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A MODEL OF PROFESSIONAL - DEONTOLOGICAL CULTURE OF OFFICIALS THE PROSECUTOR'S OFFICE IN THE REPUBLIC KAZAKHSTAN

The professional deontological culture is a systematic complex socio-legal phenomenon that affects the quality of work of the Prosecutor's Office officials. Under the conditions of socio-economic reform of society, the moral foundations of public service, the moral characteristics of public servants acquire special importance. Practically, the leading regulator that determines a person's specific behavior becomes its moral orientation.

The relevance of research on the problem is determined by the following reasons:

- the strengthening demand for better social protection has led to an increase in the level of social claims to the authority, professionally engaged in the supervision over the state of law in the country;

- frequent cases of neglect of prosecutors to the law, the rights of citizens, the other legal values, and at the same time, increasing numbers of violations of the law by using official power.

The aim of the research is to present a model of professional deontological culture formation in officials of the Prosecutor's office of the Republic of Kazakhstan and a complex of conditions for its effective functioning

Keywords: deontological foundations, prosecutors, ethics, legal conscience, legal culture, morality.

Introduction

The law of the Republic of Kazakhstan «On the prosecutor's office» declared the objectives of the Prosecutor's office, among them are ensuring the supremacy of law and strengthening the lawfulness, protection of the rights and freedoms of a person and citizen, as well as the legitimate interests of the state. For the implementation of these tasks the prosecutor's office is authorized with a number of functions, which include, inter alia, supervision over execution of

laws, prosecution, and others, as well as significant coercive powers, which ensure fulfilment of the legitimate prosecutor's demands by the officials and citizens.

However, in some cases, considerable authority in ensuring the supremacy of law and strengthening the lawfulness, protection of the rights and freedoms of a person and citizen, and legitimate interests of the state does not prevent the prosecutors themselves from violating the requirements imposed by the law.

Namely the affiliation of prosecutors to the guardians of law defines the extreme danger of their violations of the laws and especially abuse of power and crime.

For example, in the first half of 2021, disciplinary sanctions (except dismissal) were imposed on 42 officials (1.1 % of actually working) in the Prosecutor's Office of the Republic of Kazakhstan. Nine people were dismissed for breach of duty in the service, and 6 – for committing a disreputable misdemeanour. In comparison with the last year of 2020, the state of discipline improved significantly, the number of officials brought to disciplinary responsibility decreased in 14 %, and to the administrative and criminal liability – 13 % and 45 % respectively. We believe that proper organization of work with the staff, selection, placement and training of prosecutors is an important factor in successful execution of tasks facing prosecution authorities. Eventually, to a large extent, the success of the work depends on those who perform it. Therefore, special attention is paid to the purity of Prosecutor's Office staff. Over the past 2020 year, more than 30 officials were forced to vacate their positions due to the violations and abuses of the service. Criminal proceedings had been started against 11 public prosecutors, including on corruption crimes, some of them have already been convicted [1].

So, it is extremely important for the state to ensure normal functioning of the public prosecution bodies, which are significant in the fight against offenses and observance of legality, also the issue of improving the Prosecutor's Office efficiency through strengthening the moral and ethical level of its workers and prevention of violation of the moral requirements of legal norms is extremely urgent.

In view of the aforesaid, it seems necessary to examine the state of the disciplinary practices in the Prosecutor's Office of the Republic of Kazakhstan on the implementation of prosecutors' moral requirements of legal norms, to develop an appropriate theoretical base for implementation of prosecutors' moral requirements of legal norms, as well as to produce measures aimed at improving the work of the prosecution bodies by reducing and preventing violations of the prosecutors' moral requirements of legal norms.

Ensuring the proper functioning of the Prosecutor's Office of the Republic of Kazakhstan objectively requires a comparative analysis of the organization and operation of similar bodies in other foreign countries. Such study of foreign experience sometimes is carried out from the perspective of its possible use in

our country, and to expand the horizons on this issue, since the intensification of cooperation with foreign countries requires at least a general knowledge about the functioning of one or another public-legal institution.

