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## Section 1. Study of art and cultural studies

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### TRANSLATING AL-FUZAI'S 'PREDICAMENT'

#### Abstract

Khalil I. Al-Fuzai (1940) – is a contemporary writer from the Eastern Province of the Kingdom of Saudi Arabia. He wrote several collections of stories that deal with a number of social issues. He also has many articles in magazines and newspapers. Dohal [2] wrote an article about Al-Fuzai entitled “Al-Fuzai: A Saudi Arabian Writer” and translated a number of his stories like: “No Rendezvous” (Dohal [3]), “Resolution” (Dohal [2]), and “The Passage of Time” (Dohal [2]).

The story ‘Predicament’ [1] is one of the stories of the collection *A Moment of Collapse and Other Stories* published by the Literary Club in Tabuk in the year 2000 AD. The story presents jealousy as a social topic that may affect family life. In addition to addressing the issue of tourism, it is important in renewing family morale [2].

**Keywords:** Al-Fuzai, Saudi, short story, Predicament.

#### Al-Fuzai's 'Predicament': A Short Story

El Mina Restaurant is one of the most important landmarks of Mohammedia [3] the Moroccan city of oil overlooking the ocean located in the middle of the road between Rabat and Casablanca. In this restaurant he and his wife like to have dinner whenever the opportunity arises. They are impressed by this Spanish-designed restaurant with its romantic atmosphere, delicious seafood, and mostly foreign customers.

She says while browsing the menu after they have settled in one of the corners of the restaurant near a window overlooking a garden filled with a variety of flowers, orange and olive bushes, and giant cedar trees. The lighting in the garden gives an atmosphere of peace and joy:

– I haven't called my mom in a week. Please remind me when we get back to the hotel.

She is drawn to those homes marked by drought and hardship, as she once described them. She carries her mother and brothers with her wherever she goes. This overwhelming belonging to others bothers him as does his talk about his family.

He never told her that he was annoyed by her concern for her family at times when he wished she would take more care of him he does consider her bright face her unique beauty her infinite delicacy Pay attention to the waiter as he stands by him, inquiring about their choice of food.

He stares at the menu He imagines that the letters have turned into columns of ants They move to the edges of the menu and then disappear until the menu

appears empty of writing. He throws it in panic and searches for the ants but does not find them, when he picks them up again, he finds the letters in their places. The urge to laugh attacks him, so he resists it. He asks the waiter to wait a few more minutes. He says:

– My mother my mother my family the phone (and then)?

And when she begins to resent, he hastens to say:

– Okay yes, thank you. When we get back to the hotel, I'll call her myself.

She is still preoccupied with examining the menu. Once again, the waiter comes to register their order. She dictates to him her choice, so the husband says:

– And I'm like her make the order for two.

Then he turns to his wife after the waiter has left and says:

– Why don't you speak People will think we're just a couple, how can I tell them that we're in love The paths of love have thrown them from the Far East to the Far West?

She smiles He feels joy overshadowing everything around him. The ceiling of the wooden restaurant seems far to the top, and the walls are long and turn green, and the grass growing between its cracks seems greener, while the restaurant floor turns pink.

He remembers that a few days ago he caused her to feel unjustified anxiety.

– Have you lost your tongue. Why don't you speak?

As if she pulled him out of the depths of grief, he says:

– It seems that I annoy you with my words whenever I try to win your favor. I am off the right, and I unintentionally commit foolishness.

As if she wanted to make it easy for him, she jokingly says:

– How sweet you are in this situation. You take off the veil of ambiguity, and you give up the role of cruelty, so you return to the way you are kind, gentle and clear.

He takes her hands, kisses them, and says:

– Please don't get me wrong. I'm trying to please you, but you're too sensitive;

– You are reckless, as well.

He tries to deduce from the tones of her voice whether she is joking with him or reminding him of one of his faults, but her voice seems neutral, so he assumes good faith which is the golden rule by which he deals with all people until proven otherwise and as long as opinions raised about which they do not agree, whether during their direct discussion Or through her weekly column that she writes in the magazine (The Woman), but he considers this difference of opinion as a sign of health in the marital relationship, especially since this difference ends up with persuasion in favor of one of the parties without sensitivity or feeling of injustice.

He asks her spontaneously:

– What do you mean when you say I'm too reckless?

Don't you know what I mean? Of course, you are not with me Since we sat, she almost devoured you with her eyes Surely you know her.

He feels as if she slapped him with her words, looking where she points with her head. There sits a man and a woman looking at them and talking in a whisper.

Do you mean that woman; she is with a man, and I don't think she's looking at me, but I think she's looking at you?

– Don't fool around. She looks at you. Will you tell me what your relationship with her is? Tell me if you know her.

The waiter starts to bring the food. Despite its appetite smell, his hand does not reach, because the surprise has paralyzed his thinking.

– Are you kidding?

With anger on her face:

– I am not joking and you always embarrass me in such situations.

He wants to absorb her anger and says jokingly:

– (As long as the moon is with me there is no need for the stars).

She does not listen to what he has said. His astonishment increases when he sees the woman leaving her companion and heading to where they are sitting, with a serious smile on her lips. He is apprehensive about the occurrence of an unforeseen consequence. His wife quickly wipes her tears and regains her appearance, as if it were the calm before the storm. Questions pour into his mind:

What does this woman want? What would his wife's reaction be if any conversation took place between him and this woman? What was this ominous hour that led him to this restaurant? How will the situation be handled if the situation develops while they are in a public place?

The woman gets closer. His heart is beating more, and his mind is getting more and more distracted, and it seems to him that the restaurant floor revolves around him alone. The woman gets closer his heart is beating more. And when she becomes close to them. She extends her hand. He thinks she will shake his hand, and this is the beginning of the disaster. But she goes past him to shake his wife's

hand, and clasps her hand warmly as she asks with childish joy:

– Are you the writer Kawthar Jaber?

The question is the last thing he has expected, as his wife is the famous writer in her country. He does not think that her fame has reached the Arab Maghreb. His wife answers, and the clouds of anger disappear from her skies:

– Yes. I am!

– This is one of the virtues of coincidence. My name is Aisha. I am a reader and admirer of everything you write. Especially your column in (Al Maraa) magazine. I have had your books through my brother who is sitting over there, and he works in your country Do you know? In fact, you are prettier than you look in the picture (your photo) that you publish with your articles.

His happiness is revealed through a smile, as he sees the pleasure on his wife's face. And he mutters clear words. But he wants to say:

– Didn't I say she's looking at you?

5/3/1997 AD [4]

### Translator's Notes:

1. This narrative was adapted from the Arabic source: Al-Fuzai, Khalil. *A Moment of Collapse and Other Stories*. لحظة انهيار و قصص أخرى Tabouk: Tabouk Literary Club, 2000.– P. 49–59.
2. This introduction is intended to put the story in its context.
3. Such an ellipsis is found in the source and I keep it while translating the story.
4. 5/3/1997 AD: This date is found in the Arabic source; apparently it is the date of this piece of writing.

### References:

1. Al-Fuzai K. I. *A moment of Collapse and Other Stories*. لحظة انهيار و قصص أخرى Tabouk (Saudi Arabia): Tabouk Literary Club, 2000.– P. 49–59.
2. Dohal G. H. Al-Fuzai: A Saudi Arabian Writer. *International Journal of Advanced Research (IJAR)*,– 9(3). 2021.– P. 746–48. doi.org/10.21474/IJAR01/12639.
3. Dohal G. H. "A Translation into English of Khalil I. Al-Fuzai's 'No Rendezvous.'" *Religación*,– 5. 2020.– P. 337–341. doi:10.46652/rgn.v5i25.663.
4. Dohal G. H. "A Translation of Al-Fuzai's 'Resolution.'" *Journal of Critical Studies in Language and Literature*,– 2(5). 2021.– P. 38–40. doi:10.46809/jcsll.v2i5.86.
5. Dohal G. H. "Translating Al-Fuzai's 'The Passage of Time.'" *International Journal of Linguistics, Literature and Translation*,– 4(8). 2021.– P. 71–73. doi:10.32996/ijllt.2021.4.8.10.

## Section 2. Mathematics

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### SOME WAYS TO SOLVE TRIGONOMETRIC EQUATIONS

**Abstract.** This article presents some methods for solving trigonometric equalities and trigonometric functions and some examples of solving equations.

**Keywords:** equation, square, coefficient, trigonometric, interval, root.

Students often come across trigonometric equations and trigonometric functions in the process of in-depth study of mathematics and solving Olympiad problems. In addition, the solution of various practical problems also leads to the solution of similar equations. In the curricula of general education schools, there is not enough information on topics related to the solution of such methods.

There are certain methods, algorithms for solving certain types of equations, for example, the simplest trigonometric equations and inequalities. There are solutions only for certain types of the above equations [1–4].

This article provides some methods for solving examples and trigonometric equalities using trigonometric functions. We will present such a method with some examples.

Example 1.  $x^2 + x\sqrt{3-3x^2} = 0,5 + x$  find a solution to the equation

Solution. First of all, we check for the necessary conditions for the domain of definition of this equality. He has a cool look:  $3-3x^2 \geq 0$  or  $(1-x^2) \geq 0$ ,

$(1-x)(1+x) \geq 0$  we obtain an inequality and use the interval method to solve this inequality:  $(-1;1)$ . Therefore, the solutions of the above equation must satisfy the condition. Therefore, in the domain of definition  $(-1;1)$  enter the condition  $\cos t = x$  satisfying the trigonometric function and lead to the solution of the trigonometric equality:

$$\cos^2 t + \cos t \sqrt{3-3\cos^2 t} = 0,5 + \cos t$$

Multiplying both sides of the equation by 2,  $2\cos^2 t = 1 + \cos 2t$  and from the formula  $\sin 2t = 2\sin t \cos t$  we come to equality:

$$1 + \cos 2t + \sqrt{3} \sin 2t = 1 + 2\cos t \text{ or}$$

$$\cos 2t + \sqrt{3} \sin 2t = 2\cos t$$

Dividing the last equation by 2,  $\frac{1}{2}\cos 2t + \frac{\sqrt{3}}{2}\sin 2t = \cos t$  or  $\cos(2t - \frac{\pi}{3}) - \cos t = 0$

we bring to the equation and solve it. It is known that

$$\cos \alpha - \cos \beta = -2 \sin \frac{\alpha + \beta}{2} \sin \frac{\alpha - \beta}{2}.$$

And from here we get the equation  $-2\sin(\frac{3t}{2} - \frac{\pi}{6})\sin(\frac{t}{2} - \frac{\pi}{6}) = 0$  or

$\sin\left(\frac{3t}{2} - \frac{\pi}{6}\right)\sin\left(\frac{t}{2} - \frac{\pi}{6}\right) = 0$ , and from here we get

$\sin\left(\frac{3t}{2} - \frac{\pi}{6}\right) = 0$  or  $\sin\left(\frac{t}{2} - \frac{\pi}{6}\right) = 0$ . The solutions of

the obtained equations are the following:

$$\frac{3t}{2} - \frac{\pi}{6} = k\pi, k \in \mathbb{N}; \quad \frac{t}{2} - \frac{\pi}{6} = n\pi, n \in \mathbb{N} \text{ or}$$

$$t = \frac{\pi}{9} + \frac{2k\pi}{3}, k \in \mathbb{N}; \quad t = \frac{\pi}{3} + 2n\pi, n \in \mathbb{N}$$

So, the roots of the equation have the following form:

$$x = \cos\left(\frac{\pi}{9} + \frac{2k\pi}{3}\right), k \in \mathbb{N}; \quad x = \cos\left(\frac{\pi}{3} + 2n\pi\right), n \in \mathbb{N}.$$

Example 2.  $\cos x + \sqrt{\frac{2-\sqrt{2}}{2}}(\sin x + 1) = 0$  find a

solution to the equation

Solution. First, we transfer  $\cos x$  to the right side of the equation and get the following equation

$$\sqrt{\frac{2-\sqrt{2}}{2}}(\sin x + 1) = -\cos x$$

For this equation to hold, the right side of the equation must also be non-negative, that is,  $-\cos x \geq 0$  or  $\cos x \leq 0$ . By squaring both sides of the equation, we get the following expression:

$$\frac{2-\sqrt{2}}{2}(\sin x + 1) = \cos^2 x$$

$$\frac{2-\sqrt{2}}{2}(\sin x + 1) = 1 - \sin^2 x$$

$$\frac{2-\sqrt{2}}{2}(\sin x + 1) + \sin^2 x - 1 = 0$$

Applying the abbreviated multiplication formula to the second part of the last equation,

$$\frac{2-\sqrt{2}}{2}(\sin x + 1) + (\sin x - 1)(\sin x + 1) = 0 \text{ or}$$

$$\sqrt{\frac{2-\sqrt{2}}{2}}(\sin x + 1)\left(\frac{2-\sqrt{2}}{2} + \sin x - 1\right) = 0$$

we come to the equation and writing  $(\sin x + 1)\left(\sin x - \frac{\sqrt{2}}{2}\right) = 0$

in the following form, we solve it:  $\sin x = -1$  or  $\sin x = \frac{\sqrt{2}}{2}$ . As a result, the following roots are the

$$\text{solution to the equation: } x = -\frac{\pi}{2} + 2k\pi, k \in \mathbb{N};$$

$$x = \frac{3\pi}{4} + 2k\pi, k \in \mathbb{N};$$

Example 3.  $6\cos 2x - 14\cos^2 x - 7\sin 2x = 0$  solve the equation.

Solution. Using the fact that  $\cos 2x = 2\cos^2 x - 1$  we can reduce it to the following form

$$6(2\cos^2 x - 1) - 14\cos^2 x - 7\sin 2x \cos x = 0$$

Multiplying both sides of the resulting equation by  $(-1)$ , we get the following equation:  $2\cos^2 x + 14\sin x \cos x + 6 = 0$ . If this equation contains  $\cos x = 0$ , then we get a contradiction, that is, in this case, the equation has no solution. If  $\cos x \neq 0$ , divide both sides of the equation by  $2\cos^2 x$  and we get the following equation:

$$1 + \frac{3}{\cos^2 x} + 7\operatorname{tg}x = 0 \text{ or } 1 + 3(1 + \operatorname{tg}^2 x) + 7\operatorname{tg}x = 0.$$

From here we make the quadratic equation  $3\operatorname{tg}^2 x + 7\operatorname{tg}x + 4 = 0$  with respect to  $\operatorname{tg}x$  and solve it:

$$\begin{cases} \operatorname{tg}x = -1 \\ \operatorname{tg}x = -\frac{4}{3} \end{cases} \Rightarrow \begin{cases} x = -\frac{\pi}{4} + k\pi, k \in \mathbb{N} \\ x = -\operatorname{arctg} \frac{4}{3} + n\pi, n \in \mathbb{N} \end{cases}$$

### References:

1. Kodirov K. R., Yunusalieva M. T. Юқори даражали тенгламаларни ешишнинг баъзи усуллари. НамДУ илмий ахборотномаси. – № 8. 2021. – P. 23–26.
2. Kodirov K. R., Nishonboyev A. S. On the scientific basis of forming students' logical competence. *Academica: An International Multidisciplinary Research Journal*. – Vol. 11. – Issue 3. March, 2021.
3. Kodirov K. R., Nishonboev A. S., Kodirova X. K. 5–6 синф ўқувчиларини математика ўқитиш жараёнида мантиқий компетентлигини шакллантириш. НамДУ илмий ахборотномаси. – № 4. 2021. – P. 353–357.
4. Turgunbayev R. M., Kodirov K. R., Nishonboev A. S. Математика ўқитишда фаолиятли ёндашув ва унинг аҳамияти. НамДУ илмий ахборотномаси. – № 9. 2022. – P. 518–523.

## Section 3. Management

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### **FORMATION OF THE CONCEPT OF SUSTAINABILITY AND COMPETITIVENESS OF MEDICAL ORGANIZATIONS BASED ON THE SYNERGISTIC EFFECT OF THE INTERACTION OF ECONOMIC ENTITIES IN THE CLUSTER STRUCTURE**

**Abstract.** This article represents overview of concept of sustainability and competitiveness of medical organizations. The consideration of the concepts “organizational economic sustainability” and “competitiveness” in a separate context leads to an unobjectively assessment of the effectiveness of the activities of medical organizations. As a result, interdependent issues are considered separately, which is due to the specifics of the use of products by medical organizations.

In addition, it should be noted that the sustainability of the organization in market conditions is impossible (neither at the expense of the brand, nor through external or internal investment, etc.) without the competitiveness of its own product. Sustainability without competitiveness is only possible in a highly centralized, planned economy in the absence of fierce competition among producers.

**Keywords:** concept of sustainability and competitiveness, medical organizations, cluster structure, the synergy of interdependence.

#### **Introduction**

When evaluating the organizational-economic sustainability and medical organizations in the integrated structure, the impact of indicators of sustainability and competitiveness of the treatment-prophylactic institutions, where the medical organization takes place, should be taken into account.

The developed concept contains the provision that a medical organization cannot be competitive without the competitiveness of its customers – a medical and preventive institution is one of the determining systems of the functioning of the integrated system in the field of medical industry and healthcare. The concept also implies the leading po-



sition of medical organizations in the organization and implementation of effective technical services, with appropriate metrological provision and inclusion of engineering and medical personnel in the cluster structure, which technically serve the implementation of medical services [1, p. 81].

### **Sustainability and competitiveness concept provisions**

The following four provisions are used in the study:

1. The possibilities and expediency of creating integrated structures through the creation of networks of interconnected business entities;
2. The necessity of forming competitive partnerships in integrated structures;
3. Interdependence of organizational-economic sustainability and competitiveness of enterprises;
4. Creation of synergistic effect in integrated structures.

