraction, which leaves room for their interpretation through the prism of local moral and cultural standards.

It should be noted that the instrument of the implementation of the Islamic system (world order) is politics. The Islamic concept of politics proceeds from the fact that all power belongs to Allah, and the one who is given the authority to deal with the affairs of people or communities is not their ruler, since Allah is the only ruler of mankind [4, p.83].

Islam as a creed is quite rationalistic and pragmatic, and law embodies the essence of a Muslim's thinking, the typical Islamic way of life, the core, the core of Islam itself, is manifested in law. The norms of Islamic law seek to regulate the entire existence of an individual - both material and spiritual aspects. This was due to the initial factors of the formation of a self-identifying civilization, when the entire people were required to observe certain, clear, once and for all established principles. Nomadic cultures, due to the specifics of their development (the constant struggle for survival with nature and hostile environment), initially had to bring into people's minds clear ideas about social community and the need to interact with each other. In order to consolidate the significance of these phenomena, the latter were subjected to sacralization. The role of the state in the preservation of law is very important here, and the role of law in the justification of the state.

Dutch researcher of Islam of the XIX century. L. Van den Berg notes that in order to understand Muslim law, it should be borne in mind that the Semitic peoples could never imagine a state other than in the form of a theocracy, i.e. such an institution, the real head of which is the Supreme Being. Therefore, the reason for the existence of the state, according to their concepts, is not the need of people for it, as among Western peoples, but rather the will of a Higher Being and the observance of service. The prophets who appeared for centuries among Israelites and Arabs constantly acted not only in the religious, but also in the Christian field. The consequence of this theocratic principle was the merging of the concepts of law and worship, which were drawn from the same source, namely from religious books, so that lawyers had to be to some extent at the same time theologians, and theologians - lawyers.

Van den Berg writes: "A further consequence of this beginning was greater stability in law, which should not conform, as we do, to the needs of society, but, on the contrary, society should be transformed with the commands that once expired from Allah" [5].

However, the paths of the Arab-Muslim and Jewish civilizations diverged. The engine of the first was still the nomadic factor, the second became agricultural. Therefore, the foundations of civil society formed by the ancient Jews, the principle of separation of powers, the primacy of law over the state, were rationally discarded in the Arab-Muslim world. This is the logic of any nomadic culture, which can unite large heterogeneous masses of people living on a vast territory only through a strong state power. This

reflects the nature of Islamic law, in which ideas about the state structure and governance, about the "constitutional" and administrative status of various groups of the population, about the exercise of religion, the legal definition of the position of various family members, sometimes scrupulously prescribed (for example, in marriage and family law) are of paramount importance.

There is a point of view that Muslim law idealizes social relations, "adjusting" them to a certain, since ancient times existing pattern, where there is self-regulation of society and there are ideal incorruptible servants of the law. The Qadi (Muslim judge), being a mujtahid, is obliged to assess not the crime, not the action as such, not the situation as a whole, but only the individual.

Lawrence Rosen, who has studied legal proceedings in Saudi Arabia, notes that a judge should have "sharpened observation: for example, just by looking at a suspect, he should be able to tell what he has withheld in his testimony." First of all, the justice consciousness of a judge, as a religious figure and a servant of the law at the same time, consists in his ability to be a "human scientist". Thus, the judge is the link between divine justice and the human environment in which it should be administered. There is no one between the state and the individual except the judge and his sense of justice, based on the so-called individualistic understanding of the opinion of lawyers of the past. The idea of taklid only at first glance may seem to resemble a precedent characteristic of the common law system, at least for its early stage of development. In any case, the same L. Rosen notes: "Islamic law... he strives to conform to existing ideas about humanity from the standpoint of common sense, and not refined categories generated by himself. The system of adjudication, ethics and logic is based not on the refinement of doctrine, but on the standards of everyday life. If you look at it from these positions, you can see how developed, holistic, logical and effective it is. A person's duty is to observe the norms of morality established by Allah, and not try to invent them. Within the framework established by Allah, a person can independently build relationships, while remembering the consequences that their violation entails." However, the almost complete absence of civil society institutions, the principle of competition as such, the legislative framework, the absence of institutional boundaries between public and private, make law imperfect, legal awareness undeveloped, and the ground for violations is much more favorable [6, p.149].

Rationalism as another important dominant of Arab-Muslim spirituality is characterized by the following parameters. Rationalism is manifested, firstly, in the very factor of doctrine formation as a rational combination of suitable ideological elements borrowed from other cultures and preserved elements of pre-Islamic Arab nomadic culture. That is, according to the creators of the Arab-Muslim culture, all the best was taken from the preceding and surrounding. Secondly, unlike the European Christian culture, the Arab-Muslim ideologeme does not contain anything superfluous, many irrational, or vice versa, rational, but requiring a complex multi-stage explanation of the situation in Islam are excluded. Islam was created as a practical, understandable teaching for the masses, which should strictly regulate their lives as people obedient to religious attitudes, the caliph as the spiritual and secular head of Muslims and the Ummah - the Muslim community.

Nevertheless, it should be noted that different madhhabs (legal schools in Islam) are characterized by different attitudes to the rationalistic perception of the doctrine. The greatest use of rationalistic techniques is typical for Hanafis, somewhat less for Shafi'is and Jafarites. In contrast to these madhhabs, the founder of the Hanbali doc-

trine, Ibn Hanbal, sharply opposed rationalistic theology and its bearers, the Mu'tazilites.

As V.P. Malakhov notes, Arab-Muslim rationalism "has completely incongruous, at first glance, features: at the same time it is both a conceptual form of an irrational worldview and the basis of explicitly and legally secularized thought [7, p.89].

If in Western Europe, legal consciousness as a socio-cultural phenomenon is included among the necessary attributes of social existence and consciousness of the majority of the population quite late, then the public consciousness of the Arab-Muslim world has always been occupied by law. In Western European thinking, a holistic view of legitimate, moreover conscious, behavior develops approximately in the Renaissance, when modern ideas about rights, civil liberties and duties begin to form.

In the Arab-Muslim world, the idea of a prescribed legal path - sharia, a category that includes, along with the rules of external ("practical") behavior, the foundations of religious dogmatics and ethical postulates, is almost the original concept. The universal character of Islam is manifested in Sharia, it is the point of concentration of religion, morality and law, the whole idea of the Islamic way of life, where religious, moral, legal, everyday rules, as well as established customs are merged together. Comparing Western European and Islamic law, it should be understood that they do not occupy all the coinciding spheres of the spiritual world of man and society. Islamic legal scholars tried to shift the scope of their activities to the field of specific law enforcement and not try to formulate general theoretical legal constructions. At the same time, it should be noted that "the scope of application of sharia is much wider than that of any Western concept of law, since it covers all aspects of life. It is also obvious that a significant part of this right cannot be fulfilled by any human court, but must be presented to the court of eternity. But theoretically, Sharia was a divine revelation, which every Muslim - from the caliph to the slave - must strive to comply with." Thus, an important component of the Islamic legal consciousness is manifested: "the ability of a legal being in his occupations and attachments, evasions and duties to avoid contradictions with social values and generally recognized principles of life, as well as to avoid disagreements with other people" [8, p.105].

Sharia divides human actions into five categories, of which there are permissible (Halal) and forbidden (Haram). Firstly, obligatory (fard, wad zhib), for example, a five-fold prayer. Secondly, desirable (mandub, masnun, mustahhab, sunnat) are laudable deeds that are rewarded in the next life, but the non-fulfillment of which is not punished (voluntary prayers, in addition to prescribed ones, additional fasts, hospitality, restraining anger, forgiving offenders, rewriting the Koran). Thirdly, permissible (jaiz, mubah) - simply permitted, not entailing either approval or censure (business travel, food, sleep, marriage, etc.). Fourth, unworthy - unacceptable, but not punishable either in this or in the next world (negligence in the exercise of the duties of faith, avarice or extravagance, addiction, cruelty, marriage with a foreign woman, eating some varieties of fish, etc. - makruh). Fifthly, the deeds and thoughts for which Muslims will be punished in both lives (consumption of wine, giving money for growth, etc. - muhzur, haram). "The ability in each individual situation to distinguish what should be insisted on or what should be avoided in order to achieve reasonable, or seem reasonable, legal goals" is one of the main factors in the development of Islamic legal awareness.

In Islamic law, one can observe a semblance of a division into public and private law. All court cases are divided into two categories: cases related to the law of God (haqq Allah), and cases related to human rights (haqq Adam). Crimes of the first cate-

gory are not subject to forgiveness, the punishment for them is indicated by the Quranic word *hadd* ("limit", "border"); this punishment is necessarily carried out. As for the second category, a Muslim can be forgiven and punished less severely, depending on the severity of the crime and the identity of the offender. Each of the *madhhabs* has its own opinion on the severity of punishment; Malikites and Hanbalites are more severe and irreconcilable, Hanafites and Jafarites tend to admonish the criminal and are much more cautious in applying the death penalty [9, p.114].

A clear idea of what is right and what is not is the reverse side of the fact that Islam is the religion of the completed Divine revelation, which was transmitted to Muhammad and recorded in the Quran, and the *hadith* traditions are recorded in the *Sunnah*. Revelation ceased with the death of the Prophet, was no longer resumed, and will not be resumed. Since in Islam, unlike Christianity, there is no sacrament of the priesthood, which is the transmission of the grace of the Holy Spirit to new generations of priests, there are no priests themselves who can interpret the holy spiritual truth. Muslims can learn it directly from the Quran and the *Sunnah*. However, literally immediately after the death of the Prophet, it became clear that many of the most important factors in the life of the *Ummah* (Muslim community) were not regulated by either the *Koran* or the *Sunnah* - the two main and uncontested sources of Islamic law. In order to solve pressing problems and provide answers to all the questions that arise before Muslims, a special procedure was developed for deriving general norms and judgments on these individual issues, called *Ijtihad* - the work of not priests, but scientists. It was already a real and quite human activity, and it remains so to this day. This situation can be imagined as follows: *Sharia* is the basis, the basis of socially significant rules and norms, religious life and actions of a Muslim, pleasing to Allah and bringing his adherents to paradise. The fact that *Sharia* is called a "divine" or "religious law" demonstrates rather than a legal, but a general social significance. But in addition, there is also an equally obligatory huge superstructure - the legal interpretation of the *Koran* and the *Sunnah*, Islamic jurisprudence (*Fiqh*). Often, the concepts of "*Sharia*" and "*Fiqh*" are identified, but this is wrong: *Fiqh* is a "translation" of the provisions of *Sharia* into a practical plane, into the area of the rules of conduct in force and observed by Muslims. *Sharia* is just embodied in legal writings on *Fiqh* and the practice of *Sharia* courts, it regulates the external forms of people's relations with Allah (the rules of the cult - *ibadat*), with each other (*muamalat*) and determines the punishment (*ukubat*). Islamic legal scholars characterize Islamic jurisprudence as "the legislation of people and for people." The higher, heavenly religious laws should be reflected in the real everyday life of people, in all areas of their life-activity. *Fiqh* regulates a very diverse range of phenomena: the rules of state, religious and cultural life and the establishment of a cult, criminal, hereditary and family law, administrative and managerial laws and ethical norms. Thus, "the possibility of uniting people's social efforts on the basis of reconciliation and appeasement, rather than simple (and even more so - not forced) consent", is an integral part of the Islamic legal consciousness [10].

Religiosity, as already noted, is an immanent feature of the entire Arab-Muslim culture, but the intensity of its manifestation, intransigence, attitude towards different strata of society, attitude towards non-believers differs significantly. Hanafi, Shafi'i, and, in some matters, Jafari *madhhabs* tend to a milder interpretation of religious and, as a consequence, legal norms. Malikites and, especially, Hanbalites adhere to the orthodox understanding of Islam and are not inclined to the slightest deviations from religious dogmas. Supporters of Wahhabism, which is rooted in the theological and legal

basis of the Hanbali Madhhab, consider any "innovations" in Islam to be sinful and subject to inevitable eradication. However, all this characterizes only different approaches to understanding the phenomenon of religiosity itself, in no way undermining the fundamental principle: religion is the core and basis of the Arab-Muslim worldview, the legal consciousness of Islamic society and every Muslim.

Thus, it can be concluded that the scope of application of sharia is much wider than that of any Western concept of law, since it covers all aspects of life. Sharia was a divine revelation that every Muslim must strive to conform to. Sharia divides human actions into five categories, of which there are permissible and forbidden: mandatory, desirable (laudable), permissible, unworthy (unacceptable, but not punishable), unacceptable, but the attribution of an act to a particular category primarily depends on the law enforcement officer. The highest, heavenly religious laws should be reflected in the real everyday life of people, in all areas of their life. Fiqh regulates a very diverse range of phenomena: the rules of state, religious and cultural life and the establishment of a cult; criminal, hereditary and family law; administrative and managerial laws and ethical norms.

The main feature of Islamic law that significantly distinguishes it from Western systems is its focus primarily on collective rather than individual values. That is, a person of the Islamic world is always a generic being, in the sense of which K. Marx wrote: "... only when a real individual person perceives an abstract citizen of the state and, as an individual person, in his empirical life, in his individual work, in his individual relationships, becomes a generic being; only when a person learns and organizes his "own forces" as social forces," with the difference that a significant part of the representatives of Islamic society have not yet realized themselves as "individual people".

The problem of intercivilizational contacts and borrowings is not simple in both ontological and epistemological aspects. Different civilizations at different times perceived the values of another (and alien) culture in completely different ways. European barbarians, starting with the capture of Rome and the destruction of cultural values, then with pleasure and benefit for themselves began to use not only ancient technologies, Roman law and the Christian religion, but also, to a certain extent, Greek philosophy and ancient spirituality. The defeated Romans did not impose their values on them, the barbarians themselves wanted to perceive them.

Indian and East Asian civilizations were much more self-sufficient, and therefore more closed. In addition, they were separated from their neighbors by insurmountable expanses of mountains, seas and deserts, which created the effect of autarky, and the Asian nomadic barbarians were much more aggressive and dangerous than the Germans, Slavs and Vikings. Subsequently, Asian civilizations met Europeans very differently, perceiving European culture with difficulty, in separate fragments and using it only in certain parts of their being and living space [11, p.204].

The nature of the relationship between European and Arab-Muslim civilization was much more complicated. These two civilizations were side by side. For a long time, this neighborhood took the form of permanent collisions, interrupted by an unstable and wary world. Considered the backwoods of the world, rough and uncouth Europe, which failed to properly preserve the heritage of antiquity, with all its contacts with the Arab-Muslim civilization (both military and peaceful) greedily absorbed everything that was preserved and achieved by the East. But over time, the great geographical discoveries, the Renaissance, the Reformation and the Enlightenment produced such a metamorphosis with Europe that allowed it to reach a new level. The Arab-Muslim world, primarily

represented by the Ottoman Empire, began to realize that the time had come to borrow from the West. The gradual acceleration of historical processes and the advent of the era of globalization made the process of diffusion of legal systems inevitable. First of all, it concerned the norms regulating the legal status of a person and a citizen; This is how the institution of human rights, initially alien to it, began to form in Islamic law. The main problems and features of this process will be discussed in the next chapter of this study.

The solution of the problems generated by the processes of globalization is closely related to the realization of all human rights. It is necessary not just a declarative declaration of the interdependence and indivisibility of all human rights, but also the actual creation of conditions and mechanisms to effectively protect all human rights. As X points out. Bengoa, in the period after the Second World War, there were two main forms of "democracy", one of which reflected liberal ideas about democracy and highlighted electoral democracy and civil rights, and the other was based on ideas about socio-economic democracy of countries with planned economy [12, p.98]. The first concept was reflected in the International Covenant on Civil and Political Rights of 1966, and the second - in the International Covenant on Economic, Social and Cultural Rights of 1966 [13].

With the end of the existence of the socialist bloc and the further development of globalization, we have to state that at present the neoliberal approach prevails in international relations. This approach reflects the position of developed countries and is dominant in the activities of the most influential non-governmental organizations dealing with human rights issues - Human Rights Watch and Amnesty International. This approach, based on a narrow concept of human rights, implying mainly civil and political rights, misleads about the causes of inequality and contributes to its strengthening, overlooks the systematic violation of those social and economic rights of billions of people, without which it is difficult to talk about the dignity of the individual, and also complicates the realization of the right to development in the third world countries. the world.

In addition, this approach contributes to the disintegration of society and contradicts the provisions of a number of international legal documents, including - with the provisions of the International Covenant on Civil and Political Rights of 1966, the preamble of which states that "the ideal of a free human person enjoying civil and political freedom and freedom from fear and want can be realized only if conditions are created under which everyone can enjoy their economic, social and cultural rights, as well as their civil and political rights." If the realization of economic, social and cultural rights is not ensured, then civil and political rights are reduced to the level of meaningless formal categories and, conversely, economic, social and cultural rights alone, in the absence of real civil and political rights, are not enough to ensure genuine freedom and dignity of the individual.

As a rule, the system regulating the legal status of a person is a product of a historically formed social consensus - otherwise these civilizational models would be extremely unstable. The Islamic system of human and civil rights protection (which is a set of legally binding norms enshrined both in the sacred sources of Islamic law, which are the basis of legal regulation in all Muslim countries, and in regional international treaties) shows its high stability. It is not accidental, but immanently inherent in this type of legal consciousness. At the same time, the mentioned system is gradually developing, including through interaction with other legal systems [14, p.117].

Based on the results discussed in the first chapter, we can draw a preliminary con-

clusion that the features of the formation of Western and Islamic legal consciousness as the main prerequisites for the establishment of an international legal regime for the protection of human rights in the Islamic world have determined the main distinctive features of the system of sources of human rights protection in Muslim countries and the main problems of interaction between Islamic and international law, which consist in the following:

Despite significant mutual influence, the legal systems of Western and Muslim countries, to a certain extent, have been and continue to be antagonistic. This is especially true for the protection of human rights.

Overcoming this antagonism is one of the most important tasks of the entire human civilization. It should be noted at once that the world community has managed to achieve very significant success in this area, which will be discussed in the future.

The interaction of Western and Islamic legal models is significantly hampered by the problems of mutual understanding and difficulties that stand in the way of dialogue between these two systems. The solution to this problem lies outside the legal field, and refers rather to socio-cultural interaction, the development of mutual tolerance and the problems of the formation of a postmodern society.

By the beginning of the XXI century, it was not possible to create a full-fledged system of human rights both globally and regionally. The development of a universal concept of human rights should be based on both international legal norms and the peculiarities of Islamic law and other regional norms of law in this area.

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TRAINING EFFICIENCY FOR INSTITUTES DEVELOPMENT IN AFGHANISTAN

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Effective services and fast operations of NGOs in Afghanistan reconstruction is an undeniable fact that nobody can ignore, and that was the only reason the international community and donor agencies funded NOGs more than the government in Afghanistan. According to them, the NOGs have a better capacity for implementing the projects and collecting efficient outcomes timely. NGOs/Institutes in Afghanistan hired the most professional employees with modern knowledge and skills and they were committed to fully training the newly recruited employees. The article summarizes the research aimed at the efficiency of training for institute development in Afghanistan. However, since 2001, about 3000 NGOs/Institutes accredited by the Afghan government to work in Afghanistan, but our research focuses on National Democratic Institute (NDI) for International Affairs, an international NGO based in Washington DC. And operates in more than 70 countries in the world today, in 2002 the NDI received its licenses for working in Afghanistan in the field of supporting democracy. USAID was one of the strong supporters of NDI and always funded its projects, the NDI operated in the country with one main office in Kabul and seven regional offices in other provinces, and hired about 400 programs and support staff, the organization was divided into four main departments, Admin and HR, Finance, Security and operation, and program, in the early years all departments managed by international employees and then replaced with national except program departments (1)

Based on observation, today it's very common to conduct training at the Institutes or companies to develop the capacity of employees and the system, to provide better services for the customers or increasing the employee's skills/knowledge for better implementing the projects, but it's a little questionable that all trainings are efficient? And can bring changes at the mentioned points in the companies. On the other hand, if we deeply consider it, conducting the training is not easy for a companies. Because, at first, they are expending a lot of money, time, and resources. Secondly, the training will be postponed the Institute routine works and services to customers, event delay the communication system. So why do the Institutes want to conduct training for their employees? Exactly this research will answer this question. we vastly focused on the problem and prospective of using training as a tool to increase the efficiency of the companies, and we could find interesting results from the other researchers in this regard, that done by other scholars in different countries and Institutes. Besides this, we honestly analyzed this issue and the Institute that was conducted types of training for its staff much time and had different results. Moreover, after data analysis, based on our evaluation and findings, we prepared a recommendation list for the other companies / Institutes and

this field researchers who are following this matter with institutes, and consultancy they are developing training topics and materials that all of them are the parts of research (2).

The theoretical and metrological context of this research has been done through assessment of interviews with Institute managers, employees, published articles in this regard, handouts/books, annual reports, training reports, or survey forms that NDI trainers and other staffs filled out. Meanwhile, we tried our best beside the efficiency of training at the institute to find the problems as well.

So far, many types of research about the Problems of Training and Increasing the Efficiency of the Company/Institutes already have been done, by many researchers and different organizations in Afghanistan and other countries, that their publication on the internet, books, article, reports and academic journals of institutes are existing. Based on my title and field research, we searched twice separately, first about using the training at the Institutes and then using types of training as a tool for increasing the Institute efficiency. According to our research in this regard the theories and practical findings of some authors including; Ms. Olivia McGarry, Ms. Chitra Reddy. Mr. Sami Bahu and Mr. LorriFreifeld in Afghanistan, India, and the U.S were very relevant and important, about the problems and the efficiency of training at the companies or Institutes (2).

The study's limitations include those connected to the report's compilation, as well as organizational trans formation and staff training. While the time frame in which this study must be submitted prohibits access to primary data sources, the majority of figures and statistics are derived from secondary sources such as books and the internet. Another issue that restricts the researcher is COVID-19 lockdowns, which have affected almost all of the Institutes. Furthermore increasing the insecurity situation in Afghanistan especially between 2020 to 2021 the Taliban vastly started attacking city centers and threatening NGO staff even in some cases Taliban killed NGO staff, so the situation badly affected employees and mostly they escaped from Afghanistan or started teleworking (3).

As we all know the reason for the establishment of an Institutes to the several for the community, government, and other Institutes or companies by producing goods, services, education, etc. and also, it's clear for achieving the mentioned goals the Institute need to have its strategy, budget, qualified and professional employees. The study was conducted at the Institute National Democratic Institute in Afghanistan to identify the problems, challenges, and drawbacks in this Institute for improving the overall excellence of the business training delivered for its employees. As we found the main reason for not developing or being stuck in one position or barriers at the Institutes is not developing the capacity of employees or conducting poor-quality training and education. In this research, the main causes, and solutions of this problem were recognized and discussed in detail. To find the causes, data was collected from the staff without disclosing their identity (4).

The pattern length contains of fifty human beings from which 70% is male and 30% is female, which is obvious that the illustration of the male is better than the female counterpart. Generally, more percent of the respondents fall within the age bracket of 24 – 35 years of age. It is are consequently obtrusive that the respondents may be taken into consideration as suitable due to the fact the bulk fall within side the age bracket this is lively and drives capabilities of any business enterprise. In a comparable direction, 60% of the members have been married; which is obvious that they have been capable of staying in their marriages regardless of all odds and demanding situations. However, approximately 40% have been unmarried. The respondents may be categorized as nota-

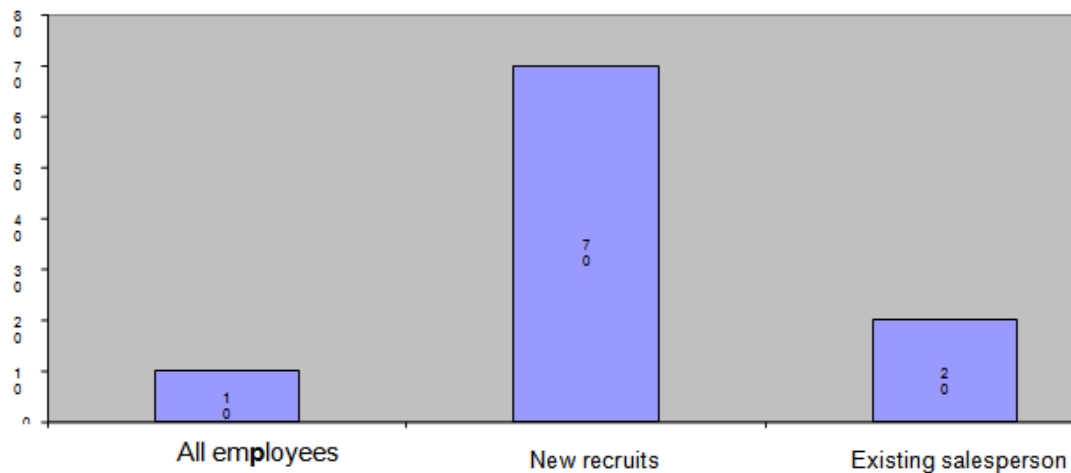
bly skilled because 46.8% have labored among 6–10 years. The sampling approach used on this studies is opportunity sampling that is a randomization to make certain that each detail of the populace receives the same danger to be a part of the chosen pattern. The whole populace issplitinto clusters or sections after which the clusters are randomly selected. All the factors of the cluster are used for sampling. Clusters are diagnosed the usage of information inclusive of age, sex, qualification, etc.

Employees selected for the training

All employee - 10%

New recruits -70%

Existing schemes person - 20%



Basically new recruits need training as they are new in their jobs thus they are selected for the training.

Training & development is an active process by which capabilities of executives and employees can be improved, to meet the organizational needs in term of their knowledge, skills and attitude required in performing organizational tasks and functions, within a relative short period of time. Therefore, training and development are concerned with acquisition or development of those skills techniques, attitude, and experience which enables an individual to make his most effective contribution to the combined effort of the team of which he is a member. Thus, training and development entails the bringing up of the knowledge skills ability of the employee not only to perform the better but the job assigned to them but also to keep ahead of the current requirements, to prepare them to take up higher responsibilities.