In order to thoroughly understand the operation of the prosecution abroad, and especially to analyse the professional and ethical aspects of their authorities' activities, it is necessary to know its place in the system of state bodies. This, as shows the legislation analysis, determines the prosecutor's authority. If the public prosecution bodies belong to the Ministry of Justice or the Court system, they tend to deal only with the criminal prosecution of the perpetrators of the crime, support public prosecution in court, supervise places of detention. If the Prosecutor's office is a separate independent system, accountable to Parliament or the President, in addition to the aforementioned duties should be attributed more general functions of supervision of legality, protection of the rights and freedoms of person and citizen, interests of the state, and others.

Today, basing on the place of public prosecution in the state bodies, the following classification can be found in legal literature: 1) the Prosecutor's Office is a part of the Ministry of Justice (Belgium, Germany, Denmark, Israel, the Netherlands, Poland, Romania, Syria, the United States, France, Estonia, Japan, and others); 2) The Prosecutor's Office is a part of the judicial system, is included in the Judiciary (the Magistrates) and is located at the courts (Azerbaijan, Bulgaria, Georgia, Spain, Italy, Indonesia, Colombia, Latvia); 3) the Prosecutor's Office does not exist (UK and India); 4) the Prosecutor's Office is separated in an independent system, and is accountable to Parliament or the President or both of them (Egypt, PRC, DPRK, the CIS countries) [2, P. 136–170].

The aforementioned classification indicates that there are no «uniform standards of construction and operation of the prosecutor's office in the world, both from organizational and functional perspectives. There are no such standards in the countries-members of the European Union» [3, P. 36–37]. In this connection, in the conclusions of the European Conference «Transformation of public prosecution in the body that is compatible with the democratic principles of law», it was emphasized that every country, where the legal reforms are carried out, will have to make a difficult choice, to find the best option. This idea was further developed in the multilateral meeting, organized by the Council of Europe and the Prosecutor General's Office of the Russian Federation, where it was also noted that the changes in the status, structure, tasks and forms of the prosecutors' work should be carried out harmoniously in accordance with changes in the judicial and legal systems, wherein it is a part [3, P. 36–37].

In addition, the international experience and the experience of the former Soviet Union show that it is difficult to provide a new legal service, even in

conditions of stability. It is even more difficult to do so in a period of political and social change. Therefore, in order to avoid mistakes in the reform or adjustment of prosecutorial system activities and to achieve success in this matter, it is important that any innovation is compatible with the culture and history of the country. This system shall be admitted by the society in which it operates. The issues, related to evaluation of the prosecution officers' professionalism, which inevitably are intertwined with the increasing role of moral principles in their activities, become relevant.

These issues are considered in the works of foreign scientists: V. N. Bibilo [4], A. A. Danilevich, I. I. Martinovich (Belarus) [5], A. Vargi (Hungary), R. Abolini, M. Leya (Latvia), V. Urmonayty, L. Chekeleni (Lithuania), Ch. Benesh, A. Kunosik, D. Nikodim, M. Ruzicka, M. Hansel, Y. Chentesh (Slovakia), L. G. Maximov, G. A. Murashin, M. A. Potreben'ko, N. V. Rudenko, A. B. Skakova (Ukraine), J. Zezyulova, D. Hubova (Czech Republic), and others.

Analysis of the issue, concerning formation of the professional-deontological culture of the Prosecutor's Office officials in the Republic of Kazakhstan, allows to distinguish this issue in an independent scientific and applied problem. Today, the acute demand for qualified prosecutors in society calls for a serious approach to training. However, currently this process is studied insufficiently and lacks elaboration of practical aspects, especially in the specialized institutions of additional professional education.