According to the analysis and harmonization of these provisions, the concept of economic sustainability of medical organizations integrated in the cluster is proposed: creation of chains of medical organizations in the management strategy, in order to ensure the synergistic effect of their mutual cooperation [2, p. 32].

Considering the presented concept, we choose a cluster as an integrated structure of medical organizations and treatment-prophylactic institutions. It should be noted that for the participants of the cluster, as members integrated into the structure, it is necessary to have relations with customers, to ensure legal, economic and financial independence, and the participation of the state and customers in the formation and functioning of the cluster (M. Porter).

In addition, as a result of the research, it has been revealed that the theoretical methods and approaches of forming the mechanisms of organizational-economic sustainability of the competitiveness of medical organizations in the cluster environment are not sufficiently covered in the scientific literature. The

issues of being in harmony with other participants in the cluster, missions and common goals are not fully described [3, p. 20].

In our opinion, the principle of activity of participants in only one region is desirable, but not necessary, because the modern information space allows it. As a rule, participants must have a strong relationship and production culture, be able to work in a competitive market environment. The mission of the cluster should include the observance of legal norms of economically justified functioning and the rules of protection of the interests of their enterprises, including in the field of intellectual property. The proposed concept is based on research conducted in Georgian and foreign medical organizations, which showed that developing such a unified concept of sustainability and competitiveness of medical organizations in market conditions is appropriate and necessary. The concept, which is determined by the idea: "only organizational-economic sustainability" or "only competitiveness", leads to a decrease in the efficiency of medical organizations with great probability. As a result, questions caused by the specifics of their functioning as independent economic subjects in the integrated system are no longer considered. The introduction of the concept will allow medical organizations to participate more effectively in solving problems necessary for ensuring high standards of living of Georgian citizens and sustainable growth of the country's economy and raising national security priorities [4, p. 27].

Introduction of the concept will allow medical organizations to participate more effectively in solving problems necessary for ensuring high standards of living of Georgian citizens and sustainable growth of the country's economy and raising national security priorities.

Effective implementation of the proposed actions is expedient and possible based on the analysis of the activities of various economic alliances and integrated structures as a whole. Based on the results of the research, we believe that in the field of

medical industry and health care, the integration in the industrial-economic form of the cluster, which is adaptable to the proposed concept, will be the most effective.

For the formation and functioning of the management of the cluster system, it is necessary to create a regulatory body of the cluster, in the composition of which it is necessary to include the manager, economist, lawyer, HR officer and other similar representatives of the institutions. The work of the regulatory body should be carried out online, with quarterly reporting.

The proposed structure of the regulatory body, taking into account the representation of the members of the cluster in it, can perform the functions of the collegial body of the cluster – “specialized organization of the cluster”, expanding its capabilities, at the expense of the efficiency of decision-making, which is aimed at the medical industry and health care [5, p. 23].

On the effective realization of the mission of the forming cluster, the concentration of specific participants on solving specific actual scientific, industrial and economic problems. The members of the “regulatory body” should be members of the cluster, specialists not only in management, but also in other main areas of the cluster’s activity.

### **Conclusion**

Thus, in the interdependent functioning of the elements included in the structure of the cluster,

the synergy of interdependence is ensured. In particular, the tasks that require the management of the regulatory body and management decisions belong to:

- design,
- development,
- Production of high-tech products (medical services),
- operative assessment of clinical effectiveness and safety of medical devices,
- operational analysis of new proposals, both from medical specialists and technical specialists working with medical devices,
- joint measures for the protection of intellectual property,
- Analysis of diagnostic/therapeutic/prophylactic methods and facilities,
- joint activities in bio-medical and environmental management,
- Evaluation of the economic efficiency of the integrated structure.

The regulatory body’s information provision should allow enterprises from different regions to integrate into a cluster, including, for example, within the Eurasian Union. We emphasize that many publications in the field of research on the effectiveness of the activities of scientific enterprises contain a separate assessment of the categories of “organizational-economic sustainability” and “competitiveness” for the majority of scientific enterprises.

### **References:**

1. Meparishvili D., Maridashvili M. Ugrekhelidze K. Relationship between the internal control and anti-crisis management in pharmaceutical companies. IX International Conference “Science and Society – Methods and Problems of Practical Application”, Vancouver, Hamilton, Canada. February,– 15. 2020. Conference materials-pages 81–85.
2. Meparishvili D., Maridashvili M., Sanikidze E. Financial stability and risk assessment of the healthcare sector in Georgia. *International Scientific Journal: European Science Review* 7–8.2021. Premier Publishing. Vienna. Austria.– P. 30–34.
3. Maridashvili M., Meparishvili D., Sanikidze E. Health systems management and financial sustainability in Georgia. *International Scientific Journal: International Journal of Innovative Technologies in Social Science.*– No. 3(31). (2021): Scholarly Publisher RS Global Sp. z O. O. – Warsaw, Poland.

4. Meparishvili D., Maridashvili M. Ugrekhelidze K. Anti-crisis strategies applications for company internal control in healthcare sector and pharmaceutical industry. "The European Journal of Economics and Management Sciences",– Vienna, Austria, No. 2. 2020.– P. 27–30.
5. Meparishvili D., Maridashvili M., Sanikidze E. Financing and Effectiveness of Georgian Healthcare System XXXI International Scientific and Practical Conference Social and Economic Aspects of Education in Modern Society. August, 30, 2021. – Warsaw, Poland. RS Global. Conference materials,– P. 23–32.

## Section 4. Pedagogy

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### THE METHOD OF ORGANIZING INDEPENDENT EDUCATION IN THE CREDIT-MODULE SYSTEM IN HIGHER EDUCATION INSTITUTIONS

**Abstract.** It is known that in the traditional teaching model, the teacher is the main organizer of the educational process and the main source of information dissemination. In turn, classroom training is the main part of the educational process. With the transition to the credit-module system, the role of the teacher as the main organizer of the educational process and the only source of information distribution will decrease. The student is at the center of this learning process. He can get independent education. The introduction of this system should be an important factor in improving the quality of education and strengthening the relationship between the teacher and the student in this process. This article analyzes the credit-module system and the issues of organizing independent education in it.

**Keywords:** Credit-module system, higher education, independent education, forms of independent work, auditorium, independent work outside the auditorium, method.

#### Introduction

The credit-module teaching form is a system of organizing the process of mastering the educational program based on the creation of the content of the educational module, regularly evaluating the competencies of students, monitoring the results of the educational process and final control work. A credit is a unit of measurement of the educational load (time) spent on studying and mastering subjects within a particular educational direction or program (course). A credit is the minimum amount of time allocated to a student to study independently and in the classroom, usually for one week. Credit is given to the student after completing the assigned tasks in a certain subject and successfully passing the final exam. In order to receive a diploma in the chosen direction and specialty, each student must collect credits from the advanced

and elective subjects during the academic years. Credit technology gives students the right to choose elective subjects included in the working curriculum, thereby directly participating in the formation of an individual curriculum. Students are given the freedom to choose not only subjects, but also professors. A module is a part of the curriculum in which several subjects and courses are studied. It is a set of several subjects (courses) aimed at students' ability to acquire certain knowledge and skills, analytical and logical observation. In this, the teacher organizes the educational process, gives live, video and audio lectures, coordinates and monitors the student's activities. The student learns the subject independently and completes the assigned tasks and assignments on time.

The credit-module system is a model of organizing education based on the credit-module. But its organi-

zation is a complex and systematic process in many ways. In the credit-module principle, two main aspects are important: ensuring independent work of students; assessment of student knowledge based on rating.

### **Materials and methods**

The formation of the credit module system is related to the US education system. Initially, it was created in order to liberalize educational processes and determine the weekly academic load of the student. In 1869, Charles William Eliot, the president of Harvard University and prominent American education devotee, used the phrase “credit hour” for the first time. Thus, in the 1870s and 1880s, a system measured by credit hours was introduced [5].

In general, the organization of the educational process based on the credit-module system gives the following advantages to higher education institutions:

- the possibility of creating a modular structure of the curriculum;
- the possibility of using credits to evaluate the intensity of the cocktail;
- the possibility of using point rating systems to evaluate knowledge;
- Participation of students in the formation of an individual study plan;
- the possibility of increasing the share of self-education in the educational process;
- Ability to increase the flexibility of educational programs.

Studying with the credit system and mastering educational programs created an opportunity for students to independently plan the educational process, control its quality, and improve educational technologies. The introduction of the measure of credit accumulation not only gave the student great freedom, but also provided an opportunity to independently plan the academic process in order to become a competitive specialist in the chosen field in the future. At the same time, it also led to improvements in the assessment system and educational technology. We express the development cy-

cle of the credit module system as follows: in 1872, Harvard University created the US credit system (USCS), and in 1989, the European credit system developed the rules of a new credit module system and called it the European Credit Transfer System (ECTS). Student exchange between universities of the European Union countries begins to develop. By 1999, the international forum for the development of mutual cooperation between the ministries of higher education of European countries, called the Bologna process, will start working in Europe. As envisaged in the Bologna Declaration, the credit-module system, with an emphasis on independent learning, mainly serves to fulfill two functions [6]:

- the first one ensures the mobility of students and teachers, i.e. their free transition from one higher education institution to another HEI without obstacles (transfer of study or work);
- the second, the academic load – credit is accurately calculated for all educational and scientific activities of the student in the chosen field of study or specialty. The credit score shows how much the student has mastered in the chosen program

### **Results and discussion**

The following are recognized as the main tasks of the credit module system [7]:

- organization of educational processes on the basis of modules;
- determining the value of one subject, course (credit);
- assessment of students’ knowledge based on the rating score;
- to enable students to create their own study plans individually;
- increasing the share of independent education in the educational process;
- the convenience of educational programs and the ability to change based on the demand for a specialist in the labor market.

Module-based training programs are developed according to a special scheme and include:

- full disclosure of educational goals and tasks;
- requirements for the student’s qualification, which must be acquired after starting and finishing the subject (course);
- a summary (syllabus) of each subject included in the module, i.e. topics of lectures, a plan of seminars and practical exercises, tasks designed to evaluate independent education;
- a brief description of teaching: methods and means of teaching; consists of methods and forms of knowledge assessment.

In the module-based teaching system, a rating evaluation system is used to evaluate students’ knowledge, skills, and abilities. In it, all the student’s educational activities, that is, the knowledge acquired and mastered in the classroom and outside the classroom, are evaluated by giving points.

A credit (credit) is a unit of measurement of the educational load (time) spent on studying and mastering the subjects of a particular educational field or program (course). A credit is the minimum amount of time a student is allotted for classroom and independent study, usually one week, as determined by a regulatory document. Credit is given to a student after completing the assigned assignments in a specific subject and successfully passing the final exam.

Each student must accumulate credits in order to obtain a diploma in the field and specialty of his choice in the future. The accumulated credit will serve the student to improve his qualifications or receive additional higher education throughout his life. In economic terms, accumulated credit becomes a student’s academic “asset.”

According to international experience, the educational process in the credit-module system consists of 2–4 modules per semester. The subjects included in the module are formed from easy to complex, from theoretical-methodological subjects to applied subjects and logically based on the principle of complementing each other. In order for a student to become a specialist, it is necessary to have not only

information related to the field, but also the ability to process and introduce it into production practice.

Module-based training programs are developed based on a special scheme and include [8]:

- full disclosure of educational goals and tasks;
- requirements for the knowledge and skills that the student must acquire after starting and finishing the subject (course);
- a summary (syllabus) of each subject included in the module, i.e. topics of lectures, a plan of seminars and practical exercises, tasks intended for evaluating independent education;
- a brief description of teaching: methods and means of teaching; consists of methods and forms of knowledge assessment.

In the module-based teaching system, the rating evaluation system is used to evaluate students’ knowledge, qualifications and skills. In it, all the student’s educational activities, that is, the knowledge and skills acquired and mastered in the classroom and outside the classroom, are evaluated by giving points.

As we know, many things in everyday life have their own unit of measure. For example, the unit of measurement of time is a second, the measurement of length is a meter, the measurement of weight is a kilogram, the measurement of liquid is a liter, and the measurement of electric voltage is an ampere. Then a question arises: is there a unit of measurement of education, including higher education? You can say that the units of measurement of higher education are bachelor’s, master’s and doctoral studies. But these are not units of measurement of education, but its stages. Unfortunately, in our country, there is currently no unit of measurement that is understandable to everyone, which regularly evaluates the progress of students of higher education and their formation as specialists.

First of all, the credit-module system brings to the higher education system of our country a more perfect, modern, but understandable unit of measurement of education than the current one. According to it, higher education programs are di-

vided into different subjects and modules aimed at specific learning outcomes. Each subject or module is reflected in a certain number of credits depending on the amount of study load. For example, each subject can be reflected in an average of 5, 6 or 7, 5 credits. It is determined that a student must accumulate a certain number of credits in each semester and academic year, and after collecting the appropriate number of credits, he will be awarded a bachelor's or master's degree.

Credit technology gives students the right to choose elective subjects included in the working curriculum, thereby directly participating in the formation of an individual curriculum. They are given the freedom to choose not only subjects, but also professors and teachers. Giving students the opportunity to choose subjects is a positive thing. It is also considered to be a unique value indicator of the evaluation of educational processes.

The student was not allowed to study in the library, let alone to choose the subjects and professors. A student's absence from classes was considered a serious loss, if it exceeded 30 hours in one semester, a warning was issued, and if it exceeded 74 hours, it was up to expulsion from the student ranks. Whether the student likes this subject and the teacher or not, whether the given knowledge does not meet the requirements, whether it is left behind or not, he had to sit in the audience! So, in the traditional system, no materials were provided on what kind of knowledge a student would acquire in the future, what kind of professors-teachers would teach, the profile of the course, the summary of subjects, and the personnel who graduated from higher education institutions with a family education diploma were in demand. not at all competitive.

Distribution of credits by modules; After the profiles of higher education programs are created, a list of subjects and activities is formed. Academic subjects in the program are divided into a number of modules, and credits are allocated to each of them. When the credits are distributed for each module,

it is determined based on the estimated amount of study load needed to be completed by the student in order to achieve the study results determined in the future. In this case, the total amount of study loads is calculated based on how much time the student will spend to complete them. We remind you that in the European ECTS credit-module system, 1 credit is equivalent to 25–30 hours of study [9].

Students and teachers may wonder how much of this total study load corresponds to classroom hours. The rules of the credit module do not set specific requirements or limits on this issue.

There are many reasons for this. For example, learning processes or modules do not always include classroom hours. For example, we can cite the graduation practice, diploma work, and similar study elements and modules in the curriculum. As you can see, these reading items do not have audience hours. However, when we analyze the practice of universities operating in the credit-module system, we can observe that the ratio of classroom hours and independent study hours in most of them is 40% to 60% in subjects and modules with classroom hours. In other words, this ratio is 1:1.5. That is, for every 1 hour of lessons set for a specific subject, the student will have to study and prepare for an hour and a half independently outside of the lesson [5].

Choosing the most optimal forms of independent education in the field of mathematics and informatics, applying adequate methods of their use, will lead to the formation of students' knowledge, skills and qualifications, and their effective performance of independent, creative tasks in the process of practical activity.

Although the forms of organizing independent education are manifested at every stage of the educational process, we tried to scientifically substantiate the forms of independent education of students studying in the field of mathematics and informatics in the classroom and outside the classroom.

a) forms of independent education organized in the auditorium:

Form 1a – listening to a lecture and recording what was said in a notebook; Form 2a – performing practical and laboratory work;

Form 3a – learning to design and implement the educational process on the basis of pedagogical and information technologies.

b) forms of independent education organized outside the auditorium: Form 1b – working with educational literature;

Form 2b – preparation for control work; Form 3b – preparation of a lecture;

Figure 4b – distance education technology.

Below is a brief description of the content of the forms of independent education organized in the auditorium.

Figure 1a. Listening to a lecture and writing down what was said in a notebook. In the process of listening to a lecture in the fields of mathematics and informatics and recording it in a notebook, the sources of the lecture are written on one side of the page, leaving space on the other side.

On the second side, it is recommended to write the conclusions, technical solutions, opinions, questions, answers to questions, facts and put various signs. That is why sometimes wide margins are left.

2a – fig. Carrying out practical and laboratory work. Practical training is focused on strengthening the student's methodological knowledge, transferring it to a new situation, and developing general pedagogical concepts and basic pedagogical skills to solve practical problems and situations.

The main essence of laboratory training is that students independently perform various tasks related to the topic or conduct experiments.

Forms of practical training: designing various pedagogical-technological situations, solving methodological issues, completing assignments, participating in debates with teachers.

The main activity of students in practical and laboratory work is technological exercises.

3a – fig. learning to design and implement the educational process on the basis of pedagogical and information technologies.

Mathematics and informatics students learn to design the educational process based on pedagogical and information technologies learned in lectures, practical and laboratory sessions, mainly in the process of pedagogical practice. In this, students can creatively apply the knowledge acquired in certain conditions and choose the optimal options for education;

methodical processing of material that students should learn; conducting scientific and methodical research; students should have the skills to arouse interest in mathematics and develop interests.

The content of forms of independent education organized outside the auditorium.

1b – fig. Work with educational literature. Working with educational literature outside the auditorium is one of the main forms of independent education. Working with educational literature is a very easy and convenient way. All learners should be well versed in working with educational literature. Educational literature can be understood as textbooks, training manuals, methodical literature, information, instructions, etc.

2b – fig. Preparation for control work. The process of preparing for exams and control work is also one of the main forms of independent education.

In the course of education, students are required to take great responsibility in passing exams and control work. In exams and supervision, students report on how well they have mastered the curriculum. In order for students to be evaluated positively, they must prepare perfectly for the supervision work based on their wishes. Even if the student thoroughly prepares for each lesson on time, he should still re-read, summarize and systematize what he has learned before the control work.