Several enterprises largely depend upon the effective performance of the employees. The personnel require certain skills and abilities to perform his duties as efficiently as possible. The progress of enterprise depends upon technical know-how and selling skill are most important for the for operating the functional employees while management skills are significant for the senior and top-level need improvement and who are likely to improve through a process of training. Through the importance of the specification or skills well recognized all over the world, there is no consensus on the specification of skills required for an effective executive (5).

Different situations call for different executive performance and require different skills and abilities. There is no single executive's personality which could prove effective.

tive all situations. Hence, we would not expect traits to be generalized from one situation to another.

There are certain skills, which enables personnel to perform his job more efficiently. Eminent authorities have discussed several types of skills required for an efficient scheme. However, the most accepted classification of skills for the schemes executives are given.

By Robert L. Katz) under three heads:

Importance Of Training In National Democratic Institute

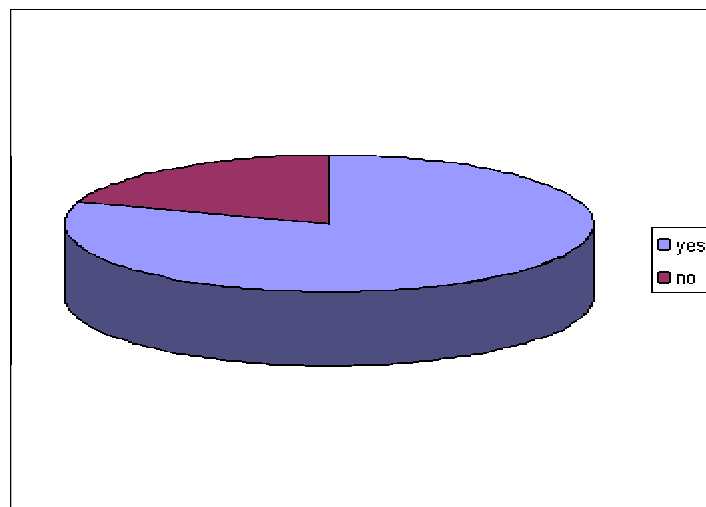
- Increased schemes
- Improved performance
- Heightened morale
- Reduction in supervision
- Better time management
- Fulfill men of manpower needs

Assessment of employees' response to the proposed change and its increase their training tool, The questionnaire administered to the employees of the NDI has been analyzed and the analysis of the findings is presented below (6).

(1) Do they get training

Yes-80%

No-20%



80% of the employees get the training in their organization, and most of them trained the skills which were very relevant to their position, for instance, communication officers always trained in report writing and coordination.

Training Policy of The National Democratic Institute

The training and development policy encompasses all levels of employees. Human resources is considered as the most valuable resource and the company is committed to providing possible opportunities for growth and development. Its scope is proactive for the opportunities for facing the challenges of changes. For the development of employees at all levels, various types of training programs are conducted by companies which include general awareness, personality development, safety, security &, etc. Therefore, not any separate development programs are conducted by the company ex-

cept for various training programs which include development programs. Training covers programs, which are conducted within the organization including both internal trainers as well as outsider guest experts. In training and development programs the organization deposes their employees to outside institution for acquiring higher skills Need for the basic purpose of training in national democratic institute (7).

- To increase project management skills and leadership
- To help the company fulfill its future personnel needs and programs
- To improve organizational climate and policies of gender, HR and Admin
- Personal growth
- Obsolesce prevention.

The Salient Features of Training and Development Policy Of National Democratic Institute

- To bring about attitudinal change, gradually, from the non-competitive system to survival and fighting fitness in global market.
- To enhance the effectiveness of the present position.
- Take statesmanship quality to the top of the agenda
- To keep abreast of the technology and managerial development to avoid obsolesce.
- To bring down the labor turn-over and absenteeism.
- To build a cohesive employee group.
- To develop capabilities and competence to assume higher responsibilities.
- Try to lower the wastage.

Types of training & development programs

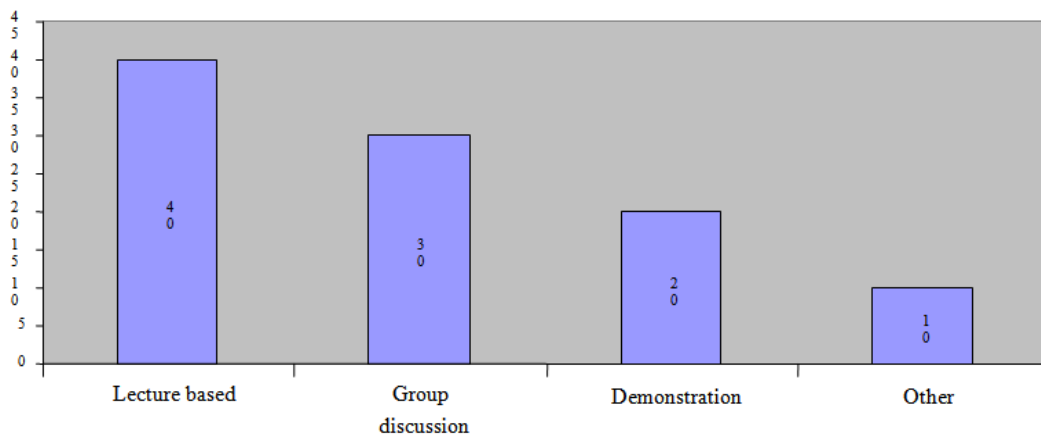
In National Democratic Institute various types of training programs are conducted which in turn results in development of employees.

The company conducts training programs within the organization in which the faculty may consist of internal trainers & outside guest experts. Generally, the company conducts training programs through outside faculty due to some reason. In the external training company deposes their employee outside for acquiring higher skills.

The basic method of training and development are:

- | | |
|------------------------|---------------------------|
| a. Lecture based - 40% | b. Group discussion - 30% |
| c. Demonstration - 20% | d. Other - 10% |

Basic method of training and development



As the training program was designed for the schemes persons the lecture was considered to be the best basic method of training followed by the group discussion (8).

Today in Afghanistan the training and development is an important aspect of professionalization of institutes executive cadre. There is no doubt that training and development can do a lot for the development of its personnel. Even though the world community and donors confirmed this already by funding NGOs in Afghanistan, Training and Development can do a lot for its personnel, government, community, and business. Training and Development is an integral part of the Human Resource Development HRD. It Is an important tool for the organization. To sharpen executive knowledge with the object of strengthening & profit maximization of the organization. In NDI also training is very helpful towards organization and employees. The employee attended training program of the company they were also benefited by it in terms that their performance increased, almost 70% of the employees also found changes in terms of productivity i.e they gained more professional knowledge also almost all of them can discuss their needs with their superiors. We can therefore say that training programs are not only beneficial for the company but also beneficial for the employee's working and personal life. Therefore training programs should be implemented in every organization for the survival in the world and achievement of the objectives.

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LEGAL REGULATION OF THE MIGRATION STRATEGY OF THE EUROPEAN UNION: PROBLEMS OF EVOLUTION AND FORMATION

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The foundations of the modern migration policy of the European Union (EU) were laid at the Summit of the European Council in Tampere (Finland) on October 15 and 16, 1999, which was dedicated to the adoption of a program for the implementation of the concept of the "European Space of Freedom, Security and Law and Order" included in the Amsterdam Treaty. In the final Conclusions of the Summit, known as the "Milestones of Tampere", recognized the right of foreigners who legally entered the territory of the EU to freedom of movement. The EU was tasked with developing a common policy in the field of migration and asylum. The main priorities of this policy were:

- cooperation with countries of origin of migrants;
- development of an integrated approach to solving problems related to migration (ensuring human rights in the countries of origin of migrants; combating poverty; employment opportunities; conflict prevention and democratization of states);
- promoting the harmonization of the internal and external policies of the EU Member States in the field of migration;
- development of a pan-European refugee system based on the implementation of the principle enshrined in the Convention relating to the Status of Refugees of 1951 (hereinafter referred to as the Geneva Convention of 1951): not to send refugees to a country where there is a serious risk of persecution for various reasons [1].
- a clear definition of the state responsible for examining the refugee application; common standards for an efficient and fair procedure for recognizing a person as a refugee; uniform minimum conditions for the reception of refugee seekers and other essential issues;
- non-discriminatory treatment of foreigners legally residing in the EU countries, including granting them rights and obligations comparable to those of EU citizens, combating manifestations of discrimination, racism and xenophobia, approximation of the legislation of the EU countries in the field of conditions for the admission and residence of foreigners;
- improving the efficiency of migration flow management, including conducting information campaigns in the countries of origin and transit of migrants regarding legal immigration channels, preventing the trafficking of people, intensifying the general policy on issuing visas and combating the production and use of forged documents.

The conclusions of the Summit include a comprehensive program covering a range of key issues of EU migration and refugee policy. Further actions in the designated area were indicated in the monitoring schedule of the adopted program - "Tampere Scoreboard".

Responsibility for the implementation of the adopted program was entrusted to the European Commission and the Council of Ministers of Justice and the Interior. The first step in the implementation of the program was the approval in June 2001 of the draft Directive - "On the Conditions for the Entry and Residence of Third-Country Nationals for the Purpose of Employment", which set out common rules for all receiving countries and established a single document for the entry and residence of migrants. EU member states were asked to independently determine quotas for migrants, based on the principle of subsidiarity.

A significant contribution to the effectiveness of the program was made by Address prepared by the European Commission for the EU Council and the European Parliament on the issue of Community immigration policy. The Address of the European Commission is the first reaction to the requirement of the European Council to clearly define the scope and conditions for the entry and residence of third-country nationals in the territory of EU Member States. The Communication emphasized that this is possible only if the overall assessment of the economic and demographic development of the EU, the situation in the countries of origin of migrants, the possibilities of receiving migrants by each EU member state, its historical and cultural ties with the countries of origin of migrants. The formation of a unified migration policy also required an analysis of its impact both on the society of the host state and on the migrants themselves [2].

It should also be noted that the European Commission also took into account the factors influencing the migration situation in the EU, in particular, the difference in political views on the problem. In this regard, great importance was attached to the political debate and the need to define the main directions of migration policy within the framework of the Tampere mandate.

Taking into account the migration situation in the EU countries, based on the priorities identified in Tampere, noting certain positive developments in the development of certain aspects of migration and refugee policy, the European Commission formulated the main positions of the EU on migration issues.

It is fundamentally important for the EU to define the forms of migration: entry for humanitarian reasons, family reunification and work migration.

With regard to "humanitarian" migration, the European Commission recalled that all EU Member States bear the corresponding obligations on the basis of the Geneva Convention of 1951, according to which access to protection is an individual right and cannot be considered in an economic aspect.

"Family immigration" to the EU countries, according to the European Commission, should be carried out on the basis of various criteria. In this regard, the European Commission underlined its concern about economic migration, stating that the "zero migration" policy of the 1970s the last century is not relevant in modern conditions. However, due to the established restrictions, many "economic migrants" use the institution of refuge or various illegal channels, which leads to a discrepancy between the number of such migrants and the real needs of the labor market and benefits, as well as to the high profitability of organizing human trafficking and hiring such migrants by unscrupulous employers.

The European Commission has recognized the need to develop more flexible common EU approaches to legal migration. Migration policy should be formed on the basis of: 1) the fact of the inevitability of the growth of migration flows in the future; 2) the benefits that migrants can bring to the EU; 3) benefits that migrants can bring to themselves. In this regard, the readiness of a number of EU Member States to open migration channels for both skilled and unskilled foreigners deserves a positive assessment.

The EU needed a coordinated migration policy that took into account all its aspects and close contacts with countries of origin and transit. Given a transparent migration policy, new approaches were to reduce the so-called "push factor" in countries of origin of migrants, and illegal migration in the form of human trafficking and smuggling. At the same time, it was clear that opening channels for legal economic immigration would not put an end to illegal immigration to the EU countries.

Significant differences in the level and nature of relations between EU member states with countries of origin and transit of migrants, the possibilities of receiving migrants, the procedure for their integration and the needs of the labor market, required the development of a unified European migration policy, formed taking into account all forms of legal migration, the impact of migration on sending and receiving countries, as well as political features of some EU countries [3].

The European Commission has recognized the need to continue to allow the entry of persons on humanitarian grounds due to the international obligations of EU Member States. The decision on the issue of the entry of economic migrants must necessarily be preceded by an analysis of the needs of the labor market, especially in highly skilled migrants, migrants with medium qualifications, unskilled and seasonal workers. The EU is obliged to respond quickly and effectively to the needs of the national, regional and local labor markets, to respect the current "communitarian law", bilateral and multilateral agreements between the EU and its members on the one hand and third countries on the other.

The fundamental principle of EU migration policy was to grant migrants rights and obligations equal to those of EU citizens. The EU linked this issue to the duration of residence of migrants in the EU. It was also necessary to develop and adopt measures to integrate migrants into the societies of the host states and counteract manifestations of racism and xenophobia.

The fundamental problem was the assessment of the needs of the EU in labor migrants. It was noted that the EU states are responsible for their acceptance. In such a situation, the importance of cooperation and information exchange between the EU states, their periodic reports, which should be considered not as a bureaucratic procedure, but as a mechanism for making important decisions at the European level, increased. Reports should be prepared on the basis of consultations, in cooperation with social partners, regional and local authorities, taking into account a number of factors related to the problems of migrants. The generally accepted structure of the national reports provided the European Commission with the opportunity to prepare a consolidated report for the EU Council. After that, the Council of the EU had to set out the main principles of the common approaches of the EU for the next period [4].

As part of the timetable for the implementation of the Tampere decisions, the European Commission was to develop Draft Directive "On Conditions of Entry and Residence of Third-Country Nationals Entering for the Purpose of Gainful Employment, Self-Employment, Unpaid Activities, Education and Training". But first it was necessary to study the relevant legislation and practice of the EU member states, to consult with social partners and non-governmental organizations. The framework approach of the Directive, in the opinion of the European Commission, should be based on the following principles:

- transparency and rationality of migration policy. It was necessary to clearly define the conditions for the entry and stay of third-country nationals in the EU, their rights and obligations, provide them with access to the necessary information, and create a mechanism for monitoring the implementation of these provisions. The admission of migrants had to be carried out quickly on the basis of objective criteria. General provisions on the admission of migrants to information should have significantly increased the transparency of EU policy;

- differentiation of the rights of migrants depending on the period of their residence in the EU. The European Commission has called for a more loyal regulation of

the entry of labor migrants, students, and some other categories of foreigners, and in this regard has made a number of proposals. The EU was to develop common entry schemes with a limited number of statuses, which should facilitate rather than create barriers to the admission of economic migrants. For temporary migrants wishing to return to their country of origin, it was important to provide a secure legal status. This problem also affected migrants who meet certain criteria and seek permanent status. The issuance of work permits is also important;

- improving the procedure for submitting applications for entry and their evaluation. The procedure should be clear and simple. Enhancing the effectiveness of the monitoring procedure and the transparency of information available to potential migrants would be facilitated by filing applications for entry in the country of origin of migrants, in close cooperation with government structures, international organizations, non-governmental organizations (NGOs), regional and local authorities. At the same time, it was necessary to take into account the right to choose employers.

In providing information to migrants, the European Commission proposed to use new communication technologies more widely, for example, to create thematic websites. The next EU proposal is the introduction of a special visa for third-country nationals wishing to find a job in Europe, so that all European enterprises - especially medium and small ones - can quickly recruit foreign labor if necessary, provided that employers prove its shortage in the labor market. In the event that the employment service of the EU Member States announces vacancies for certain jobs for a certain period of time, testing of economic needs must be carried out, that is, the only requirement for the employment of foreigners is the absence of demand for a vacancy by EU citizens.

Considering the problem of the integration of migrants into the society of the host state, the European Commission noted that EU policy should include criteria that guarantee third-country nationals living and working conditions comparable to those provided to EU citizens. At the same time, it was important to achieve the goodwill of society, to recognize integration as a two-way process in which migrants and the host state would participate. The EU, the European Commission noted, is itself a pluralistic society and in the future this specificity should be strengthened, which requires respect for the fundamental rights and freedoms of a person, his honor and dignity [5].

In the political plane, the problem of the relationship between the concept of "civic citizenship" and the duration of residence of foreign citizens in the EU. A policy of successful integration had to be implemented from the moment the foreigners entered. In this case, a great responsibility lies with the states, which are obliged to create conditions for the diversification of the host society. The Second generation of migrants, including those already born in the EU, deserves special attention.

Great methodological importance was given to the horizontal approach to coordinating the integration of migrants at the national and local levels. The EU was to form and develop an appropriate strategy for the exchange of information, best practices and the development of common integration standards. An important element of EU immigration policy should be a monitoring and evaluation mechanism. One of its components is scientific research and the collection of statistical data.

The Communication of the European Commission on the issue of Community immigration policy has stimulated many months of heated political debate at the national and European levels. Already in July 2001, the Address of the European Commission "On the Open Method of Coordinating the Immigration Policy of the Community" appeared.

The complexity and multifaceted nature of the regulation of migration problems, the impact of migration on the civil society of the EU Member States required an open discussion of EU migration policy in order to develop a political consensus on a number of key issues. On the other hand, it was necessary to develop a procedure for assessing progress in the implementation of EU migration policy. The application of the Open Method of Coordination proposed by the European Commission was supposed to lead to the formation of new approaches to the development of the relevant European policy, first of all, the identification of common goals. According to the European Commission, the fulfillment of the set tasks required six years, after which the European Commission had to develop additional legal instruments for coordinating the EU's common migration policy.

The open method of coordination was supposed to facilitate the analysis of the effectiveness of the various legal instruments of the EU, as well as of individual EU Member States. The European Commission has proposed to accept economic migrants, guided by the criteria of the Directive on the conditions for the entry and residence of third-country nationals in the EU [6]. The open method of coordination was based on the main directions of migration policy with short, medium and long-term goals, approved by the EU Council. These directions had to be developed taking into account the interests of the EU Member States. In this situation, it was proposed to improve the management of migration flows, the reception of economic migrants, partnerships with third countries and the integration of their citizens.

The Council of the EU had to approve the main directions of migration policy in 2002. If necessary, it was proposed to conduct an annual analysis of the implementation of the directions on the basis of an open method of coordination. A tool for effective monitoring and evaluation of the common migration policy of the EU was to be available comparative statistics.

In order to manage migration flows and develop cooperation between the EU Member States among themselves and with third countries, it was necessary to take into account the coexistence of various forms of migration - humanitarian, economic, family, as well as illegal migration and human trafficking, as well as the specifics of each of these categories. Ascertaining the impact of migration on the demographic situation in the EU, the European Commission proposed to develop procedures that ensure the link between migration policy and economic and social.

Reception of economic migrants. In view of the aging and declining population of European countries, it was necessary to reconsider the use of legal channels for receiving economic migrants as a way to meet the needs of the labor market, in the labor force. Economic migration should, wherever possible, be implemented in partnership with countries of origin of migrants within the framework of the European Employment Strategy. According to the European Commission, this procedure should be transparent and include EU proposals for the admission of third-country nationals for the purpose of employment.

Partnership with countries of origin of migrants. Given partnership, including political, economic and social aspects, had to be developed at the national and union levels. The partners had to determine the main areas of dialogue and the most effective ways to develop it within the framework of current and future partnership agreements.

Integration of third country nationals. EU Member States were asked to develop and review national action plans annually. For its part, the European Commission was supposed to prepare proposals on the main directions of migration, promote cooperation

and exchange of successful experiences, evaluate and monitor.

The desire of the EU to pursue a common migration policy was confirmed at the Summit in Seville (Spain) in June 2002. At the Summit, the need for a balanced refugee policy and the integration of migrants in the EU, the implementation of a strategy to combat illegal migration and human trafficking was repeatedly emphasized at the Summit. In this regard, it is important:

- to balance the legitimate expectations of migrants to have good living conditions with the migration opportunities of the EU and the EU Member States ;
- allow migrants through legal channels;
- consolidate the fundamental rights and obligations of migrants legally residing in the EU;
- fight manifestations of racism and xenophobia;
- in accordance with the Geneva Convention of 1951, to provide refugees with prompt and effective protection, while at the same time taking measures to prevent abuse of the right to refuge and the immediate repatriation of refugees whose applications are rejected.

The European Council paid special attention to the problem of integrating the EU's migration policy into the EU's common foreign policy towards third countries. According to the European Council, the long-term goal of the EU should be a universal, balanced approach to addressing the root causes of illegal migration. The European Council has warned third countries that their inadequate co-operation with the EU may hinder the establishment of close relations between them by threatening to take action or take a stand on certain issues of foreign and security policy, without violating the accepted treaty obligations and without jeopardizing the main objectives of cooperation [7].

Legislative work was seen as an important element of the EU's refugee and migration policy. In order to intensify it, the Summit identified the following main stages:

- 1) adopt the Dublin II regulation;
- 2) adopt minimum standards for the qualification and granting of refugee status, provisions governing family reunification, and define the status of aliens with permanent residence permits;
- 3) adopt common rules of refugee procedure.

In order to implement the Conclusions adopted at the Summit in Seville, on December 3, 2002, the European Commission adopted the Communication "On the Integration of Migration Issues in the Foreign Policy of the European Union with Third Countries". The document analyzes the impact of international migration on developing countries, forms of assistance to these states in the management of migration flows, as well as EU financial resources for the repatriation of migrants, the management of external borders, the implementation of refugee projects and migration in third countries. According to the Communication, in order to integrate migration issues into the foreign policy of the EU, it was necessary to solve the following tasks:

- 1) Implementation of interrelated foreign policy and foreign activities EU. The Communication emphasized that dialogue and relations with third countries in the field of migration should become part of an integrated EU approach, therefore, firstly, it is necessary to encourage countries that accept new approaches, and secondly, to prevent sanctions against countries that do not accept new approaches. Therefore, it is important to treat third countries differently.
- 2) Identification of the main reasons for migration. In this regard, long-term pro-

grams to eliminate poverty and prevent conflicts in third countries acquired great importance.

3) Taking into account the migration aspect in the implementation of the strategy Regional and Country Strategy Papers (RCSP) proposed by the European Commission and approved by the EU Council. The strategy provides for a whole package of development programs for developing countries, as well as a recommendation to conclude readmission agreements.

4) Increased funding. It was proposed to strengthen the budget line aimed at cooperation with third countries in the field of migration. This approach was supposed to stimulate migration initiatives and avoid duplication and confusion.

The continuity of EU political approaches in the field of migration was manifested in the conclusions of the EU Summit in Thessaloniki (Greece), held in June 2003, which noted positive developments in EU migration policy and proposed to accelerate the implementation of the Tampere program. The Heads of State and Government have instructed the European Commission to study the impact of legal migration on illegal migration in the EU. This order was fulfilled by the European Commission, presenting the results of its work in the next Communication.

The focus of the document was on the problem of labor migration, given the difficult demographic situation in the EU countries. Third countries offered to solve the problem by expanding the possibility of legal entry into the EU. But the relevant draft Directive (2000) did not receive support from the Council of the EU. Therefore, the European Commission has made a number of proposals related to holding consultations, issuing a "Green Book" and organizing public hearings on the issue.

The position of the European Commission on the issue of migration amnesties is interesting: it was recommended to develop common approaches to the problem, but at the same time not to consider amnesties as a way to manage migration, since they negatively affect the migration policy of other EU countries. In view of the abolition of all types of control at the internal borders of the EU countries and the freedom of movement of third-country nationals in the Schengen area.

Economic migration to the EU has revealed high levels of unemployment among third-country nationals legally residing in the EU, against the backdrop of labor shortages in some sectors of the EU labor market. The way out of the situation could be the integration of such foreigners. The political framework for integration in the labor market is set by the European Employment Strategy, which contributes to the national reforms carried out in the EU countries [8].

An instrument for solving the problem of integration in the labor market, in the opinion of the European Commission, could be an increase in the mobility of third-country nationals in the EU, especially since in November 2003 it was adopted Directive on the status of aliens permanently residing in the EU.

The European Commission has proposed to facilitate the mobility of other categories of foreigners legally residing in the EU, to recognize their qualifications if the relevant document is issued or recognized by another EU Member State.

Important policy ideas are formulated in the Green Paper "On the approaches of the European Union to the management of economic migration". The document was supposed to stimulate discussions in Europe about the most acceptable general rules for accepting economic migrants from third countries. This was required by the situation in the EU labor market, due to demographic problems.

It was noted that the lack of a European strategic initiative in this matter contrib-

utes to the violation of the national laws of the EU member states. The number of migrants entering the EU illegally and without any guarantees for employment and integration into the host society is increasing. Although the regulation of the number of economic migrants is within the competence of the EU Member States, the entry of migrants into an EU Member State often affects the interests of other states and the entire EU. In the current situation, transparent and more harmonized rules and criteria for the admission of economic migrants were needed.

The essence of the issue was the need for a speedy and high-quality replacement of the provisions of the national legislations of the EU member states with union ones. Legislation on the entry of economic migrants should be the first step towards the development of common definitions, criteria and procedures, while retaining the right of the EU Member States to respond independently to the specific demands of the labor market.

In the Communication, the European Commission for the first time formulated the basis for future EU legislation on labor migration. According to the European Commission, first of all, a horizontal approach is possible, taking into account the initial proposals on the conditions for the entry and residence of third-country nationals in order to obtain paid work, self-employment or any other economic activity for a period of more than 3 months. Another option is sectoral legislative proposals regulating the entry of various categories of migrants (for example, seasonal workers, migrants with special qualifications, not necessarily only high ones). Finally, it was proposed to use the general accelerated entry procedure in case of a shortage of specialists in certain sectors.

The admission of third-country nationals in order to obtain paid employment generally recognizes preferences for employment in the EU of EU citizens or foreigners already residing in the territory of the respective states. However, there are certain difficulties, so the European Commission is trying to develop uniform rules for the selection and testing of economic migrants (work experience, education, language skills and other criteria). In this case, each EU member state will be able to choose a worthy candidate [9].