Materials and methods

The research was carried out with the use of complex general scientific and special methods of cognition of socio-political and legal reality: historical, formal legal and comparative legal methods. The methodological basis of the research consists of the cognition principles of the social-legal institutions in their historical development, interrelations and interdependence in terms of theory and practice, history and the present, the correlation of common civilizational features of these phenomena. The special theoretical basis comprises the current basic provisions of theory and practice of public prosecutor's supervision, as well as the general theory of law, philosophy and psychology.

Results and discussion

Comparative legal review of the public prosecution bodies' status in the Republic of Kazakhstan and foreign countries are of particular interest from historical perspective. They have similar historical roots, common goals and objectives, which were implemented themselves in the course of their activities. It should be noted that the Prosecutor's Offices of the CIS countries have been a single and centralized unit within the General Prosecutor's Office of the USSR until 1991. The prosecution itself developed independently in other countries

of Central and Eastern Europe, but still could not endure the influence of the Soviet state and legal doctrine. However, more than 20 years of these countries' independent development introduced significant peculiarities in the organization and operation of the establishment. It should also be noted that, at present, development of the institution is influenced considerably by Western European doctrine of prosecutorial supervision, and recommendations of the Council of Europe that legally enshrine the main provisions of the doctrine.

Therefore, let us consider the organization and functioning of the prosecutor's office abroad.

The structure of the public prosecution bodies can be enshrined in the Constitution of the country (Bulgaria, Brazil, Hungary, Russia, DPRK, Ukraine and others.). For instance, the Constitution of Bulgaria states that «The structure of the prosecution office shall correspond to that of the courts» [6]. The prosecutor's office in Brazil, as stated in a special section of the Constitution provides «the jurisdictional function of the State» [7], aims to protect the democratic regime, the interests of society and the individual. Constitution of the DPRK establishes that: prosecution work shall be executed by the Central Prosecutor's Office, by provincial (municipality directly under the central authority), municipal (district), and county prosecutors' offices, and by the special prosecutor's office [8].

At the same time, there are states that do not issue direct regulations concerning prosecuting authorities in their constitutions (USA, Czech Republic, France, Germany, etc.). The structure and operation of these bodies are regulated by either special or procedural laws. For example, the activities of the prosecution bodies in France are governed by the criminal procedure legislation (Chapter II of the Criminal Procedure Code of France «On Prosecutor's Office», Art. 31–48) [9].

An analysis of foreign legislation indicates that the management of the prosecutor's office is directly dependent on the place of the prosecutor's office among the state bodies. So, at the head of the public prosecution bodies in the USA stands the Minister of Justice who is also the State Attorney (General Attorney), who acts as a representative of the executive power at the courts in civil and criminal cases, acts as the government's legal adviser, and acts as advisor to the President on issues of criminal policy. The Prosecutor General shall oversee the legality and provide methodological guidance to all other prosecutors in Bulgaria. In Hungary, the Attorney General administers the prosecution system and directs its work. In Poland, the prosecutor's office is subordinate to the Minister of Justice, who performs the functions of the Attorney General. The prosecution authorities of Romania carry out their activities under the administrative control of the Ministry of Justice.