3b – fig. Preparing a lecture. In the process of teaching in higher education institutions different forms and methods of education are used. The main



form of education is lecture. Preparing a lecture is a very complicated and labor-intensive task. Future undergraduate teachers of mathematics and informatics will have to prepare lectures in geometry, in the course of pedagogical practice.

Both during the lecture and in various practical exercises, the main focus is on developing students' independent thinking, increasing their knowledge and skills.

4b – fig. Distance education technology. Distance education technology is used to solve the problems encountered in the implementation of the traditional education system or when the conditions require it. It allows to increase the efficiency of education.

Independent education is the basis of the distance education process, so students' creative thinking develops. In distance education, the duration of the educational process is not fixed. The student performs the control work and sends the answer independently, at a time convenient for him. This situation serves to increase the effectiveness of distance education.

### **Conclusion**

In the ECTS system, the distribution of credits by educational programs, by academic years and by semesters is determined in advance. In this case, higher education institutions cannot independently determine the amount of credits that are determined according to educational programs, academic year or semesters. There are clear rules for determining this.

Distribution of loans by programs. The distribution of credits by educational programs is carried out depending on the levels of the higher education system of each qualification. In the higher education institutions of the Republic of Uzbekistan operating on the ECTS system, this distribution is 240 credits in four academic years for bachelor's courses, 120 credits in two academic years for master's courses, and based on the characteristics of doctoral programs. output can be defined differently.<sup>5</sup> These distribution rules can be described as follows:

Distribution of credits by academic years and semesters. The distribution of credits by academic years and semesters is as follows: 1 year is equal to a total of 60 credits, 1 semester is equal to a total of 30 credits. However, in educational programs where the duration of one academic year consists of 3 semesters instead of 2, 60 credits are divided into 3 equal parts.

Distribution of credit by modules. The distribution of credits by modules is carried out by higher education institutions, and sometimes by the relevant faculty, and is approved by the council of higher education institutions.

The distribution of loans is mainly carried out in two ways:

- Distribution by modules;
- Distribution without modules;

In cases of distribution of credits in this form, these methods have their own advantages and disadvantages.

The "credit-module" system of education is gradually entering the higher education system of our republic. At present, the issue of proper application of this system to the educational process by the institutions of higher education is gaining importance. Initial steps are being taken to abandon the negative aspects of the traditional education system and organize work within the requirements of international standards in higher education institutions of our republic. The credit module system, its goals and objectives, advantages, and the organization of the third semester in the credit module system were discussed in this graduation thesis. Proposals and recommendations have been developed.

In short, the credit-module system of education includes the control of all forms of education (auditory and non-auditory), a measure that shows the result achieved, not the number of hours studied in the educational process. It is important in increasing the efficiency of education because it is considered as a unit.

The study and analysis of the introduction of the credit-module system shows that it has its own characteristics in different countries of the world. The expediency and effectiveness of the credit-module system is seen in the fact that it is widespread in the education system of many countries of

the world, because the development of educational programs provides students with the opportunity to independently acquire knowledge and increase the level of creative activity of their independent work. Therefore, the quality of education will increase completely.

### References:

1. Junaydulloyevich A. A., Furqatovna O. N., & Baxtiyorovich A. B. Training highly qualified staff in development of Uzbekistan. In E-Conference Globe. March, 2021.– P. 288–292.
2. Navruzzoda B., & Davlatov S. The quality evaluation of teachers of the tourism and hospitality: a self-marketing approach. *International Journal of Management Cases*,– 12(2). 2010.– P. 358–368.
3. Management of educational systems (2008): Textbooks / T. I. Shamova, T. M. Davydenko, G. P. Shibanova; under red. T. I. Shamovoy. – M.: Univ. “The Academy”,– 384 p.
4. Jessica Shedd. “The History of the Student Credit Hour”. *New Directions for Higher Education*.– 122 (Summer) (122). 2003.– P. 5–12.
5. Improvement of independent work in credit module system in higher education. *Eurasian journal of academic research*: – 2.– P. 204–206. (12). URL: <https://doi.org/10.5281/zenodo.7303416>
6. Turkot T. I. *Pedagogy High School: Study Guide for university students*,– K.: Condor, 2011.– 628 p.
7. Muslimov N. A., Koysinov O. A. “Organization of independent education in the training of vocational education teachers”.– TDPU,– Tashkent, 2016.
8. The organization of the educational process in a research university, the monograph, V. Lysenko, Ridey N. M., O. V. Zazymko and others., under the general editorship Melnychuka D. O., – K.: Publishing Center NUBiP Ukrainy,– 612 p.
9. Tishchenko E. A. Organization of a system of credit education in a technical university. Abstract. Candidate of Pedagogical Sciences: 10/25/2007 Rostov-on-Don, 2017.– 21 st.
10. Muslimov N. A., Koysinov O. A. “Organization of independent education in the training of vocational education teachers”.– TSPU,– Tashkent, 2016. URL: <http://www.ziyonet.uz>

## Section 5. Political science

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### CONSTITUTIONAL POLICIES OF KAZAKHSTAN

**Abstract.** Present-day pace of Kazakhstan's development in the midst of the ongoing reforms raises the need for profound analysis of the ideas and principles of constitutionalism, the extent of their spread and the dynamics of their implementation in the national legislation. The Constitution as the main form of implementation of these legal postulates is the highest political and legal act governing the underlying social relations, and its further improvement in accordance with the global challenges and needs of state development is essential and demanded.

**Keywords:** Declaration "On the State Sovereignty of the Kazakh SSR", Constitutional Law "On the State Independence of the Republic of Kazakhstan" of December 16, 1991, Constitution of the Republic of Kazakhstan of 1993, Constitution of the Republic of Kazakhstan of 1995. Constitutional Reform of the Republic of Kazakhstan of 2007. Constitutional Reform of the Republic of Kazakhstan of 2017, Republican Referendum of June 5, 2022.

The establishment of the constitutional order in Kazakhstan began with the Declaration "On the State Sovereignty of the Kazakh SSR", adopted by the Supreme Soviet of the Kazakh SSR on October 25, 1990, establishing for the first time the indivisibility and inviolability of the territory, defining the country as a subject of international law, introducing the institution of citizenship and equality of forms of ownership.

Three norms were set out there for the first time: On the supremacy of the constitution and laws of the republic on the territory of the Kazakh SSR, "except for matters voluntarily delegated by it to the Union", and on the right of the republic "to suspend in its territory the laws and other acts of the supreme bodies of the Union which violate the sovereign rights and the Constitution of the Republic"; on the exclusive property of the Kazakh SSR, which constituted the

basis of its sovereignty, "all the national wealth available in its territory", and also enshrined "the right of the Kazakh SSR to its share in the general Union property in accordance with the contribution of the Republic, including in the diamond, currency funds and gold reserve"; on the right of the Kazakh SSR "to act as an independent subject of international relations, to determine foreign policy in its interests ..."

An important step in the political process was the **Constitutional Law on State Independence of the Republic of Kazakhstan of December 16, 1991**. Elaborating on the key ideas of the Declaration on State Sovereignty, the Constitutional Law stipulated that the Republic of Kazakhstan would build its relations with all states according to the principles of international law, as an independent state should. For the first time, a single Kazakhstani nationality was established. A variety of forms of ownership

was constitutionalized and the course of the state towards an independent economic system with its own financial and credit, tax and customs policies was consolidated. To protect the independence and territorial integrity of the Republic of Kazakhstan, the constitutional law established the creation of the country's own armed forces.

The Constitutional Law "On State Independence of the Republic of Kazakhstan" recognized "the united people of Kazakhstan" as the sole source of state power. The people of Kazakhstan, together with the Kazakh nation, the law stated, consisted of the citizens of the republic of all ethnicities, united with it by the commonality of historical destiny. This law became the provisional constitution of independent Kazakhstan at the stage of constitution of its *de jure* sovereignty. The Constitutional law "On State Independence of the Republic of Kazakhstan" dated December 16, 1991 became the continuation of the Declaration "On State Sovereignty of Kazakh SSR" of October 25, 1990. The Declaration was the act of political intention, and the constitutional law put an end to the process of socialistic construction and marked the way to another system. Thereby a fundamentally new beginning was made for the new, qualitative processes of its own system in Kazakhstan, the independent construction of a new politically and economically independent statehood.

The Constitutional Law raised the status of the President, who was given the same authority as the Supreme Soviet to speak on behalf of the people. The Constitutional Law on State Independence of the Republic of Kazakhstan of 1991 also adhered to the principle of separation of powers. In the case of the legislative and executive powers, the provisions of the 1990 declaration had been maintained, while the judicial power was vested in the Supreme Court and the Supreme Arbitration Court. The Constitutional Court of the Republic of Kazakhstan was proclaimed as the supreme judicial authority for the protection of the Constitution. A contradiction in the 1990 declaration has also been corrected: The direct elec-

tion of the President of the Republic in December 1991 changed the system of legitimizing the power of the head of state. Now the presidential vote of confidence did not depend on the will of the highest representative body and became independent. The overlapping of the posts of head of state and executive in a direct electoral, non-parliamentary election led to the conclusion that in December 1991 there was a transition from a semi-parliamentary to a presidential form of government.

**The Constitution of the Republic of Kazakhstan** adopted on January 28, 1993. On January 28, 1993, after two years of attempts to find compromises, the Supreme Soviet of the twelfth convocation adopted the first post-Soviet Constitution of Kazakhstan that completed the sovereignty of the republic *de jure* and continued the establishment of genuine constitutionalism. This marked the beginning of the transition to a qualitatively new stage in ensuring national independence, real guarantees of civil rights and freedoms, building of a democratic society and state based on the rule of law in the Republic. The Constitution of 1993 has opened a space for positive dynamics in the development of the Kazakhstani society, abandoning the single-party political rule, the monopolistic economic system and the ideology of historical violence. In the transition phase to a socially oriented market economy, the Fundamental Law legitimized the Republic as a new independent state in the world community. The 1993 Constitution declared that Kazakhstan positioned itself as part of the modern civilization, had the intention of good-neighborliness, multi-polarity and mutually beneficial cooperation, and was committed to universal values.

The greatest value of the Republic of Kazakhstan has been recognised as the human being, human life, freedom and inalienable rights. It has undertaken a constitutional obligation "to carry out its activities in the interests of the citizen and society" (Clause 3) [1]. For the first time, the principle of the sovereignty of the people of Kazakhstan was constitutionally formalised.

The fourth article of the Foundations of the Constitutional Order stipulated that “The people of Kazakhstan is the only source of state power of the Republic”, which it exercises directly and through its representatives. The sixth provision of the Foundations stipulated that “State power in the Republic of Kazakhstan is based on the principle of its division into the legislative, executive and judicial branches” (Clause 6) [1]. The Constitution of the Republic of Kazakhstan of 1993, unlike the former Soviet Constitutions, acquired the highest legal force and direct action. The Constitution of 1993 legitimized the Republic as a new independent state in the world community.

But the Constitution of 1993 could not help but bear the stamp of the past. It had been drafted at the time of the Union of Soviet Socialist Republics and was being finalised in the early stages of political independence. It was a kind of compromise between the need for the nascent presidency and the continued communist system. The Constitution of 1993 did not establish universal human rights but confined itself to stating the socialist rights of the citizens. The structure of the Supreme Council (former Supreme Soviet) remained as it was and the system of checks and balances in the interaction of powers had not been sufficiently refined. The Constitution of 1993 did not resolve the question of the specific form of republican rule.

Under the Constitution of 1993, the President of the Republic headed a unified system of executive power, determined the composition of the government, which was responsible to the President. All the elements of a presidential republic were in place. But there was no executive authority to deal with the decline in production, corruption, and polarisation of society. Also, the Constitution of 1993 did not provide a clear understanding of the constitutional definition of the nature of the developing statehood; the established status of languages; the ambiguous approach to the regulation of citizenship issues; the legal basis of Kazakhstan’s foreign policy as a newly independent state. The status and powers

of the President changed slightly in the Constitution of 1993: from being “the head of the Republic of Kazakhstan and its executive power” to “the head of the state and the unified system of executive power – the guarantor of observance of the rights and freedoms of citizens, of the Constitution and laws of the Republic”. Within the limits of constitutional powers, the President has the right to speak on behalf of the people of Kazakhstan [2, p. 64].

The Constitution of 1993 made significant adjustments to the legitimate basis of the executive power in Kazakhstan:

- defined the executive branch as an independent branch of state power;
- introduced the concept of a unified system of executive power;
- made changes in the procedure for forming the Government. It follows from Article 78(3) of the Constitution of 1993 that the consent of the Supreme Council is now required for the Prime Minister to be appointed by the President, as well as for key positions in the system of executive power – Ministers of Foreign Affairs, Defense, Finance, Internal Affairs, and the Chairman of the National Security Committee. The consent of the supreme legislative body is not required for the appointment of other positions in the government;
- Substantially changed the provision on the responsibility of the executive branch to the Supreme Council: the Cabinet of Ministers is responsible to the President; it has a limited responsibility to the Supreme Council only for the implementation of laws (Articles 85, 88) [1].

In addition, the role of Parliament in dismissing the Government was minimised. It was stipulated that the Supreme Council may raise with the President of the Republic the question of early dismissal of a member of the Cabinet of Ministers only if he has violated the Constitution and the laws of the state. In general, the Cabinet of Ministers is responsible to the head of

state and resigns before the newly elected President [2]. The Constitution of 1993 took another step in strengthening the position of the executive branch by continuing the redistribution of power between the executive and the legislature in favor of the former. This was largely due to, among other factors, the low efficiency of the legislative and judicial bodies and the weakness of political parties. The constitutional enshrinement of the possibility of declaring a state of emergency (the Basic Law of 1993 grants the head of state the right to declare a state of emergency) also indicated a strengthening of the executive power in the person of the President [2].

Under the Constitution of 1993, the President, along with deputies of the Supreme Soviet, the Cabinet of Ministers, the Supreme Court and the Supreme Arbitration Court, had the right to initiate legislation. Under the Constitution of 1995, as the highest official to whom both the legislative and executive branches of power could appeal, the head of state had no such initiative and was empowered to issue decrees with the force of law in strictly defined cases. Also under the Constitution of 1993, the President had a veto power which had to be overruled by a qualified majority (Article 78(2)).

**The Constitution of the Republic of Kazakhstan of 1995.** A significant event in the life of Kazakh society was the Constitution of the Republic of Kazakhstan in 1995, which was adopted by referendum with 89.14% of the votes of the citizens of the Republic participating in the voting (8,091,715 citizens or 90.58%). The number of citizens who voted against the new Constitution was 800839 or 9.90% of the citizens of Kazakhstan who took part in the referendum. As a result, the Constitution of 1995 was adopted by the people of Kazakhstan, and the people of Kazakhstan themselves became co-authors of the ideas of this Basic Law together with the President of the Republic of Kazakhstan N. A. Nazarbayev. The Draft Constitution of 1995 was developed under the leadership and with the direct participation of N. A. Nazarbayev. More than 3 million

345 thousand Kazakhstani citizens took part in the discussion of the Draft, which took place from June 30 to July 30, 1995. 31 thousand 886 proposals and comments were made, which led to the amendment of 55 articles out of 98 articles of the Final, Fourth Draft. The adoption of the Constitution of 1995, its spirit and letter opened up new prospects for the further development and strengthening of the independent state.

The Constitution of 1995 defines the foundation of Kazakhstan's new independent state in Article 1, Section 1, "General Provisions": "The Republic of Kazakhstan claims to be a democratic, secular, legal and social state whose highest values are the individual, his life, rights and freedoms" (Clause 1). The Constitution of 1995 formulates and enshrines the rights, freedoms and duties of the individual and the citizen. Article 10 unambiguously enshrines that "citizenship of the Republic of Kazakhstan ... is one". "Irrespective of the grounds of its acquisition", the same article of the new Constitution notes, "citizenship of the Republic of Kazakhstan is equal". Also the state language is defined as the Kazakh language, but with a clarification: the Russian language is officially used in state bodies and local authorities on an equal basis with the state language [3, p. 70].

Under Article 40, Section 111 of the Constitution of the Republic of Kazakhstan of 1995, the President, as the head of state and its highest official, who determines the main directions of domestic and foreign policy of the state and represents Kazakhstan within the country and in international relations, serves as:

- first, as a symbol and guarantor of the unity of the people and the state power;
- second, it ensures the coordinated functioning of all branches of State power, as well as the responsibility of its bodies towards the people of Kazakhstan;
- in addition, the President is vested with the right to issue laws and decrees having the force of law. He forms the Government in the man-

ner prescribed by the Constitution. In all its activities, the Government is responsible to the President. The President may dissolve Parliament, but in strictly defined cases:

- a vote of no confidence in the Government by Parliament;
- when Parliament twice refuses to give its consent to the appointment of a Prime Minister;
- in the event of a political crisis resulting from an irreconcilable disagreement between the chambers of Parliament or between Parliament and the other branches of Government (Article 63);
- the President, on an individual initiative, has the right to decide to terminate the powers of the Government and to dismiss any of its members. The dismissal of the Head of Government entails the resignation of the entire Government (Article 70(7)).

Under Kazakhstan's model of a presidential republic, all elements of the system of government are aligned, forming a mechanism of checks and balances. Under the Constitution of 1995, the President is realistically and equidistant from both the executive and the legislature. The presidential system is the institution that ensures the coordinated functioning of all branches of state power and their responsibility to the people (Article 40(3)), and the President of the Republic of Kazakhstan has constitutional powers of arbiter in matters of maintaining the balance of powers. Evidence of the arbitration functions of the President of the Republic of Kazakhstan can also be found in such state-legal institutions as the right to dissolve both Parliament and the Government in certain cases (Article 63).