Thus, since 1999, within the framework of the EU, a number of documents have been adopted that define the foundations of the EU's migration policy. However, in our opinion, it is premature to talk about the formed common migration policy of the EU in the context of the slow pace of implementation of political decisions and the obvious lag in legislative work from modern realities.

In 2004, the European Council developed the Hague Programme, which defines EU immigration policy. This document states the inevitability of international migration and the need to develop a comprehensive approach (at all stages of migration) to the analysis of the reasons for migration, the policy of granting the right of entry, integration and repatriation of migrants. The development of the European refugee system and migration policy is impossible without a comprehensive analysis of the phenomenon of migration. The collection, exchange and effective use of information on all migration issues is of key importance.

The Hague Program is based on the principle of shared and equitably shared responsibility, including financial and strengthening practical cooperation between the EU Member States, including the provision of technical assistance, training, information exchange and further harmonization of the national laws of the EU Member States.

The Hague Program also reflects the foreign policy priorities of the European refugee and migration policy. The EU should help third countries improve their capacity to

manage migration and protect refugees, prevent and combat illegal migration. Other measures include informing about legal migration channels, providing refugees with access to tools for solving their problems, building the capacity of border control, increasing the protection of documents from forgery, and assisting in the repatriation of migrants.

The problem of integrating migration issues into the EU foreign policy in relation to countries of origin and transit of migrants is still relevant. The Hague program also reflects other aspects of EU migration policy, in particular, issues of readmission, repatriation, border management, and the fight against illegal migration.

On June 19 and 20, 2008, the document "Strengthening the Global Approach to Managing Migration" (hereinafter referred to as the Global Approach) was adopted, which is based on three components:

- 1) combating illegal migration and improving the efficiency of expulsion of illegal migrants;
- 2) organizing legal migration and stimulating mobility;
- 3) strengthening the relationship between migration and development.

The promotion of mobility implies the active work of EU Member States to analyze the current situation in order to create conditions for migration to the EU of certain categories of migrants, depending on market needs. For example, skilled migrants (students, scientists, businessmen and other categories of migrants) should be provided with more favorable conditions for entry into the EU, including through easier visa procedures.

In the fight against illegal migration, priority is given to creating conditions that encourage the voluntary return of illegal migrants to their countries of origin and the conclusion of readmission agreements.

One of the last stages passed by the EU in the framework of the formation of a common migration policy was the adoption of the "European Pact on Immigration and Refuge" (hereinafter referred to as the Pact). In accordance with the Pact, EU member states have assumed a number of obligations to each other, to their citizens, and to other countries of the world. The pact contains a set of political goals and strategic objectives aimed at developing the immigration policy of the EU [10].

The following basic principles are enshrined in the Pact:

- 1) the need to regulate legal migration, taking into account the priorities, needs, opportunities for receiving migrants determined by the EU Member States; encouraging the integration of migrants;
- 2) controlling illegal migration by ensuring the return of illegal migrants to their countries of origin and transit;
- 3) ensuring effective border control;
- 4) building a system of effective interaction with countries of origin and transit of migrants, ensuring mutual influence of migration and development.

Thus, significant changes in the EU migration policy are associated with the expansion of the powers of its structures in accordance with the Amsterdam Treaty, which endowed the EU structures with the powers of public authorities in certain aspects of migration policy (visa issues, migration, asylum, border and customs control).

An important aspect of the EU migration strategy is to build interaction with countries of origin and transit of migrants through the conclusion of agreements on readmission.

As part of the Strategy for Building Engagement with Countries of Origin of Mi-

grants, the EU aims to provide assistance to countries of origin and transit of migrants.

At the same time, in our opinion, the rapid success of the EU migration policy cannot be expected, since it is currently linked to the problems of its security and stability, which is especially important in the context of the global financial crisis.

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LEGAL ANALYSIS OF THE PRINCIPLES OF INTERNATIONAL COOPERATION IN COMBATING CRIME

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International cooperation in combating crime is the result of the internationalization of crime, an increase in the number of criminal acts affecting the interests of several states, the complication of methods for committing crimes, and an increase of consequences caused by them.

International cooperation is undoubtedly aimed at combating, preventing, suppressing and, ultimately, uncovering, investigating and bringing to justice those responsible for committing crimes of a transnational nature, as well as international crimes. Measures to counteract such criminal acts can only be effective through interstate cooperation. Therefore, there is an approach in the theory of international law to international cooperation in combating crime as to some kind of coordinated activity of states, international bodies, and organizations.

At the same time, it seems to us that the current state of a set of legal acts relating to this area, their social significance, the presence of historically established institutions and principles for building international relations in this area of international law provide solid reasons for forming a slightly different view of the essence of the issue, that is the development of a thesis on the need to recognize international cooperation in combating crime as an independent branch of international law [1].

The formation of branches of international law is a legitimate process due to the diverse nature of relations between the subjects of international law. In order to effectively regulate a separate group of relations in certain areas of international activity, it was necessary to single out branches in modern international law with their subject and method of legal regulation and specific principles. The allocations of branches of international law are also explained by the formation of systems of homogeneous international legal norms related to one subject of regulation. Singling out branches from the system of modern international law is a complex theoretical issue due to the existence of many doctrinal approaches to the criteria for isolating branches and institutions.

Singling out branches from the system of modern international law is a complex theoretical issue due to the existence of many doctrinal approaches to the criteria for isolating branches and institutions. States do not declare whether they want to create this or that industry, and generally do not set themselves such tasks. They create rules of law in order to optimize and regulate certain social relations. Branches of law, both domestic and international, are formed objectively and are established by science.

Interstate cooperation in general, and in a more specific area such as combating crime, should be carried out within the framework of observance of generally recognized norms and principles of international law:

- Sovereign equality;
- Non-interference in internal affairs; amicable settlement of the dispute;
- Respect for human rights and fundamental freedoms;
- Cooperation of States;
- Fulfillment of international obligations.

Legal consolidation of these norms found in Art. 2 of the UN Charter of 1945, in the Declaration on the Principles of International Law Concerning Friendly Relations and Cooperation among States in accordance with the UN Charter, adopted in 1970, and

also in the Final Act of the Conference on the Security and Cooperation of States in Europe in 1975 [2-4]. The 1970 Declaration of Principles called on states to "be guided by them in international activities and develop their mutual relations on the basis of their strict observance." Despite the fact that not all the basic principles of international law are the basis of interstate cooperation, it must be remembered that "the weakening of the unity of the basic principles undermines their effectiveness as a whole. Only in unity, in close interaction, can they function properly." This was also stated in the 1970 Declaration: "The principles are interrelated, and each principle must be considered in the context of all other principles" [3].

Agreeing with Kudryavtsev's, we believe that the importance of the general principles of international law in the field of cooperation in combating crime can hardly be overestimated for the following reasons:

- 1) some of them are directly involved in the international fight against crime;
- 2) the inseparability of general principles among themselves gives rise to the unity and support of special principles in the area under study;
- 3) it is in relation to general principles that special ones in the field of interstate cooperation in combating crime can be implemented: the general principles contain a strict imperative requirement - to carry out such cooperation only in strict accordance with the general principles of international law [5].

Confirmation of the fact that the basis of interstate cooperation in studied area are the basic principles of international law are the direct texts of international treaties in this area. For example, in the preamble of the Convention for the Suppression of Unlawful Acts against the Safety of Maritime Navigation, signed in Rome on March 10, 1988, its participants are called upon to strictly observe the general principles of international law. The 1988 UN Convention against Illicit Traffic in Narcotic Drugs and Psychotropic Substances stipulates that "... the parties shall carry out their obligations under this Convention in accordance with the principles of sovereign equality and territorial integrity of states and the principle of non-interference in the internal affairs of other states" (part 2 article 2) [6].

In addition, we can highlight the special principles of the law of international crime prevention, formed in this area.

It is worth noting that the principles applied in the field of international cooperation in combating crime were developed historically as the basic principles of international criminal law and were formulated and substantiated by Roman lawyers, having received their verbal expression in the form of the following legal axioms:

- Where there is guilt, there must be punishment;
- The body is innocent if the thought is innocent;
- One cannot be punished twice for the same act;
- No one can be exempted from liability for an offense;
- Punishment should rehabilitate people;
- Punishment for any offense must be proportionate.

At the same time, it should be noted that our approach to the law of international cooperation in combating crime is somewhat broader than the modern understanding of international criminal law, in this regard, it seems not entirely correct to reduce the list of special principles of the law of international cooperation in combating crime to sectoral principles of international criminal law.

I. Lukashuk and A.Naumov believe that the basic principles of international law are inherent in international criminal law: sovereign equality of states, cooperation of

states; respect for human rights and fundamental freedoms; conscientious fulfillment of international obligations, and the basic principles of domestic criminal law: legality, equality of citizens before the law, guilt, justice, humanism [7]. Additionally, these authors also highlight the general principles of international criminal law and domestic law, the main source of which is the International Covenant on Civil and Political Rights of 1966. The characteristic principles of international criminal law, which include:

- 1) Principle of personal responsibility under international law;
- 2) The official position of a person who has committed a crime under international law does not exempt him from criminal liability is not a circumstance mitigating punishment;
- 3) Responsibility of higher officials;
- 4) One can't be judged twice for the same thing [8].

V. Kudryavtsev includes the following provisions to the principles of international criminal law:

- 1) The principle of inevitability of punishment for the commission of any act that is considered criminal under international law;
- 2) If the state does not establish punishment for an action that is classified by international law as a crime against peace and humanity, then this is not a circumstance that exempts the perpetrator from international criminal liability;
- 3) The official position of a person who has committed an international crime does not exempt from personal responsibility;
- 4) Execution by a person of a criminal order of his government or superior does not relieve this person from responsibility if a conscious choice was actually possible;
- 5) Every person accused of an international crime or a crime of an international character has the right to a fair trial of his case in court;
- 6) Non-applicability of the statute of limitations to war criminals;
- 7) Principles of justice administration: administration of justice by the courts; publicity of trial; equality of persons before criminal law and court; right to protection [5].

According to N. Kostenko the following principles play an important role in the fight against international crimes:

1. The principle according to which states refrain in their international relations from the threat or use of force against the territorial integrity or political independence of any state, or in any other manner inconsistent with the purposes of the United Nations. The functioning of this principle is essential in the field of combating international crimes [9].

This principle serves as a fairly solid foundation for cooperation in many areas of international relations.

The cooperation of states in combating crime fulfills its intended purpose in the presence of strict observance of the above principle. This means that international cooperation in combating crime should be based only on a voluntary basis, without the use of force or the threat of force. We believe that this provision is true for the entire volume of interstate cooperation, from the moment of the adoption of conventions, declarations, bilateral treaties, and their conscientious implementation.

It should be noted that all emerging problems in combating crime should in no case be interpreted as a basis for the use of force or the threat of force.

2. The principle according to which States resolve their international disputes by

peaceful means in such a way as not to endanger international peace and security, being one of the fundamental principles of modern international law, also operates in the field of combating crime [9].

This principle defines the rule according to which the state undertakes to settle all its disputes only by recourse to peaceful means of settling international disputes and in such a way as not to endanger international peace and security and justice. This provision is enshrined in the UN Charter of 1945, the Declaration on the Principles of International Law Concerning Friendly Relations and Cooperation among States in accordance with the UN Charter of 1970, in the Final Act of the Conference on Security and Cooperation in Europe in 1975, the Manila Declaration on a Peaceful Settlement international disputes of 1982 and a large number of other documents [10].

Thus, states can choose any peaceful means to resolve the dispute.

Ways to resolve disputes are usually indicated in the text of the treaties. Thus, in the United Nations Convention against Illicit Traffic in Narcotic Drugs and Psychotropic Substances of December 20, 1988, paragraph 1, Art. 32 provides: in case of any dispute between two or more Parties regarding the interpretation or application of this Convention, the Parties shall consult among themselves with a view to settling the dispute by negotiation, investigation, mediation, conciliation, arbitration, recourse to regional bodies, judicial proceedings or other peaceful means at their disposal. choice. Any such dispute which cannot be settled in the manner prescribed by paragraph 1 of this article shall, at the request of any of the States parties to the dispute, be submitted to the International Court of Justice for decision [11].

Based on the provisions of Art. 32 of this Convention, states are invited, in the event of any dispute between two or more Parties regarding the interpretation or application of this Convention, to resort to the settlement of the dispute through negotiations, procedures, investigations, mediation, conciliation, arbitration, recourse to regional bodies, litigation, and if it is impossible - to transfer to the International Court of Justice. This means that, in practice, in the event of a dispute concerning the interpretation or application of the convention, states have the opportunity to choose any peaceful means of resolving it.

3. Obligations of states in accordance with the UN Charter not to interfere in matters within the domestic jurisdiction of any state

It follows from this principle that states need to take into account the fact that the fight against crime is the internal competence of each state. States themselves determine specific issues of international cooperation in the field of combating crime and domestic criminal policy. Also, most states have concluded treaties on legal assistance, and multi-lateral treaties to combat certain types of international crimes.

When entry into an agreement on combating crime, it is provided that all procedural issues are resolved in accordance with the internal legislation of the state. These provisions are fixed in international treaties on the provision of legal assistance.

4. The principle of duty of States to cooperate with each other in accordance with the UN Charter [9].

This principle defines that the peaceful coexistence of states with different social systems implies not only the refusal of states to use force in settling emerging differences, but also the obligation of states to cooperate with each other in resolving foreign policy issues.

5. The principle of equality and self-determination of peoples;

6. The principle of the sovereign equality of states;

7. The principle of faithful fulfillment by states of the obligations assumed by them in accordance with the UN Charter;

a) special principles of an imperative nature (principles of international law recognized by the statute of the Nuremberg Tribunal and found expression in the decision of this Tribunal): any person who commits any act recognized as a crime under international law is responsible for it and is subject to a punishment;

b) the fact that domestic law has not established a penalty for an act recognized as a crime under international law does not relieve the perpetrator of that act from liability under international law;

c) the fact that any person who has committed an act recognized as an international crime under international law has acted as Head of State or responsible government official does not relieve such person from liability under international law;

d) every person accused of an international crime has the right to a fair trial on the basis of facts and law.

Approaching in sufficient detail to the system of principles of international criminal law, N. Kostenko supplements these basic principles of international criminal law, believing that the principles of international criminal law also include special rules contained in such treaties as: Convention on the Prevention and Punishment of the Crime of Genocide of 1948, Convention on the Non-Applicability of the Limitation Period to War Crimes and Crimes against Humanity of 1968, Convention on the Suppression and Punishment of the Crime of Apartheid of 1973, International Covenant on Civil and political rights of 1966, as well as the Statute of the International Criminal Court of 1998. In addition, N. Kostenko believes that international criminal law is characterized by the following principles: legality; the principle of equality of citizens before the law; the principle of guilt; the principle of humanism; basis of criminal liability [9; 12].

Some authors attribute the following provisions to the principles of cooperation between states in the fight against crime:

- 1) principle of non-extradition of persons persecuted for political reasons;
- 2) the principle of the inevitability of punishment;
- 3) the principle of humanity;
- 4) the principle of protecting the rights of one's own citizens abroad.

V. Alkhimenko and Y. Zhdanov distinguish the inevitability of responsibility for the committed act as special principles of cooperation between states in the fight against crime; humanity; failure to provide assistance in criminal cases of a political, racial, military and religious nature; state protection of the rights of its citizens abroad [13].

L. Galenskaya, V. Zimin, V. Panov and other authors name an unequal number of such principles and indicate them under different names: cooperation only in the fight against ordinary crime, the inevitability of responsibility for a committed act that is considered criminal under international law, double incrimination of crime, the implementation of the requested actions under their own national legislation, observance of human rights and freedoms, non-extradition of one's own citizens, refusal to cooperate in matters of a political, military, racial and religious nature, humanity, protection by the state of the rights of its citizens abroad, fair consideration of one's case in court, etc. [14].

N. Ryabko highlights the following special principles of combating crime:

- harmonization of criminal law measures to combat crime with broader social programs and needs;
- maximum possible humanization and economy of punitive means used by the

state;

- constant and timely correction of prohibitions, criminalization of socially dangerous acts;
- the rate in the field of combating crime, on prevention, preventive measures, and then relying on coercion, the benefit of punishment;
- maximum possible differentiation of responsibility and individualization of punishment [15].

A brief analysis of the author's positions on the subject of highlighting the principles underlying international cooperation in combating crime allows us to conclude that their interpretations are ambiguous. In this regard, it seems necessary to express our point of view on this issue.

Firstly, in our opinion, it is necessary to clearly define that the special principles of the law of international cooperation in combating crime are only the international legal foundations for building relationships between subjects of international law in this area. No general criminal principles from the national legal systems of states are included in this system.

Secondly, taking into account the distinction between international criminal law and the law of international cooperation in combating crime and defining the latter branch of law as currently established and claiming to be singled out in the system of branches of modern international law, we believe it is impossible when formulating special principles of the law of international cooperation in combating crime refer only to the special principles of international criminal law. Moreover, this seems problematic due to the current lack of a unified approach to this list among scientists who have studied certain aspects of international criminal law.

Summing up the results of the analysis on the principles of the law of international cooperation in combating crime, it is necessary to note the following main conclusions.

Firstly, the interaction of subjects of international law on the issues of combating crime is based on such generally recognized principles and norms of international law as: sovereign equality of states; non-interference in internal affairs; peaceful settlement of disputes; respect for human rights and fundamental freedoms; cooperation of states; conscientious fulfillment of international obligations.

Secondly, modern author's interpretations on the issue of the list and names of the obligatory foundations of international cooperation in combating crime are ambiguous and somewhat debatable, which predetermined the author's development of an approach to this issue.

Thirdly, based on a broad interpretation of the content of the law of international cooperation in combating crime, we offer the following list of special principles of this branch of international law:

1) in relation to activities for the prevention, suppression, disclosure and investigation of international crimes and crimes of an international character:

- respect and protection of the rights and fundamental freedoms of man and citizen;
- providing legal assistance in criminal cases;
- refusal to cooperate in criminal cases of a political, military, racial or religious nature.

2) with regard to the process of bringing to justice those responsible for international crimes and crimes of an international character:

- the official position of a person who has committed an international crime does

not release him from personal responsibility;

- the inevitability of criminal punishment for the commission of any act that is considered criminal under international law;
- every person accused of an international crime or a crime of an international character has the right to a fair trial of his case in court;
- the principle of non-extradition of persons persecuted for political reasons;
- non-application of statute of limitations, for international crimes and crimes of an international character.

3) with regard to the establishment and formation of international justice bodies, international law enforcement organizations and bodies involved in such cooperation:

- the creation of such bodies only on the basis of or in pursuance of international treaties with the participation of the UN.

4) in matters of coordination of cooperation at the international level in the field of combating crime and the development of standards in this area:

- creation and development of special international institutions in the field of scientific research into the causes of crime, the exchange of relevant information and the implementation of necessary measures;
- exchange of experience in detecting, solving and investigating crimes.
- on issues of minimizing and eliminating the consequences of certain global criminal acts: compensation for victims of terrorist acts and manifestations of extremism; ensuring the arrest and prosecution or extradition of perpetrators of terrorist acts, in accordance with the relevant provisions of their national law.

As part of the provision of financial, technical, informational and other assistance in the field of combating crime: voluntary participation in such cooperation free of charge; exchange of operational-search, operational-reference and forensic information about crimes being prepared or committed and persons involved in them, as well as archival information and documents; exchange of scientific and technical information on the activities of internal affairs bodies, joint research, development and programs on topical issues of mutual interest.

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INSTITUTION OF MEDIATION AND LAW ENFORCEMENT PRACTICE FOR SOLVING LEGAL SITUATIONS

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Mediation is a conciliation procedure that involves a neutral, disinterested, impartial party to a conflict - a mediator. A distinguishing feature of mediation as a form of conflict resolution (dispute) between the parties, comparing rendering of judicial decisions, is the fact that the parties themselves come to mutually beneficial resolution of disputes, without third-party adjudication.

The fundamental task of the mediator in the framework of the conciliation procedure is to reduce the escalation of the conflict between the parties, to normalize emotions, to build relationships aimed at further cooperation – preservation of the relationship (in contrast to the adjudication, where in most cases, the parties remain dissatisfied with the court decision and the relationships move from the stage of «friendly» to the framework of «enemies», therefore, are irretrievable and only contribute to their deterioration), to lead to win-win and viable solution (this means that the mediator is obliged to highlight the disputed points in the contract, to talk them to the parties, to outline the obligations of the parties and their actions, in the course of failure to fulfill their duties, in the framework of a settlement agreement), to create a favorable environment (the peculiarity of this paragraph is that the mediator should favour the parties through the following principles of mediation: neutrality, impartiality, equality of the parties, confidentiality, voluntariness).

Currently the practical application of mediation in Kazakhstan is a pressing problem, as the procedure exists; however, the awareness is significantly low, so that this procedure is applied only after a proposal by the judge. Another important problem, apart from its low level of awareness, is the lack of confidence on the part of civil soci-

ety in the conduct of the mediation procedure. The parties believe that the presented conflict situation (dispute) and discussion of its sources should take place without the participation of third parties, decisions should be made without outside interference, public distrust and fear of disclosure of the causes of the dispute force to use only those methods of conflict resolution which are «verified».

At present, society in the territory of the Republic of Kazakhstan has been faced with such problem as the overload of the courts, which leads to a long consideration of the case, the protracted nature of the investigation - judicial litigation, which takes several years, failure to comply with court decisions and the enormous costs incurred by individuals and legal entities in court proceedings. Modernization of society, industrial and informative revolution in the lives of citizens has led to a huge number of disputes referred to the judges.

At the moment, basing on Article 1 of the Law of the Republic of Kazakhstan «About mediation» the following areas of application of this procedure can be distinguished: disputes arising from labour, civil, family, administrative legal relations and other social relations as well as cases of administrative offences in the course of criminal proceedings in cases of minor and moderate gravity, and serious crimes under Article 68, paragraph 2 of the Criminal Code. From this article we can emphasize the following: the parties have the right voluntarily in any area of legislation to resolve the conflict through negotiations, not through litigation and lengthy proceedings. Since mediation is entirely voluntary, the parties have the right to terminate the procedure at any time. The mediator does not have the right to compel the parties to continue the procedure or make a decision for them. The agreement is considered to have been reached in the course of a written agreement - a settlement agreement. The mediator should not force the parties to sign the contract, but rather should make sure that the provisions of the agreement are acceptable to both parties.

The benefits of this procedure include:

1. The introduction of a mediation procedure helps to reduce the workload of judges, which in turn should improve the speed and quality of adjudication in litigation.

2. Mediation in the sphere of corporate disputes, court decisions rendered negatively affect the relationship in this area, but in the application of mediation, the following goals are achieved: satisfaction of the interests of all parties of the conflict as the parties actively participate in reaching consensus, which directly depends on the development of further relations. As practice shows, the relationship is often not maintained after court decisions, which is directly contrary to mediation, when the parties successfully cooperate in the future.

3. Privacy. According to the Code of Civil Procedure of the Republic of Kazakhstan, court proceedings are public, if they do not contain state secret, which directly affects the parties of the conflict. In this case, the mediation procedure is in an advantageous position as all negotiations with the parties, as well as negotiations with each side separately, are strictly confidential. Also, the information issued in court, will be announced with the allowance of the parties of the conflict. Consequently, this procedure helps to reveal to the parties, not to be afraid to tell the truth in the current situation, which will help the mediator to see the root of the problem, which was probably previously deliberately kept secret by the parties, as well as to establish relationships between the parties and make a decision that both sides will agree to.

4. Time and cost savings.

5. Mediation is irreplaceable in civil disputes. So, for example, mediation is often

used in disputes arising from family legal relationships. A special place is occupied by disputes related to the custody of the child. Most of the time, the court adjudicates family disputes without dealing with the emotions of the conflicting parties. Family disputes are one of the most difficult, divorce of the spouses is not the solution that suits the parties. Most commonly in family conflicts, there is a «second bottom», which is not made public by the conflicting parties. Basically, the court will not deal with emotions and reveal the essence of the conflict as it is not within the jurisdiction of the court. The result of the court proceedings in family relations is the severed connection, the vision of the opponent in the form of «enemy», the aggressor, therefore, quite often the court makes a certain decision and the parties do not comply with it. Mediation looks at the root of the problems of the spouses, through negotiations with the parties emphasize sincere desires and motives of the parties, which helps to maintain the relationship, improve understanding between the parties and reduce escalation. Thus, there are a number of cases in practice when spouses come with an application for divorce and after mediation it is revealed that the filling of an application was an outburst of emotion and in fact the parties do not want it [1]. Therefore, through mediation we can not only protect, but also strengthen the institution of the family.

Negative aspects of mediation:

1. Difficulty in public awareness. Currently citizens are not aware of this institution of conciliation, which leads to a negative attitude to the mediation procedure.

2. Mediation is not always a method of conflict resolution. For instance, mediation does not apply to disputes arising from serious criminal offences. Family mediation, perhaps, is the first and most common form of mediation. Mediation is recognized as the most effective way of resolving all types of family conflicts and disputes.

The concept of family mediation is applied in various aspects - as a specialization of mediators in conflict resolution of a certain kind, a kind of mediative technology as well as a social institution in the national jurisdiction system. All these aspects combine one thing: the parties of the dispute (conflict) are relatives, most often - spouses or former spouses.

With all the variety of possible family relationships and the resulting disputes, they have common important features:

- close emotional connection of the parties;
- strong reluctance of sharing the peculiarities of the existing conflict to dedicate persons to others, in particular the existing conflict;
- deeply personal (intimate) experiences of participants;
- high emotionality of the conflict;
- the significant impact of the effects of conflict on the privacy of participants, and especially of future generations.

