

The Constitution is a basis of freedom

This year people of Kazakhstan celebrate the 20th anniversary of the Constitution of the Republic developed under the direct leadership of the First President – the Leader of the Nation N.A.Nazarbayev. A legal platform of the modern model of XXI century state is formed in the Constitution of Kazakhstan. The Constitution adopted on the Republican referendum 20 years ago gives priority to human values corresponding to the global standards enables each person to solve issues in accordance with the law. It established the trinity principle – society, state and personality as well as strategic direction of country's development. It is evidenced by the preamble of the Constitution, where the main values of our society and state are confirmed. The commitment to the ideals of the individual liberty, equality in rights and public consent are reflected in the Constitution. The main legal values are demonstrated in it: democratic, legal, social and secular state, his life, rights and freedom.

The following direction in the preamble of the Constitution is Kazakhstan's worthy place in the global community. One of the most important things is to identify itself as peace-loving civil society and consciousness of high responsibility before present and future generations. These values determined the significance of the constitutional norms for progressive and successful development of Kazakhstan. The people of Kazakhstan have made considerable achievements in economy, social policy and the formation of a democratic state relying on the constitutional establishment in twenty years. The first step in the formation of Kazakhstan as a prosperous nation was the adoption of the strategic program "Kazakhstan - 2030", which was announced by the President of the country N.A.Nazarbayev in the Message to the people of Kazakhstan in 1997. There was a period full of difficulties after the collapse of the Soviet Union, when you had to solve complicated economic and political-legal objectives. Seven priority long-term goals were determined in the Strategy "Kazakhstan -2030". We achieved them and today there is a new mission before Kazakhstan- to enter a number of 30 most developed countries of the world. Adopted in 2012 Strategy "Kazakhstan-2050: new political course of the established state" has determined direction of the further development of our country. By virtue of constitutionally regularized principles of peaceful foreign policy, Kazakhstan has established good relations with the leading countries of the world. The non-first use of armed forces, the commitment to the equality principles and non-interference in the internal affairs of states allowed Kazakhstan to chair the OSCE in 2010. The states turn to Kazakhstan more often laying mediatory mission between the conflicting parties. In this regard, the peace-loving civil society acts as a guarantor of political stability based on interethnic and interfaith consent. The Constitution expands the horizons of participation of the representatives of all nationalities in administration of the state. In this regard, the status of Assembly of Kazakhstan's people is clearly defined, which delegates representatives to the highest legislative body – the Parliament of the Republic: 9 deputies of the Mazhilis are elected by the Assembly, in addition, the Head of state with regard of the national, ethnic, religious interests of population appoint 15 deputies of the Senate of the Parliament. The constitutional status of the Assembly allows it to be the cornerstone of the state in the matter of the

national unity and understanding of Kazakhstan's people, where more than 140 nations and ethnic groups, 17 religious denominations live under one roof. Peace and harmony are invaluable asset of our state and the principles of interethnic and international relations formed in the Basic law. Free, democratic society is impossible without highly qualified, professional, competent professionals, who knows innovative methods of mastering new knowledge. Section 30 of the Constitution guarantees citizens of Kazakhstan the right to education. The entry of our country into 30 most developed countries of the world is feasible only in the case of forming so-called human-capital, capable to ensure sustainable socio-economic growth and competitiveness of our state in the context of globalization and impending challenges. The basis of human capital is a highly educated nation. Education is that strategic resource that will raise the economy, culture and spirituality of our country. The President of the country N.A.Nazarbayev always emphasizes that the leading factor of economic and social breakthrough in XX century are "people themselves, their will, energy, persistence and knowledge". The asset of any country is the human capital. Kazakhstan strives to enter a number of the most developed country within the realities of our time needs formation of reliable, sustainable personnel and intellectual potential. One of the principles of the modern constitutionalism is to protect the rights and freedom of the individual. Maintenance and full protection of human's rights and freedom is determined as democracy of the state. It should be noted that ensuring human and citizen's rights and freedom, the fight against crime in all its forms, modernization of law enforcement system placed at the forefront of the ongoing reform of the criminal and criminal-curial law, administrative and criminal-executive legislation.

From January 1, 2015 new Criminal, Criminal Procedure , Penal Codes and also Administrative Violations Code came into operation. The ideas of humanization of criminal legislation, decriminalization of economic violations, reinforcement of sanctions for grave and the gravest crimes, such as terrorism and extremism and et cetera were embodied in the new editions of these codes. The constitutional legitimacy should be noted as immutable values, which are traced by the red thread in the activity of the Constitutional Council, intended to serve in interests of the state and a certain person. Its regulatory resolutions and they are more than two hundred fully contribute to the strengthening of the state sovereignty, ensuring the rights and freedoms of the human and the citizen, protection of the territorial integrity and form of the government of the republic. The missions set in the New Economic policy of Kazakhstan "Nurly zhol", in the Message of the President to people on November 11, 2014 have a great importance in the definition of the further ways of development of modern Kazakhstan. Our Constitution is the guarantor of public and private property.

Language policy is also under its protection. Twenty years within the frame of the thousands years realities of the nomads' history are a short path. However, those values included in the Basic law are immutable truth for further development for the young, developing state. The Head of the State Nursultan Nazarbayev noted in one of his speeches: "The Constitution became the foundation of our freedom. It consolidates all that complex of our victories, our achievements which brought us

independence... We learn to live in a democratic society, thus we create democracy ourselves...Our Constitution gave us the main thing – the right of choice, because to create life is more valuable than any treasure”. The 20th anniversary of the Constitution is the fact of effective reforms of free, democratic Kazakhstan, its people headed by the Leader of the Nation in the name of our future generations.

Erkin ONGARBAYEV, Doctor in Law