The main distinctive aspect of the system of government in the state of Kazakhstan under the Constitution of 1995 is the strengthening of the institution of the presidency. The President of the Republic is the legitimate representative of the Kazakhstani people. The Head of State embodies the unity of the people of Kazakhstan. According to the fundamental consti-

tutional norms he has the unlimited right to speak on behalf of the people and the state. The Parliament has the right to speak on behalf of the people "within the limits of its constitutional powers" [3, p. 75].

The President of Kazakhstan according to the Constitution of 1995 is endowed with the dual status: first, as the Head of State, and second, as the highest official [4]. Determining the main directions of domestic and foreign policy, the President of the Republic of Kazakhstan does so equally in relation to all branches of the state and acts as the head of state. Ensuring the implementation of the main directions of domestic and foreign policy of the state, the President of the Republic of Kazakhstan interacts with each of the branches of power. In cases where the President directly directs the Government, he acts predominantly as the highest official. For example, in relations with the Armed Forces of the Republic, the President acts as the Supreme Commander-in-Chief [5].

Under the Constitution, the President of the Republic is the guarantor of human and civil rights and freedoms in Kazakhstan. The Head of State has established and operates the Commission on Human Rights as a prototype of the institution of the 'ombudsman', the state's commissioner for human rights. The Constitution of 1995 gives the President the right to declare a state of emergency in the country (Article 44(16)). This is when the democratic institutions, independence and territorial integrity; political stability and security of citizens; and the normal functioning of the constitutional organs of the state are threatened. The Constitution of 1995 legally provides for a presidential form of government, but, according to Kazakhstani political analysts, one may speak of a non-classical presidential, or super-presidential form of government, because the constitutional powers of the head of state are significantly strengthened in comparison to the 1991–1995 period and the classical presidential republics. The Constitution of 1995 was the result of Nursultan Nazarbayev's consistent and balanced course. It laid the foundation for political stability, a fuller implementation of the principle

of separation of powers, and the formation of a modern and professional bicameral Parliament operating on a permanent basis. The Constitution of 1995 became the foundation for the systemic modernization of Kazakh society through profound economic and political transformations.

As part of the **1998 amendments**, 19 articles were amended. For example, the presidential age limit of 65 was removed and the term of office increased from five to seven years; the age limit of 60 for civil servants was removed; parliament was divided into two chambers, the Senate and the Majilis; parliament's legislative function was divided among three institutions – the president, the government and members of parliament; the Supreme Council was abolished; and the Constitutional and Arbitration Courts were abolished.

**The constitutional reform of the Republic of Kazakhstan in 2007.** Nursultan Nazarbayev presented amendments to the Constitution to Parliament in May 2007. The President announced the beginning of a new stage in Kazakhstan's democratization. The head of state proposed transforming our republic from a presidential to a presidential-parliamentary one. This implies a serious strengthening of the role of representative power, both centrally and locally. In addition, the importance of political parties, public associations and the Assembly of the Peoples of Kazakhstan will increase, the judicial system will be improved, the death penalty in the republic will actually be abolished, and the presidential term of office will be reduced from seven to five years. The author of the constitutional reform was President Nazarbayev. The head of state personally headed the State Commission on Development and Concretization of the Program of Democratic Reforms and the Working Group on Preparation of Amendments and Additions to the Constitution. Our leader took this decision for the sake of the future of the country and its prosperity as a democratic state. Concrete innovations of the constitutional reform and the ensuing legislative tasks:

- The President proposed to go along the lines of such a constitutional change, whereby the republic remains presidential, but with a significant increase in the powers of Parliament. This would transform the model of our republic from presidential to presidential-parliamentary. According to Nazarbayev, it is reasonable to reduce the term of presidential rule from seven to five years;

- Parliament passed an amendment initiated by a large group of deputies, whereby Nursultan Nazarbayev, as the first President, the founder of the modern Kazakhstani state and generally recognised national leader, was given the exclusive right and opportunity to run for the post of head of state beyond the two terms established in the Constitution;

- Democratization of the electoral system. The president developed the proposals of the state commission, which proposed electing half of the deputies on a majoritarian system and half on a proportional one. Nazarbayev proposed a transition to the election of deputies to the Majilis under the proportional electoral system, which ensures representativeness and takes into account the specific features of Kazakhstan. The new form of elections in Kazakhstan should provide political parties with additional opportunities to strengthen their role in the political system of the country by ensuring a real reflection of the balance of political forces and the actual will of the population;

- The proposal of the State Commission to increase the size of the Senate by increasing the presidential quota, which now rises from 7 to 15 deputies, was adopted. The Majilis is proposed to be increased to 107 deputies. 98 deputies are elected under the proportional system, while 9 deputies represent the Assembly of People of Kazakhstan, elected according to the law. This is necessary to take into account the interests of large ethnic groups and will serve to further consolidate society. Thus, the number of deputies in Parliament is increased by 38 people and will make up 154 deputies. This is a normal proportion for our 15 million population;



– As for the functions of the chambers of Parliament, the Senate will be able to pass laws on its own if the Majilis terminates its powers prematurely. Also, the upper house will approve the chairman of the National Bank. Deputies will henceforth be bound by an imperative mandate to uphold a single party's position in the voting. Parliament's authority to control the government will be strengthened. In particular, the procedure of passing a vote of no confidence in the central executive will be simplified. The Prime Minister will be required to raise the issue of confidence in the Cabinet of Ministers before a newly elected Majilis. The composition of the government will be formed on the prime minister's proposal;

– Changes and amendments to the basic law of the country related to strengthening the role of political parties. According to Nazarbayev, the election of Majilis deputies under the proportional system is a historically important step in enhancing the role of political parties. In addition, the Prime Minister will represent the parliamentary majority party. The implementation of such an approach would, first, enhance the role of political parties in forming the government; second, it would result in the parliamentary majority party being responsible for the formation and subsequent actions of the government, which would have to implement the programme of the winning party or coalition. The new amendments will abolish the ban on public funding of public associations. The parties will be able to count on the support of the national budget. The importance of parliamentary groups of political parties will increase;

– Develop civil society institutions. The role of NGOs and the media will increase, but, as the president noted, so will their responsibility to the public. The head of state initiated the establishment of a Civil Forum, under which the Civic Alliance of Kazakhstan was created. A chamber of public experts under the Majilis was established to ensure its participation in law-making processes. This will establish a high level of dialogue between the authorities and non-

governmental organizations, thus strengthening the role of civil institutions in the social and economic life of society;

– changes and additions with regard to local self-government issues. Maslikhats will become a full-fledged instrument of people's power at the local level. The proposed amendments to the Constitution will allow rural akims, along with the performance of state functions, to legitimately address the tasks of local self-government. The term of office of maslikhats is determined to be five years; this will contribute to much greater stability of local power. Akims of oblasts, cities of republican significance and the capital will be appointed with the consent of the respective maslikhats. Akims of other levels will be appointed according to the same scheme. According to the President, it will now be easier for the maslikhat to express no confidence in the akim, which will automatically increase the responsibility of the local executive power;

– Judicial authorisation of arrests has been introduced. In addition, the qualification collegium of justice is abolished. Its function of selecting candidates for judicial positions is transferred to the Supreme Judicial Council. The Assembly of the People of Kazakhstan was also updated. The Assembly of the People of Kazakhstan has been given constitutional status as an organisation that ensures representation of different ethnic groups of the country in public and political life [6].

Overall, the constitutional reform signifies Kazakhstan's entry into a new historical era. A transition to a more democratic and institutionally sustainable form is being implemented, with a slight shift in the power centre from the executive to the legislative branch. The constitutional changes can certainly be regarded as another step towards further modernisation of Kazakhstan's political system. President Nazarbayev was the author of all the changes and confirmed his status as an outstanding reformer and statesman. This reform vividly confirms as never before the large-scale strategic thinking of the leader of Kazakhstan.

The constitutional reform of 2007 expanded the powers of Parliament, increased the role of political parties in the formation of the legislature, and strengthened the influence of local representative bodies.

In addition to its legislative functions, the Senate of Parliament is directly involved in the personnel policy of the state by giving its consent to the appointment by the President of the Head of the National Bank, the Prosecutor General and the Chairman of the National Security Committee; it elects and dismisses the Chairman and judges of the Supreme Court and participates in the formation of the Constitutional Council, the Central Election Commission and the Accounts Committee for monitoring the execution of the national budget. The Senate is empowered to issue laws during the temporary absence of the Majilis caused by the early termination of its powers. Time has shown the effectiveness of the 2007 constitutional reform.

As part of the amendments of 2007, more than 40 significant amendments were introduced. The amendments and additions were so serious that one can say that a virtually new Constitution has been created: democratic principles equal for all have been enshrined as the highest values of the people of Kazakhstan; the presidential term of office has been reduced from seven to five years; the definition of “First President”, who is not subject to the restriction of election for more than two consecutive terms, has been introduced; a proportional-party system has been established; political competition and diversity has emerged; the status of parliament has been enhanced by the introduction of a rule on the approval of the prime minister by a parliamentary majority; gave the Assembly of the People of Kazakhstan constitutional status and the right to delegate its representatives to the Majilis of Parliament, according to a set quota.

As part of the **2011 amendments**, only one amendment was made to the Kazakh constitution, establishing a constitutional basis for the appointment and conduct of extraordinary presidential elections, which enshrined the status of Elbasy.

**The constitutional reform** proposed by President Nursultan Nazarbayev in **2017** was a defining moment in Kazakhstan’s political history, as the constitutional amendments have positively influenced the further trajectory of domestic statehood. The political reform has become a major support for the modernisation of Kazakhstan. What amendments are introduced by this reform?

### **Strong President**

Kazakhstan remains a presidential republic. The Head of State retains the functions of guarantor of the Constitution and stability, supreme arbiter between the branches of power, determining the strategy of foreign and domestic policy, and ensuring the security and defence capacity of the country. The statutory powers that ensure the President’s status as Supreme Commander-in-Chief and the powers of the Head of State in the area of national security, law and order are not subject to transfer.

The Head of State will have the right to appeal to the Constitutional Council to verify the constitutionality of laws not only before they are signed, but also after their enactment [7].

### **Strong Parliament**

The rules allowing the President to issue decrees having the force of law and for Parliament to delegate legislative powers to the President are excluded from the Constitution. The law would not allow the Head of State to declare the consideration of a draft law urgent. The Head of State reserves the right to prioritise the passage of draft legislation in Parliament.

Following the hearing of the report of a member of the Government by a majority of not less than two-thirds of the total number of deputies of the chamber, each chamber shall have the right to appeal to the President to dismiss the official in the event that he fails to obey the laws. In this case, the President shall dismiss the member of the Government. The right of the President to reject an appeal of the deputies of the chamber to dismiss a member of the Government is excluded, i.e. a corresponding appeal of the chamber to the Head of State to dismiss a par-

ticular member of the Government shall be subject to acceptance [7].

### **Strong Government**

According to the constitutional reform, the government will be fully responsible for the state of affairs in the socio-economic sphere. The authority to approve state programmes in consultation with the President is transferred to the Government. The executive branch bears the burden of responsibility for the documents it develops and implements. The same applies to the power to form and abolish agencies that are not part of the government, and to create state-owned enterprises. The competence of the executive branch includes the formation of the republican budget commission, the creation and abolition of special economic zones, the introduction of a special currency regime, the approval of a list of public holidays, and the establishment of city boundaries.

The constitutional reform will expand the responsibility of the Government and the entire executive branch system and ensure their accountability to Parliament. The Head of the Government in the lower house of Parliament should answer questions from party factions at least once a quarter on his work on the social and economic development of the country.

The role of Parliament in relation to the executive branch has been redefined. The Government is now responsible to the President and Parliament in its activities. The Prime Minister will now make proposals on the structure and composition of the government after consultation with the Majilis. The exceptions are the ministers of defence and foreign affairs, who will be appointed by the head of state independently. It is envisaged that the government will resign before a newly elected Majilis. The procedure for dismissal of members of the Government at the request of members of Parliament will be simplified.

New amendments to the Constitution will tighten the requirements for judicial candidates. The role of law enforcement agencies in fulfilling the tasks of ensuring the rights and freedoms of citizens, state se-

curity, law and order and the rule of law will change. Each law enforcement agency would have to perform its tasks in good faith under public scrutiny. The Constitution revises the functions of the Prosecutor's Office. Its tasks are defined succinctly and precisely, i.e. to supervise the observance of the rule of law, to represent the interest of the state in court and to prosecute.

One of the constitutional amendments affecting the activities of local state administration and self-governance bodies concerns the early termination of the powers of the maslikhat. The President retains the right to terminate the powers of the maslikhat early, but the Head of State takes such a decision only after consultation with the Prime Minister and the chairpersons of the parliamentary chambers. Therefore, the decision to dissolve the maslikhat involves representatives of the two branches of government – the legislative and the executive.

The new version of the Constitution deals with the appointment or election to the office of akims of other administrative-territorial units, except for the akims of oblasts, cities of republican significance and the capital. Unlike the current constitutional norm, according to which the procedure for appointment or election to the post of akims of these administrative-territorial units was determined by acts of the President, such procedure will now be determined by law. Thus, this power of the Head of State is proposed to be transferred to the Parliament, which will establish by law the procedure of appointment or election to the position of akims of a district in a city, a town of district subordination, a village, a settlement and a rural district. The President only retains the right to dismiss akims. The amendments to the Constitution proposed by the Head of the State contain another fundamental innovation: the right of private ownership of any lawfully acquired property extends to each person staying on the territory of our country irrespective of the citizenship of which country he belongs or is a stateless person. This provision is the result of the positive evolution of our society.

Expanding guarantees of private property rights would further encourage foreign investment in the country, boost entrepreneurial initiatives by citizens, and promote the growth of the middle class as the basis of the state's sociopolitical stability.

Important changes relate to the legal security of the key issue of the inviolability of state independence. The stability of the Constitution and the inadmissibility of changes to its provisions establishing the independence, unitary and territorial integrity of the republic and the form of its government are determined by the indispensable existence of an opinion of the Constitutional Council before the relevant amendments to the Basic Law are submitted for consideration.

The reform proposed by the Leader of the Nation was a major step towards democratisation of the country's political system. The President was guided by the imperative to further strengthen statehood for the well-being of the citizens of our country.

The list of specially protected constitutional values was expanded by the law: "The independence of the state, unitarity and territorial integrity of the republic, the form of its government, as well as the fundamental principles of the republic, established by the Founder of independent Kazakhstan, the First President of the Republic of Kazakhstan – Elbasy, and his status are unchangeable" (paragraph 2 of Article 91 of the Constitution). As the Constitutional Court of Kazakhstan noted in its decision, thus the historical mission of Nursultan Nazarbayev as the Founder of new independent state of Kazakhstan is constitutionally confirmed, who provided its unity, defense of Constitution, rights and freedom of man and citizen; who made due to his constitutional status and personal qualities crucial contribution to the formation and development of sovereign Kazakhstan, including the constitutional values of Basic Law and fundamental principles of activity of the republic. The law provides for a mandatory opinion of the Constitutional Council on the compliance of amendments to the Constitution with the above

requirement before they are submitted to a national referendum or to Parliament [7].

The amendments significantly strengthen the human rights potential of the State. The right of the President of the Republic to address the Constitutional Council to review a law or other legal act that has entered into force for compliance with the Constitution is linked to the interests of protecting human and civil rights and freedoms, ensuring national security, sovereignty and the integrity of the state, which derives from the constitutional and legal status of the Head of State, enshrined in Article 40 of the Constitution.

On the initiative of the Head of State, Article 73, para. 4 of the Constitution, which provided for the right of the President of the Republic to submit objections to decisions of the Constitutional Council and regulated the procedure and consequences of their consideration, has been deleted. We perceive the adopted decision aimed at strengthening the Constitutional Council as a demonstration of a high degree of confidence of the President of the Republic in the Constitutional Council, whose staff is deeply aware that it increases the responsibility and stricter requirements for the activity of the body of constitutional control. As many foreign experts note, thanks to these constitutional amendments, the Constitutional Council of Kazakhstan now becomes equal in its competence to constitutional courts of some European countries.

Giving constitutional status to the Ombudsman for Human Rights in the Republic and regulation of the procedure of his/her appointment and dismissal corresponds to the provisions of paragraph 1 of article 1 and paragraph 2 of article 12 of the Constitution, according to which the Republic of Kazakhstan claims to be a democratic, secular, legal and social state, the highest values of which are man, his life, rights and freedoms [7].

Provisions on the Ombudsman are contained in the constitutions of several countries: Albania, Austria, Croatia, Estonia, Finland, Georgia, Hungary,

Poland, Romania, Russia, Slovakia, Slovenia, Spain, Sweden and others.

The Venice Commission on the Status of the Commissioner for Human Rights in the Republic of Kazakhstan (2007) noted that the establishment of the Commissioner for Human Rights should have guarantees at constitutional level setting out the substance of the institution's characteristics and powers and the basic conditions for its appointment, providing for the selection of this person by a qualified majority in Parliament.

The higher requirements for presidential candidates, in particular the introduction of a higher education requirement (Article 1(5) of the Law), are justified. A regulatory decision of the Constitutional Council of April 9, 2004 explains that the constitutional requirements for citizens exercising passive suffrage are significantly higher than those for the rest of the majority of voters, since they are to bear the burden of legislation and state decisions.

The law has democratically modernised the presidential form of government by strengthening the role, autonomy and responsibility of Parliament and the Government and by redistributing certain presidential powers between Parliament and the Government.

