

REPORT

ABOUT A BUSINESS TRIP TO SHYMKENT

From April 16 to April 25, 2024, a leading researcher at the Research Institute of EPI KarUKazportebsoyuz Fetkulov A.H. as part of the implementation of the calendar plan of scientific trips under the project "Criminal law and criminological measures to ensure safety in mining or construction work" (IRN AR 19675171) was on a business trip to Shymkent at the expense of grant funding from the Science Committee of the Ministry science and higher education of the Republic of Kazakhstan for 2024.

During the business trip, the following tasks were solved:

- collection of empirical material on the research topic and official statistics (survey and questionnaire);
- analysis of investigative and judicial practice, study of experience in the field of countering offenses in the field of occupational safety and health;
- meeting with experts and scientists dealing with problems in the field of safety during mining or construction work.

On April 17, 2024, he arrived at Mukhtar Auezov South Kazakhstan University (5 Tauke Khan Avenue, Shymkent, Kazakhstan), which is one of the largest universities in Kazakhstan, with more than twenty thousand students studying there. The Faculty of Law of the M. Auezov University of South Kazakhstan is one of the leading faculties of the university, which employs prominent scientists, legal scholars with scientific papers and practical experience in combating offenses in the field of occupational safety and health.



On April 17, 2024, a meeting was held with the Vice-rector for Academic Affairs, PhD, Sarykulov Kurmangaly Rahimberdievich, during which the purpose and objectives of the visit were discussed, then permission was obtained to meet with the teaching staff of the Department of Criminal Law and Criminal Procedure, with university students, undergraduates and doctoral students.



A meeting was held with the head of the Department of Criminal Law and Criminal Procedure of the M. Auezov South Kazakhstan University, PhD, Associate Professor Imashev Botabek Esenbekovich. During the meeting, issues of improving

criminal and criminal procedure legislation in the field of countering criminal offenses against public safety and public order, including violations of safety rules during mining or construction work, both in the southern region and in the republic as a whole, were considered.



During the meeting, consultations were received from leading experts in the field of administrative, criminal, criminal procedure law, criminology and criminology, scientists and university professors on the topic of scientific research.

After the end of the conversation, the faculty and experts were interviewed. The Department of Criminal Law and Criminal Procedure employs five Candidates of Law, eleven senior teachers, ten of them Masters of Law and three teachers. We agreed to hold a regular meeting with the teaching staff of the Department of Criminal Law and Criminal Procedure to discuss other issues on the topic of scientific research and conducting scientific and practical seminars within the framework of the project.



On April 18, 2024, a meeting was held with the Dean of the Faculty of IT, Economics and Law of the Zhumabek Akhmetuly Tashenev University (21 Kunaev Avenue, Shymkent, Kazakhstan), Candidate of Economic Sciences Nauryzbekova Almara Yerkinovna, during which the purpose and objectives of the visit were also discussed, then permission was obtained to meet with the professor- the teaching staff of the Department of Economics and Law, with university students, undergraduates and doctoral students.



A meeting was organized with the teaching staff of the Department of Economics and Law on the prevention and suppression of offenses in the field of safety during mining or construction work, as well as the problems of qualification of criminal offenses in the field of safety and labor protection.



After the end of the conversation, the faculty of the Department of Economics and Law and experts were interviewed. Twenty-nine teachers work at the Department of Economics and Law. We agreed to hold a regular meeting with the faculty of the Department of Economics and Law to discuss other issues on the topic of scientific research. We also agreed to hold a scientific and practical seminar.

On April 19, 2024, at the NAO "M. Auezov South Kazakhstan University", a leading researcher at the Research Institute of Legal and Economic Research of the Karaganda University of Kazpotrebsoyuz, Ph.D., Associate Professor Fetkulov Alikzhan Khalelovich held a scientific and practical seminar on the topic: "Criminal law and criminological problems in ensuring safety during mining or construction work."

This seminar was held within the framework of the project with the financial support of the Science Committee of the Ministry of Science and Higher Education of the Republic of Kazakhstan (IRN AR 19675171).