The resolution of family conflicts (disputes) is one of the most relevant issues of our time. So, on the strength of statistics for 2022: the marriage rate in the country decreased from 6.89 to 5.77 per 1,000 people, the divorce rate decreased from 1 to 0.94 per 1,000 people; in January-June 2022, 55.1 thousand couples registered marriage in Kazakhstan, which is 15.2% less than a year earlier. In cities, the number of marriages decreased by 5% per year to 42.6 thousand, in villages it decreased by 38.1% to 12.5 thousand [5].

However, according to the Committee on Legal Statistics and Special Records of the General Prosecutor's Office, during 6 months of the current year 23,755 civil cases on marriage and family disputes were considered by the court, and 22,341 of them were

satisfied. Of these, 18,282 civil cases on divorce and 1,510 civil cases for the recovery of alimony were satisfied”, which directly speaks of the instability of such a unit of society as the family [5].

Mediation does not involve consultation or psychotherapy. However, the process of joint resolution of specific problems often allows partners to listen to each other, perhaps for the first time in their lives. Some couples, while listening and trying to understand each other, notice that their perceptions and relationships change significantly. In several cases, sometimes it is possible to solve the problem without changing the relationship of people and without relieving them of negative emotions in relation to each other. Sometimes some couples experience a real catharsis, which allows them to move from exchanging angry reproaches and accusations to building a new relationship based on the principles of cooperation and confidence.

Restrictions on the use of mediation:

- recurring facts of domestic violence that are ongoing at the time of preparation for mediation or have taken place in the recent past;
- hard treatment with children;
- intimidation, threats, serious imbalance of power between the parties;
- mental illness of one of the parties;
- the incapacity of one of the parties;
- drug addiction of one of the parties;
- deliberate misrepresentation and provision of deliberately false information;
- refusal or inability to follow the basic rules of the mediation procedure.

In family conflicts co-mediation is often used in practice, its essence lies in the fact that the procedure is carried out not by one mediator, but by two at the same time. The reason for choosing this method of mediation may be: the perception of an interpersonal conflict in a married couple as gender, in which case the neutrality of the mediator in the eyes of the contending parties may be questioned: it may seem to clients that the mediator takes the side of a participant of the same gender, or vice versa, that he allegedly "fascinated" by a member of the opposite sex. Therefore, in family mediation, co-mediation conducted by a male mediator and a female mediator is very common: this allows maintaining gender balance and contributes to the perception of mediators by the participants of the procedure as a neutral party.

Application of this procedure takes place with the participation of a neutral party - a mediator, according to the law of the Republic of Kazakhstan dated January 28, 2021, the mediator is an independent, impartial person chosen by mutual agreement of the parties.

Based on this, it is worth making the following conclusion that the legal mechanisms for resolving dispute arising from family law:

- firstly, they cannot cope with the volume of incoming cases, due to excessive workload;
- secondly, the legal mechanism is not a fully satisfying factor for one of the parties.

A distinctive feature of disputes (conflicts) arising from family law relations is emotionality and unspoken grievances.

On the strength of this, legal mechanisms do not have the time and authority to work out the deep problems of the parties, in contrast to mediation procedures, during which the mediator establishes and harmonizes relations between the parties to the dispute, revealing hidden problems, while the mediator, unlike the judge, does not makes

decisions, the mediator allows the parties to identify the best solution to the conflict situation between the parties, by concluding an agreement on the settlement of the dispute.

The mediator guides the parties by asking questions during the procedure, as well as conducting individual conversations (caucuses), he reveals not only the reasons declared by the parties to the conflict, but also the deep interests of the parties.

That is why the use of the mediation procedure in marital and family conflicts is the most effective mechanism, as it satisfies the interests of both parties, emotions are worked out during the procedure, the participants learn not only to listen, but also to really hear each other.

An agreement on the settlement of a dispute occurs through negotiations between the parties with the participation of a mediator, during which the agreements of the parties are drawn up in writing. For the mediator, the key is the observance of the equality of the contract between the parties, consideration of the legality of the norms for both parties, since the procedure is based on the equality of the parties, the factor of mutual fulfillment of the contract terms and the elaboration of its points on the impossibility of the requirements enshrined in this contract is important.

In the mediation practice of the Republic of Kazakhstan, there are often mediation agreements in which the mediator and the parties have not agreed and prescribed the conditions that regulate the rights and interests of the party in case of non-fulfillment of the contract clauses. The agreement on the settlement of the dispute is legally binding and provides for the voluntary fulfillment by the parties of the agreement requirements, within the time period established during the mediation procedure.

The transaction has such features as a compromise of the parties, namely, the acceptance of conditions on the basis of a mutual agreement of the parties; loss minimization; reducing the intensity of the conflict; it has a temporary character. Conflict logical training has these features, it is also aimed at reaching an agreement between the parties, while the preservation of relations is put forward in the first place, which means that the conflict will not escalate. Loss minimization is characterized by many things, for example: temporary losses, in contrast to litigation, which are quite long-term; psychological and emotional stability - the preservation of trusting relationships, which in rare cases are such after litigation; material losses, etc. Conflict training has a temporary result, as well as any mechanism and institution for conflict resolution - this is the only disadvantage of these procedures.

Of course, there are situations when it becomes impossible to save the family; in these situations, the conflict can be resolved only through legal procedures.

Summarizing the above, it can be noted that the institution of mediation, based on the analyzed information, contains more positive aspects than negative ones. In the future, the Republic of Kazakhstan should take measures to inform this procedure, since many citizens of the country do not know about its existence and do not understand the essence of this procedure, which causes mistrust and negative perception. If this problem is solved, the number of disputes coming to the court will decrease, since the parties will be able to independently find a solution to the conflict situation, with the help of a mediator. Due to the mediation procedure, society will become less conflicted, relations between the disputing parties will be more harmonious, and not broken off, as after court decisions. The development of the institution of mediation will have a particularly favorable effect on the settlement of disputes (conflicts) arising from civil law relations, which once again emphasizes the discretion of this branch of law.

Mediation will favorably influence the following factors:

- firstly, to increase the effectiveness of satisfaction in resolving disputes, thereby increasing the level of public confidence in this procedure;
- secondly, it will have a positive impact on the work of judges, since most of the cases will not reach trial, therefore, the unloading of the court will lead to faster resolution of cases and the productivity of legal proceedings.

As well the difficulty of introducing the mediation procedure in the Republic of Kazakhstan is the insufficient number of professionals in this field, therefore, the state should pay attention towards the interested young generation for their development in this area and contribute not only to the development of theoretical, but also practical knowledge. In addition, there is difficulty in defining standards for the selection and accreditation of mediators, ethical standards for mediators, and complaint mechanisms.

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THEORETICAL AND LEGAL ANALYSIS OF THE FEATURES OF SECURING THE RIGHT TO LIFE IN INTERNATIONAL LAW

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Particular attention was paid to human rights after the end of the World War I, which claimed about 10 million human lives. However, it must be emphasized that the "reforms" of international law, and often the primary regulation of new relations between states, affected, first of all, the actions of states' representatives (primarily their armies) in the event of hostilities.

It is generally accepted that for the first time the right to life was enshrined in an international act of a universal nature after the World War II, with the adoption of the Universal Declaration of Human Rights in 1948. Art. 3 of this act contained a direct provision that "every person has the right to life, liberty and security of person", thus uniting the three values contained at that time in most democratic constitutions of the world [1]. The Universal Declaration was supported by 48 countries, only the countries of Eastern Europe, South Africa and Saudi Arabia abstained from voting, not a single "against vote" was cast. It is noteworthy that in the article-by-article voting, Art. 4 (in the final numbering - Article 3), which enshrines the human right to life, was adopted unanimously and without additional debate and initiated amendments.

At the same time, as S.V. Chernichenko notes, in fact, certain criteria for fundamental human rights and freedoms were established by the UN Charter even before the adoption of the Declaration. According to him, "The UN Charter, without specifying the concept of human rights, nevertheless contains several guidelines that contribute to this to a certain extent" [2]. In particular, S.V. Chernichenko compares the provision of the Charter on the dignity and value of human life with the human right to life. It is difficult to disagree with this opinion. At the same time, in the form of a declared international legal norm, the right to life has already been enshrined directly in the Universal Declaration of Human Rights.

We should note that, despite the fact that it was the Universal Declaration of Human Rights that had a decisive impact on the law-making of many states, being adopted as part of or influencing the constitutions of states created after the adoption of this act. According to W. Yagawick, "at least 90 national constitutions adopted after 1948 contain a list of fundamental rights that either reproduce the provisions of the Declaration or are included in them under its influence" [3]. Moreover, it is widely believed that the Declaration is a collection of norms of customary international law, thus being binding on all states recognizing it. In particular, V.A. Kartashkin argued that "the fundamental rights and freedoms proclaimed in the Universal Declaration are currently considered by almost all states of the world as legally binding customary or treaty norms. The constitutions of many countries of the world directly refer to this document and include a number of its provisions. At the same time, the principles and norms set forth in the Universal Declaration of Rights are constantly evolving and being refined in the course of concluding new international agreements" [4].

At the same time, R. Muellerson notes that such an approach is rather a desirable option than dictated by legal facts [5]. In his opinion, in order for the norms of the Declaration to become binding on everyone as ordinary, it is necessary, in accordance with the concept of a customary norm, to prove the universal applicability of this norm in legislative and, no less important, judicial practice. However, both national and international courts have repeatedly pointed out in their practice the special significance of the Declaration.

In addition, the Declaration even today serves as the basis for the adoption of other humanitarian acts, and the fundamental nature of the norms of the Declaration has been repeatedly emphasized in various regional acts, conference proceedings and other documents. For example, the "Final Declaration of the Asian Regional Meeting of the World Conference on Human Rights" dated April 2, 1993 contained a provision emphasizing the commitment of the Conference participants to the principles of the Universal Declaration and the full realization of human rights throughout the world.

At the same time, R. Muellerson believed that only some provisions of the Declaration can be recognized as generally binding [5]. In his opinion, only a part of the rights declared in the Declaration should be guaranteed by states, regardless of their participation in the relevant international treaties. These, according to the lawyer, include the right to life, freedom from genocide, apartheid and other forms of racial or national discrimination, freedom from torture and slavery. However, it is difficult to agree with this opinion for a number of reasons. First, it seems that all the human rights indicated in the text should be guaranteed and protected equally, due to the fact that it is the combination of rights that ensures the completeness of a person's ability to dispose of them and fully exist in society. In addition, S.V. Bakhin rightly notes that "in addition to those named, the so-called absolute rights are obligatory for states, i.e. rights which, ac-

cording to Art. 4 of the Covenant on Civil and Political Rights are not subject to any restrictions even during a state of emergency in the state, when the life of the nation is in danger" [6].

H. Hannum argues that "Article 3, which guarantees 'the right to life, liberty and security of person', is perhaps too general to serve as a valid international norm, although it has often been noted that the provision for the protection of the right to life falls within under customary international law" [7]. Meanwhile, the Declaration, as already noted, appears not so much as a collection of specific norms (having no legal force), but rather proclaims the most general principles of international and domestic law. In more detail, the norms are fixed in local regulations, international legal acts of a regional nature and judicial practice.

In particular, the consolidation of the right to life was further developed already in the European Convention on Human Rights and Fundamental Freedoms of 1950. Art. 2 of the ECHR not only contained the rule that "the right to life of every person is protected by law", but also reveals to some the concept of the right to life in the wording of the prohibition on taking the life of another person [8]. According to V.A. Tumanova and L.M. Entin's right to life "means that the state is under a positive obligation to do everything to ensure that human life is out of danger [9]. However, an obligation to prevent any possibility of the use of violent measures cannot be derived from this. Moreover, Art. 2 of the ECHR not only defines this concept in a certain way, explaining how this right can be violated, but also provides for possible circumstances when a person can be legally deprived of life. Art. 2 provides for 4 cases of lawful deprivation of a person's life:

- 1) to protect any person from unlawful violence;
- 2) to carry out lawful detention or prevent the escape of a person lawfully taken into custody;
- 3) to suppress, in accordance with the law, a rebellion or rebellion;
- 4) in execution of a death sentence pronounced by a court for committing a crime for which such punishment is provided by law.

It is noteworthy that this list does not contain an indication of the legality of taking the life of another person during hostilities. At the same time, documents relating to the conduct of hostilities and the behavior of participants in a military conflict, as a rule, specifically fix the rights of prisoners, the wounded, as well as the civilian population, while the right of combatants to life is in fact not only a permanent object of encroachment in time of war, but is also in many ways the goal of the conflict itself or a way to achieve its goal. Moreover, Art. 15 ECHR emphasizes the importance of the right to life, noting that "in case of war or other emergency threatening the life of the nation, any of the High Contracting Parties may take measures derogating from its obligations under this Convention ... (However) this provision cannot serve as a basis for any derogation from the provisions of Article 2." Meanwhile, there is an exception here - the Convention specifically indicates the prohibition of such restrictions "except in cases of loss of life as a result of lawful military action." Thus, during the conduct of war, the killing of people, especially combatants, is justified and completely legal.

It should be noted that on December 1, 2009. In Europe, the Charter of Fundamental Rights of the European Union came into force [10].

This charter, signed in 2000, according to a number of researchers, is a progressive act, summing up "all the previous development of human rights ideas in constitutional and international law, not only in Europe, but throughout the world." Within the

framework of the topic under study, we note that Art. 2 of the Charter regulates the human right to life and, in addition, directly prohibits the use of the death penalty, indicating that "no one can be sentenced to death or executed."

The International Covenant on Civil and Political Rights of 1966 also emphasized the importance of the right to life as an inalienable right of every person protected by law. In accordance with paragraph 1 of Art. 6 of this Covenant "no one shall be arbitrarily deprived of life" [11]. At the same time, the word "arbitrarily" implies certain restrictions on this right, indicating certain circumstances when a person can be deprived of life on certain legal grounds. Indeed, such circumstances are given later in the same article. Thus, special attention in this Covenant is traditionally paid to the application of the death penalty. Unlike Art. 2 of the ECHR, which allows the deprivation of life "in execution of a death sentence imposed by a court for an offense for which the law provides for such a punishment", Art. 6 of the Covenant details in some way the circumstances in which such a sentence may be imposed, stating that "death sentences may only be imposed for the most serious crimes, in accordance with the law in force at the time the crime was committed. This punishment can only be carried out in pursuance of a final judgment rendered by a competent court".

In practice, however, the "most serious crimes" provision turns out to be practically meaningless. It is obvious that the death penalty, which is an exceptional measure of punishment, is applied to crimes recognized as the most serious and dangerous to society. However, this qualification of the crime is not always objective. Since there is no list of crimes recognized as the most dangerous and for which the death penalty is allowed, and, most likely, will not be created in the near future, this group of acts is determined exclusively by the state itself, which has the opportunity to attribute to it almost any crime in accordance with the internal idea of its danger. It is necessary to emphasize the factor of "finality" of the sentence. That is, this punishment, in view of its exceptional and irreversible nature, can be enforced only if the possibilities for appealing against decisions on appeal and cassation have been exhausted. This provision additionally protects citizens from deprivation of life in the event of a miscarriage of justice or an unfair trial, leaving additional time both for proving the innocence of the accused, and for a possible pardon, amnesty or change in other circumstances of the case (for example, the possibility of abolishing the death penalty as a punishment in principle in as a result of changes in domestic law or upon accession to an international treaty).

In addition, the Covenant refers to the right to life to the Convention on the Prevention and Punishment of the Crime of Genocide [12]. According to this Convention, genocide is recognized, among other things, the killing of members of the national, ethnic, racial or religious group against which this crime is committed. It should be noted that the reservation contained in the text is an international legal guarantee that genocide committed by a state or a group of persons that has the ability to change the rules of law within the country or otherwise influence changes in legislation will not be interpreted as deprivation of life in accordance with the current legislation right.

Additional restrictions on the use of the death penalty are contained in Art. 4 of the American Convention on Human Rights of November 22, 1969 [13]. This article, like Art. 2 ECHR or Art. 6 of the above Covenant regulates the human right to life. First of all, this article contains a provision that the death penalty is not reintroduced in those states that have abolished it (clause 3, article 4). It also prohibits the imposition of the death penalty for political offenses or related common crimes. We should note that this rule implies certain restrictions on the imposition of a sentence of deprivation of life in

national law, in contrast to the provisions of Art. 2 of the ECHR, indicating the possibility of applying the death penalty in accordance with applicable law, without any restrictions.

The African Charter on Human and Peoples' Rights, adopted in June 1981, quite briefly characterizes the human right to life [14]. Art. 4 of this act is limited to the provision that "human life is inviolable... No one can be arbitrarily deprived of this right." We should note that this article does not provide for any reservations or additional restrictions on the possible legal deprivation of a person's life.

It should be noted that one of the current trends is also the additional consolidation by special international acts of the need for additional protection of the lives of persons unable to fully defend their rights. In these cases, the sources of law, as a rule, stipulate certain special conditions for the protection of the right to life, as well as the circumstances of the possible deprivation of life of certain persons. Thus, certain restrictions on the use of the death penalty are contained in the text of the International Covenant on Civil and Political Rights. In particular, paragraph 5 of Art. 6 of the 1966 Covenant contains the provision that "the death penalty shall not be imposed for crimes committed by persons under eighteen years of age, and shall not be carried out in relation to pregnant women". Note that in relation to pregnant women, only the execution of the sentence is limited, while the possibility of passing the sentence is not limited in any way.

Meanwhile, the provision on the protection of children from the use of the death penalty is further reinforced by the norms of the Convention on the Protection of the Rights of the Child, adopted by General Assembly resolution 44/25 of November 20, 1989 [15]. Art. 37 of this Convention states that "Neither the death penalty nor life imprisonment... shall be imposed for crimes committed by persons under 18 years of age." It should be emphasized that this Convention is one of the few acts ratified by the absolute majority of countries in the world. As of June 2009, it has been ratified by 193 states of the world, including all UN members, except for the United States and Somalia. It is noteworthy that the United States actively participated in the creation of the text of the document, and even signed it on February 16, 1995, but ratification did not follow. There are several reasons for refusal to ratify. First of all, the US Senate points out that, if ratified, the Convention would be contrary to Texas law, which allows the death penalty to be applied to minors, contrary to the above provision of the Convention. In addition, according to a number of lawyers, the adoption of this act may adversely affect the rights of parents in relation to the upbringing of children, which will lead to a negative reaction from society, an increase in crime and other adverse consequences. Certain protests are also voiced by religious and public organizations. It is noteworthy that in his speech at the pre-election debate at Waiden University in October 2008, US President Barack Obama called the non-ratification of the Convention unfortunate and promised to reconsider this issue. However, the above arguments against the adoption of this Convention in no case directly affected the right to life.

In addition, additional protection of the right to life of children was the adoption of an additional Protocol to the Convention on the Protection of the Rights of the Child, which prohibited the participation of children in armed conflicts. When adopting the Protocols, the position of the United Nations, previously reflected in the statute of the International Criminal Court, was taken into account, in accordance with which the conscription and mobilization of children is a war crime. Taking into account that a very significant part of the cases of violation of the right to life (not to mention the threat of

killing “legitimately”) occurs during armed conflicts, and children, as a rule, do not have the opportunity to provide significant resistance to the enemy, the adoption of these additions strengthened the protection of the right to life of persons under 18 years of age.

Further, the already mentioned American Convention on Human Rights, in addition to prohibiting the imposition of the death penalty for crimes committed by minors, further limits the possibility of legal deprivation of life of older people. In accordance with paragraph 5 of Art. 4 “The death penalty shall not be imposed on persons who were under 18 years of age or over 70 years of age at the time of the commission of the crime . Note, however, that we are talking specifically about the sentencing of persons who have reached the age of 70 at the time of the commission of the crime, while the imposition of the death sentence on persons who are 70 years of age at the time of the trial, as well as the enforcement of a sentence previously passed on legal grounds, in relation to this age group has no grounds for restriction.

Indigenous peoples are among the groups of persons for whom additional guarantees of rights are established by international instruments. The legal status of indigenous and often small peoples does not always fully comply with the legal provisions of domestic and international law. In this regard, on September 13, 2007, the UN Declaration on the Rights of Indigenous Peoples was adopted, which additionally secured a number of rights of persons belonging to this legal and social category [16]. Despite the fact that all these rights have been repeatedly enshrined in global international acts, this document additionally emphasized the equality of the indigenous population in relation to other persons living on the territory of a particular state. As the creators of this Convention noted, the adoption of this act was the result of concern that “indigenous peoples have been victims of historical injustices as a result, inter alia, of their colonization and deprivation of their lands, territories and resources, which prevents them from exercising, in particular, their right development in accordance with their needs and interests”. Among others, in Article 7 of this document, the right to life has found its consolidation.

Given the above, we can conclude that today the right to life is, along with the right to protection from torture and ill-treatment, one of the most fundamental and protected, which is confirmed by its consolidation in both national and international law. At the same time, the right to life, in contrast to the right to protection from torture, cannot be considered absolute and inalienable due to the fact that the rules governing this right, in most cases, provide grounds for allowing state intervention and its restriction in order to protect the rights of others. citizens. In addition, the provisions enshrined in international and national acts, for a number of reasons, cannot fully reflect the essence of this right, as well as the obligations of participants in the legal process in relation to its protection. First of all, the very wording of the rule that enshrines the right to life is usually rather brief, establishing either the very fact of the existence of such a right (the Universal Declaration of Human Rights), or pointing to certain legal restrictions, as well as certain procedural aspects of protecting this right in the event of its violation (European Convention). However, this state of affairs seems to be quite justified and logical. There is no doubt that, given the constant development of the law as a whole and the incalculable number of individual cases requiring consideration, the provisions of normative acts are not able to reflect the whole variety of situations where the right to life can be recognized as violated, as well as the specifics of the obligations of subjects of law and other details.

In this regard, the role of the judiciary and other bodies is especially important, due to the interpretation of the rules of law, expanding their scope and considering in detail certain situations that accompany the daily activities of a person and the state.

It is the consideration of practical cases, as well as the interpretation of existing norms, that contribute to a more complete realization by citizens of their rights, as well as their greater protection by the state and authorized international bodies.

At the same time, of course, without legislative consolidation of the foundations of law in the relevant documents, it was difficult to talk about any kind of interpretation, improvement or development, because it is legal acts that create the opportunity for the application of legally significant norms in practice. This circumstance once again confirms that any norm should combine both theoretical and practical principles, without the combination of which it would be a purely nominal rule, not fixed in any way and not meeting the requirements of objectivity, fairness and applicability in practice.

In this regard, in some cases it is said that it is the European Convention, its Protocols, as well as a number of more specialized acts of the European community that represent the most developed system for the protection of human rights in the world.

International human rights standards aim to protect the rights of any individual living in any part of the world. In the territories of the EU member states, the rights of an individual are not legally protected more widely than in other countries of the world. At the same time, one cannot but admit that, with the relative equality of the legal consolidation of the protection of human rights in Europe with other regions of the world, the European community has at its disposal a powerful human rights institution - the European Court of Human Rights. Given the workload of the European Court, as well as the diverse nature of the cases it considers, we can say that today this body is largely a leader in terms of its authority in the field of human rights protection. It is the activity of the ECHR on the application in practice of the norms of the European Convention that is the most indicative in this regard and at the same time the most relevant and important example for domestic law.

However, before proceeding to consider the current situation with the protection of this right and its individual aspects, it seems particularly important to determine how the right to life should be considered in the context of this work. To do this, first of all, it is necessary to pay attention to the provisions of the regulatory legal acts of the national and international level discussed above.

Due to some understatement that takes place in the normative acts, the topic of the definition of the right to life has received significant development in the works of legal scholars. As practice shows, the modern legal understanding of the right to life undoubtedly goes beyond the right to immunity on the part of other persons and the state.

However, it seems that researchers are happy to consider this right in a too broad sense. Thus, some authors define the right to life as "a natural human right, the protection of which covers a wide range of active actions of all state and public structures, each individual person to create and maintain a safe social and natural habitat, living conditions".

As G.B. Romanovsky notes, the identification of the right to life only with the right to biological existence made it possible to come to the conclusion that a person, as a biological species, least of all needs the state and law, which means that the right to life only implies the actual state. At the same time, it cannot be denied that this right is in direct relationship with other rights enshrined in the relevant acts [17].

However, the inclusion in the concept of the right to life, in particular, certain as-

pects of the right to a safe environment, health, protection from torture and ill-treatment and other rights specifically stipulated by law makes the relevant norms duplicative, only additionally designating certain moments of the right to life.

It seems that the right to life is thus in many respects equivalent to the concept of “protection of the right to life” in the sense that the wording of a normative act on a person’s right to life automatically means not the right to live in principle and in no case a blessing bestowed by the state, but implies the obligation of other persons, society and the state to respect and, in accordance with the subject and its legal status, protect the life of a full member of society and a citizen of the state.

We should agree with the opinion of G.B. Romanovsky, that the right to life presupposes the existence of a legal mechanism for its protection, as well as an effective mechanism for investigating each case of termination of life and establishing responsibility for illegal termination of life [17].

Thus, the normative content of the right to life should be perceived as the right of the individual to a safe existence in society, that is, the duty of other persons, society and the state to respect this right, not to encroach on the life of its bearer, and also, in accordance with the obligations imposed by the rules of law, protect it from possible attacks. At the same time, the characteristic of “inalienability”, “absoluteness”, which is often used by researchers, as already noted, in this case does not seem to be entirely justified, since modern norms of law, both at the national and international levels, suggest that the state has the possibility of legally restricting a person’s right to life in connection with with certain circumstances.

Today, ideas about the right to life can generally be called established. This right is enshrined in most countries of the world and is protected by both national and international law. At the same time, the brief nature of the wording of normative acts plays a dual role.

On the one hand, this circumstance allows sometimes not quite conscientious law enforcers to detract from certain opportunities for individuals to exercise and protect this right.

On the other hand, such brevity allows the judiciary to somewhat expand the traditional ideas about the right to life, considering within its framework the negative and positive obligations to protect it, as well as comparing it with This right is a separate legal phenomenon, the status of which has not yet been fully determined.