According to the amended Article 49 (1) of the Constitution, Parliament "is the supreme representative body of the Republic, which exercises legislative power". This provision of principle is supported by the exception of the competence of the head of state to issue laws, decrees having the force of law; to exercise legislative power if Parliament delegates them to him, as well as to give instructions to the Government to submit a bill to the Majilis of the Parliament (article. 45, clause 2, article 61, clause 2 of the Constitution, article 44, subclause 3) of the Constitution). At the same time, the President of the Republic retains the right of legislative initiative and the right to prioritise the consideration of draft laws, meaning that they must be passed by Parliament as a

matter of priority within two months (Article 61(2) of the Constitution).

The Law expands the role of the Majilis of the Parliament in the formation of the Government. The Prime Minister, after consultation with the Majilis of Parliament, submits a nomination for members of the Government to the Head of State. An exception is provided for the posts of Ministers of Foreign Affairs, Defence and Internal Affairs, who are appointed and dismissed independently by the President (new wording of Article 44, subclause 3 of the Constitution).

A fundamental innovation is the provision establishing the resignation of the Government before a newly elected Majilis of Parliament (amendment to Article 70(1) of the Constitution), which is logical when the Government is formed with the active participation of political parties represented in the Majilis.

The control powers of Parliament and its chambers over the Government and its members have been considerably strengthened. To this end, it has been established that the Government is accountable in its activities to the President and to Parliament. The Prime Minister is now obliged to report on the main directions of the Government's activities and its most important decisions not only to the President, but also to the Parliament. The Chambers of Parliament, after hearing the report of a member of the Government, have the right to appeal to the President of the Republic to dismiss the minister if he has not fulfilled the laws. In such a case, the Head of State shall dismiss the member of the Government.

The right of the President of the Republic to revoke or suspend the acts of the Government and the Prime Minister has been abolished, which increases the independence and at the same time the responsibility of the Government.

The government has been given the authority by the Head of State to approve state programmes, a unified system of financing and remuneration of employees for all bodies financed from the state budget,

which will be implemented by the government in agreement with the President.

Article 86 of the Constitution introduces a new requirement that the powers of the maslikhat be terminated prematurely by the President of the Republic after consultation with the Prime Minister and the Chambers of Parliament. This means that there are elements of collegiality in making such a decision, which is intended to ensure its legitimacy and validity.

The power to determine the procedure for appointing or electing, as well as dismissing, akims of other administrative-territorial units is to some extent transferred from the Head of State to the Parliament, which will exercise it by passing a law.

The reform adjusts the constitutional basis of the judiciary and the prosecutor's office. Article 79(3) of the Constitution establishes that the requirements for judges of the courts of the republic shall be determined by the Constitutional Law.

The new wording of Article 81 of the Basic Law provides for a clarification of the functions of the Supreme Court – instead of the provision on supervision over local and other courts, it is defined that the Supreme Court shall hear court cases within its jurisdiction as provided by law.

The amended Article 83 Clause 1 of the Constitution provides that the Prosecutor's Office shall, on behalf of the State, exercise supreme supervision over the observance of the rule of law within the limits and forms established by law, and also expressly states that it shall represent the interests of the State in court and conduct criminal prosecutions on behalf of the State. This more clearly delineates the contours of prosecutorial supervision, the limits of which will be determined by law. This makes it possible to regulate the scope of the powers of the Prosecutor's Office without each time the Constitution is amended.

All these measures help to alleviate the problems that occasionally arise in the modernisation of law enforcement, as well as providing a constitutional basis for deepening the transformation.

The redistribution of powers between the branches of government, as noted by the Constitutional Council, does not affect the foundations of the presidential form of government and the status of the President as Head of State, its highest official, who determines the main directions of domestic and foreign policy of the state, symbol and guarantor of the unity of the people and state power, inviolability of the Constitution, human and civil rights and freedoms, ensuring the coordinated functioning of all branches of government and the responsibility of the authorities towards the people.

However, not all of the amendments proposed for public discussion were accepted. Because of the negative attitude of a certain part of society, the Head of State decided to delete the amendments to Article 26 of the Constitution and to retain its current wording. It should be noted that the proposed amendments to this Article were legally correct. The Venice Commission in its opinion expressed its regret that Article 26 of the Constitution on property rights was excluded at the stage of submission to the Parliament, which it deemed to be in line with international standards.

Addressing Parliament, the President drew attention to the need for a more thorough examination of the issue, explanatory work and compromise.

As part of the **amendments in 2017**, 31 amendments were made to the Constitution. For instance, the powers of Kazakhstan's parliament were changed, affecting its constitutional and political status; the President can no longer object to decisions of the Constitutional Council; the Constitutional Council interprets the Constitution, gives opinions on the correctness of presidential and parliamentary elections, republican referendum and the compliance of laws with the Constitution; the Council became the main constitutional body of Kazakhstan; a special legal regime in the financial sphere was established within the capital city.

**The amendment of 2019** made one change, the renaming of the capital of Astana as Nur-Sultan.

The Head of State in his message “New Kazakhstan: the path of renewal and modernization” outlined Kazakhstan’s transition from a “super-presidential” model to a “presidential” model with a strong Parliament and an accountable Government. To implement the message of the Head of State in the framework of the amendments of 2022, 56 amendments to 33 articles have been proposed to the Constitution, which the President submitted for public discussion in a referendum on July 5, 2022. In particular, amendments have been proposed to the Constitution to reformat the model of checks and balances.

A draft law “On introducing amendments and additions to the Constitution of the Republic of Kazakhstan” was submitted to a **national referendum** with the following question wording: “**Do you accept the amendments and additions to the Constitution of the Republic of Kazakhstan as set forth in the draft law of the Republic of**

**Kazakhstan “On introducing amendments and additions to the Constitution of the Republic of Kazakhstan”, published in the media on May 6, 2022”.**

According to Tokayev, the constitutional reform is aimed at a **comprehensive transformation of the entire state model**. “The amendments are designed to consolidate the final transition from a ‘super-presidential’ form of government to a presidential republic with an influential parliament and an accountable government. The constitutional reform will significantly strengthen the representative branch of power, reinforce the system of checks and balances, and increase the subjectivity of maslikhats”, the president said. The introduction of a mixed majoritarian-proportional model for the election of deputies to the Majilis and regional maslikhats will allow to more fully cover the full range of views and opinions of voters, the head of state added [8].

Table 1.



June 5 National Referendum	10 Striking examples of Constitutional change	
	Current text in force	New text
Article 6(3)	3. Land and its subsoil, water, flora and fauna, and other natural resources <del>are owned by the state.</del>	3. The land and its subsoil, water, flora and fauna, and other natural resources belong to the people. The state shall exercise the right of ownership on behalf of the people.
Article 15(2)	2. No one has the right to arbitrarily deprive a person of his life. <del>The death penalty is established by law.</del>	2. No one has the right to arbitrarily deprive a person of his life. The death penalty shall be prohibited. 3.
Article 43	The current wording contains no such requirements.	3. The President of the Republic of Kazakhstan shall not belong to a political party during the term of his office. 4. Close relatives of the President of the Republic of Kazakhstan shall not have the right to hold positions of political state employees, heads of quasi-public sector entities.
Article 46(4)	<del>4. The status and powers of the first President of Kazakhstan shall be determined by the Constitution of the Republic and constitutional law.</del>	4. Exclude.
Article 50(3)	3. The Majilis consists of <del>107</del> deputies elected according to the procedure established by constitutional law.	3. The Majilis consists of 98 deputies elected in accordance with the procedure established by constitutional law under a mixed electoral system: proportional representation in a single nationwide constituency, as well as in single-member territorial constituencies.

Table 2.

	Current text in force	New text
<b>Раздел VI</b>	<b>Constitutional Council</b>	<b>Constitutional Court</b>
Article 72	There is no such provision in the current wording.	3. The Constitutional Court, upon applications of citizens, shall review for compliance with the Constitution of the Republic of Kazakhstan normative legal acts of the Republic of Kazakhstan directly affecting their rights and freedoms enshrined in the Constitution.
Article 83-1 NEW	There is no such institution in the current wording.	1. The Commissioner for Human Rights in the Republic of Kazakhstan shall assist in the restoration of violated human and civil rights and freedoms and promote human and civil rights and freedoms.
Article 87(4,5)	4. Akims of regions, cities of republican significance and the capital shall be appointed to office by the president of the republic with the consent of maslikhats of oblasts, cities of republican significance and the capital respectively.	4. Akims of regions, cities of republican significance and the capital shall be appointed to office by the President of the Republic with the consent of deputies of maslikhats located on the territory of oblast or deputies of maslikhats of cities of republican significance and the capital respectively. The President of the Republic shall propose no less than two candidates, on which vote shall be held. The candidate who receives a large number of votes of the deputies of maslikhats, who took part in the voting, shall be deemed to have received consent.
Article 91(2)	2. The independence of the state, the unitarity and territorial integrity of the Republic, the form of government, as well as the fundamental principles of the activity of the Republic, established by the founder of independent Kazakhstan, the First President of the Republic of Kazakhstan - Elbasy, and his status are inviolable.	2. The independence of the state, the unitary and territorial integrity of the Republic, its form of government and its fundamental principles, as established by the Constitution, are inviolable. Consequently, the status of the Elbasy and of the First President in the new version is completely excluded.

Amendments to the Constitution are aimed at modernising the country's political system, ensuring equal conditions for the development of all parties; simplifying legislative procedures; strengthening parliamentary control over the execution of the national budget; increasing the electoral activity of citizens and their involvement in the comprehensive modernisation of the country; and protecting citizens' rights and freedoms (Constitutional Court and the Commissioner for Human Rights in Kazakhstan).

The modern pace of development of Kazakhstan in the context of the ongoing reforms generates the need for a deep comprehension of the ideas and principles of constitutionalism, the extent of their spread and the dynamics of implementation in the national legislation. The Constitution as the main form of embodiment of these legal postulates is the highest political and legal act regulating the fundamental social relations, and its further improvement in accordance with the global challenges and needs of state development is necessary and demanded. The content of



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the Basic Law of the state must reflect both universal and national ideals and meet the demands of socio-economic, political, cultural, humanitarian and other spheres of life of society and the state.

### References:

1. Конституция Республики Казахстан. – Алматы: Казахстан, 1993.
2. Котов А. К. Суверенный Казахстан: гражданин, нация, народ. – Алматы, 1997.
3. Котов А. К. Конституционализм в Казахстане: опыт становления и эффективность механизма власти. – Алматы, 2000.
4. Конституция Республики Казахстан от 30 августа 1995 г. – П. 1 Ст. 40. – Алматы, 1995.
5. Малиновский В. Глава государства суверенного Казахстана. – Алматы: ВШП «Адилет», 1998. – 242 с.
6. О внесении изменений и дополнений в Конституцию Республики Казахстан. Закон Республики Казахстан от 21 мая 2007 года, № 254 // Казахстанская правда. – 22 мая. 2007.
7. Закон РК «О внесении изменений и дополнений в Конституцию Республики Казахстан», принятый Парламентом 6 марта 2017 года // Казахстанская правда. – 14 марта. 2017.
8. Закон Республики Казахстан «О внесении изменений и дополнений в Конституцию Республики Казахстан», вынесенный на республиканский референдум 5 июня 2022 года.

## Section 6. Legal studies

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### ISSUES OF CIVIL SOCIETY INSTITUTIONS IN THE CONSTITUTION

**Abstract.** The article provides an in-depth analysis of the use of the concept of civil society institutions in the legislation, the reasons for refusing to name non-governmental non-profit organizations as “non-governmental organizations”, disclosing the structure of civil society institutions in the Constitution of the Republic of Uzbekistan, theoretical and legal aspects of defining a public association, and author’s suggestions on the subject are given.

**Keywords:** civil society institutions, family, non-governmental organizations, Constitution, non-governmental non-profit organizations, Civil Code, public associations, law, citizens’ self-government bodies, registration.

The idea of civil society – as a set of ideas about the fair system in the state and society-was put forward by Western and Eastern thinkers. For example, in the work of Abu Nasr Forobi “the city of noble people” it says: “a person cannot form all the necessary things on his own, in order to find these, he feels the need for the services of people of different professions. Other people will be in the same position. It will be necessary for human beings to unite into a community and society in order to satisfy their needs and to be able to mature. In this community, every person tries to improve his art (craft) every day by learning the professions that suit his nature, talent and ability. Therefore, people living in different places (belonging to different nationalities and different religions) unite in different societies” [4].

Professor V. Ye. Chirkin does not support the use of the term “civil society” in public administration. He explains his opinion on this by the fact that

in modern constitutions the concept of civil society is not used [5]. V. V. Boytsova and L. V. Boytsova, however, disagree with this opinion, arguing that “the creators of modern constitutions are often based on traditional legal (constitutional-legal) terms. It should be noted that although the term “civil society” is not used in the Constitution of the Republic of Uzbekistan, it is enshrined that citizens have the right to participate in the management of society and state affairs directly and through their representatives [2].

Some scholars also consider the family to be one of the most important institutions of civil society. For Example, L. Yu. Grudsina believes that “the family is one of the most important institutions of the social system of civil society, in which a person spends the main part of his life. The purpose of the family, the state of its material support, the religious views of its members determine the level of life of a person,

his social activity, as a result of which he positively affects the success of the entire civil society” [6].

It should be noted that the person (individual) is considered the primary link of the civil society. In our opinion, the family should also be considered as a link of civil society. Consequently, Article 63 of the Constitution of the Republic of Uzbekistan states that “the family is the main link of society and has the right to be under the protection of society and the state” [6]. But before considering the family as an “institution of civil society”, it is necessary to pay special attention to the following.

Firstly, the Family Code of the Republic of Uzbekistan does not provide a legal definition of a family, and the Law does not establish the obligation for a family to consist of two or more persons. Consequently, there is also a possibility of family separation.

Secondly, like commercial organizations, each family can act only in its own interest. Accordingly, among the civil society institutions in the social sphere, not directly the family itself, but non-governmental non-profit organizations dealing with family issues (family centers, youth, women’s organizations, etc.) it will be desirable to enter.

Consequently, the self-governing body voluntarily decides issues of local importance. According to Article 105 of the Constitution of the Republic of Uzbekistan “gatherings of citizens in towns, villages and ovules, as well as in neighborhoods within them and in urban neighborhoods are self-governing bodies, which elect a Chairman (Elder).”

Therefore, we believe that we have every reason to include the bodies of self-government of citizens among the institutions of civil society. In the spiritual sphere, civil society serves to provide each individual with the right to freedom of thought, speech, faith and creativity. And this is directly related to the spirituality, culture, creative and spiritual way of life of citizens. A number of Public Associations operate in this area, including cultural and educational centers, creative associations, religious organizations and other organizations.

The adoption of the Constitution of the Republic of Uzbekistan in 1992 played an important role in solving these issues. In particular, according to Articles 31 and 61 of the Constitution of the Republic of Uzbekistan, “freedom of conscience is guaranteed for everyone...”, “religious organizations and associations are separated from the state and are equal before the law. The state does not interfere in the activities of religious associations” [1].

“Non-profit organizations during the former Soviet Union were called” public organizations and in the first years of “Uzbekistan’s independence received the name” public associations. The main reason for this is that in the Constitution of the Republic of Uzbekistan the term “public association” was used, and not “non-profit organization” [2]. International agreements do not provide for the concept of a non-profit organization [3]. Non-profit organizations in Western countries and the Russian Federation are called “non-governmental organizations”. M. Mokhovikova said that in Uzbekistan the word “nongovernmental” was deliberately abandoned, the use of such a word, according to the chunonchi scientist, gives rise to the meaning “against government” [4].

However, this opinion cannot be combined. As you know, in accordance with the Constitution and laws of the Republic of Uzbekistan, the government is understood as the Cabinet of Ministers, that is, the body that carries out executive power. Accordingly, the so-called non-profit organizations “non-governmental organization” means that they are free only from executive power. Although non-profit organizations are independent not only from the executive, but also from other authorities (legislative and judicial).

It is worth saying that when conducting a sociological survey among the public, 59% of respondents reported not to use the word “non-governmental organization” in Uzbekistan, since such organizations are free not only from the government, but also from another branch of government [1]. In addition, in the words non-profit organization “itself”, it is clearly reflected that it is free of

both necessary elements, that is, both “from the state” and “from Commerce”.

Based on the above, we believe that it was a very correct decision in Uzbekistan not to use the word “non-government” by the creators of the law. It should be noted that public associations belong to the constitutional form of non-profit organizations in Uzbekistan. In particular, Article 58 of the Constitution of the Republic of Uzbekistan states that “the state ensures the observance of the rights and legitimate interests of Public Associations, provides them with equal legal opportunities for participation in social life.” In the current Constitution of the Republic of Uzbekistan, the word “non-governmental non-profit organization” is not used even once, but the word “public association” is used 19 times.

There is even a separate chapter (XIII) dedicated to public associations in the Constitution [1]. The main reason for this is that when the Constitution of the country was adopted, the Law of the Republic of Uzbekistan “On Non-Governmental Non-Commercial Organizations” did not exist. On the contrary, before the adoption of the Constitution, that is, in 1991, the Law [2]. “On Public Associations in the Republic of Uzbekistan” was adopted. It should be noted that today, within the framework of the constitutional reforms being carried out in our country, work is being carried out to fill the above-mentioned legal gaps in our Constitution.

In particular, 2022 by the Legislative Chamber of the Oliy Majlis Article 56 of our main law “on amendments and additions to the Constitution of the Republic of Uzbekistan”, published on June 25, proposes the norm that “civil society institutions, including neighborhoods, political parties, movements, media, trade unions, public funds and other public associations of individuals form the basis of civil society, determine its content.” That is, it can be seen from this version that the Constitution envisages the introduction of 3 structures (non-governmental non-profit organizations, citizens’ self-government bodies, mass media) into the system of civil society institutions.

In general, the definition of Public Associations is given in 4 legislative acts, namely, the Constitution of the Republic of Uzbekistan (Article 56), the law “on public associations in the Republic of Uzbekistan” (Article 1), the Civil Code (Article 74) and the law “on non-profit organizations” (Article 11).