In Hungary, in accordance with paragraphs 52 and 53 of the Constitution, the Attorney General is elected by the National Assembly on the proposal of the President of the Republic; and he in turn proposes candidates for the Deputy Attorney General to be appointed by the President of the Republic [10]. In Bulgaria, on the contrary, the Prosecutor General is appointed by the President of the Republic on the proposal of the Supreme Judicial Council for a term of seven years without the right to re-appointment. In Slovakia, the Attorney General is appointed and removed by the President of the Slovak Republic on the proposal of the National Council of the Slovak Republic. In Germany – the Public Prosecutor General is appointed by the President of the Federal Republic of Germany on the proposal of the Minister of Justice and with the consent of the Bundesrat. In France, all prosecutors are appointed and dismissed by the President of the Republic. In China, the Prosecutor General is appointed by the NPC (National People's Congress), and the members of the Supreme Prosecutor Office by the NPC Standing Committee. A similar procedure for the appointment takes place in North Korea. There, the Chairman of the DPRK Central Prosecutor's Office is appointed and dismissed by the Supreme People's Assembly. However, the subordinate prosecutors are appointed to the positions and dismissed by the Central Prosecutor's Office. No less interesting is the procedure for appointing the Attorney General in Spain, which is regulated by the Law (Ministerio Fiscal) of 1981 [11]. According to the law, the Attorney General is appointed by the King on the proposal of the Government and upon consultation of the General Council of the judiciary. In several foreign countries (Belgium, Bulgaria, Georgia, Romania and others) the regulations for the procedure of junior prosecutors' appointment can be found in the constitutions. For example, in Belgium, in accordance with Article 153 of the Constitution: «The King appoints and dismisses officials of the prosecutor's office at the courts and tribunals» [12]. In Hungary, the subordinate prosecutors are appointed by the Attorney General. The same procedure for the appointment of subordinate prosecutors is enshrined in paragraph 2 Article 93 of the Constitution of the Republic of Georgia [13]. A different order of the junior prosecutors' appointment can be found in China. According to part 2 Article 101 of the PRC Constitution, local people's congresses at and above the county level elect, and have the power to recall, presidents of people's courts and chief procurators of people's procuratorates at the corresponding level. The election or recall of chief procurators of people's procuratorates shall be reported to the chief procurators of the people's procuratorates at the next higher level for submission to the standing committees of the people's congresses at the corresponding level for approval [14]. In Russia – The Prosecutor General of the Russian Federation shall be appointed and dismissed by the Council of the Federation upon the proposal

of the President of the Russian Federation. The procurators of the subjects of the Russian Federation shall be appointed by the Prosecutor General of the Russian Federation by agreement with the subjects [15]. The constitutions of Poland [16] and Slovakia [17] refer the regulation of this issue to the law on the prosecutor's office.

Instructions on this issue are given in the Constitutions of Hungary, Russia, Romania and other countries. For example, prosecutors in Hungary, Poland and Russia cannot participate in parties and political activities. The position of a prosecutor both in Russia and Romania is also incompatible with holding any other public office or private activity, except for teaching in higher education institutions. A similar statement is included in paragraph 4 Art. 125 of the Constitution of the Republic of Moldova: «The position of a prosecutor is incompatible with any other public or private position, except teaching and research activities» [18].

The Constitution of Bulgaria declares the independent status of a prosecutor more specifically: «In the performance of their functions, all prosecutors shall be subservient only to the law» [6]. In France, a prosecutor is fully independent in carrying out his duties, including in relation to the court, is not subject to removal, unlike judges and juries. The concept of litigants does not extend on the prosecutor (art. 32 CPC) [9], and therefore, the court is not competent to apply any sanctions against the prosecutor.

The foregoing general description of the prosecutors' offices activities in foreign countries demonstrates that, regardless of their terms of reference in any country, what they have in common is the protection of human and civil rights, protection of the constitutional order, ensuring the prosecution of perpetrators of crimes, or those who commit arbitrariness and lawlessness.

Professional career of a prosecutor requires a lot of personal initiative, persistence, perseverance, determination. After receiving the certificate of the prosecutor, the person becomes a representative of the law and the state, and its activities should be guided by the rule of law, not personal views of right and wrong, conscience and duty. The activity of the Prosecutor's Office is diverse; it is associated with both the work of state bodies and officials, and protection of the legitimate interests, rights of citizens.

In modern conditions, deontological regulation of the prosecution is of great importance, in addition to enforcement activity regulation it may have a significant impact on the effectiveness of the prosecution. This is stated in the report of the European Commission for Democracy (Venice Commission) [19] and the Manual of the United Nations concerning the legal status of prosecutors [20].

The prosecutor's ethics is a kind of professional ethics, which is a set of behaviour rules for prosecutors, providing the morality of their work and off-duty conduct [21].

A comparative analysis of the regulations of ethical standards and rules for prosecutors in different countries. Let us examine those parts of the Code of ethics and professional conduct of the prosecutor, which states the basic requirements for the professional conduct of the prosecutor and his off-duty behaviour.