Indeed, a number of issues of protecting the right to life remain unresolved today: the status of the death penalty, euthanasia, certain issues of protecting the lives of people in armed conflicts are still problematic aspects of this right.

Apparently, it is the judiciary that will have to take on the interpretation of certain phenomena within the framework of already created rules of law, recognizing a particular situation as falling under the right to life or, on the contrary, representing a separate phenomenon within the framework of other rights and obligations. Thus, it is the judicial bodies of the international level that appear not only as the main interpreters of the rules of law, but also, thus, the creators of new rules of conduct, new ideas about the scope of certain rights and their possible limitations.

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PROBLEMS OF FREE MOVEMENT OF WORKERS: PECULIARITIES OF LEGAL REGULATION IN THE EUROPEAN UNION

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Considering freedom of movement, based on the characteristics of the set of rights and obligations specific to certain categories of individuals, it is possible to trace the development of the economy, politics and law of the European Union as a whole. Analyzing the historical stages of the Union's development, one can clearly see a change in the orientation and dynamics of the implementation of its main objectives and goals. If initially it was created to solve primarily the issues of economic integration and, consequently, most of the processes within the European Union were aimed precisely at this, then in the course of time this European interstate formation has changed the orientation and legal formulation of its policy, taking into account historically established values, changing ideological, social and philosophical approaches as well as cultural heritage of nations. The center, to which the ideologists of Greater Europe seek to tie all other tasks and activities, is once again proclaimed the person, the individual, the citizen [1].

Of course, we cannot say that the economy has receded into the background. In this situation, it would be appropriate to speak of a gradual transition to a model in which financial and economic processes must be balanced by a political and ideological component, part of which is the protection and support of social institutions, personal development and strengthening the role of the individual in public life.

Thus, initially, Community law regulated the right to free movement for categories of persons who move for the purpose of employment or self-employment. It would be most appropriate to begin the analysis with the category of workers, since it was this group of people who were the first to receive the rights of free movement within the European Union. This was due to the post-war difficulties in the European labor market and the need to develop labor mobility in Europe.

Since 1968, the number of acts regulating the freedom of movement of workers within the Community has gradually increased. Regulations and directives have appeared such as:

- Regulations governing the right to remain in the territory of a member state after employment (1970);
- Directive abolishing restrictions on movement and residence within the Community for citizens of Member States within the framework of freedom of establishment and freedom to provide services (1973);
- Directive regulating the right of permanent residence, as well as the directive on the right of residence for employees and entrepreneurs who have terminated their professional activities (1990);

Taken together, these measures were aimed at creating a common Community migration policy, although regulation of this area at the national level still prevailed. The need to regulate labor migration was largely met by bilateral agreements between member states.

In 1987, the Single European Act continued the development of migration policy in the competence of the Community and aimed at facilitating the implementation of the freedom of movement of workers within the common market, the completion of which was foreseen in 1993.

The Maastricht Treaty of 1992 resulted in stricter migration conditions for third-

country nationals. However, under the pressure of political criticism and an unstable economic situation, the conditions of freedom of movement established by the Maastricht Treaty were liberalized by the Amsterdam Treaty of 1997 [2; 3]. Its main innovation was to move migration policy and employment issues from intergovernmental to Community jurisdiction (from the "third pillar" to the "first pillar"), thus making decisions in the field of general migration policy of the European Union legally binding on the member states. The goals set by the Treaty of Amsterdam amending the Treaty on European Union, the treaties establishing the European Communities, and a number of related acts of 1997 were to be achieved by 2004, the deadline set for completing a more democratic approach to the freedom of movement of individuals within the European Union in general and labor migration in particular.

We would like to formulate conclusions about some peculiarities of that period in the sphere of free movement of workers in the European Union. Thus, the regulation of the policy of freedom of movement by the Union was limited to labor migration of citizens of member states, while the movement of third-country nationals was under the jurisdiction of member states and regulated by national legislation.

Initially, the regulatory system was ineffective and included too many criteria for free movement, even for citizens of member states. Therefore, the main migrant flows were generated through illegal movement. Further liberalization of freedom of movement did little to change existing migration flows.

Another aspect of the limited regulatory system stemmed from the lack of strong information and legal links between national labor markets. Before the creation of EURES (the System of European Employment Services), established relatively recently, there were no special institutions capable of regulating the unskilled labor market and of maintaining a unified information base on the availability of jobs in a given member state.

Thus, we see that the policy on freedom of movement in the European Union, based on the Treaty establishing the European Community, has been gradually supplemented by other agreements and numerous regulations and directives. This process has demonstrated relatively favorable trends in the development of legal provision in the area in question. The constant "confrontation" in this sphere between the member states and the institutions of the Union, allowed to form a balanced legal regulation, based on legislation that meets the spirit of the times and the basic needs of the stakeholders.

The main source of primary law providing for the free movement of workers in the European Union is the Treaty Establishing the European Community. Section III, part three of Article 39 of the Treaty formulates the basic provisions of the freedom of movement of workers [4]. Other articles of the section stipulate the obligation of the Community institutions to adopt regulations and measures necessary for the introduction of freedom of movement of workers, as well as to implement measures in the field of social security, which are necessary for the implementation of free movement of workers in the European Union.

The norms on the free movement of workers set forth in Article 39 of the Treaty ensure:

- Freedom of movement of employees within the Communities;
- The abolition of all discrimination on the basis of nationality among the workers of member states in the areas of employment, remuneration, and other working conditions;
- Member States' ability to restrict the right to free movement of workers only for

reasons of public order, public safety and public health;

- The ability of workers to accept realistic job offers in the host member states;
- The ability to move freely for these purposes within the territory of member states;
- Ability to stay in one of the member states while engaged in employment in accordance with the legislative, regulatory and administrative provisions governing the employment of nationals of that state;
- The right to remain in the territory of a Member State after completion of employment in that State, under conditions to be determined by regulations adopted by the Commission [4].

Before we begin our analysis of the legislation, let us define the subject to which it applies.

It should be noted that there is no universal definition of an employee in European law, since its meaning varies somewhat, depending on the sphere in which the term is used. For example, the definition of an employee for the purposes of Article 39 and Regulation 1612/68 differs from the similar understanding of an employee in Article 51 (formerly 61) and Regulation 1408/71.

For the purposes of the study, we need to define what is meant by efficiency and reality of economic activity. These two concepts are interrelated, since the reality and efficiency of an activity is manifested by its results, the presence of which implies its authenticity. In this regard, we also need to provide some clarification on such concepts as "part-time employment" and "ancillary work."

The rights available to workers under European law apply not only to full-time workers, but also to part-time workers, even when their income is below the established subsistence minimum. Consequently, in the Levin case, the trainee teacher was found to be an employee even though she used her own sources to reach the established social minimum.

In the Kempf case, the Court went further, finding that a part-time music teacher who earned less than the established subsistence minimum could claim social assistance from public funds and was considered an employee, based on the meaning of European Union law [5].

Earlier, in Levin, the Court also held that simply establishing the fact that a person is economically active is sufficient to determine whether the person is an employee.

Despite this, in Betray, the Court found that the primary purpose in obtaining employment in another member state cannot be to benefit from worker status while taking into account national law. This case is one of the rarest examples of a restrictive approach to worker status, and responds to concerns expressed by member states about possible abuse by the economically active part of migrants of generous social benefits and conditions in certain member states of the Union.

In the aforementioned case, Bitri was employed only to participate in a drug rehabilitation program under Dutch social employment law, the purpose of which was to rehabilitate and reintroduce temporarily disabled workers into the labor market. The court assessed the authenticity of the individual's employment goals. Since the true purpose was not the desire to work in that Member State, but to meet the needs of the individual through the social system established in the Member State, no genuine economic activity was found in the actions of the Union citizen. As a result of the examination of the case, the Court ruled that in the above-mentioned case the individual could not benefit from the guarantees established by Union law for migrant workers.

However, the Court is usually more lenient in its approach to defining economic activity and employee status.

Another element of employee status is subordination. As noted above, the Court found that "employee status refers to people who perform work or services for and under the direction of another person. In *WeNgau*, the Court reiterated the above language. Some scholars distinguish between economic subordination, where an employee is economically dependent on another person and their only source of income is their employer, or legal subordination, where a person performs actions on the instructions of an employer, who explains the nature of the work, assigns specific tasks, and chooses the methods of work. The court gives preference to the latter type of subordination, explaining that the activity must be carried out under the instructions of an authorized person, who has the right to give guidelines and apply appropriate sanctions in case of failure to comply with the instructions or their improper execution.

When studying this issue, it seems to us important to note the combination of such elements as remuneration and legal subordination. Thus, the employee is not always legally subordinate to the employer. For example, in French law, the concept of legal subordination is characteristic only for the employment contract. In the case of an employment relationship, the manager of a legal entity receives his or her remuneration, but is not always legally subordinate. In this case we believe that the legal status of this category of persons can be identified on the basis of Article 43 of the Treaty establishing the European Community, according to which the freedom of establishment is "activity which is not wage labor, the creation of enterprises (including societies within the meaning of the second paragraph of Article 54) and their management under the conditions determined by the legislation of the country of establishment for its own citizens, while respecting the provisions of the chapter on capitals" [6].

The next feature in determining employee status is the right to remuneration. According to the decision of the Court of Justice of 3 July 1986 in the *Wit* case, the status of a worker is characterized by the right to remuneration in exchange for work performed. Article 141 of the Treaty establishing the European Community gives the following definition of remuneration: "For the purposes of this article, 'wages' means ordinary pay or ordinary salary of a basic or minimum nature and any other allowances paid directly or indirectly, in cash or in kind, by the employer to the worker in connection with the latter's employment.

An important issue that deserves special attention is the amount of remuneration. Is the amount of remuneration crucial and how does it affect an individual's eligibility for worker status, especially in cases where the remuneration is below the established minimum? According to the Court, the amount of remuneration is not a significant factor affecting the recognition or non-recognition of an individual as an employee.

For a more complete study of the issue under consideration, it is important to consider the aspect that relates to additional income acquired by an employee not in the main place of employment.

Additional remuneration does not affect the granting of employee status, "there is no fundamental difference between a person whose material well-being is based on wages and a person who relies to a greater extent on other sources of income, such as non-work income or income of his family members.

Thus, we can conclude that to determine the status of the employee is important the fact of the existence of a remuneration falling under the definition set out in Article 141 of the Treaty establishing the European Community [5]. Other characteristics of

remuneration are not particularly important for the purposes of application of the European legislation in this area.

Consequently, the courts of member states, when considering the applications of interested persons, are required to take into account the provisions of the Court of Justice of the European Communities in the application of Union law on freedom of movement and social protection of workers.

For the correct application of the rules of European law, it is necessary to determine the status of an employee. At the same time, in the *Sotgiu* case, the Court held that the legal regime relating to the employment relationship does not always affect a person's status as a worker. Therefore, the presence or absence of such a relationship is immaterial for the application of the norms referred to in Article 39 of the Treaty establishing the European Community.

Based on the above, we can conclude that although Article 39 of the Treaty deals with employees, the rights contained in it can be extended to other groups of people.

Among the above normative acts of particular importance is Directive 2004/38/EC [7]. Entering into force on April 30, 2006, it became a kind of a code of freedom of movement of citizens of member states in the combined territory of member states of the European Union. This directive combined and in many ways transformed almost all the normative acts in the studied area that existed at the time of its creation. In fact, the Commission Regulation (EC) No. 635/2006 only refers to the Directive, stating that Art. 17 of this document duplicates the rules of Regulation 1251/70/EEC and is to be repealed in order to harmonize legislation.

Let us consider the basic rights of employees, based on the norms of Article 39 of the Treaty establishing the European Community and the regulations adopted in accordance with it. First of all, it is necessary to pay attention to the employee's right to travel freely to the territory of a member state. This right covers two sets of issues that are related to this right of the employee:

- the right to freely leave the member state of which he is a citizen;
- the right to freely enter the territory of the host member state.

Article 4 of the Directive of 29 April 2004 provides for the right of a worker to leave the territory of any Member State in order to travel to another Member State. Any action concerning workers which establishes an obstacle to "a national of a Member State leaving the territory of his country of residence in order to exercise his right to freedom of movement" is unlawful.

However, Article 4 of the Directive stipulates that a person must have a valid identity card or passport of a Union citizen. In turn, each Member State is obliged to admit nationals of other Member States who have expressed a wish to enter the territory of the said State upon presentation of their identity card or passport. "Persons referred to in §1 are not required to possess an entry visa or equivalent document." The guarantees of compliance with the above principles have been implemented in the judgments and legal clarifications of the Court of Justice of the European Communities, in particular its prohibition of additional administrative formalities and of the imposition of additional barriers by the authorities of the member states. Thus, in the case of *Commission v. Kingdom of the Netherlands*, the State of the Netherlands asserted its right to apply legislation whereby nationals of a member State may be required to answer questions from customs officers concerning the purpose and duration of their journey and the financial means at their disposal before they are permitted to enter the Netherlands. The Court found that "Dutch law in this area is incompatible with Community law, namely Direc-

tives 68/360 and 73/148, whose wording is identical in both cases, according to which only a valid identity card or passport is required for nationals of one Member State to enter freely into the territory of the other Member States [8].

Within the framework of the freedom of movement of workers, the right to remain in the territory of the host Member State for a long period of time is important. The right to remain in the territory of a member state is one of the fundamental rights of workers under Article 39 of the Treaty establishing the European Community.

It should be noted that the right to stay in the territory of a member state only comes into effect if the person is going to stay in the country for more than three months, since a shorter period of stay does not require any formalities other than an identity card or passport.

In the case of a long-term stay or residence, Union law requires compliance with certain administrative formalities. For example, the Directive provides for the right of Member States to impose an obligation on Union citizens to register with the competent authorities.

The documents on the basis of which a worker receives a certificate of registration, in addition to the identity card or passport, include a commitment to work issued by the employer, a certificate of employment or proof of non-salaried employment.

Union case law has affirmed the ability of nationals to move freely within the territory of another member state and to reside there temporarily for the purpose of employment. The Court also confirmed that a job-seeker is not accorded the same status as an employee. In turn, Member States have the right to require a person to leave the territory if no work is found within a certain period of time. At the same time it was clearly stated that the person must be given reasonable time to obtain information about the actual offers on the labor market, corresponding to his professional qualifications, and to take the necessary steps to find a job [9].

The Court, however, did not clarify what constitutes a reasonable period of time, stating only that six months "is not always a sufficient period to find work.

In *Commission v. Belgium*, the Court reaffirmed previous case law, explaining that Article 39 of the Treaty entails a right for nationals of Member States to move freely within the territory of other Member States as well as to remain there for a reasonable period of time with a view to seeking employment. Consequently, in this case, the norms of the national law of the Member State, which provided for the automatic termination of the legal residence of the job-seeker after three months, violated Community law.

Directive 2004/38/EC of the European Parliament and of the Council of 29 April 2004 partially amended the preexisting legislation concerning the exercise of the right of residence of Union citizens in the host Member States. Before the above-mentioned Directive this area of relations was regulated by Article 4, Directive 68/360/EC and regulated the confirmation of the right of residence in the territory of a Member State in a document called "Residence permit for a national of an EU Member State. The new directive introduces the concept of "registration certificate, which implies the declarative principle and is issued to the employee immediately after registration, indicating the name and address of the registered person, as well as the date of registration. The registration certificate is issued free of charge by the member states, or at a proportionate cost, which is stipulated for the issuance of similar documents in case they are obtained by the citizens of that state.

On the basis of Article 22 of Directive 2004/38/EC, the right of long-term resi-

dence and the right of permanent residence extends to the entire territory of the host Member State [7]. Territorial limitations on the right of residence and the right of permanent residence may be imposed by Member States only where they are equally applicable to their own nationals.

The new legislation also corrected the approach to the calculation of the period of permanent residence. Although the time limit itself remained the same (five years), the approach to the status of persons has changed. § Art. 6 (1) (b) of the old Directive 68/360/EC stipulated the automatic renewal of the residence permit after five years. Article 16 § 1 of Directive 2004/38/EC further simplifies the above-mentioned procedure for securing permanent residence within a Member State. "Union citizens who have lawfully resided in the territory of the host Member State for a continuous period of five years shall acquire the right of permanent residence in its territory. Although the number of renewals of residence permits under the former legislation was not limited, this approach to the permanent residence status still created symbolic barriers, the removal of which, even from a formal point of view, under the new Directive was a further step towards facilitating the exercise of the right to free movement of workers.

It should be noted that despite the simplification, greater efficiency and liberalization of the rules of European law governing the right of residence in the host Member States, in its report the Commission stated that it "still receives a large number of complaints from citizens from whom, when applying for registration, the national public authorities require additional documents (such as tax returns, medical certificates, wage certificates, electricity bills, etc.) not provided for in the legislation". In the same report, the Commission once again noted that the right to employment is not related to obtaining the right of permanent residence. According to citizens' complaints, it is not uncommon for employers to make the right to permanent residence a precondition for an employee to be employed in certain positions, which is contrary to Community law.

For a more complete consideration of the issue under study, it is necessary to turn to the analysis of discrimination on the basis of nationality.

The principles of equality of free movement of natural persons are laid down in Article 10, Article 45 of the Treaty establishing the European Union, as well as in Article 7 of Regulation 1612/68. In the Cowan case the following was stated: "... by prohibiting any discrimination on grounds of nationality, the rules of the Agreement require that individuals established by Community law have the same rights and guarantees as nationals of a Member State.

Another example of the prohibition of discrimination is Article 4 of the same Regulation, which prohibits any national measure that restricts the employment of foreigners in quantitative or percentage terms as regards an enterprise, an industry, a region, or on a national scale. This is confirmed by the Court in *Commission v. France*.

However, discrimination may be justified under certain circumstances. In *Commission v. Belgium and Bosnian*, attention was primarily drawn to the "need to respect the public interest". However, to decide whether such justification exists, the criteria of subsidiary and proportionality must be applied.

The right to free movement is available not only to workers, but also to certain categories of economically inactive citizens of member states.

Directive 2004/38/EC (Article 17) regulates the right of workers to remain in a member state after the end of their employment. The purpose of the Directive is to implement Article 39 of the Treaty establishing the European Community concerning the right of workers to remain in the territory of a Member State. Consequently, a worker

residing in the territory of a Member State has the right to remain there even after the termination of his or her employment in that State. Article 17 of the Directive lists the conditions under which workers have the right to remain in a Member State and thus be protected by that State's social system in accordance with Article 12 of Regulation 1612/68. These persons are entitled to claim all "social benefits granted by the State under the same conditions as nationals of that State [10].

The conditions stipulated for workers wishing to remain in the territory of the State where their employment was performed generally consist of the following elements: the duration of their employment in the territory of the Member State, the duration of their residence in the State and the reasons for the termination of their employment. The combination of these elements entitles the worker to permanent residence in the State.

As an example, consider Article 17 §1 (a) of Directive 2004/38/EC. An employee or non-employee who at the time he or she ceases to be employed has reached the age prescribed under the law of the Member State for the award of an old-age pension, or an employee who has ceased to be employed as a result of early retirement, if such employees have been employed in the host Member State for at least the last twelve months and have lived there continuously for over three years, is entitled to a pension.

All three elements are vividly represented in this clause. The reason for termination of employment is the attainment of retirement age, the duration of employment is set at least twelve months, and the period of permanent residence is more than three years.

In addition to the above cases, Directive 2004/38/EC provides for a number of situations in which a worker who is not involved in employment is allowed to remain in the territory of member states.

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MES SYSTEM FOR SMELTER SHOP 4, AN OPERATIONAL MANAGEMENT INFORMATION SYSTEM

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The digitalization of industry around the world is in full swing. In the Republic of Kazakhstan, the state programme "Digital Kazakhstan" is being implemented - is an important comprehensive programme that aims to improve the standard of living of everyone in the country through the use of digital technology [1].

The trend towards digitalization of production highlights a number of information systems that are quite popular. These include MES (Manufacturing Execution System), a production process management system. MES, Manufacturing Execution System, is a specialized application software designed to solve problems of synchronization, coordination, analysis and optimization of product output within any production [2].

The MES system usually implements the following functions:

- monitoring the status and allocation of resources;
- Production dispatch (coordination of product manufacturing);
- data collection and storage;
- human resource management;
- Quality management;
- managing production processes;
- product tracking and genealogy;
- efficiency analysis.

MES consists of an integrated set of production modules and supporting applications that have been developed using appropriate technologies. This composition of MES makes it possible to apply it at different levels, from simple work-in-progress accounting to fully integrated data collection, tracking and resource management, when used in conjunction with other systems such as enterprise resource planning (ERP), product lifecycle management (PLM), and supervisory control and data acquisition (SCADA) systems.

Figure 1 shows the management hierarchy of a manufacturing company.

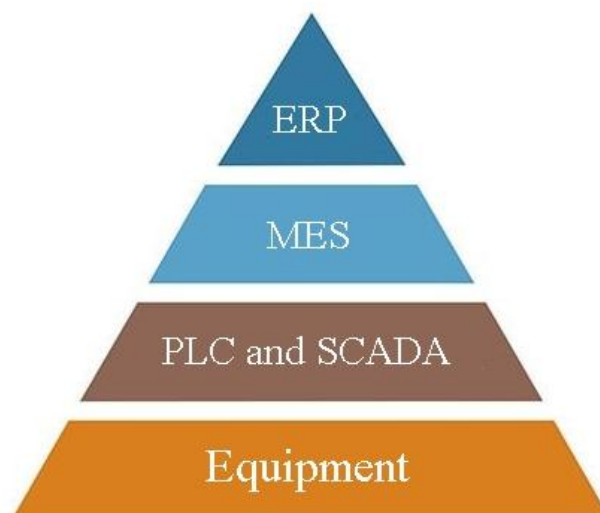


Figure 1. The management hierarchy of a manufacturing enterprise

The key to understanding MES knows that it automates the circulation of information between production units (workshops, sites) and enterprise-wide information systems. MES makes the latest shop-floor information available throughout the entire enterprise, allowing a quick response to conditions and requirements. Importantly, MES is also the ideal data collection application for any other system in the organization, providing a real-time database for tracking, making informed decisions and re-scheduling processes and activities.

The benefits of using an MES system:

- production is transparent, manageable and efficient;
- information from various sources (process control systems, access control systems, manual input, etc.) is accumulated and processed in one place;
- analysis tools allow you to react quickly and optimally to changes, and to encourage employees;
- information on the operation of equipment and production personnel, and on the movement of raw materials and semi-finished goods is made available for analysis;
- MES is integrated with the process control system for automatic data collection, so that up-to-date and reliable information can be used by plant management to make and monitor optimization decisions;
- MES will help develop a detailed work plan, supporting the dispatcher in his day-to-day work;
- MES will ensure prompt collection of information and prompt detection of deviations from the plan;
- intelligent production monitoring will prevent you from drowning in a flood of information, the system will highlight critical deviations and report them;
- if necessary, rapid changes to production plans are possible;
- MES solves the problem of accompanying the production of such products along the entire process chain.

The task of issuing product passports and certificates is considerably simplified.

This paper describes the pilot project "Operational Production Management System (MES) in the melting shop of the Aktobe Ferroalloy Plant, a branch of TNK Kazchrome JSC" (hereinafter "MES SS4»).

«MES SS4» is designed to

- creating a single information space covering the main production areas of PC4;
- Production planning, dispatching and operational management of key production processes and personnel, based on information automatically received from local production systems (LIMS, LIMS, accounting systems);
- Ensuring transparency and measurability of operational processes that cannot be covered by the APCS;
- Ensuring rational information support for operational production management processes;
- Improving the averaging of ore in the charge preparation department by controlling the batch chemical composition and distributing ore more accurately in the bins;
- comparisons of team performance statistics;
- automation of a number of process and personnel monitoring and control operations;
- information exchange with the ERP SAP.

The purpose of «MES SS4» is to improve the technical and economic performance of production and to improve the quality of produced ferroalloys by:

- Improving the efficiency of production management at all major levels of the production process management;
- providing administrative and technical staff with an operational tool to obtain a full cross-section of necessary production information;
- ensuring transparency in the production process;
- Reducing raw material consumption in ferroalloys production by identifying the sources of losses and eliminating their causes.

JSC TNK Kazchrome is the world's largest producer of high-carbon ferrochrome in terms of chrome content, and its products are highly competitive in the global market due to their high chrome content and low level of impurities.

The Company's extensive, high-quality resource base includes over 220 million tonnes of chrome ore with average chrome content of 50.0%. The Company's chrome ore deposits have a production life of over 40 years at current production levels, which create significant opportunities for production ramp-up.

Technical and exploration work is underway to identify and record additional ore reserves and to extend the life of the deposits.

The Company's integrated production chain includes the Aksu and Aktobe ferroalloy plants and the Donskoy Mining and Processing Combine.

Due to its vertically integrated structure, the Company is able to capitalise on existing strategic procurement, energy supply, coal supply and logistics schemes.

The Aktobe Ferroalloy Plant produces high, medium and low-carbon ferrochrome, ferrosilicon as well as metal concentrate. The plant was launched in 1943 and is the first in Kazakhstan's ferrous metallurgy industry. The plant started with the first smelting of ferroalloys in the Komsomolka furnace.

In 2015, Smelting Shop №4 of Aktobe Ferroalloy Plant, a branch of TNK Kazchrome JSC, was launched [2].

Smelting Shop №4 of Aktobe Ferroalloy Plant, a branch of TNK Kazchrome JSC, produces a range of high-carbon ferrochrome grades used as alloying agents for steel.

Ferroalloys are produced by smelting a specially prepared charge in four DC furnaces. The charge is made from chrome ore from Donskoy ore mining and processing plant, reductants and other raw materials, which are delivered to the plant by rail.

The main alloy grade produced is PH850. Slag is a by-product of production. The slag is processed into crushed rock at a separate site.