According to D. Kholmanova, the concept of “public association” recognized in the Law “On Public Associations in the Republic of Uzbekistan” has a broader meaning than the concept of “non-governmental non-profit organization” given in the Law of the Republic of Uzbekistan “On Non-Governmental Non-Commercial Organizations” [1].

However, the definition given in the Law “On public associations in the Republic of Uzbekistan” does not link the procedure of mutual association of citizens with the Law. It should be said that any mutual association of citizens cannot be called a public association. For example, changing the Constitutional system by force, opposing the sovereignty, integrity and security of the republic, the constitutional rights and freedoms of citizens, promoting war, social, national, racial and religious enmity, attacking the health and spirituality of the people, as well as military, national and religious spirit Citizens united with the aim of forming political parties cannot be recognized as a public association. In this matter, the Constitution of the Republic of Uzbekistan has established a more specific rule. In particular, in the definition of a public association in the Constitution, the phrase “registered in accordance with the law” is used, and this provision is an «insuring» norm from the negative situations we mentioned above.

It should be noted that we think that the sentence “in the order established by law” in the Constitution and laws should not be viewed as a referential norm. Chunoichi, the procedure for state registration of Public Associations is clearly defined in the laws. In accordance with this, it is advisable to revise the definitions presented to public associations in the first part of Article 1 of the law “on public associations in the Republic of Uzbekistan” and

in Part 1 of Article 11 of the law of the Republic of Uzbekistan” “on non-profit organizations”, to coordinate them among themselves. In this case, the

definition given to the public association should reflect the associations of citizens in the manner prescribed by law.

### References:

1. O'zbekiston Respublikasining Konstitutsiyasi // O'zbekiston Respublikasi Oliy Kengashining Axborotnomasi.– No. 1. 1993.– 4-modda.
2. O'zbekiston Respublikasining Konstitutsiyasi Toshkent: O'zbekiston NMIU, 2018.– 80 p.
3. Shirinov Dj. Dissertatsiya tadqiqoti doirasida ijtimoiy tarmoqlarda jamoatchilik o'rtasida o'tkazilgan sotsiologik so'rov natijalari (Jaxongir Shirinov @deputat\_shirinov telegramm kanali 2020 y 27 dekabr).
4. Abu Nasr Forobiy. Fozil odamlar shahri / tarjimonlar: A. Irisov, M. Mahmudov, O. Otajon tarjimasi – Toshkent: Yangi asr avlodi, 2018.– 320 p.
5. Boytsova V.V., Boytsova L. V. Konstitutsionnoe pravo v rossiyskoy pravovoy sisteme // Obsestvennye nauki i sovremennosti.– M.: Nauka, 1993.– Seriya 6.
6. Grudtsina L. Yu. Institutы grajdanskogo obщestva v Rossii / nauchno-analiticheskiy material // URL: <https://studygur.ru/doc/674488/grudcyna-l.yu.– St. 2>.

## Section 7. Psychology

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### **PSYCHOLOGICAL CORRELATES OF EATING DISORDERS AMONG FEMALE UNDERGRADUATES OF OBAFEMI AWOLOWO UNIVERSITY ILE-IFE**

**Abstract.** The study investigated the extent of eating disorders and the psychological correlates that might predispose young adults to serious health problems. It also examined the influence of body image, fear of negative evaluation, religiosity and general psychopathology on eating disorder. 1000 female undergraduates aged 15–30 years were recruited using a stratified random sampling design at the Obafemi Awolowo University Ile-Ife. Data were collected on socio-demographic variables. In addition, the adapted versions of the Eating Attitudes Test (EAT), Body Shape Questionnaire (BSQ), Fear of Negative Evaluation (FNE), Religious Orientation Test (ROT) and General Health Questionnaire (GHQ) were administered. Data were analysed using descriptive (frequency counts, percentages, means and standard deviation) and inferential statistics (2 Way ANOVA and post-hoc tests). 171 respondents were classified as highly at risk for eating disorders. The results showed that body image ( $F = 18.8$ ;  $p < .05$ ) and fear of negative evaluation on eating

disorder ( $F = 6.59$ ;  $p < 0.05$ ) had statistical influence on eating disorders. There was no statistically significant influence of general psychopathology ( $F = 1.37$ ,  $p > 0.05$ ) and religiosity ( $F = 0.45$ ,  $p > 0.05$ ) on eating disorder.

**Keywords:** Eating disorders, body image, fear of negative evaluation, religiosity and general psychopathology.

### Introduction

All over the world, one will notice that very high value is placed on women physique. Our society admires men for what they accomplish and what they achieve, but women are usually evaluated by and accepted for how they look, regardless of what they do. This was not so in the past, a woman was evaluated for how well she trained her children and how she maintained her home but today a new clause has been included, that is, despite all that she does, how good she looks is more important. Though beauty is in the eye of the beholder, an image has been painted for the average woman regarding how she should look. Thus, there is a need for this disorder to be nipped in the bud before it plagues the country like it has done in the western world.

Eating disorders were once viewed as uncommon in Africa. In fact, up until the 1990's, only a few cases were accounted for, all of which were in Zimbabwe and Nigeria (Nwaefuna [18]; Gregory and Buchan [11]; Famuyiwa [7]). Unuhu, Ebiti, Oju, and Aremu [25]) reported a case of female secondary school leaver with history of refusing food and progressive weight loss. Izevbigie and Owie [13] found that adolescents having eating disorders displayed personality profile changes indicating problems of low self-esteem, feeling of inadequacy, anxiety, social dysfunction, and depression. These reports were all described as symptoms that arose due to exposure to societal norms associated with the western nations, coupled with the implementation of consumption based educational system. This pervasive perception associated with eating disorder such as anorexia nervosa and bulimia nervosa were largely confined to white Europeans or Americans. The explanations for such observations were thought to be principally cul-

tural in nature, which explains why eating disorders spread, but does not necessarily mean that certain cultures are protected from such pathologies (Dolan [3]). Evidence points to the fact that eating disorders were undiagnosed in certain areas, but there is also data showing that the number of eating disorder cases is increasing due to socio-cultural factors.

Eating disorders involve complex behavioural factors that are associated with underlying psychopathologies such as emotional and personality disorders. Genetic or biologic susceptibility contributes to environmental factors to increase the chances of developing an eating disorder. The effects of a globally connected culture of consumption, along with powerful demands on the attainment of a specific body-type, have unquestionably had an impact on body-image, diet, and the rise of eating disorders. Not to be ignored with an increase in such pathologies are the paradoxical burdens that materialise when women, in particular, start to gain access to equal education, professional employment, and high-ranking positions in public life. The extreme pressures that individuals, especially females, may face are especially challenging in societies where the transformation into a new role is abrupt and contrasts sharply with customary norms that once demanded submissiveness, obedience, and deference to patriarchal forces.

Body image is the dynamic perception of one's body how it looks, feels, and moves. It is influenced strongly by self-esteem and self-evaluation, more so than by external evaluation by others. Body image concerns have become widespread among adolescents, It can, however, be powerfully influenced and affected by cultural messages and societal standards of appearance and attractiveness. Religious adherents would thus not only derive self-worth from a deity's

acceptance, but also from their service and kindness to others (Commerford and Reznikoff [2]; Ellison [5]). Examinations of religion's influence have expanded to its relationship with health (Ellison and Levin [6]; Powell, Shahbi, and Thoresen [19]), and have reported religion's significant relationships with body weight (Ferraro [8]; Kim Sobal and Wethington [15]), and its significant role in eating disorders (Morgan, Afleck, and Solloway [16]; Richards et al. [20]; Smith, Richards, and Maglio [4]; Warren et al. [26]).

The overall aim of the study was to examine the influence of body image, fear of negative evaluation, religiosity and general psychopathology on eating disorder. This was with the view of assessing the relationship between this psychological correlates and eating disorders among young adults.

### Research Hypotheses

The following hypotheses were proposed and tested in this study

1. Female undergraduates who are dissatisfied with their body image will be significantly more prone to eating disorders than those who are moderately satisfied or satisfied with their body image.
2. Female undergraduates who have high level of fear of negative evaluation will be significantly more prone to eating disorders than those who are moderate or low levels in fear of negative evaluation.
3. Female undergraduates who are superficially religious will be significantly more prone to eating disorders than those who are either moderately or deeply religious.
4. Female undergraduates with high symptoms of general psychopathology will be significantly more prone to eating disorders than those with moderate or low levels of general psychopathology.

### Research Design

This phase employed the cross-sectional survey design.

### Sampling Procedure

The population for the study was the female undergraduates' students of Obafemi Awolowo University Ile-Ife. The stratified random sampling

technique was used to select 15% of this population for the study within 15 years to 30 years. The mean age was 21.9 years with standard deviation of 3.38. Participants were selected randomly from across the female hostels on the campus.

### Participants

One hundred and seventy one (171) respondents self reported symptoms of eating disorder of the magnitude to merit the categorisation of at risks for eating disorders.

### Measures

#### Procedure

#### Instruments

The research instrument consists of one questionnaire made up of five standardized psychological scales and Personal Information Section, making six sections. The Personal Information Questions (PIQ) which was used to elicit information on the socio-demographic background of the respondents.

The Eating Attitudes Test (EAT-26) developed by Garner and Garfinkel [9] was used to measure eating disorder. The Body Shape Questionnaire is a 34-item self report measure designed to assess negative feelings about one's body size and shape (Cooper et al., [1]). Fear of Negative valuation (FNE) developed by Watson and Friends (1969) was used to assess fear of negative evaluation. General Health Questionnaire (GHQ) was used to measure to measure the general psychopathology. Religious Orientation Test (ROT) developed by Idehen (2000) was used to measure respondents' strength of religiousness.

### Data Analysis

Descriptive and inferential statistics was used analyse the data collected in the study. Descriptive statistics (frequency counts, percentages, mean and standard deviation) was used to describe general characteristics of sample included in this study. The Two-way analysis of variance was used to test the hypothesis. The Statistical Package for the Social Sciences (SPSS Inc., Chicago, IL) Version 16 was used for the analysis of the data.



## Results

Table 1. — Summary of the 2-Way ANOVA on Eating Disorder by Body Shape, Fear of Negative Evaluation, Religiosity and General Psychopathology

Source	Type III Sum of Squares	Df	Mean Square	F	Sig.
Corrected Model	93672.659 <sup>a</sup>	61	1535.617	7.508	.000
Intercept	125359.910	1	125359.910	612.947	.000
BSQG	7697.760	2	3848.880	18.819	.000
FNEG	2698.091	2	1349.045	6.596	.001
GHQG	564.085	2	282.042	1.379	.252
ROTG	186.045	2	93.023	.455	.635
BSQG * FNEG	1505.218	4	376.304	1.840	.119
BSQG * GHQG	1632.416	4	408.104	1.995	.093
BSQG * ROTG	2018.374	4	504.593	2.467	.043
FNEG * GHQG	569.030	4	142.257	.696	.595
B FNEG * ROTG	1756.770	4	439.192	2.147	.073
GHQG * ROTG	985.296	4	246.324	1.204	.307
BSQG * FNEG * GHQG	498.324	5	99.665	.487	.786
BSQG * FNEG * ROTG	5376.387	7	768.055	3.755	.001
BSQG * GHQG * ROTG	674.572	6	112.429	.550	.770
FNEG * GHQG * ROTG	1997.926	8	249.741	1.221	.283
BSQG * FNEG * GHQG * ROTG	532.709	2	266.354	1.302	.272
Error	191839.740	938	204.520		
Total	1632329.000	1000			
Corrected Total	285512.399	999			

Note: BSQG = Body Image; FNEG = Fear of Negative Evaluation; GHQG = General psychopathology; ROTG = Religiosity

**Hypothesis One:** This hypothesis states that female undergraduates who are dissatisfied with their body shape will be significantly more prone to eating disorders than those who are either moderately satisfied or satisfied with their body image. The hypothesis was tested with two ways analysis of variance (2-Way ANOVA) summarized in Table 1. The results of the analysis indicates that there was a statistically significant main influence of body image on eating disorders ( $F_{\{2,938\}} = 18.82$ ,  $p < .05$ ). This finding suggests significant differ-

ences between the mean scores of the body image groups on the eating disorder. The Scheffe's formula for post-hoc comparisons of means was therefore used to compare the mean scores of the three groups. The results of this analysis are presented in Table 2. The results of the analysis indicates that female undergraduates who are satisfied with their body image ( $M = 21.28$ ) are significantly less prone to eating disorder than those who moderately satisfied with body image ( $M = 33.61$ ,  $MD = 15.47$ ,  $p < .05$ ).

Table 2. — Multiple Comparison of Body Shape Groups on Eating Disorder

Group (i) — Group (j)	Mean(i) — Mean(j)	MD	Std. error	P
Satisfied Moderate	21.28–33.61	– 15.47	1.55	<b>.000</b>
Satisfied Dissatisfied	21.28–49.67	– 31.12	1.90	<b>.000</b>
Moderate Dissatisfied	33.61–49.67	– 15.65	1.33	<b>.000</b>

The result also indicates that female undergraduates who are satisfied with their body shape ( $M = 21.28$ ) are significantly less prone to eating disorder than those who are dissatisfied with their body image ( $M = 49.67$ ,  $MD = 31.12$ ,  $p < .05$ ). The results further indicates that female undergraduates who are moderately satisfied with their body image ( $M = 33.61$ ) are significantly less prone to eating disorder than those dissatisfied with their body image ( $M = 49.67$ ,  $MD = 15.65$ ,  $p < .05$ ). These findings suggest that those who are dissatisfied their body image are the most prone to eating disorders. The hypothesis stated above is therefore accepted.

**Hypothesis Two:** This hypothesis states that female undergraduates who have high level of fear of negative evaluation will be significantly more prone to eating disorder than those who have either moderate or low fear of negative evaluation.

Table 3. — Multiple Comparison of the Fear of Negative Evaluation Groups on Eating Disorder

Group (i) — Group (j)	Mean(i) — Mean(j)	MD	Std. error	P
Low Moderate	27.43–34.57	-8.06	1.18	<b>.000</b>
Low High	27.43–45.09	-16.52	1.51	<b>.000</b>
Moderate High	24.57–45.09	-8.46	1.23	<b>.000</b>

The results presented in Table 3 also indicates that female undergraduates who have low levels of fear of negative evaluation ( $M = 27.43$ ) are significantly less prone to eating disorders than those who have high levels of fear of negative evaluation ( $M = 45.09$ ,  $MD = 16.52$ ,  $p < .05$ ). The results further indicates that female undergraduates who have moderate levels of fear of negative evaluation ( $M = 34.57$ ) are significantly less prone to eating disorder than those who have high levels of fear of negative evaluation ( $M = 45.09$ ,  $MD = 8.46$ ,  $p < .05$ ). These findings suggest that those who have high levels

This hypothesis was also tested with the results of the 2-way ANOVA presented in Table 3. The results of data analysis indicates that there is a statistically significant main influence of fear of negative evaluation on eating disorder ( $F \{2,938\} = 6.59$ ,  $p < .05$ ). This finding suggests significant differences between the mean scores of the fear of negative evaluation groups. The Scheffe's formula for Post Hoc comparisons of mean was therefore used to compare the mean scores of the fear of negative evaluation groups on eating disorder. The results of the analysis are presented in Table 3. Results indicates that female undergraduates who have low levels of fear of negative evaluation ( $M = 27.43$ ) are significantly less prone to eating disorders than those who have moderate levels of fear of negative evaluation ( $M = 34.57$ ;  $MD = 8.06$ ,  $p < .05$ ).

of fear of negative evaluation are the most prone to eating disorder. The hypothesis stated above is therefore accepted.

**Hypothesis Three:** This hypothesis states that female undergraduates who are superficially religious will be significantly more prone to eating disorder than those who are moderately or deeply religious. The hypothesis was also tested with result of the 2-way ANOVA presented in table 3. The results of data analysis indicates that there is no statistically significant main influence of religiosity on eating disorders ( $F \{2,938\} = 0.45$ ,  $p > .05$ ). This finding suggests

that the religious orientation of female undergraduates' does not influence their eating behaviour. This hypothesis is therefore rejected. The alternate hypothesis which states that female undergraduates who are superficially religious are not significantly more prone to eating disorder than those who are either moderately or deeply religious is therefore accepted.

**Hypothesis Four:** This hypothesis states that female undergraduates with high symptoms of general psychopathology will significantly be more prone to eating disorder than those who have either moderate or low levels of general psychopathology. This hypothesis was tested with the results of the 2-way ANOVA presented in Table 3. The results of data analysis indicates that there is no statistically significant mean influence of general psychopathology on eating disorder ( $F \{2,938\} = 1.37, p > .05$ ). This finding suggests that female undergraduates' level of psychopathology do not influence their eating behaviour. The hypothesis is therefore rejected. The alternate hypothesis that female undergraduates with high symptoms of general psychopathology are not significantly be more prone to eating disorder than either those with moderate or low level of general psychopathology is therefore accepted.

Two hypotheses were tested in this phase of the study.

### Discussion

In terms of Body shape, prediction that female undergraduates who are satisfied with their body shape are significantly less prone to eating disorder than those who moderately satisfied with body shape was confirmed. The findings showed that female undergraduates who are satisfied with their body shape are significantly less prone to eating disorder than those who are dissatisfied with their body shape. The findings showed that female undergraduates who are moderately satisfied with their body shape are significantly less prone to eating disorder than those dissatisfied with their body shape. Some of the findings above are consistent with existing literatures. Stice, Schupak-Neuberg, Shaw, and Stein (1994) found that, among

young college women, greater media exposure was linked directly with more eating disorder symptoms and indirectly through stronger internalisation of the ideal-body stereotype with greater body dissatisfaction. These findings suggest that women's internalisation of socio-cultural standards of female beauty is an important factor mediating the association between media exposure and body dissatisfaction.