General requirements that apply to prosecutors' professional ethics and standards of conduct are defined in international legal instruments. The International Association of Prosecutors adopted the «Standards of professional responsibility and statement of the essential duties and rights of prosecutors» on April 21, 1999 [22, p. 246–284].

The activity of prosecutors in the European Union is based on the guidelines of ethics and conduct for public prosecutors, adopted by the Conference of Prosecutors General in Budapest (Hungary) in May 2005 [23]. In accordance with the guidelines, public prosecutors should at all times and under all circumstances:

- perform their duties in accordance with relevant national and international law;
- carry out their functions fairly, impartially consistently and expeditiously;
- respect, protect and uphold human dignity and human rights;
- take into account that they are acting on behalf of society and in the public interest;
- strive to strike a fair balance between the general interests of society and the interests and rights of the individual.

Prosecutor is the chief legal representative of the prosecution in court. The Law «On Prosecutor's Office of the Republic of Belarus» dated May 8, 2007 № 220-Z, proclaims the prosecutors acting within their jurisdiction – the Prosecutor General of the Republic of Belarus and his subordinate prosecutors, including transport and military prosecutors, their deputies and assistants, counsellors, heads of structural units of the prosecution bodies and their deputies, senior prosecutors and prosecutors of the structural subdivisions of the prosecution bodies, unless otherwise defined in this law. The law fixed the professional and moral-ethical requirements, regarding the persons to be appointed to the post of a Prosecutor [24].

Ukraine has adopted a Code of Ethics and Professional Conduct for Prosecutors [25], aimed at preventing unethical behaviour and elimination of doubt in due prosecutorial activities. In Ukraine, the Code is considered as a means to improve the moral climate in the prosecution system in general and in separate teams of the prosecutor's offices. The authors of the Code considered that its provisions should be mandatory for every prosecutor and investigator and should contribute to integrity, quality and efficient performance of their professional duties, strengthen the reputation, enhance the authority and increase public confidence in the prosecution authorities.

The Russian Federation has approved the Code of ethics and official conduct of civil servants of the prosecution authorities of the Russian Federation [26]. It is a set of general principles of professional ethics and the basic rules of official conduct. Civil servants should be guided by them, regardless of the held office.

Given the foregoing, prosecutors must satisfy not only professional quality requirements of the profession, but also moral qualities, such as integrity and honesty, demanding of themselves and diligence, politeness and modesty, objectivity and self-criticism.

However, it is worth noting that international experience should be used with consideration of the national culture peculiarities, the unique spiritual experience that a nation has and traditions prevailing in any other professional community.

The ethical norms and rules for officials of the Prosecutor's Office of the Republic of Kazakhstan

Execution of service in prosecution bodies and institutions of the Republic of Kazakhstan is expression of special trust from society and the state and makes great demands of moral ethical image of the prosecutor's office officials.

According to the Law of the Republic of Kazakhstan «On Law Enforcement Service» Art. 3, dated January 6, 2011 № 380-IV, the prosecutor's office is directly related to law enforcement authorities [27].

The official discipline in the law enforcement service is a mandatory compliance of law enforcement authorities and empowered executives with the rules and regulations established by the legislation. According to Art. 16 of the Law, the obligations of servants, linked with law enforcement service, include compliance with the regulations of official ethics, established by the legislation of the Republic of Kazakhstan.

The officials of the Prosecutor's Office of the Republic of Kazakhstan comply with the regulations of the Code of honor of public servants of Republic of Kazakhstan (Rules of service ethics of public servants), as well as codes of honour (the rules of official ethics, being in force in law enforcement bodies). The Code of honor of public servants of Republic of Kazakhstan (Rules of service ethics of public servants) establishes the basic standards of conduct for public servants of the Republic of Kazakhstan. The Code of honor of officials of the Prosecutor's Office of the Republic of Kazakhstan (Rules of official ethics of officials of the prosecution service) plays an important role in forming the concept of professional ethics for prosecutors in Kazakhstan.