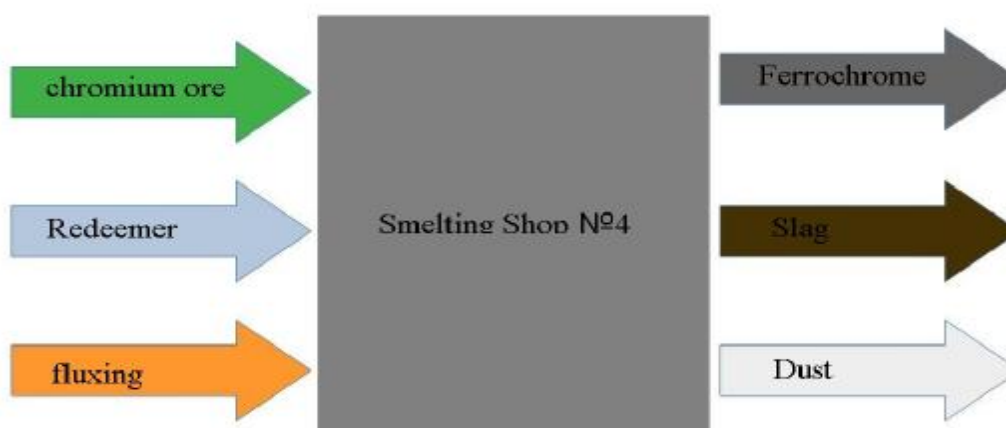


Figure 2. Main material flows of Smelting Shop №4 of Aktobe Ferroalloy Plant

The workshop is represented by four technology zones (Figure 2):

- charge preparation department (MHS zone). Responsible for unloading, transporting, storing and drying raw materials;
- melting compartment (SAF area). Responsible for smelting and primary storage of alloy ingots;
- finished product processing and shipping department (PHS Zone);
- responsible for processing the slag into crushed rock and its subsequent shipment to customers.

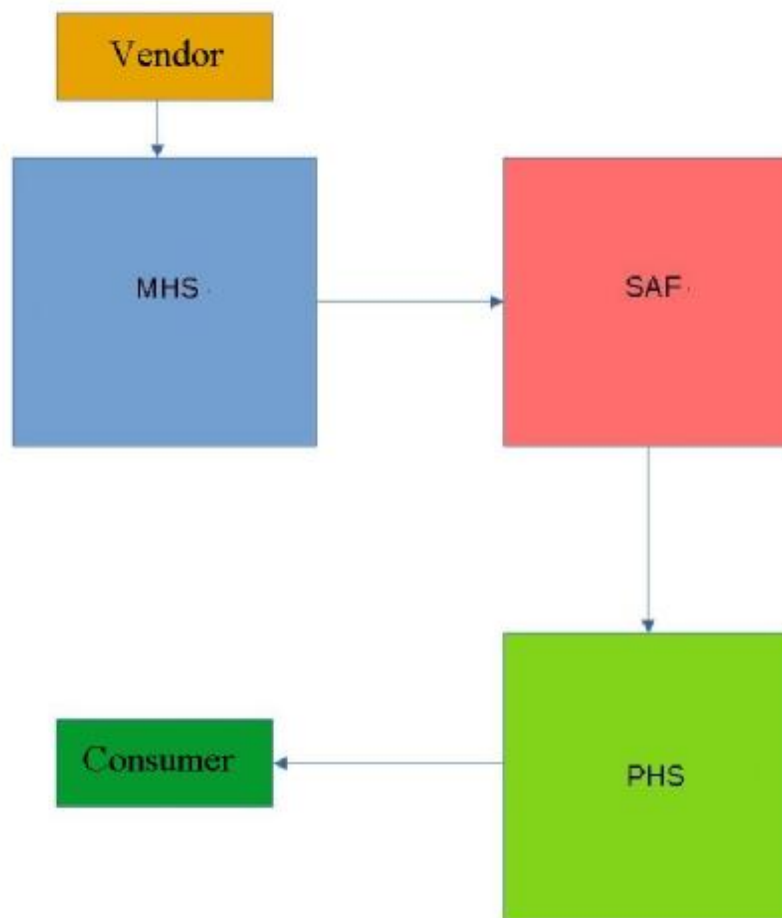


Figure 3. Main production areas of Smelting Shop №4 of Aktobe Ferroalloy Plant

A VMware virtual infrastructure with 4 servers for the production system, and 4 servers for system development and testing is deployed in the data centre of Eurasian Group LLP. Figure 4 shows the overall «MES SS4» architecture.

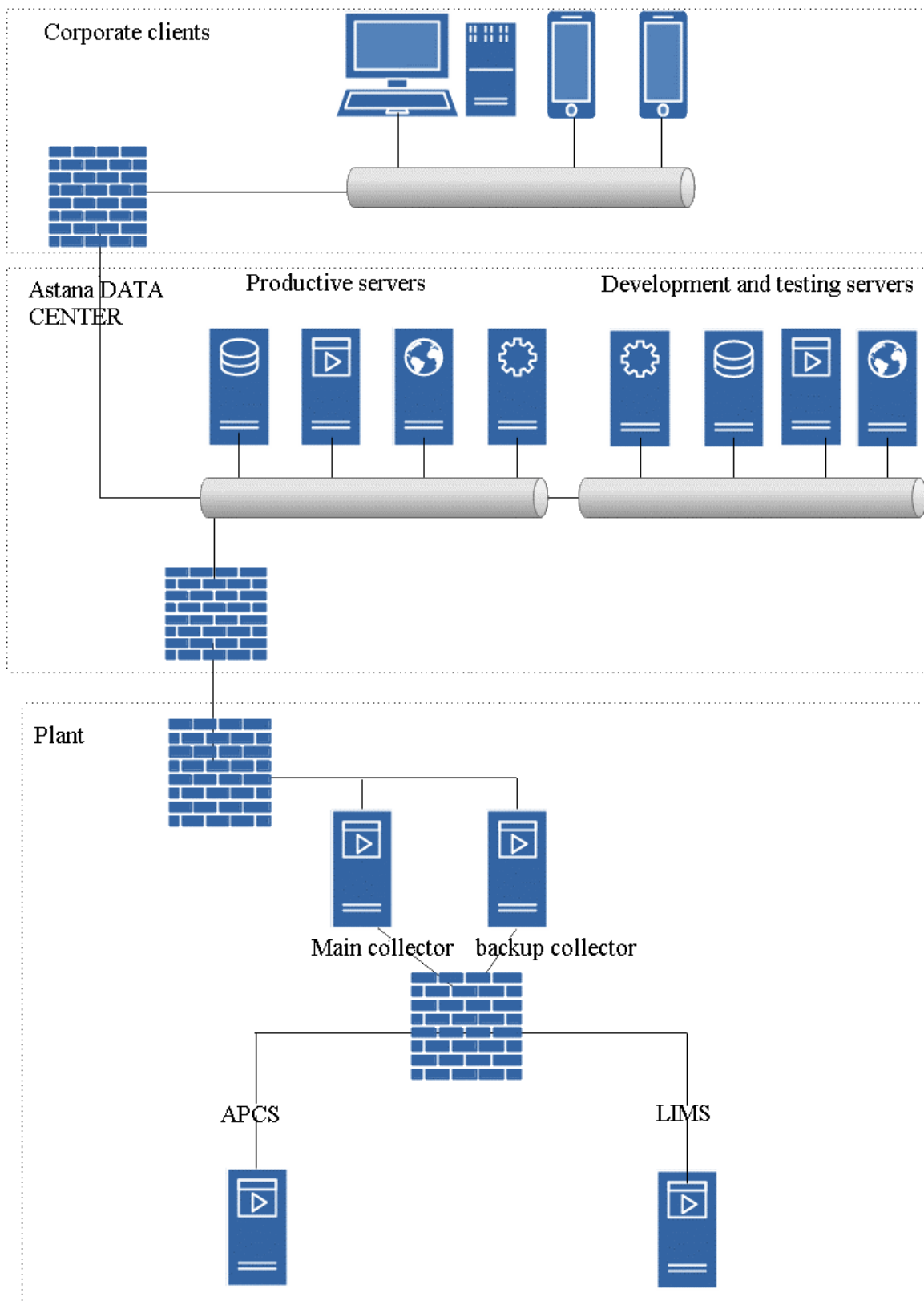


Figure 4. «MES SS4» architecture

The characteristics of the servers are shown in Table 1.

Table 1. Characteristics of the servers

Destination	CPU	RAM, GB	HDD1, GB	HDD2, GB	HDD3, GB
Productive servers					
Application server	16	32	200	100	
Web server	16	64	250	100	
Database server	16	64	100	300	100
Historian server	16	32	100	300	
Test servers					
Application server	4	16	200	100	
Web server	8	16	250	100	
Database server	4	16	100	100	50
Historian server	4	16	100	300	

Table 2 shows the «MES SS4» software.

Table 2. Software

Destination	System software	Tool software
Application server	Windows Server 2019 std	Workflow PPA Server PPA Client PPA Message Bridge PPA Report Server Common Licensing Visual Studio 2020
Web server	Windows Server 2019 std	PPA Web Client
Database server	Windows Server 2019 std	SQL Server 2019 Standard
Historian server	Windows Server 2019 std	Historian Historian Web Components

The data collection from the control system is handled by servers mapped as collectors (Figure 4). The term collector is taken from General Electric terminology. Each collector collects data every 5 seconds. Receiving data from the DCS is organized in the standard way offered by General Electric (Figure 5).

Historian server receives data from Historian collectors. The collector servers are redundant. Having a primary and a backup collector increases the resilience of the System to receive data. Each collector has a data collection buffer, which minimises data loss if there is no communication between the servers.

«MES SS4» is implemented as a portal with dynamically generated information flows with the following functionality:

- rapid visualisation of processes in progress;
- display forms for entering information from users;
- the display of reports;
- printing of report forms;
- a two-way communication tool that allows you to post, in reverse chronological order, comments and suggestions on events recorded by the system;

- information retrieval mechanism;
- a mechanism for notification of changes.

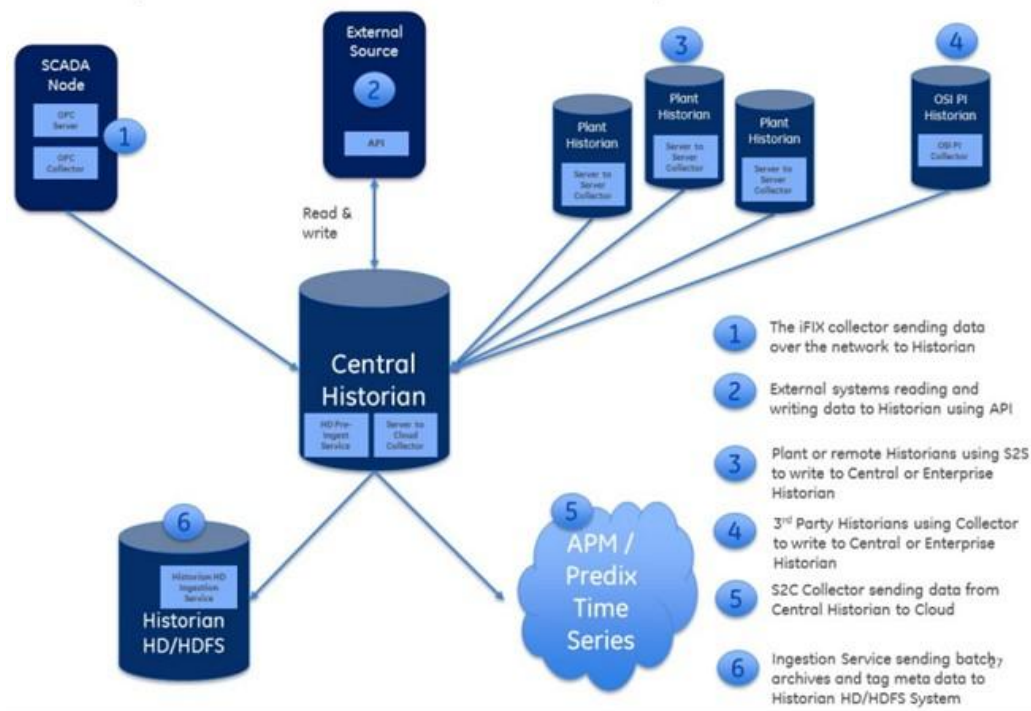


Figure 5. Data collection from the APCS

SQL Server Reporting Service is used to generate reports. Modern internet browsers are used to access the information.

In order to solve the task of operational planning, a dynamic production model is built in the system. It implements a continuous simulation of the movement of material flows within the workshop in accordance with technological routes.

The inventory method chosen is the sorting method.

«MES SS4» interfaces with the following systems:

- ACS;
- Weighing system;
- LIMS;
- SAP.

Data acquisition from APCSs is carried out according to the standard scheme offered by General Electric:

- data collection to the Historian collector;
- transferring data to a central storage server.

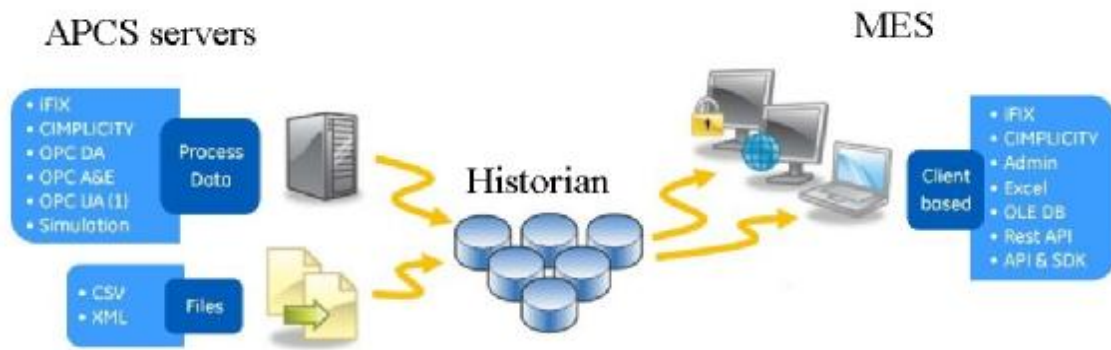


Figure 6. Receiving all necessary production information from sensors and actuators in ERG

The diagram shown above, is used to obtain all the necessary production information from the sensors and actuators in the ERG.

Data from other related systems is retrieved by connecting to the database systems from the «MES SS4» database server using the SQL Server Native Client provider.

MES personnel, according to their role in the functioning of the system, are divided into two main categories:

- operational staff;
- operating personnel.

Operational personnel are those directly involved in decision-making on the management of the production process and the acquisition of data. The number and qualifications of the operational personnel are determined by the current staffing table. In order to work with the system, personnel must have personal computer skills and completed training in the scope of "MES User".

The operating staff includes persons who ensure the normal conditions of operation. it is assumed that the operating staff will be made up of ASM engineers who have received appropriate training.

A list of the main technologies and software products that MES administrators need to know:

Languages:

- C#;
- T-SQL.

Stack GE:

- Proficy Historian;
- Proficy workflow.

CONCLUSION

At the moment, «MES SS4» has been implemented in the charge preparation department of Aktobe Ferroalloy Plant №4. This allows the operator not to fill in the data received from the readout sensors. The system is able to analyze itself and prompt the specialist to adjust data and actions.

«MES SS4» helps to make quick management decisions based on shift, day or week production figures. For example, let's say that in a week a shop will be 10% behind schedule in charge feeding, then «MES SS4» will advise and recommend accelerating the process to catch up with the lost time in three weeks. For example, the system

already monitors the entire chain of raw material flow through the charge preparation department, recording data on the weight and quality of raw materials in hoppers as well as logging equipment downtime. All information is generated based on data from the automated process control system (APCS) of the weighing systems. We already had measuring equipment but the introduction of the MES system greatly reduced the amount of manual work. The system generates up to 20 different types of information and reports depending on the user access level: reports on the movement and stock of materials in hoppers, shift work reports, reports on the operation of drying kilns and others.

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PLC PROGRAMMING IN MACHINE EXPERT LOGIC BUILDER

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The PLC or else programmable logic controller can be considered the main tool for industrial automation. Programmable Logic Controllers is a device designed for automation in many areas of industry, in engineering, as well as in everyday tasks.

For a general understanding of working with a PLC, including writing programs for microcontrollers, you need to know its device in general terms. Figure 1 shows the block diagram of the PLC [1].

The PLC consists of a board with a microprocessor with connectors for expansion modules via a network interface or via an internal bus (it is necessary to remove the cover from the connector). Expansion modules are part of the OCD or object communication devices. They are designed to process input and output, discrete and analog signals [2].

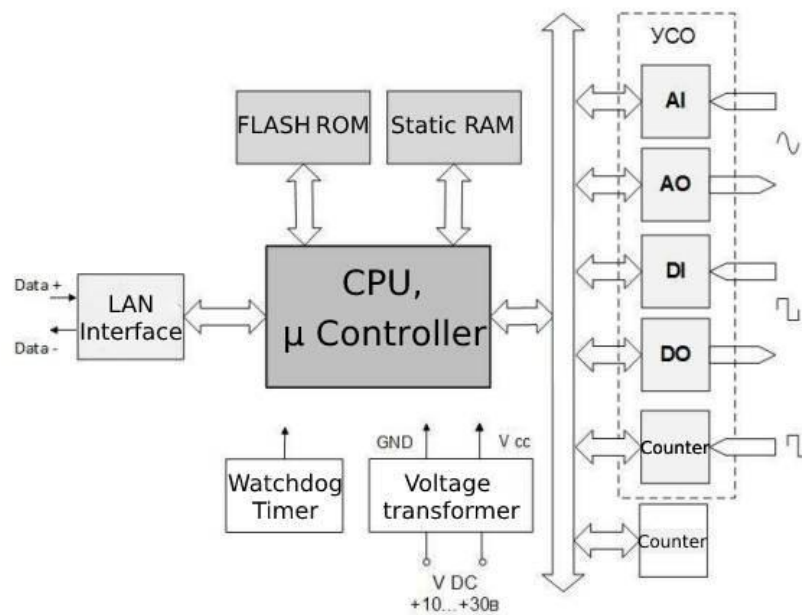


Figure 1. PLC Block Diagram

The microprocessor block consists of 5 main elements:

1. Central Processing Unit (CPU) which is the basis of microprocessor unit;
2. ROM (Read Only Memory) is used to record user programs and permanently store important data in a protected area of memory;
3. Random Access Memory (RAM) is designed to store the executable code of the program;
4. Network interface port is used for various purposes, both for PLC debugging and for providing connections with network devices and modules. The network interface can be either built-in or separate as an expansion module;
5. Power supply of the PLC module can also be built-in or separate, depending on the model and manufacturer. Most often, the power supply outputs a voltage of 24V DC.

There are two types of controller inputs and outputs: analog and discrete.

Digital inputs/outputs can only take two values 0 and 1 (0V +24V respectively).

There are two types of analog inputs/outputs: current (4-20mA) and voltage (0-10V). Inputs read data from various sensors and convert them into real values by means of an analog-to-digital converter. Outputs are used for interaction with devices [3].

Having studied the device of a programmable logic controller, we can formulate its definition.

A PLC is a discrete machine controlled by software that can process a certain number of inputs to which sensors are connected, as well as a certain number of outputs to which actuators are connected [4].

The PLC constantly analyzes the input data, processes them depending on the program loaded into it, and, if necessary, changes the state of the outputs. PLC operation diagram is shown in figure 2.

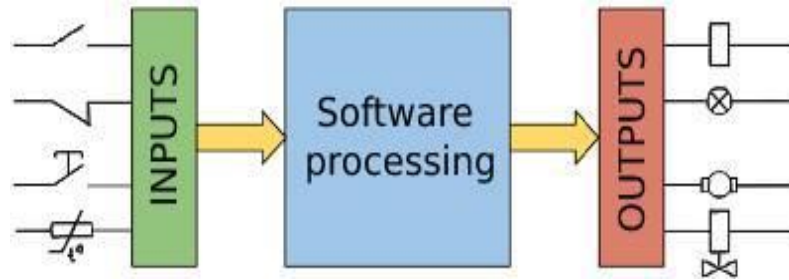


Figure 2. PLC Operation Diagram

The PLC operates cyclically. The execution of a program cycle can be considered as the execution of the circuit program of the controller. PLC basic cycle parameters: cycle time, reaction time, scan cycle time, scan time control.

The program cycle time is the time it takes the controller to complete one program cycle. The current cycle time can be defined by running the test program or by software depending on the model and manufacturer.

Response time is the time it takes for the controller to detect a change in input and respond appropriately to the output. This parameter depends on a wide range of factors, but usually does not exceed twice the scan time.

The scan cycle time is a basic PLC performance parameter that depends on the clock speed and processor bit.

For a general understanding of programming, it is necessary to have a general understanding of the PLC cycle. The work cycle is illustrated in Figure 3 [5].

PLC work cycle:

- 1) Start of the work cycle;
- 2) Checking the status of the inputs;
- 3) Execution of the user program;
- 4) Updating the state of the outputs;
- 5) Working with hardware resources;
- 6) Monitoring execution systems;
- 7) Cycle time check.

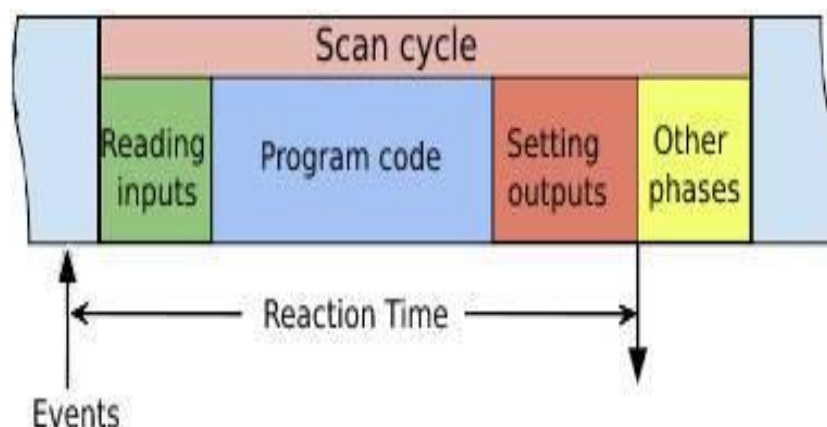


Figure 3. PLC Run Cycle

Next, let's go directly to the PLC manufacturers. Worldwide, PLCs are produced mainly by 4 companies:

Siemens AG is a German company producing a wide range of electronics, hardware and software.

Rockwell Automation (Allen-Bradley) is an American industrial company that supplies industrial automation equipment and software for developing PLC programs.

Schneider Electric (SE) is a French conglomerate manufacturer of all kinds of equipment for industrial enterprises

Omron is a Japanese corporation and one of the largest manufacturers of automation equipment.

For example, in this article a program written for the Schneider Electric controller from the Modicon TM241CE24T line will be considered (Figure 4).



Figure 4. Modicon M241

The full list of features for this controller can be found in the user manual on the Schneider Electric official website. The main characteristics of the product are shown in Figure 5.

This controller has only 14 inputs and 14 outputs, which is not enough for our task. Therefore, the project involves extension modules:

- two discrete modules - 32 inputs, SE TM3DI32K;
- one discrete module -32 outputs, SE TM3DQ32TK;
- two analog modules, - 8 inputs TM3AI8;
- one analog module - 4 outputs TM3AQ4 [6].

In order to start the project, it is necessary to consider the languages in which the direct writing of programs for the PLC is carried out.

Main functions

M241 logic controllers come in 2 formats (w x h x d):

- controllers with 24 I/O: 150 x 90 x 95 mm (5.90 x 3.54 x 3.74 in.)
- controllers with 40 I/O: 190 x 90 x 95 mm (7.48 x 3.54 x 3.74 in.)
- Inputs and outputs embedded in M241 controllers are connected on removable screw terminal blocks, supplied with the controllers.
- A Run/Stop switch is available on every M241 controller.
- A slot for an industrial SD memory card (Secure Digital card) is available on every M241 controller.

A slot integrated in every M241 controller can take up to 2 cartridges of the following types:

- Analog input or output expansion cartridges
- Application cartridges: hoisting or packaging

Every M241 logic controller has a QR code for direct access to its technical documentation.

Figure 5. Main Features of PLC

Each mainstream manufacturer releases its own software for its controllers, which, it would seem, should complicate learning PLC programming, however, these programs use the same programming languages or slightly modify them. Accordingly, the principle of operation in these programs is not much different.

There are countless programs for development, but since we will write a program for a Schneider Electric controller. Schneider Electric software will be considered, namely the SE Machine Expert ecosystem, which combines a set of programs designed to develop logic, debug, and create HMI (human machine interface).

The program uses a subscription payment method paid, but it has a trial period of 40 days, which is enough to complete a little test project.

The program interface is difficult to understand, as it requires sufficient qualifications from a specialist.

This article will not deal with the full functionality of the program, but will only show the principle of the program using a household example of the program.

When you open the program for the first time, go to the File>Create New tab and set the necessary initial project settings (Figure 6). We will write the program in the CFC language, since it will be used later when working with the project [7].