The study confirmed that that female undergraduate who have high level of fear of negative evaluation are significantly more prone to eating disorder than those who have either moderate or low fear of negative evaluation. The findings revealed that female undergraduates who have low levels of fear of negative evaluation are significantly less prone to eating disorders than those who have moderate levels of negative evaluation. The findings revealed that female undergraduates who have low levels of fear of negative evaluation are significantly less prone to eating disorders than those who have high levels of fear of negative evaluation. The findings further indicated that female undergraduates who have moderate levels of fear of negative evaluation are significantly less prone to eating disorder than those who have high levels of fear of negative evaluation.

The study also found that female undergraduates who are superficially religious will be significantly more prone to eating disorder than those who are moderately or deeply religious was refuted in this study. The findings suggested that female undergraduates who are superficially religious will not be significantly more prone to eating disorder than those who are either moderately or deeply religious. The results are in line with those of Gluck and Geliebter (2002), who compared seventy eight Orthodox Jewish female college students with forty eight secular Jewish females in the United State of America. The authors found that secular women scored significantly higher on body shape and on eating disorder symptomatology than did Orthodox women. Secular women were twice as likely to have a fear of becoming fat and were four times more likely than were

orthodox women to be influenced by issues related to shape and weight.

The findings that female undergraduates with high symptoms of general psychopathology will significantly be more prone to eating disorder than those who have either moderate or low levels of general psychopathology was refuted. This is contrary to the findings of Ekeroth et al., [4]. They investigated general psychopathology among women with eating disorders and women from the general population with and without self-reported eating disorder problems. They found that eating disorders patients scored significantly higher on all subscales compared with women without self-reported eating problems, and higher on several scales compared to women reporting previous eating problems. There were no differences between eating disorders patients and

controls with current eating problems. Their findings suggested that increased psychopathology in both eating disorders patients and women with self-reported eating problems suggests that general psychopathology is related to eating disturbances per se, and not only to being a mentally ill patient.

### Conclusion

Now that it is evident that, anorexia and bulimia are no longer a western disorder, the various health institutions and governmental bodies should work hand in hand to help prevent the full blown manifestation of this disorder in Nigeria. Since research within this field in the African context is sparse, there is need for further investigation. Detailed studies analysing the underlying reasons for this disorders in the Nigerian perspective will also assist in curbing the spread of eating disorders.

### References:

1. Cooper P. J., Taylor M. J., Cooper Z. and Fairburn C. G. The development and validation of the Body Shape Questionnaire. *International Journal of Eating Disorders* — 6. 1987. — P. 485–494.
2. Commerford M. C. and Reznikoff M. Relationship of religion and perceived social support to self-esteem and depression in nursing home residents. *The Journal of Psychology*, — 130. 1996. — P. 35–50.
3. Dolan B. Cross-cultural aspects of anorexia nervosa and bulimia: a review. *International Journal of Eating Disorder* — 10. 1991. — P. 67–78.
4. Ekeroth K., Broberg A. G. and Nevonen L. Eating disorders and general psychopathology: a comparison between young adult patients and normal controls with and without self-reported eating problems *European Eating Disorders Review*, — Vol. 12. — Issue 4. 2004. — P. 208–216. John Wiley and Sons, Ltd.
5. Ellison C.G. Religious involvement and self-perception among black Americans. *Social Forces*, — 71. 1993. — P. 1027–1055.
6. Ellison C. G., & Levin J. S. The religion-health connection: Evidence, theory, and future directions. *Health Education and Behavior*, — 25(6). 1998. — P. 700–720.
7. Famuyiwa O.O. Anorexia nervosa in two Nigerians. *Acta Psychiatry Scand* — 78(5). 1988. — P. 550–4.
8. Ferraro K.F. Firm believers? Religion, body weight, and well being. *Review of Religious Research*, — 39. 1998. — P. 224–244.
9. Garner D. M., Olmsted M. P., Bohr Y. and Garfinkel P. E. The Eating Attitudes Test: Psychometric features and clinical correlates. *Psychological Medicine*, — 12. 1982. — P. 871–878.
10. Gluck M. E. and Geliebter A. Body Image and Eating Behaviours in Orthodox and Secular Jewish Women. *Journal Gender Spec* — 58. 2002. — P. 36–52.
11. Gregory L. D. and Buchan T. Anorexia Nervosa in a Black Zimbabwean. *British Journal of Psychiatry* — 145. 1984. — P. 326–330.

12. Idehen E.E. The development and validation of religiosity scale, *Ife Psychologia Journal*. — 9(2). 2000. — P. 58–69.
13. Izevbigie T. I. and Owie I. *Journal of Instructional Psychology: George Uhlig Publisher Education; Psychology and mental health* — Vol. 33. 2006.
14. Hartline C. *Dying to fit-Literally People Magazine*. 2000.
15. Kim K. H., Sobal J. and Wethington E. Religion and body weight. *International Journal of Obesity*, — 27(4). 2003. — P. 469–477.
16. MorgaLn C.S., Affleck M. and Solloway O. Gender role attitudes, religiosity, and food behaviour: Dieting and bulimia in college women. *Social Science Quarterly*, — 71. 1990. — P. 142–151.
17. Moulding N. and Hepworth J. Understanding body image disturbance in the promotion of mental health: A discourse analytic study. *Journal of Community and Applied Social Psychology*, — 11. 2001. — P. 305–317.
18. Nwaefuna A. Anorexia Nervosa in a Developing Country. *British Journal of Psychiatry* — 138. 1981. — P. 270–272.
19. Powell L. H., Shahbi L. & Thoresen C. E. Religion and spirituality: Linkages to physical health. *American Psychologist*, — 58. 2003. — P. 36–52.
20. Richards P. S., Hardman R. K., Frost H. A., Berrett M. E., Clark-Sly J.B. and Anderson D. Spiritual issues and interventions in the treatment of patients with eating disorders. *Eating Disorders*, — 5(4). 1997. — P. 261–279.
21. Shatenstein B. and Ghadirian P. Influences on diet, health behaviours and their outcome in select ethno-cultural and religious groups. *Nutrition*, — 14(2). 1998. — P. 223–230.
22. Smith M. H., Richards P. S. and Maglio C. J. Examining the relationship between religious orientation and eating disturbances. *Eating Behaviours*, — 5(2). 2004. — P. 171–180.
23. Smith T.W. *Review of Religious Research*, — 31. 1990. — P. 225–245.
24. Stice E. and Shaw H. E. Adverse effects of the media portrayed thin-ideal on women and linkages to bulimic symptomatology. *Journal of Social and Clinical Psychology*, — 13. 1994. — P. 288–308.
25. Unuhu F. T., Ebiti N. W., Oju G. O. and Aremu S. B. Anorexia nervosa in a Nigerian — A case report Federal Neuropsychiatric Hospital, Barnawa, Kaduna, *Nigeria Medical Journal* 50. 2009. — P. 23–4.
26. Warren W. G., Jackson C. C., Thornton C., Russell J., Touyz S. W. & Beumont P. J. A study of the relation between eating disorder and death concern. *Australian New Zealand Journal of Psychiatry*, — 28(3). 1994. — P. 463–468.
27. Zinnbauer B. J., Pargament K. I., Cole B., Rye M. S., Butter E. M. and Belavich T. G. Religion and spirituality: Unfuzzifying the fuzzy. *Journal for the Scientific Study of Religion*, — 36(4). 1997. — P. 549–564.

## Section 8. Engineering sciences in general

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### KEY FEATURES IN THE ANDROID SOFTWARE TESTING PROCESS

**Abstract.** This article examines the challenges and complexities of testing native Android applications, focusing on their interaction with the operating system (OS) and other apps. It highlights critical error reproduction and emphasizes the importance of a meticulous approach to ensure a seamless user experience. The article also provides valuable insights and recommendations for app developers and testers to address these challenges and create high-quality, user-friendly applications.

**Keywords:** Android applications, testing challenges, Android testing specifics.

#### 1. Introduction

In recent years, the Android platform has become the predominant operating system in the mobile market, with research from analytical agency Statista in 2022 indicating a 71% market share [1]. As a result, numerous companies are increasingly focusing on this platform to expand their user base. The open-source nature of Android has significantly contributed to its market dominance; however, the variety of devices presents challenges in device support and software compatibility. Manufacturers often refrain from updating older devices to the latest operating system version due to economic considerations, encouraging users to acquire new devices with updated specifications. Software developers, in turn, prioritize application development for leading market devices. These factors, alongside programming errors, can lead to decreased demand for specific services and a decline in user experience. Consequently, comprehensive testing of software released to a wide user base is of paramount importance [2].

#### 2. Features associated with hardware in the testing process

The Android platform, as an open-source and cost-free system, has played a crucial role in garner-

ing its substantial market share. Nevertheless, the market encompasses a diverse array of devices, from flagship to lower-tier models. Furthermore, ongoing advancements in electronics and manufacturing technologies prompt annual updates in smartphone lineups from various manufacturers, including Samsung and Huawei. These factors contribute to considerable market segmentation, despite the existence of a single operating system, thereby presenting additional challenges when testing native Android applications compared to their iOS counterparts [3]. It is imperative to consider the device's hardware characteristics during the testing process, such as:

#### RAM

Insufficient random-access memory (RAM) can markedly affect an application's speed and performance. Moreover, fully utilized RAM may result in instability and disruptions in the application's functionality. It is vital to consider this aspect during the testing process by examining the application's performance under conditions where memory is allocated to other applications. Under such circumstances, besides application crashes, functional issues might emerge, including errors, absent user interface elements, and

the suspension of background services within the application, among other potential complications.

#### *Storage size*

This parameter is notably specialized, as a considerable amount of internal memory is predominantly needed for gaming and media applications. Nevertheless, in situations like streaming audio playback under conditions of inadequate internal memory, the playback will understandably stop. If the application's source code does not accommodate such a scenario, a critical error may transpire. As a result, it is recommended to incorporate this scenario into the test plan and conduct testing with memory pre-populated with arbitrary data [4].

#### *Network speed*

In instances where the application's source code incorporates a request timeout, the application might not await the arrival of incoming information, and with exceedingly slow connection speeds, interface elements may not load within the designated time. This can result in unforeseeable consequences such as application termination or compromised usability due to the absence of some or all interface elements. The connection type predominantly influences application functionality involving user data loading. Certain applications enable users to disable data downloading or background updates via mobile networks, necessitating verification during the testing process, as it can potentially impact user expenses and, ultimately, user satisfaction with the application's performance.

#### *Display size*

Screen size constitutes a critical parameter for any application, influencing the dimensions and placement of user interface elements. Consequently, it is vital to accord particular attention to devices with minimum and maximum screen dimensions. On devices with minimal screen parameters, interface elements may overlap, rendering them inoperable. Conversely, on larger screens and resolutions, elements may be diminutive to the extent that users struggle to interact with them accurately using their fingers.

Hence, during the software quality assurance process, these parameters ought to be considered, and dynamic sizing of elements should be implemented to adapt to varying screen sizes and resolutions [5].

#### *Additional sensors*

In smartphones, the accelerometer plays a vital role by measuring free-fall acceleration across three axes and determining the device's spatial orientation from these measurements. This sensor enables the transition of the interface between portrait and landscape orientations when the device is rotated. While the accelerometer should be taken into account during testing if the application accommodates both interface orientations, its importance is secondary to the processes involved in altering orientation and rotating the interface, which will be addressed later.

Various sensors, including proximity, ambient light, heart rate, gyroscope, barometer, and thermometer, are integrated into modern smartphones to serve specific application needs. The primary testing of these sensors should occur at the manufacturing facilities where the sensors are produced.

### **3. Testing and error documentation rely on device management tools**

Numerous actions can be recognized as common in the routine usage of a smartphone, which users frequently execute:

#### *App minimization*

In instances where the application is designed to operate in the background, minimization often presents a typical scenario for errors to transpire. Upon being minimized, the app may either stop functioning or exhibit improper behavior.

#### *App termination*

Though infrequent, errors may arise when an application persists in functioning even after termination, exemplified by the ongoing audio playback in a closed player.

#### *Orientation change*

A common error includes the displacement of UI elements or instances where elements extend beyond the boundaries of the display.

In each of the aforementioned scenarios, if an error is identified in a particular area and can be consistently replicated, the error documentation within the bug tracker must encompass the conditions in which the error transpired, along with the conventional steps for reproduction [6].

#### **4. App interaction with OS and others: Critical error reproduction**

An examination of the interaction between a test application, the operating system, and other applications can be conducted through the example of an audio player that utilizes the standard audio service of the Android platform.

##### *Interaction between players*

Two cases can be identified in the interaction of audio players: when players utilize the same audio service, and when a third-party application employs its own service. In the first scenario, it is essential for the application to inform the operating system that it has initiated audio playback. Consequently, when a second audio player is activated while the first one is playing, the initial player ceases audio playback, pauses, and cedes focus to the second player starting playback. However, if the application fails to convey this information, both players may play audio simultaneously, leading to a prevalent error. In some instances, this error emerges due to a third-party application, in which case notifying its developers of the issue would be appropriate [7].

##### *Default applications*

Among standard Android applications utilizing the audio service, the “Phone” app serves as a prime example. The main interaction between the phone and audio player involves shifting focus between a call and audio playback. When the phone application notifies the operating system of an incoming call, the audio-playing application must relinquish focus to the phone for ringtone playback and pause its own audio. Once the phone application communicates that the call has concluded, the audio applica-

tion regains focus and resumes playback from where the focus was transferred to the phone. Given that the phone application is error-free, any related errors reside solely within the tested application.

##### *Interaction with application notifications*

When the tested application incorporates a notification feature, proper configuration of the notification operation is essential. If a notification includes interactive functions, such as managing audio playback without launching the application, scenarios may arise where the interactive controls fail to function or the application does not open in full screen upon clicking the notification.

##### *Interaction with third-party application notifications*

In cases where a third-party application notification is received while the tested application is playing audio, the optimal solution involves muting the audio without pausing playback or momentarily transferring focus to the notification, pausing and then resuming playback. Nonetheless, situations may arise where the application relinquishes focus to the notification but fails to regain it, resulting in paused playback, which could be inconvenient for the user.

#### **5. Conclusion**

The testing of native Android applications is a laborious and resource-intensive endeavor due to significant market segmentation, necessitating a scrupulous approach to testing. However, by pinpointing specific functionalities where errors arise and employing auxiliary tools for data collection, application development and testing become comparatively manageable, enabling the creation of truly outstanding applications that delight users. Mobile software development does not require build servers for application assembly, as seen in web application development, which reduces the intermediaries between programmers and users while mitigating potential (and frequent) build errors. As a result, code errors transform into situations amenable to timely discussion and resolution.



**References:**

1. URL: <https://www.statista.com/statistics/272698/global-market-share-held-by-mobile-operating-systems-since-2009/> Access on 2023.
2. URL: <https://developer.android.com/training/testing/fundamentals/> Access on 2023.
3. Gao J., Bai X., Tsai W. and Uehara T. “Mobile Application Testing” IE.
4. Pavithra L. and Sandhya S. “Survey on Software Testing”. Journal of Network Communications and Emerging Technologies (JNCET). – Vol. 9. – Issue 3. March, 2019.
5. Zein S., Salleh N., Grundy J. A systematic mapping study of mobile application testing techniques. Journal of Systems and Software. 2016
6. Mohd. Ehmer Khan & Farmeena Khan. Importance of Software Testing in software Development Life Cycle, International Journal of Computer science Issues, – Vol. 11. – No. 2. March, 2014.
7. Shalini Gautam and Bharti Nagpal. “Descriptive Study of Software Testing & Testing Tools”. International Journal of Innovative Research in Computer and Communication Engineering (IJIRCCE). – Vol. 4. – Issue 6. June, 2016.

## Section 9. Economics and Management

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### **CHALLENGES AND PROSPECTS FOR THE EXIT OF GEORGIAN FARMERS IN THE EU MARKET (IN THE EXAMPLE OF GORI MUNICIPALITI)**

**Abstract.** The article, based on the latest literary sources and rich actual data, has studied an important issue of economic theory and economic practice, such as the challenges and prospects of the EU market for Georgian farmers. The results of the opportunities for farmers living in the Gori district are presented to understand the situation in the area, what experience, information and plans are farmers in the EU market and what are the needs or challenges. There are recommendations that Georgian farmers should use to successfully use the EU market opportunities.

**Keywords:** EU market, farmer, small business, phytosanitary sector, agricultural cooperative, sanitation, financial benefits.

**Introduction:** The Free Trade Agreement between Georgia and the EU was signed in 2014 and came into force on September 1 of the same year, which is considered an important novelty and economic opportunity for Georgian entrepreneurs. However, for small and medium -sized businesses in Georgia, this has so far caused only minor changes and has not been universal benefits.

According to studies, the reasons of that include the lack of business partners in EU countries, the lack of information and resources among farmers,

small quantities and incompliance of production with standards and absence of other capacities necessary for obtaining certificates required to operate on the EU market (Ramaz & Merab [1]).

In 2020, the Economic Policy and Research Center (EPRC) conducted a research which involved survey of primary agricultural producers and small processing enterprises in five regions of Georgia, including in Shida Kartli. According to the survey, more than 70% of respondents had no information about preferential export tariffs for Georgia, while around 50% had

no information about DCFTA [8] requirements and standards although beginning in 2023, everyone will have to conform to DCFTA standards in sanitary and phytosanitary sphere, regardless of whether they export their produce or not (Vanishvili & Shanava [2]).

Given the above said, we deemed it interesting to explore the capacities of farmers of Gori district for the entry of EU market and find out the current situation in the district, the experience, information and plans of farmers concerning the EU market and needs and challenges they face now.