The seminar considered the issues of qualification of criminal offenses involving liability under Article 277 of the Criminal Code of the Republic of Kazakhstan. Special attention was paid to the criteria for distinguishing related crimes, in particular, a comparative analysis of violations of safety rules during mining or construction work (Article 277 of the Criminal Code of the Republic of Kazakhstan) and violations of labor protection rules (Article 156 of the Criminal Code of the Republic of Kazakhstan) was carried out. A legal analysis was carried out and the signs of the composition of these criminal offenses were considered, as well as suggestions and recommendations for their improvement. The issues of

prevention of offenses in the field of safety and labor protection were also considered.

This seminar aroused great scientific interest among the teaching staff of the Department of Criminal Law and Procedure and the scientific youth of the University.



On April 20, 2024, a meeting was held with the teaching staff of the Department of Criminal Law and Criminal Procedure of M. Auezov South Kazakhstan University. During the meeting, the issues of ensuring safety and working conditions were discussed by the leading teachers of the department in the field of administrative, criminal, criminal procedure law, criminology and criminology.

There was a discussion of criminological problems of preventing violations of safety rules during mining or construction work, familiarization with the work of teachers of the department in this field of science. The problems related to the subject of these criminal offenses, who committed and committed these criminal acts, were discussed. Together with the teachers, we came to the conclusion that this problem exists, which requires further study in modern conditions of development of the mining and construction sectors of the economy.

In addition to the topic of scientific research, issues of further scientific cooperation between the Scientific Research Institute of Economic and Legal Studies, the law departments of the Karaganda University of Kazpotrebsoyuz and the law departments of the University of Shymkent were also discussed, for which it was necessary to conclude a special agreement or Memorandum on scientific cooperation.



On April 22, 2024, a scientific and practical seminar on the topic was held at the Department of Economics and Law of the Zh.A. Tashenev University: "Criminal law and criminological problems in ensuring safety during mining or construction work", which was conducted with the teachers of the department also as part of the project with the financial support of the Science Committee of the Ministry of Science and Higher Education of the Republic of Kazakhstan (IRN AR 19675171).

In the work of the scientific and practical seminar, the issues of qualification of criminal offenses involving liability for violation of safety rules during mining or construction were considered. Problematic issues related to the signs of the composition of these criminal offenses, as well as issues of preventing offenses in the field of safety and labor protection were considered. Proposals and recommendations on improving legislation and law enforcement practice were also considered. The seminar aroused great scientific interest among the teaching staff of the Department of Economics and Law of the Zh.A. Tashenev University. On their part, there were proposals for further participation in this scientific project.



On April 23, 2024, a meeting was organized with the investigators of the police department. Criminal procedural issues related to the investigation of criminal cases in the field of occupational safety and health, as well as issues of qualification and sentencing for violations of safety rules during mining or construction work were discussed. The issues of prevention and suppression of these criminal offenses were discussed.

On their part, recommendations and proposals were received on improving legislation and law enforcement practice in countering violations in the field of occupational safety and health. After discussing the problematic issues, a survey of investigators was conducted.

On April 24, 2024, there was a regular meeting with the teaching staff of the Department of Criminal Law and Criminal Procedure of the M. Auezov South Kazakhstan University, where criminological problems of preventing violations of safety rules during mining or construction work were discussed. The issues of the practice of application by the courts of the Republic of Kazakhstan of the criminal law regulating liability for violations of safety and labor protection rules were discussed. The administrative and legal problems of liability for violation of safety rules during mining or construction work were considered, and opinions were exchanged on the current criminal legislation in the field of occupational safety and health and the prospects for its further development.



During meetings with representatives of M. Auezov South Kazakhstan University and Zhumabek Akhmetuly Tashenev University, scientific books were donated to the university library fund, and photographs were taken with teaching staff. A written report and a photo report are posted on the university's website.

The purpose and objectives of the business trip carried out within the framework of the implementation of the calendar plan are fully fulfilled.