The purpose of this document is to establish common ethical standards and rules of conduct of the prosecutor's office officials for the worthy exercise of their professional activities, as well as promoting the credibility of the prosecutor's office, public confidence in the prosecution and maintenance of rules of conduct

for prosecutors, relevant to common rules of conduct for civil servants and officials of the law enforcement bodies [28].

According to the document, the prosecution bodies officials should seek to enhance the prestige and authority of the prosecutor's office of the Republic of Kazakhstan, to honestly fulfil the duties and to abide strictly by the requirements of the Code of honor of officials of the Prosecutor's Office of the Republic of Kazakhstan (Rules of official ethics of officials of the prosecution service) and other moral and ethical standards. The Code consists of 6 sections.

A positive aspect is that the Code identifies the main legal acts, regulating the activities of the prosecution, and also the documents that demand development of ethical standards. Another positive factor is that in the first section of the Code there are determined general requirements to officials of the prosecutor's office.

The major deontological value attributes to the section, which defines the requirements to the officials of the prosecutor's office in out-of-office activities, including such as «to avoid any personal relationships that may compromise the high rank of the public prosecution bodies officer», «to refrain from financial and business relationships, which may affect the impartial and objective performance of professional duties», «to show modesty, not emphasize and not use their official position». The provisions of the Code are taken into account when applying for a position in the prosecutor's office and promotion to higher positions.

Deontology is embodied not only in the code of ethics and honor, but also in the oath, in particular professional deontological system of training, in the courts of honor, in the Commission for Ethics at the law enforcement agencies and others.

The Code is designed to increase the effectiveness of execution of duties by the public prosecution bodies' officials, and prosecutors must be guided by the principles of ethics in the public service of the Republic of Kazakhstan.

Conclusions

In accordance with the foregoing, we believe it appropriate to summarize the following results of the research:

1 The law of the Republic of Kazakhstan «On the prosecutor's office» imposes high requirements to the prosecutors, including morals.

2 It is extremely important for the state to ensure the normal functioning of the public prosecution bodies, which have a prominent role in the fight against offenses and observance of legality; furthermore, the necessity to improve the efficiency of the Prosecutor's Office, through strengthening of the morals and ethics of its employees and prevention of violations of the ethical requirements of the legal regulations is exceptionally relevant.

3 The distinctive peculiarity of the prosecutor's legal status is the legal regulations, outlining moral requirements to the prosecution officials in the

legislation of the Republic of Kazakhstan. The aforementioned legal regulations are applied not only to their duties fulfilment, but also to off-duty conduct of the prosecution bodies' officials of the Republic of Kazakhstan.

4 The problem of implementation of the moral requirements to the prosecutors of the Republic of Kazakhstan is extremely relevant today. The analysis of statistical data on the offenses committed by prosecutors indicates their rather numerous quantity and negative dynamics.

For instance: a) the number of persons dismissed from the prosecution bodies and institutions for committing defamation offences in a decade (from 2005 to 2015) has not diminished, but increased (from 28 to 46 people in absolute numbers and about 65 % in relative terms); b) almost 50 % more prosecutors (as a percentage of the total number of prosecutors) have been disciplined in the specified period; c) the number of prosecutors brought to the disciplinary responsibility for various violations has increased by almost 25 % (in absolute terms) in the period from 2005 to 2015; d) the number of prosecutors engaged in the criminal, administrative and disciplinary proceedings, decreased slightly in 2014 compared to 2013 (from 13 to 15 %), but, at the moment, this process cannot be considered a stable positive trend; e) the total significant number of prosecutors held liable for committing defamation offenses and other misdemeanours during the last decade has not changed noticeably, generally remaining at a high level [1].