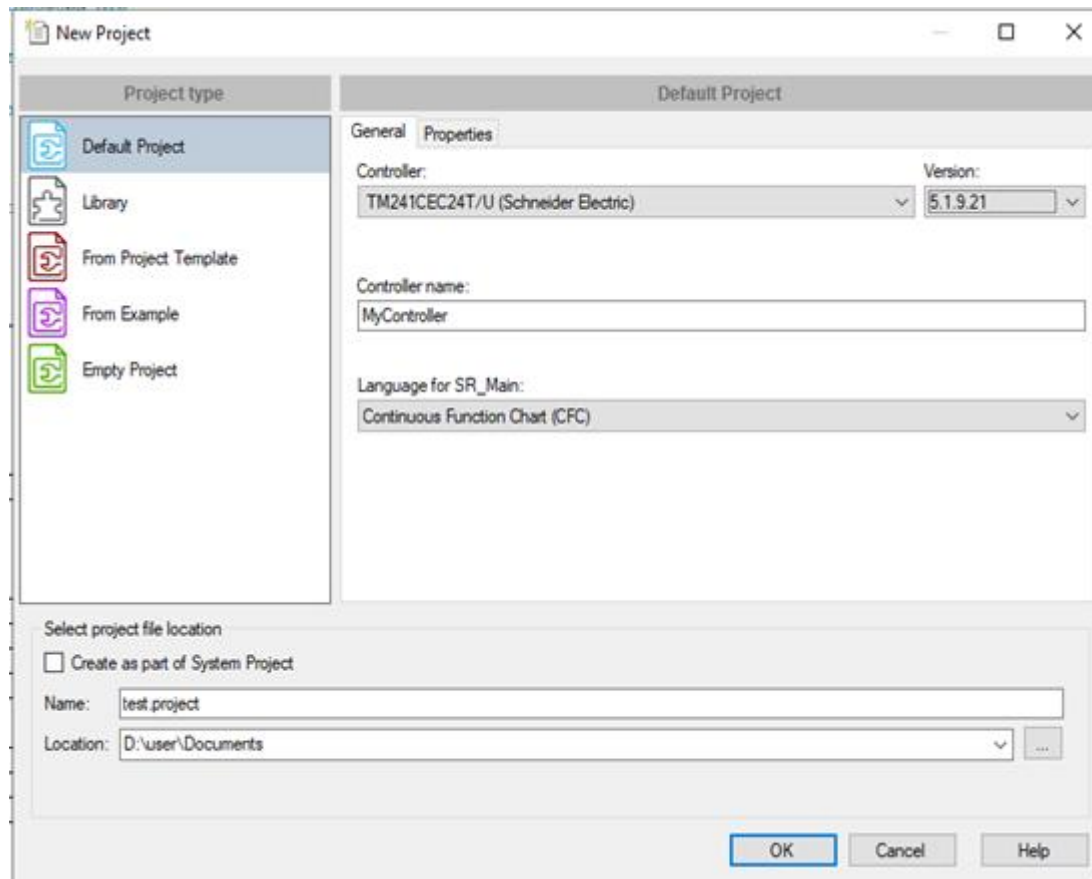


Figure 6. Creating a Project

After creating the project, the Devices Tree tab will appear in the left part of the program window (see Figure 7). The elements of the controller we have selected are displayed here.

You can interact with all elements; you can also add the necessary extension modules.

When working on the project, using this menu, the variables in the program will be “linked” to the physical inputs and outputs on the controller. If the project contains analog inputs and outputs, it is mandatory to configure in which mode and range they will work.

An important function is the ability to configure the Ethernet protocol (assign addresses, subnet mask, DNS, change security settings, etc.). In the test project, we will not interact with this menu.

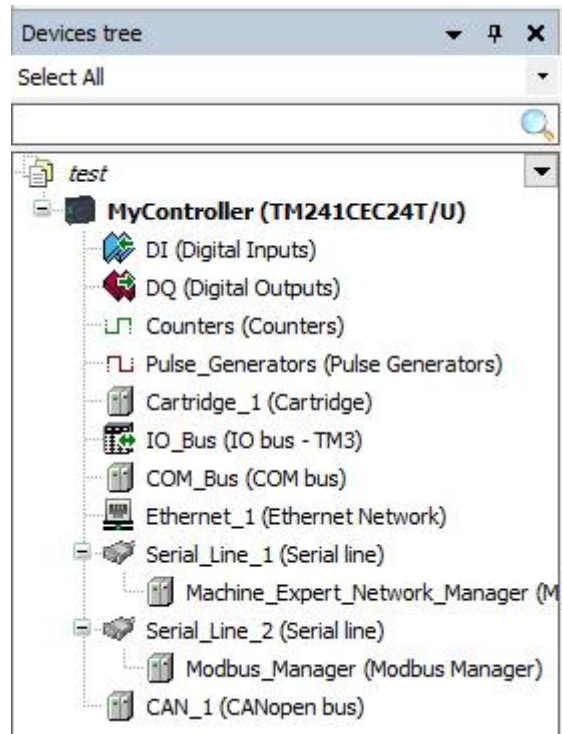


Figure 7. Device tree

In the next step the Application tree tab will be explained (see Figure 8).

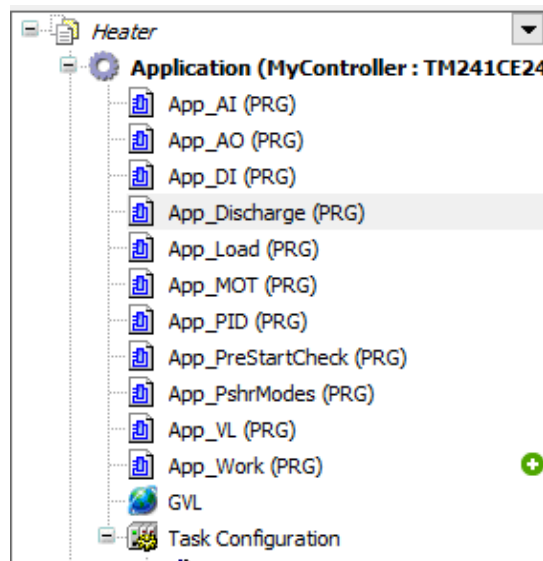


Figure 8. Application tree

This tab contains elements of our program:

- Application is the biggest structural element of the project. It contains all the element presented below\$
- GVL (Global Variable List) - a list of global variables. In this list only those variables will be declared that will be used in several elements of the program. As well as those elements that will be used by other network devices, provided those variables have network addresses;

- SR_Main is a POU element (program organization unit) or an organizational unit of the program, this is what our application will consist of.

- MAST is a task given to the controller, POU elements that need to be executed are placed here.

Go to SR_Main and create a test program illustrating the operation of an electric kettle (Figure 9). Of course, in reality, PLCs are not used for such tasks, this example was created only to illustrate the logic of the program. Let's imagine that the button for turning on the kettle is connected directly to the controller. By pressing the button, the trigger keeps the heater on until the temperature sensor reaches 100 degrees.

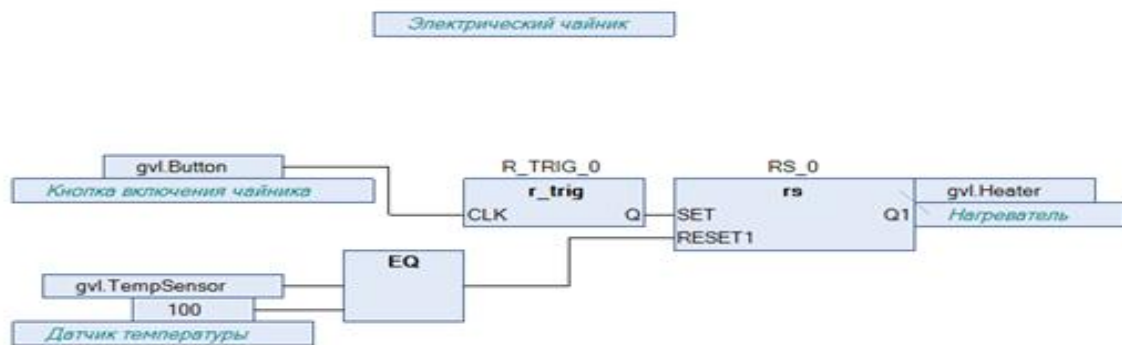


Figure 9. Test program

In order to test the resulting program, you need to point to the Online tab at the top of the program and click on simulation, and then in the same tab click on Login (Figure 10). In our case, we simply skip the pop-ups that appear. Double click on the gvl.Button element, enter the value TRUE. By right-clicking in the context menu, click Force all values. Thus, we simulated the inclusion of a kettle.



Figure 10. Running the program in the simulator

In order to simulate turning off the kettle, we repeat the same procedure with the gvl.TempSensor element by entering the value 100 in Figure 11.



Figure 11. Assigning values to variables

This simple example, of course, is not enough to understand how the Machine Expert Logic Builder program works. But this example can also be used to create more complex projects [8].

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A BLOCKCHAIN-BASED PLATFORM FOR SHARING AND VERIFYING EDUCATION CERTIFICATES

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Blockchain offers a creative approach to storing data, completing transactions, completing tasks and building trust. Some see Blockchain as a revolutionary technology for encryption and cybersecurity, with applications ranging from cryptocurrency to healthcare, smart contracts, Internet of Things, smart grid, supply chain etc. This research would provide a detailed analysis of blockchain security, the Privacy and Trust. It continues to explore applications of blockchain technology in education and joins the challenges. Finally, it proposes a blockchain-based framework for safe and reliable student record management [1].

Blockchain, the technology underpinning the Bitcoin currency, is a distributed sharing ledger that records the details of different parties involved in Bitcoin network transactions. The Bitcoin network, in particular, uses the Blockchain to store the history of transactions as well as other transaction-related information, such as the time that the

transaction was completed, the sender's (or spender's) address, and the recipient's address. It will help consumers avoid double spending. To protect the privacy of the blockchain, all data is encrypted.

Blockchain can also be defined as a shared ledger because it contains all the information about all Bitcoin transactions [2]. The world of education is moving into the modern age. Technology and education are an excellent combination that has grown in popularity in recent years. As a result, training technology has become a global phenomenon. But we cannot discuss the use of technology without discussing protection. Failure to comply with appropriate safeguard procedures leads to increased use of financial and human resources.

The aim of the project is to identify various blockchain implementation fields and potential blockchain applications already in use in education. It focuses on three key themes: (1) blockchain-based education technology; (2) the opportunities that blockchain technology could bring to education; and (3) the complexity of implementing blockchain technology in education.

Document verification is a critical topic with a variety of challenging and time-consuming methods to authenticate. Various reports are also available, such as bank references, government documents, transaction documents and training certificates [3].

Applications of Blockchain and further analyses the specific application of Blockchain in the educational system. We propose to examine the different facets of blockchain technology's protection and privacy and its implications in the educational process. We also advocate creating a blockchain-based system for keeping track of students' academic records. This project would include immutable student documents that can be independently checked at some point in the process. The suggested system would safeguard student information, thus allowing students to check for their degrees even after a period of time has passed. A fake degree cannot be produced, and it can be uniquely confirmed.

Educational earnings are one of the most important records given by universities to students. Fake certificates are easy to make because the issuing mechanism is not straightforward and verifiable. Well-worded false testimony is often challenging to detect and can be mistaken for genuine [4]. This work aims to discuss blockchain practical applications and further analyze the specific application of Blockchain in the education system. We propose to look at the different facets of blockchain technology protection and privacy and its implications for the educational process.

Compacting is a mathematical process that creates a value or values from a text string. When a message is intended for a single recipient, hashing is one way to ensure confidentiality during the sending process. The hash is produced by an algorithm that helps protect the shipment from tampering. Hashing is also a tool for efficiently sorting key values in a database table. MD5 and SHA-1 are traditional cryptographic hash functions with one goal: to convert a source input (message) into a fixed bit string (hash) [5]. And if they all have a slightly different function, they are often called (digital) signatures, checksums, or simply hash values. Translation of cryptographic hash functions, i.e. re-creation of input data from its hash value alone, is considered to be virtually impossible [6].

Blockchain is a new technology that is constantly evolving and applied in different fields. Senception is a famous digital currency proposed by Satoshi Nakamoto [2]. Initially it was used only for financial transactions, but now it is used or proposed in all areas that need constant and secured accounting or ledger. A Blockchain is a collection

of created blocks using cryptographic hash functions that are connected to the previous block in the form of an encrypted chain using cryptographic algorithms [7]. It is a special form of distributed ledger technology that operates on a peer-to-peer (P2P) network. It uses a consensus algorithm to confirm a new block, and once the blockchain is validated and added to the blockchain, these blocks cannot be changed.

Private and public blockchains are the two main styles of blockchains. However, there are several options, including Consortium and Hybrid blockchains. Any Blockchain consists of a group of nodes linked to a peer-to-peer (P2P) network. Each network node has a copy of the mutual ledger, which is regularly maintained. Each node has the ability to validate events, send and receive messages, and building blocks.

The public blockchain is a non-restrictive, unauthorized distributed ledger system. As an authorized node, anyone with an internet connection can use the blockchain platform and become a network user. A Public Blockchain node or user can search current and historical records, check transfers, proof-of-work incoming blocks, and mine. Cryptocurrency mining and trading are the most common uses of shared blockchains. As a result, the most commonly used distributed blockchains are Bitcoin and Litecoin. Public blockchains are largely safe if users strictly apply safety guidelines and procedures [8].

The consortium blockchain is a semi-distributed ledger managed by a group of companies or institutions. By comparison, a private blockchain owned by an individual looks like this. More than one person can act as a node in such blockchain for data transfer or extraction. Blockchains of consortia are also used by ministries, financial institutions and other organisations [9].

The hybrid blockchain combines the advantages of both proprietary and public blockchains. It includes features of all types of blockchains, allowing for both a privately licensed and a non-public licensed system. Users track who has access to which data stored on the blockchain with such a hybrid network. Some of the blockchain information or documents will be made available, and the rest will remain private in private network. Users can conveniently access a private network or multiple public blockchains thanks to the Blockchain's hybrid framework.

Blockchain technology is not only used in cryptocurrencies, but it is used in a variety of applications and proposed to many more due to the following features [10]:

1) immutability: One of the most important blockchain features is immutability, which ensures that the technology remains if it is a stable, unchanging network.

2) distributed: The network is decentralized, which means that there is no monitoring body or individual monitoring body.

3) Improving Security: since there is no need for a central authority, no one can simply adapt the characteristics of the network to their advantage. Encryption adds another layer of protection to the device.

4) Distributed Ledgers: A public ledger typically contains information about a transaction and its participants. There's nowhere to hide because it's only in plain sight. The argument for a private or federal Blockchain, on the other hand, is slightly different. In such situations, however, a large number of people see what is actually happening in the ledger. That's because all users of the device maintain a ledger online. For better results, computing power was spread through machines.

5) Consensus: Consensus is a community of participating nodes in the network decision-making mechanism. Nodes accept easily and reasonably quickly in this case.

6) faster clearing: unlike traditional banking systems, Blockchain allows for a

quick solution. It allows a person to move funds faster, saving time in the long run.

Because cryptocurrencies make up a significant portion of current blockchain networks, most researchers divide them into economic and non-financial categories. Others classify them based on blockchain versions. We introduce some blockchain-based apps.

Blockchain technology is currently used in a number of financial sectors, including Business Services, Financial Asset Clearing, forecasting markets and transactions. Marketplace systems (PMS), which operate as oracles or intelligence sources, are another intriguing area that could affect companies and cryptocurrencies. The blockchain is crucial to the long-term viability of the financial economy, benefiting investors, the existing banking system and society as a whole.

Governments have been tasked with managing and maintaining official accounts of residents and/or businesses for many years. Through disintermediating transactions and record-keeping, blockchain-enabled apps can transform the way local and state governments operate [10]. Blockchain transparency, automation and security in managing public information could potentially prevent corruption and improve government services. The blockchain can be used as a secure network to connect physical, social and industrial infrastructures to a smart city. Blockchain governance seeks the same resources as the state and related public bodies in a decentralized and efficient manner while maintaining the same.

E-voting is proposed as a promising and game-changing technology to facilitate the electoral process, reduce law and order problems, and reduce time and financial spending. However, it has not gained momentum due to security issues and security threats. Blockchain can provide a reliable and secure platform for electronic voting that can remain compliant with national laws.

The application of the Internet of Things (IoT) to population growth has led to its applications in all areas of life and has become critical to growth. Although the use of the Internet of Things has many advantages, the various security threats outweigh these advantages. Due to limited hardware capacities, the traditional cryptographic security mechanism cannot be applied in such an environment. Blockchain can provide a platform mechanism for securing an IoT network, and it can provide an open IoT network for a secure, reliable and interoperable IoT network.

Blockchain technology can provide a critical solution for healthcare providers with implementations in healthcare management, demographic healthcare history, electronic insurance claims, and remote patient data sharing. It provides user-driven medical studies, stops the counterfeiting of products and medicines, and manages clinical trial data. In particular, Blockchain, together with smart contracts, can resolve issues such as the scientific credibility of clinical trial results and informed consent of the patient.

Significant amounts of confidential and classified information are collected through both public and private centralized institutions. Despite GDPR's goal of regulating the production of this data, there is still a significant gap to fill. Compared to other reliable computing mechanisms that use data mining techniques, Blockchain is a way to improve the reliability and scalability of big Data. As a result, the literature includes private and security-driven applications based on blockchain technologies [13].

Blockchain can become an important source of innovation in business and management by strengthening, optimizing and automating business processes. IoT and Blockchain are creating a slew of innovative business models. In the business model,

SCs is used to conduct transactions between devices on a blockchain-based shared network.

Blockchain potential applications in the energy market are many and would have a significant impact on both processes and networks. Blockchain can minimize costs and enable new business models, while marketplaces and networks could be best equipped to manage sophistication, security and ownership. It can also improve the efficiency of the electricity network and effectively monitor demand response and provide the basis for more skilful monitoring and billing of resource consumption in energy sources [14].

Blockchain can help colleges strengthen their ability to help teachers, provide information to caregivers and community members, provide new learning systems, and expand and provide learning opportunities for more students. Figure 1 describes the overall structure of the Blockchain and users in the field of education. Blockchain technology has multiple uses and benefits in education:

E-learning, also called distance learning or e-learning, uses data and internet technology to share information and facilitate learning. It's called web-based learning technology. Blockchain invention provides an ideal solution to e-learning issues such as entitlement and protection. Blockchain also creates non-modifiable learning documents for online instruction without third-party twists, ensuring that credits are properly identified.

Academic transcripts are one of the most time-consuming and labor-intensive processes in higher education. The authenticity of each entry must be verified by hand before a certified certificate of the pupil's grades is available. Course content certification is another student Register that is often applied for. Each page must be signed and stamped by each student who requests this record (to ensure accuracy). If material courses and academic performance were stored in a blockchain, an individual could obtain an accurate, verified record with just a few taps.

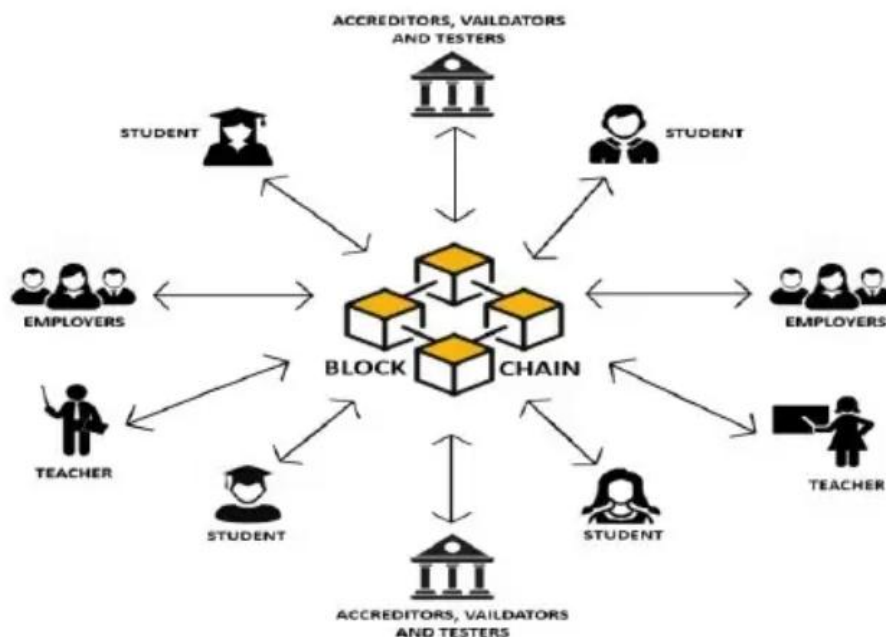


Figure 1. Blockchain in Education

Diplomas and certificates for students could be offered and stored on blockchain, just like grades. Employers should then be given a referral for a digital certificate, rather than requiring the issuing agency to confirm a hard copy. It's also underway. Because most of the available educational data administrations cannot guarantee the confidentiality and reliability of student data. While using Blockchain addressing trust issues could be a viable solution, Blockchain has drawbacks that limit its total adoption. Small turn-around and running time can be found on Blockchain. It prevents users from using fake certificates or certificates for prospective employers or colleges.

In addition to qualifications, a Standard CV provides a wealth of additional information that employers may find useful. We are talking about qualities such as foreign language skills, engineering skills or unique abilities that are not inherently related to one's profession. But these abilities are hard to prove. However, a person may hire a third-party professional to confirm their qualifications and issue a badge or emblem. If these are stored in a blockchain, they can be used to demonstrate that an individual has the necessary skills. Open BadgePassport, for example, is the first step in this direction.

Online qualifications have everything from digital badges to digital certificates. In the online environment, the alternative for paper-based qualifications, medals, and prizes. It's easy to give, maintain, and check digital credentials. Degrees from educational institutions, recognition for completing a course or subject, and awards for acquiring a personal or technical competence are some of the most popular examples.

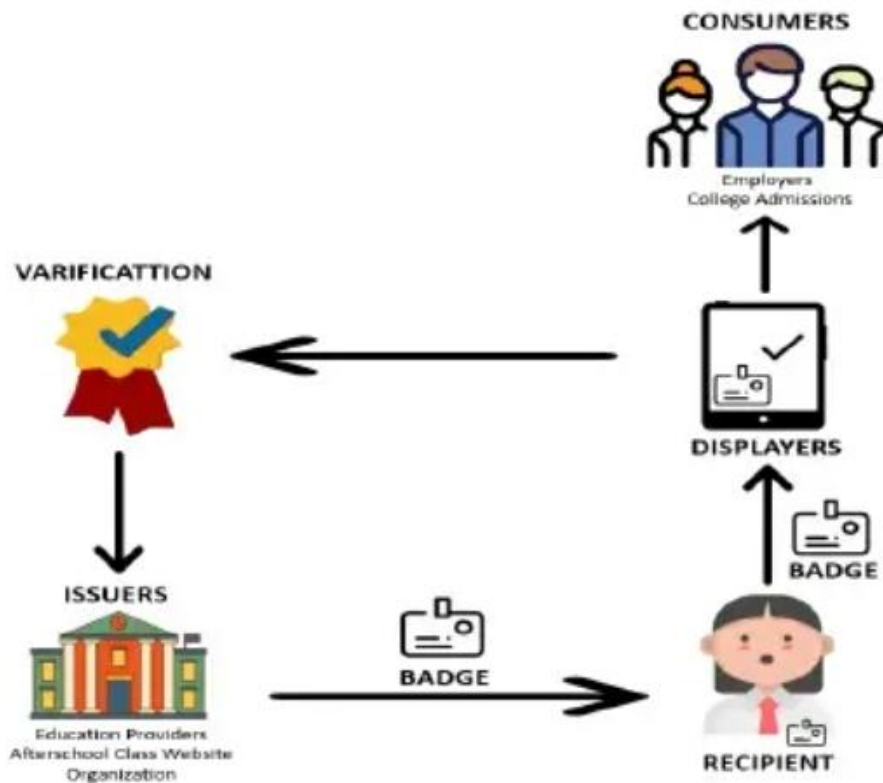


Figure 2. Digital verification of academic records

Digital certificates demonstrate and transmit valuable information about the competence of the recognition holder, and the agency or entity checks that competence. Figure 2 shows the general system for digital verification of Academic records. Most cer-

tificates have a symbol that identifies the qualification and awarding institution, such as this faculty development badge course and curriculum management at Colorado Community College System. University transcripts are becoming increasingly outdated and useless due to digital certificates [30]. While employers still value a degree, career searches also refer to transcripts of credits. Digital credentialing has advantages in tracking and sharing comprehensive learning achievements.

The time-consuming method of manually verifying university documents can be digitized in smart cities to make it easier and more reliable. Figure 3 shows a blockchain-based architecture for digital authentication of academic documents. A student's grades or knowledge will be added to the system for each research unit in this architecture, if available. An educational institution may define a research unit as a semester or module. To the blockchain network, the teacher of the study unit in question sends the grades using the institutional grade endorsement mechanism. All grades for all research units are registered on Blockchain regularly here. Once the student has completed all of the study units in their academic program, the algorithm checks whether all the degree requirements have been met and gives the applicant a digital transcript and diploma. Graduates can earn digital academic credentials and a special identity, such as a unified Resource Identifier (URI), which they send to anyone who wants to check academic credentials. The identifiers obtained from blockchain can be verified by an external person, such as an employer or government official, with the help of an identifier. Figure 3 presents the step by step process of academic certification management process using Blockchain. Blockchain credentials can be authenticated by an external person, such as an employer or government body, using the identifier. The Blockchain documents displayed would be eligible for jawouldn't need any more notary, because blockchain records are permanent.

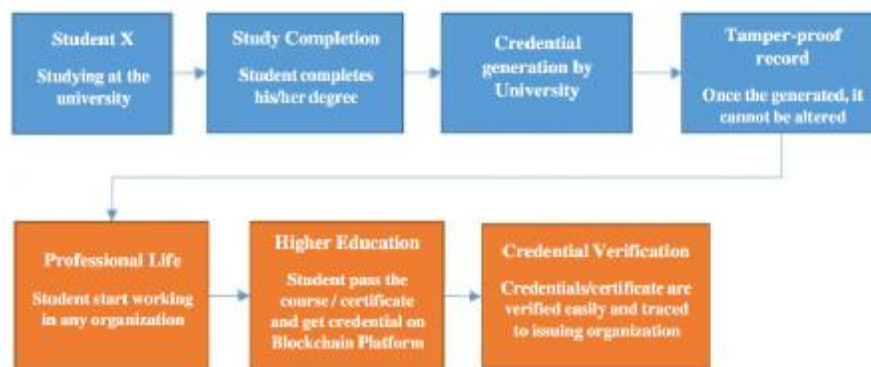


Figure 3. Academic certification management process using Blockchain

For maintaining student academic information, we recommend a blockchain-based system. This project would include unchanged student papers that can be independently reviewed at some point in the process. The proposed system would safeguard student data, allowing students to check their degrees even after an extension. A fake degree cannot be produced and can be unequivocally confirmed. Figure 4 of the provide a Digital Certificate Issue Process, and Figure 5 gives the verification process using Blockchain.