5 The need for more strict regulation of the law to the officials of the prosecutor's office of the Republic of Kazakhstan relates primarily to:

- fulfilment by prosecutors of goals and objectives particularly important for citizens, the state and society in general;

- legislative assignment to the Prosecutor's Office of significant obligations for implementation of activities aimed at strengthening the rule of law and protection of the rights and freedoms of human and citizen and legally protected interests of the state;

- legislative provision of significant authority to prosecutors, including enforcement powers;

- exceptional relevance for society of the issues of the prosecution bodies' proper functioning, in particular supervision over the implementation of laws, rights and freedoms of human and citizen, criminal prosecution, coordination of the law enforcement agencies in combating crime;

- particular importance for society of ensuring transparency, visibility, accountability of daily activities of the prosecution bodies.

6 The regulations, contained in the legislation, defining the ethical requirements to prosecutors, are not absolutely ultimate, and they seem to

require more specific regulation in the law of the Republic of Kazakhstan «On the prosecutor's office».

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ҚАЗАҚСТАН РЕСПУБЛИКАСЫ ПРОКУРАТУРА ОРГАНДАРЫ ҚЫЗМЕТКЕРЛЕРІНІҢ КӘСІПТІК-ДЕОНТОЛОГИЯЛЫҚ МӘДЕНИЕТІНІҢ МОДЕЛІ

Кәсіби деонтологиялық мәдениет-прокуратура қызметкерлерінің жұмыс сапасына әсер ететін жүйелі күрделі әлеуметтік-құқықтық құбылыс. Қоғамның әлеуметтік-экономикалық реформасы жағдайында мемлекеттік қызметтің моральдық негіздері, Мемлекеттік қызметшілердің моральдық сипаттамалары ерекше мәнге ие болады. Адамның нақты мінез-құлқын анықтайтын іс жүзінде жетекші реттеуші оның моральдық бағыты болады.

Бұл мәселені зерттеудің өзектілігі келесі себептермен анықталады:

- Халықты әлеуметтік қорғауды жақсарту қажеттілігінің күшеюі елдегі заңдылықтың жай-күйін кәсіби қадағалаумен айналысатын билікке әлеуметтік талаптар деңгейінің жоғарылауына әкелді;

- прокурорлардың заңға, азаматтардың құқықтарына, басқа да құқықтық құндылықтарға немқұрайлы қарауының жиі жағдайлары және сонымен бірге қызметтік өкілеттіктерді пайдалана отырып, заң бұзушылықтар санының артуы.

Зерттеудің мақсаты-Қазақстан Республикасы прокуратурасы қызметкерлерінің кәсіби деонтологиялық мәдениетін қалыптастыру моделін және оның тиімді жұмыс істеуі үшін жағдайлар кешенін ұсыну

Кілтті сөздер: деонтологиялық негіздер, прокуратура, этика, құқықтық сана, құқықтық мәдениет, адамгершілік.

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МОДЕЛЬ ПРОФЕССИОНАЛЬНО-ДЕОНТОЛОГИЧЕСКОЙ КУЛЬТУРЫ СОТРУДНИКОВ ОРГАНОВ ПРОКУРАТУРЫ РЕСПУБЛИКИ КАЗАХСТАН

Профессиональная деонтологическая культура представляет собой системное сложное социально-правовое явление, влияющее на качество работы сотрудников прокуратуры. В условиях социально-экономического реформирования общества особое значение приобретают нравственные основы государственной службы, моральные характеристики государственных служащих. Практически ведущим регулятором, определяющим конкретное поведение человека, становится его нравственная направленность.

Актуальность исследования данной проблемы определяется следующими причинами:

- усиление потребности в улучшении социальной защиты населения привело к повышению уровня социальных претензий к власти, профессионально занимающейся надзором за состоянием законности в стране;

- частые случаи пренебрежения прокуроров к закону, правам граждан, другим правовым ценностям, и в то же время увеличение количества нарушений закона с использованием служебных полномочий.

Цель исследования – представить модель формирования профессиональной деонтологической культуры у сотрудников прокуратуры Республики Казахстан и комплекс условий для ее эффективного функционирования

Ключевые слова: деонтологические основы, прокуратура, этика, правосознание, правовая культура, нравственность.

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