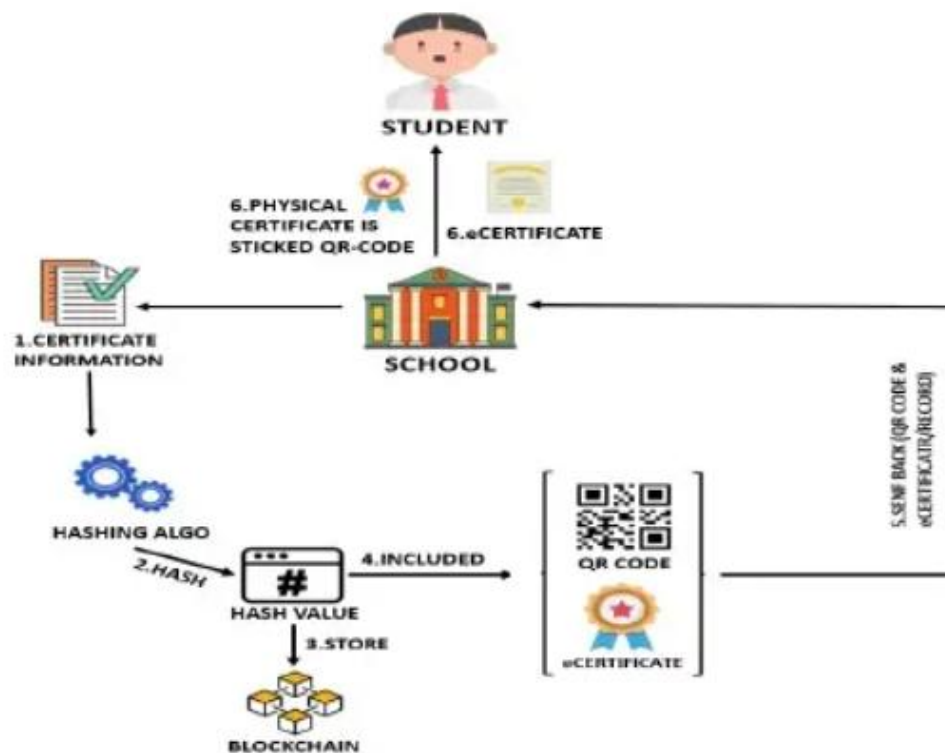


Figure 4. Digital Certificate Issue Process using Blockchain

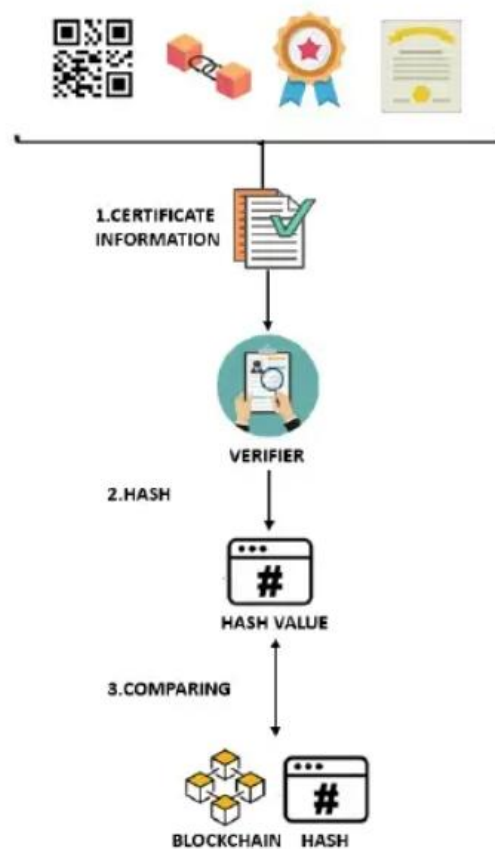


Figure 5. Digital Certificate verification process using Blockchain

Blockchain is a groundbreaking system that allows people to store transactions in a distributed, public ledger without the need for a central authority. The education system benefits from Blockchain in many different ways. The technology is ideal for storing, exchanging and networking sensitive data in a secure way. Replica systems can be made faster, simpler and better with this advanced device. It bridges the difference between credentialing, copyrights, and high-speed connection. These traditional systems would almost certainly benefit from blockchain in the near future. New innovations are being brought into our lives, and we must use them responsibly so that change moves in the right direction. Current students live in a brand new world! We should encourage them, accept reforms and learn to improve things. Blockchain is a rapidly spreading technology and will be a mainstay for many apps in the coming years. A suggestion for future work is to continue this work by doing additional interviews to identify some of the additional features of the current application areas of Blockchain. Especially in the field of education in detail. Do courses that explore blockchain technology at a reasonable cost so many people can join and look at smart contracts more closely and explore potential risks in this area.

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AUTO ASSESSMENT OF STUDENTS TEXT ANSWERS

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Automation of evaluation of answers of students, pupils, is one of the important problems and directions in the transition to the market, where machine learning and neural networks are engaged in an increasing number of tasks. These technologies provide an opportunity to help teachers in their difficult work. Thanks to such automation, there is scope and opportunity for improving the field of education and the educational process.

Checking the submitted homework that students have provided is not a trivial task. The teacher has to use all his experience, knowledge, to find errors in tasks, check the solution for operability (if we are talking about areas such as mathematics, programming, etc.). Therefore, in order to find options for automated verification of tasks by computer means, it is necessary to consider the range of existing technologies that can help in the implementation of the task.

Such tools include: artificial intelligence algorithms, unit tests, services / editors for submitting tasks (for example, an online environment along with a compiler for some programming language).

The main part of the algorithms belongs to the field of predictive models, therefore, once the characteristics of such models are understood, based on these characteristics, it will be possible to evaluate the advantages and disadvantages of each of these algorithms.

Evaluation of students' answers to questions, control tasks is a key moment in various processes and systems. This step can be used in the following systems or process:

- 1) Automated process of evaluating student responses to assignments.
- 2) The evaluation process in the system of adaptive learning.
- 3) A means of self-control of student knowledge.
- 4) Recommender system.

The processes or systems listed above are not end-to-end, there are many other examples where response evaluation plays a key role in the process.

An example of using the response evaluation algorithm can be considered its use in distance learning systems. Such systems can, on the basis of ontology, learning models and didactics, help students in their individual development in the field of their subject areas for successful independent work. The evaluation of their responses to tasks in this process influences what materials will be recommended to them in the future. Automated assessment of students' knowledge directly affects this process and the further quality of personalized learning depends on its quality.

As practice shows, classical tests for assessing knowledge in the field of education do not provide a reliable overview of the gaps in the learning process or in relation to preparing for the exam. In order to prepare for the exam, it is necessary to perform, first of all tasks that require a more detailed answer to questions and tasks. In addition, tests are very time-consuming to fix and difficult to scale. For this reason, a new type of problem has been developed that includes the ability to scale problem sets that require attention to comparisons, problem solving, or various thematic problems with large text responses. In such tasks, automatic assessment allows the student to maintain feedback with himself, for example, as a self-test, self-assessment of his knowledge.

A popular and noteworthy approach to solving text classification problems is the use of Convolution Neural Network (CNN) converters. For natural language processing, deep learning generally provides better performance than classical linear classifiers, especially when used with pretrained word embeddings, which often results in superior classification accuracy. CNNs with pooling layers are effective at classifying documents because they are able to select strong local clues about class membership as features (eg, tokens or sequences of tokens), regardless of their position in the input sequences.

BERT is a widely used neural network transformer model from Google. It is designed to prefabricate deep bidirectional representations from raw text by processing both left and right context together at all levels. As a result, a pre-trained BERT model can be fine-tuned with just one additional output layer to create state-of-the-art models for a wide range of applications.

Next, we will consider machine learning algorithms that will form the basis of the method of automated evaluation of student responses and help in its implementation.

The idea of the designed response assessment tool is as follows: the tool is designed to automate a number of tasks in the field of teaching, it can be run both on a computer and on a smartphone.

During research the prototype was built with using machine learning and some programming instruments.

The architecture of the prototype consists of several interconnected parts and each of them is responsible for certain functions. This approach allows for flexibility and interchangeability.

The overall architecture consists of:

- main module.
- groups of plugins and extensions.

Groups of plugins and extensions includes integrations with software development environments that provides access to the components and capabilities of the software development environment to perform actions and tasks of the system.

The main module contains components that manage information flows and their interaction, and also interacts with external resources, such as a web page for evaluating responses.

The main module includes:

- Configuration Manager - stores and manages the overall system configuration, as well as all conferences of all plugins and extensions; ensures the integrity and operability of the configuration and notifies other parts of the system and modules about its changes;
- Resource Manager - provides organized access to resources: file systems, network, interprocess communication, external devices.
- Transformer model operation manager - provides interaction, connection, control in parallel mode with plug-in models.
- The manager of the surface layer trained on the presented data by the p-tuning method.

When processing responses, the tool uses a machine-learning algorithm built on the GPT-3 Large model. GPT-3, pre-trained by p-tuning, receives the data and assigns a score.

In most cases fine tuning is the prevailing paradigm of using large pre-trained language models (LMs) to perform downstream tasks (such as summation), but it requires all LM parameters to be updated and saved [1].

Therefore, in order to build and deploy NLP systems that rely on large pre-trained LMs, it is currently necessary to keep a modified copy of the LM parameters for each task[2]. This can be prohibitively expensive given the large size of current LMs; for example, GPT-2 has 774 million parameters, while GPT-3 has 175 billion parameters.

A natural approach to this problem is an easy fine-tuning that freezes most of the pre-trained parameters and augments the model with small trainable units. For example, when you configure an adapter, additional task-specific layers are inserted between layers of pretrained language models [3]. Adapter tuning gives promising performance in natural language comprehension and generation tests, achieving comparable performance with fine tuning by adding only about 2-4% task-specific parameters.

As a last resort, GPT-3 can be deployed without any customization for a particular task. Instead, users add instructions to the task in natural language and a few examples to the input to the task; then the output from the machine learning model is generated. This approach is known as learning in context or prompting.

Tweaking updates all parameters of the Transformer model and requires you to save a complete copy of the model for each task. At the same time, the p-tuning method involves setting the prefix, thus freezing the transducer parameters and optimizing only the prefix. Hence, we only need to store the prefix for each task, which makes the prefix setup modular and compact.

The p-tuning learning method is a method called prefix tuning, p-tuning or prompt tuning (hereinafter we will stick to the last name). The idea of this method is as follows: since all words, or rather tokens, are translated into embeddings (vectors of fixed dimension), the embeddings corresponding to the seed can be directly trained by gradient descent [4].

Prompt architecture itself tuning is relatively simple. Given a pretrained language model, a sequence of discrete input tokens is mapped to input embeddings by a pre-trained embedding layer. The function of the hint p is to organize the context X , the target Y and itself into a template T . So this approach can find the best substitutions and finally optimize the continuous hints with the downstream loss function.

Unlike fine-tuning, prefix tuning is modular: we train an upstream prefix that controls a downstream LM that remains unchanged. Thus, one model can simultaneously support many tasks.

In the context of personalization, when tasks correspond to different users, we could have a separate prefix for each user trained on that user's data only, thus avoiding data cross-contamination. Moreover, the prefix-based architecture allows us to even handle examples from multiple users/tasks in a single package, which is not possible with other lightweight fine-tuning approaches.

This method made it possible to train gpt-3 for a specific task, namely the evaluation of text responses.

The structure of the final implementation of the software tool is shown in Figure 1 and consists of several components, it includes: an API operation module for communicating with other applications, a trained model, a data processing module for providing them to a neural network, an application that interacts with the deployed system through the API.

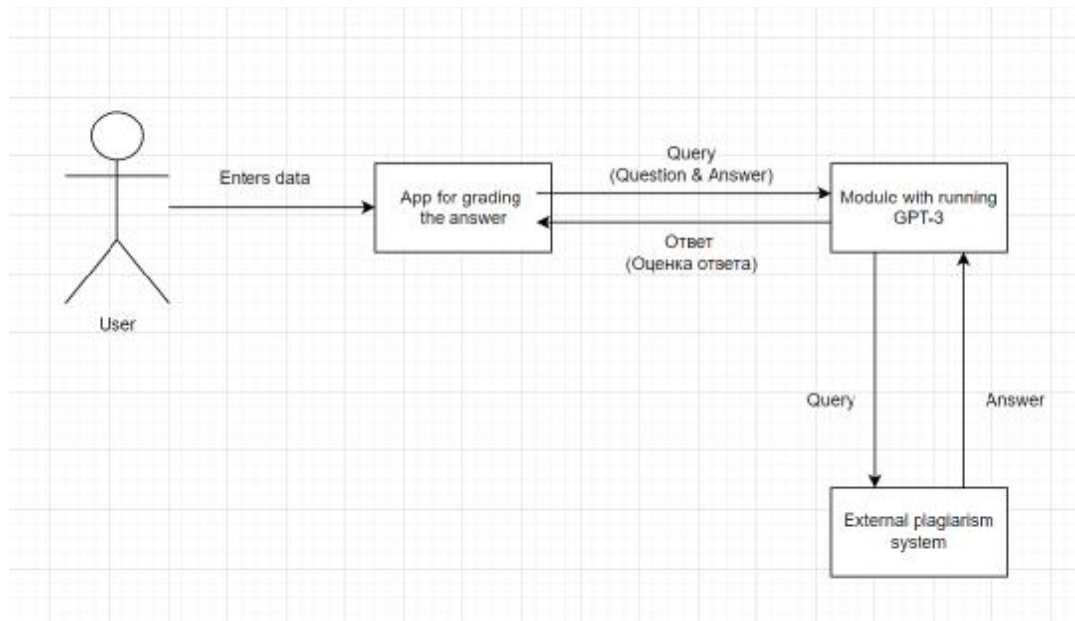


Figure 1. Scheme of the designed response check tool

Consider the scheme of interaction between the components of the final implementation, the order of work steps. Since, in general, the architecture implies the interaction of external tools, programs, with a central system with a neural network deployed on it, any software tool can be the source of the request. This may be a user application or an automated system that periodically sends responses to the assessment described by the system. Thus, the application forms a request with data in the form of a question, a student's answer and sends it via the API to the module where the neural network is deployed. Upon receiving this data, the neural network processes the request and returns the result as an estimate, after which it sends the result back to the user.

This approach provides flexibility in use and implementation, since it is possible to develop software tools of any kind, from user forms where you can check your answer, to portals that will automatically check answers.

As a result, the GPT-3 model was chosen for the task. She has a large store of knowledge, and there is also a p-tuning learning method for her, which allows you to train an additional specific task without touching the pre-trained model. GPT-3 is a complex deep learning model that can produce acceptable results from a simple seed, small text that includes the beginning of an article, an anecdote, etc. Also, it can accept a command like "Rate the student's answer to the question on a scale from 0 to 100. With a high degree of probability, the neural network will substitute the answer in the form of a numerical assessment, especially if you submit the text to it in a structured way. The quality and accuracy of the assessment, the answer, is very dependent on the number of parameters in the model. As you know, there is a whole list of GPT-3 models that differ only in the number of parameters. The largest model to date is GPT-3 with 175 billion parameters running on OpenAI servers. It can be used through api, fine-tuning, but all this is limited by the fact that access is paid and depends on the use and generation of tokens by the model. It is possible to get free trial access to the test site, where it is possible to work with the model, but there is no possibility of fine tuning.

During trials and research, this model was tested in a test environment. As practice shows, the largest model with 175 billion parameters performs very well in the

problem of answer estimation. Periodically, in addition to the evaluation, the neural network tries to complete the next question and answer on its own, thinking that the task was to write a similar text. This situation is solved by fine-tuning, which, unfortunately, is available for a fee. It is also worth considering the fact that this model is not freely available, that is, even with the necessary capacities, you do not have the opportunity to deploy a similar model.

Another disadvantage at the moment is that there is no way to independently evaluate the accuracy and performance of the solution in this form. Also, here you can note the options for using this model. There are such concepts as Few-Shot, One-Shot, Zero-Shot.

Assuming that "context learning" as the scale of the language model can lead to significant results in solving language problems, Open AI trained an autoregressive model with 175 billion parameters, calling it GPT-3 [5], and evaluated its capabilities when using "context learning". The quality of the GPT-3 model was evaluated on two dozen NLP datasets, as well as on several new tasks that differed from the tasks from the training set, to understand how the model adapted to the new tasks. As part of the "context learning" GPT-3, three types of settings were used for each task: "learning in several steps" ("Few-Shot learning"), "single training" ("One-Shot learning") and "zero" ("Zero-Shot"). These methods were a breakthrough in language modeling, since this is not learning a model from scratch, but retraining, which requires much less time and resources.

Few-Shot (FS): the input of the pre-trained model is a description of the task in natural language and several examples of expected results.

The examples are usually the context and the expected completion of the context (solution of the task at hand). For example, to translate from English to French, an example is a sentence in English and its translation into French. The model accepts K instances of a context and its completion, and then a context is specified for which the model should produce a similar result (see Figure 2).

Usually K is taken in the range from 10 to 100, since this is the number of examples that can fit in the context window of the model (this is the number of tokens used as the context for the current token, $n_{ctx} = 2048$). One of the main advantages of the FS method is that when using it, large sets are no longer needed for training a specific task and for fine tuning on a large, highly specialized data set. The main disadvantage is that the results of this method are much worse than modern models with fine tuning.

One-Shot (1S) is very similar to Few-Shot, but only one example is allowed using this method in addition to the description of the problem in natural language (see Figure 2).

Zero-Shot (0S) is the same as (1S) except that demonstrations are not allowed and the model only receives natural language instruction without any examples.

Figure 2 shows a comparison of the applied methods for the task of removing extra characters from a word. The performance of the model improves with the addition of a natural language description of the problem, as well as with an increase in the number of examples. FS training results also improve significantly as the model size increases. Although the results in this case are particularly striking, the general trends regarding both the size of the model and the number of examples per context hold true for most of the problems studied.

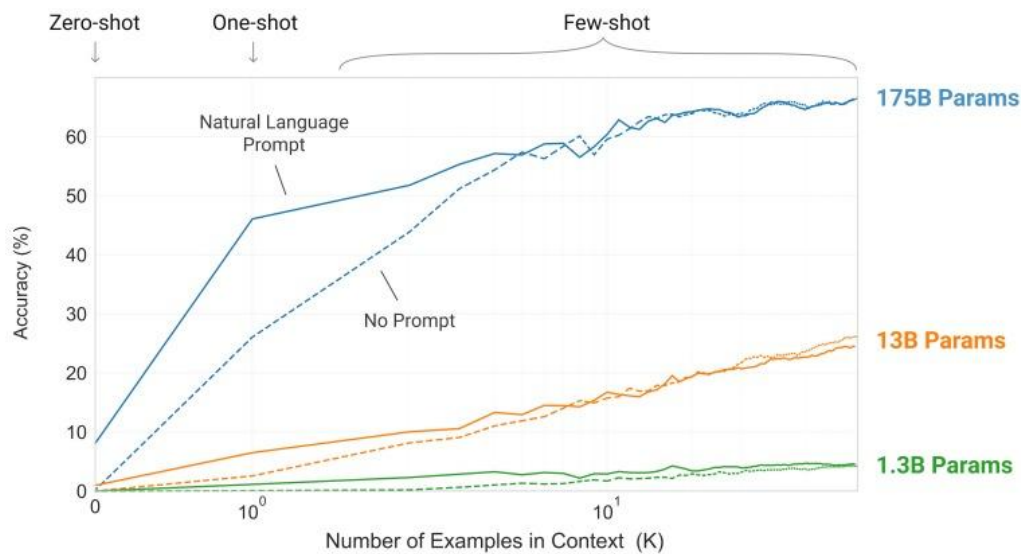


Figure 2. Accuracy of contextual learning methods

The prototype of the answer-checking tool, considered in the framework of this work, is able to evaluate the provided answer to the question, and, depending on its content, completeness and connection with the question, give a score from 0 to 100. An anti-plagiarism answer check was also added to this system by links to an external resource for checking for anti-plagiarism.

Taking into account that the assessment task implies the generation of a small amount of information, namely the assessment itself, possibly accompanied by some text, for an alternative, a pre-trained GPT-3 Large model from Sberbank was deployed on a local machine. It is pre-trained in English and Russian texts, due to which it has less weight and requires less computer resources to work.

Using the p-tuning method, the model was additionally trained on the dataset Mohler. This dataset includes about 600 entries, where there is a question asked, a student's answer, and an assessment on a 5-point scale. It should be noted that all data are in English, as there are no such datasets in Russian.

This training made it possible to provide structured data to the model. The student's question and answer are transferred to special fields. The response always contains text of the format "Grade: 50", where "Grade" is a constant text and the number varies depending on the response provided.

Even on such a small dataset, additional training takes a lot of time and resources. It took about an hour of real time to go through about 150 epochs or 45,000 steps, with a 10 GB graphics card memory load. Graphs of learning and learning loss are shown in Figures 3 and 4. In Figure 5, you can see the result of the student response evaluation module. If the student answered briefly, not fully revealing the essence of his answer, his mark may be small. If the student gives an extended answer related to the topic of the question, the score is correspondingly higher.

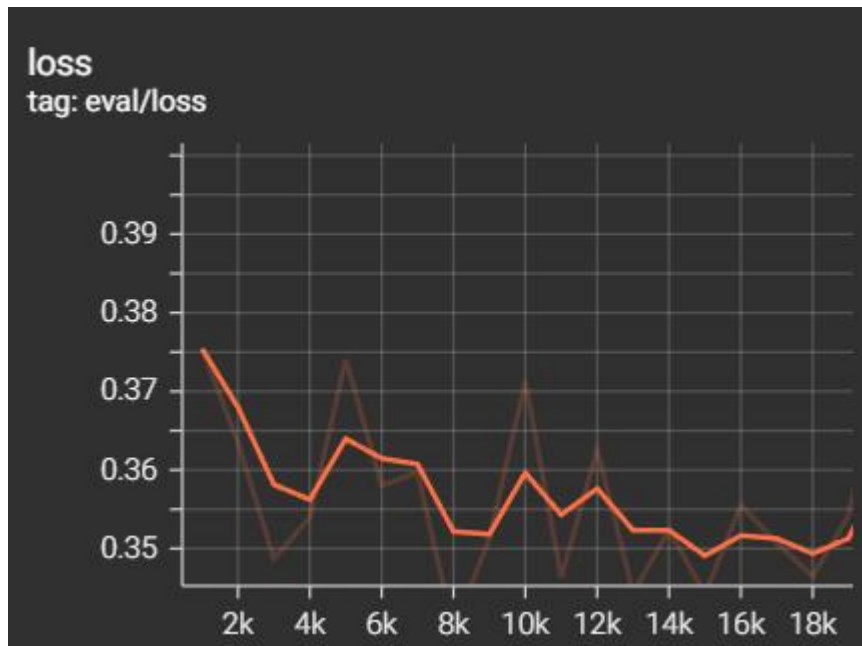


Figure 3. Graph of losses during training verification

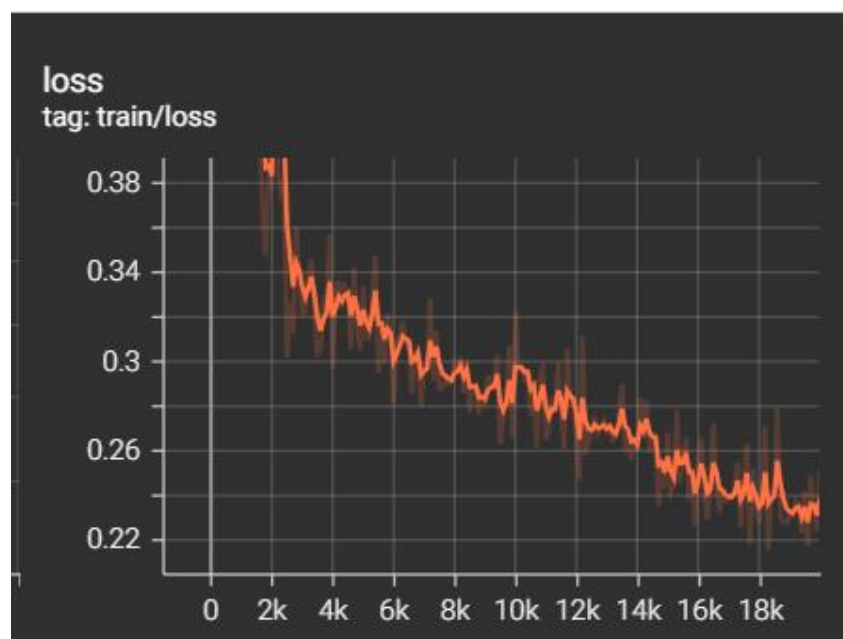


Figure 4. Graph lost during training

```

Question: what is a function in programming?
Answer: a "chunk" of code that you can use over and over again.
Setting `pad_token_id` to `eos_token_id`:0 for open-end generation.
Grade: 70<pad>
Question: what is a function in programming?
Answer: A function is simply a "chunk" of code that you can use over and over again, rather than writing it out multiple times. Functions enable programmers to break down or decompose a problem into smaller chunks, each of which performs a particular task.
Setting `pad_token_id` to `eos_token_id`:0 for open-end generation.
Grade: 90<pad>
Question:

```

Figure 5. Result of grading the answer

The response evaluation tool prototype is implemented in the Python programming language using the PyTorch and Sklearn libraries, as well as NumPy, Pandas, transformers.

To enable the training of neural networks on the GPU, CUDA and the CuDNN library were installed.

TensorBoard library was used to plot accuracy and error when training models.

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