**Aim of research:** The aim of the research was to evaluate capacities of farmers in Gori district to enter the EU market.

To achieve the aim of the research, the following questions were formulated for the survey: 1) Have farmers of Gori district exported their products to the EU market or not; 2) What are the barriers faced by farmers in their efforts to export produce to the EU market; 3) Have they undertaken any efforts to establish a cooperative; 4) How and through what means do they sell their products now.

Interviews based on the above questions provide answers to issues such as types of produce most commonly grown by farmers in the city of Gori and the Gori district, experience in exports to EU member and non-member countries, a level of awareness of international standards and regulations, including DCFTA, barriers as they see them in the trade with the EU and their recommendations for the improvement of the situations.

**Materials and Methods:** The study used a qualitative research method, in particular, namely, in-depth interviews for which a semi-structured questionnaire was developed. The questionnaire was piloted with one respondent (farmer) and then revised. Potential respondents were selected in the following way: from among non-probability sampling types purposive sampling method was selected as it best suited the aim of the research.

Respondents of the survey were to meet the following criteria: 1) Farmers living in the city of Gori

and Gori district, who hold at least 5 ha of land; 2) Farmers living in the city of Gori and Gori district, who are not engaged in agriculture.

When selecting respondents and after piloting the questionnaire, we planned visits to farmers and conducted 15 interviews. Before starting an in-depth interview, respondents were informed of the aim and procedures of the survey; they were also informed that the participation in the survey was voluntary and their personal data would be kept confidential and results of the survey would be presented only in a generalized form. Information obtained through interviews was processed by us.

**Results and discussion:** Answers of 15 surveyed farmers showed that main produce the farmers in the city of Gori and Gori district grow for sale are: apples, black plums, red raspberries, peaches, tomatoes, cucumbers, beans, herbs. With regard to apples and peaches, they named specific species which farmers produce for sale. Among apple species the most frequently named were Golden, Banana, Brotski, Kekhura, Aidaridi, Fuji, Mutso. As regard peaches, the most frequently named species were yellow peach and white clingstone peach.

According to answers of 15 surveyed farmers, majority of them sell produce to resellers in their own villages, some sell their produce to shops and on local market in Gori, several farmers sell produce in other cities, namely in Batumi, Kutaisi and Tbilisi agrarian markets. Only one farmer said that he sold his produce in his village to a foreign reseller, an Azerbaijani citizen.

Various tendencies were seen in terms of exports. A segment of 15 surveyed farmers have never exported their produce, however, some have had such experience. For example, two respondents said that they exported their produce to Russia before 2004. A segment of farmers continues to export its produce to the Russian market. It is noteworthy that those farmers who export products to the Russian market, buy the produce from local farmers to increase the quantity of product as their capacities are not

enough for ensuring cost-effectiveness of export. According to interviews, the main export products are apples and peaches.

None of surveyed 15 farmers has any experience of exporting their own produce to the EU market. However, all of them would wish to do so. None of surveyed 15 farmers know a farmer who exports produce to the EU market.

A segment of farmers have never sought information on those assistance programs which would help them enter the EU market. Another segment of farmers sought such programs and even benefitted from them. They specified the following programs: Agroloan, and Plant the Future. Several of the farmers also benefitted from the state grants.

The majority of surveyed farmers has never had experience of establishing a cooperative while a segment of them intends to create a cooperative in the future. Some of the farmers do not deem it necessary and flatly reject the idea of cooperative. Only two farmers gave a positive answer to the question, though in both cases members of cooperatives were friends or relatives and they did not officially have any duties and responsibilities, conditions and obligations redistributed among them.

Reasons of reluctance to establish cooperatives vary. A segment of farmers think it is difficult to establish and manage a cooperative while the likelihood that it will end in conflict among members is high.

Interviewed farmers named different problems in exporting products to the EU market. Based on their interviews the following three barriers were identified:

*Novelty of the market and lack of information:* One of the main reasons which hinders the export of produce to the EU market, is lack of information. A segment of farmers think that they lack sufficient information about standards and regulations necessary for the entry to the EU market. In addition, this market is new for the majority of Georgian farmers and therefore, they do not have necessary contacts. For a segment of farmers it is unclear how to find partners on the EU market and how to export their

produce to the market of another country and cite a language barrier as a reason of this. It is also difficult for farmers to deal with transportation issues. Besides, lack of free time prevents them from searching more information which would help them export their produce to the EU market. A few farmers think that without the knowledge of a foreign language it is difficult to trust a strange person who knows the language and has contacts on the market of other country, because that person may deceive them.

*Low interest of farmers:* Yet another barrier named by them was a low interest of farmers since they sell their produce in local stores, supermarkets and agrarian markets and therefore, do not face a necessity to export it to the EU market.

*High standards:* Interviews also revealed “obsolete”, non-modern product as a barrier. According to them, the majority of farmers grow such products that are not new species, do not produce high yields, do not meet standards and do not look attractive for the EU market.

*Quantity of produce and advantage of large farmers:* Farmers with smaller holdings named the quantity of produce as a significant problem. They said that they do not grow that amount of product that would enable them to export it to the EU. According to them, those farmers who produce products in large amounts have more capacity to export them to the EU market. A segment of farmers deem the state involvement necessary to eliminate barriers. According to them, it is important for the country to have large resellers who would buy their products and then export the product to the EU market.

*Farmers' expectations and possible solution:* The majority of farmers believe that the state must allocate more funds for farmers to purchase new plants and diversify and renew production. The state should also provide them with necessary equipment. A large segment of farmers would like the state to assist them in procuring refrigerator and apportionment machinery; moreover, some farmers named the problem of irrigation system and expressed the wish that the state helped them to eliminate this problem.

Farmers complained about pesticides too; they would like the state to provide them with high quality pesticides. A large segment of farmers named the lack of information and contacts on the EU market as a rather serious problem; they would also like the state to assist them in exporting their produce to the EU market or in finding and establishing contacts. Interestingly, in one of the respondents' view, the state must give money to farmers on the condition that they will cultivate the land and produce yields. If the farmer fails to fulfill the condition, the state must not assist that farmer during 10 years.

**Conclusion:** The survey revealed that a large segment of farmers living in the city of Gori and the Gori district, sell their product on site to resellers, while another segment supply their produce to the city of Gori and other cities of Georgia. Despite the available potential, none of the surveyed farmer exports their own produce to the EU market at this stage; nor do they know a farmer who has succeeded in securing its place on the EU market. The only foreign market which they now use is the Russian mar-

ket. It is also noteworthy that only one farmer out of 15 has an international certificate.

*Proceeding from the all above said, it is recommended:*

- To raise the level of awareness of farmers about DCFTA; if this is achieved, farmers will have more possibilities and motivation to export their products to the EU market. The survey showed that one of main barriers to export of produce is the ignorance of the necessary procedures. Moreover, farmers do not know what in particular the EU market can offer them (stability, more possibilities of development, market diversity, large financial gains, etc.);
- To assist farmers in finding partners on the EU market to establish contacts and sell their produce to EU countries; the survey showed that the farmers participating in the survey have never had any experience of communicating with European partners. They noted that if they had contacted natural or legal persons in EU countries to cooperate with that would have raised their interest towards exports to that market.

### References:

1. Ramaz O., & Merab V. Competitive Strategy in Business. 2020.– P. 127–133. URL: <https://sci-conf.com.ua/iv-mezhdunarodnaya-nauchno-prakticheskaya-konferentsiya-the-world-of-science-and-innovation-11-13-noyabrya-2020-goda-london-velikobritaniya-arhiv>
2. Vanishvili M., & Shanava Z. Challenges and Perspectives of Corporate Governance in Georgia. American Research Journal of Humanities & Social Science (ARJHSS) R,– 05(04). 2022.– P. 118–127.
3. Merab V., Irakli K., & Nino V. Coronavirus Pandemic and Prospects of the Georgian Economy. 2020.– P. 556–568.
4. Nanuli K., Merab V., & Lali O. Corporate Responsibility in Georgia: Challenges and New Opportunities. European Science Review, – 3–4, 2022.– P. 41–45.
5. Vanishvili M. Sustainable financing of innovative technologies in Georgia: Challenges and prospects. Scientific Collection “InterConf”,– 126. 2022.– P. 51–61.
6. Vanishvili M., & Sreseli L. Challenges of gender municipal budgeting in Georgia. InterConf, 2022.– P. 108–114.
7. Vanishvili M., & Lemonjava L. Public Financial Management System in Modern Georgia. Globalization & Business, 2016.– P. 129–133.
8. DCFTA – Deep and Comprehensive Free Trade Area Agreement with the EU – It is an essential part of the Association Agreement (IV Car -Trade and Trade Issues), as it includes an economic integration mechanism with the EU and opens the EU's domestic market for Georgia.

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## **THE SOCIAL PROTECTION SYSTEM OF GEORGIA AND ITS FINANCIAL ASPECTS**

**Abstract.** The social protection system is critical to the well-being of any country's population and the country's socioeconomic development. The main goals of Georgia's social protection system are to improve the population's health, equalize financial burden distribution, protect against financial risks, and make effective use of existing financial resources.

**Keywords:** Social protection system, pension provision, State insurance, budgetary financing, cumulative pension system.

The issue of reforming the social security system and adapting it to the social security systems of developed countries was on the agenda after Georgia gained independence (the last decade of the twentieth century). The social insurance model was initially used to finance social protection programs (Bismarck model). With the introduction of the social insurance system, the funder gained the right to select the medical institution of his choice, which increased competition among them and, as a result, improved service quality.

The unfavorable economic situation, the low level of income of individuals and legal entities, and the lack of a unified database of payers' data posed significant challenges in the process of reforming the social security system.

Since 2007, the transition to a tax-based model (Beveridge model) has begun, which is related to the fact that the tax-based system has an advantage over

the social insurance model for developing countries. A tax-based model has the potential to take hold more quickly in developing countries with a more developed informal sector. The tax-based system, on the other hand, places a strain on the state budget and contributes to an increase in budget expenditures.

Furthermore, unequal financing is observed, which may result in subsidizing self-employed individuals who do not fall into the low-income category.

It is well understood that population health protection is an important component of the country's social protection. As a result, Georgia has launched a state program of universal health care since 2013, with the goal of increasing financial access to medical services for the population. Basic medical services are provided to all citizens through both state and private insurance programs.

It is important to note that the implementation of the universal health care program provided signifi-

cant social guarantees to the Georgian people. However, risks associated with program implementation include: an increase in state budget costs; effective program management; and the development of private insurance business. “One of the country’s top priorities is to maintain and further develop a quality and universally accessible health care system based on the principle of social justice” [1, 37].

The Georgian pension system effectively employs a three-pronged approach: 1. old-age pensions; 2. disability benefits; and 3. targeted social assistance (TSA).

**Component 1** – consists of old-age pensions. In Georgia, social protection, particularly old-age pensions, accounts for more than 70% of budget resources. The priority is a universal, tax-funded redistribution scheme in which all citizens receive a pension: males 65 and up, females 60 and up. The state pension is funded by the state budget, which is funded by various types of income paid by individuals and legal entities. The state budget’s size and capabilities are constrained. For its universality, effective targeting, and well-organized administration, the system has received international acclaim.

**Component 2** – Benefit coverage for people with disabilities. Persons with disabilities can have their medical conditions evaluated by qualified medical personnel. The state provides social protection for people with disabilities and creates the conditions for the development of creative and productive abilities as well as individual growth. If a disability falls into one of the three categories, the individual is eligible for the appropriate benefits. Coverage for people with severe disabilities (groups I and II) is nearly universal, and coverage for people with moderate disabilities reaches 75% (group III).

**Component 3** – Personalized Social Assistance (TSA). Personalized Social Assistance program is not connected to the life cycle. It provides cash transfers from the country’s state budget to low-income families. After an adult family member applies for the program or is referred by social workers, the family’s situation is assessed using the income (needs) assessment (PMT).

Poverty scores are calculated using consumption, socio-demographic factors, location, and income. The lower the score, the less wealth is demonstrated.

Priority – contribution-funded pension. To ensure an improved standard of living for the population when they reach retirement age, Georgia launched a cumulative pension scheme on January 1, 2019, which applies to employed and self-employed Georgian citizens, as well as foreign citizens permanently residing in Georgia.

The second priority of the pension system is a new, mandatory, defined contribution funded pension model. It is known that the system has reached 100% of the target participants, from whom a mandatory 2% deduction is made from their accrued salary. Aside from the fact that employee contributions are not taxed, they are also paid by the employer (2%) and the state (2%), depending on income level. Ideally, this would provide a much-needed incentive for people to enter the formal labor market. Many employees, however, are skeptical of the scheme, viewing it as yet another tax with no immediate benefits.

In accordance with Georgian law, the Pension Agency may invest the mobilized funds in highly liquid (government) securities. “Pension assets can only be invested in accordance with the requirements of this law, in order to maximize their real growth (taking inflation into account) over the investment horizon, in accordance with the interests of the participants, and in accordance with sound investment principles” [2]. As a funded pension system (as opposed to the prepayment-based German system), it has yet to make significant payments, so its reach and impact on beneficiaries are currently unknown. “After establishing a specialized depository and other trading infrastructure, the investment service actively began investing in local and foreign capital markets in the first half of 2022 in order to achieve the maximum diversification of a less risky portfolio within the legal limits” [3, 7].

Furthermore, there is close collaboration and consultation with experts from international donor

organizations, such as the Asian Development Bank, World Bank, French Development Agency, American International Development Agency, and International Monetary Fund.

**Universal Health Insurance.** Georgia has implemented the Universal Health Care Program (UHCP) since 2013, which covers health care for approximately 90% of the population with or without a needs assessment. Emergency care, childbirth, outpatient services, some surgeries, and cancer and infectious disease treatment are all part of a universal health care program for the poor or low-income, as well as retirees, the disabled, children, and veterans. “Georgia’s current social security system is largely funded by tax revenues’, as stated above [4, 9]. In 2020, the universal health care program covered roughly 90% of the population. Approximately 9% of the population had private health insurance, and less than 1% had no coverage (public or private health insurance). Families with the highest incomes (roughly 1% of the population defined as families (households) earning more than 40.000 GEL or \$12.300 USD per year) have been excluded from the universal health care benefits since 2017, but they continue to have access to certain services through vertical programs. They are likely to purchase private health insurance. “Amount of state grants in 2019–2021 – In total, the state grants provide more than 7.604.000.000 GEL per month for 1.100.000 beneficiaries: more than 7.604.000.000 GEL were issued for their various necessities” [5, 20].

**Programs for vertical healthcare.** Vertical programs for prevention, early detection and screening, disease management, and risk reduction counseling are also available (such as diabetes management or tuberculosis control, rural doctor and referral services). The methodology for assessing the socioeconomic status of socially vulnerable families, as well as the procedure for issuing subsistence allowances, have been improved; effective mechanisms for encouraging and promoting employment of able-bodied members will be developed and implemented.

“Georgia’s planned expenses for the 2022 state budget totaled 15.342.926.8 GEL. Social protection programs account for approximately 40% of these costs, totaling 6.115.804.1 GEL” [6]. It is important to note that Georgia’s biggest challenge in terms of social protection financing is undoubtedly the structure of the labor market, which is characterized by both informality and a high level of unemployment. This, in our opinion, is a challenge because it reduces income tax revenues and impedes the development of effective contribution systems.

The Georgian government has announced a reform called the Social Code, which aims to improve the state’s social policy.

Germany is one of the main examples that the Georgian government considers successful. The German Social Code (Sozialgesetzbuch) is made up of 12 main articles, which cover topics such as state pensions, health care, disability, and unemployment insurance. Contributions from employees and employers fund this social security system.

The reform is being planned with European Union funding and the support of French and Czech development agencies. The creation of the code is linked to the step planned for 2024 to apply for EU membership.

**Conclusion:** Every country, developed or developing, has taken its own unique path toward the creation of a universal social system. The models of universal coverage differ across countries, and their successful implementation is heavily influenced by the country’s economic situation and government policy.

As a result, the role of the state budget in the development of the country’s social system is critical. As a result, the implementation of fiscal policies aimed at improving the country’s social situation plays an important role in improving the population’s well-being and the country’s socioeconomic development. Taking best global practices into account, the Georgian government is improving the country’s social security system and harmonizing it with the social security systems of EU countries.



**References:**

1. Government Program 2021–2024. “Toward Building a European State”. URL: [https://www.gov.ge/files/68\\_78117\\_645287\\_govprogramme2021-2024.pdf](https://www.gov.ge/files/68_78117_645287_govprogramme2021-2024.pdf)
2. Law of Georgia on Funded Pensions. Article 27, 21/07/2018. URL: <https://www.matsne.gov.ge/ka/document/view/4280127?publication>
3. Pension Agency Report for 6 months of 2022. URL: <https://back.pensions.ge/uploads/docs/reports/activity-reports/2020-annual-report.pdf>
4. Social Protection Reform in Georgia. URL: <https://library.fes.de/pdf-files/bueros/georgien/19366.pdf>
5. Healthcare 2020–2030. URL: [https://www.moh.gov.ge/uploads/files/2021/\\_Reformebi\\_angarishi\\_.pdf](https://www.moh.gov.ge/uploads/files/2021/_Reformebi_angarishi_.pdf)
6. On Georgia’s 2022. State Budget. Chapter III. URL: <https://matsne.gov.ge/ka/document/view/5309246?publication=3>

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## **GREEN ECONOMY, DIRECTIVES OF THE EUROPEAN UNION, PROBLEMS AND CHALLENGES**

**Abstract.** Georgia as well as the modern entire World, faced a lot of environmental problems and challenges on the background of development and technological progress. During the latest decades climate changes, degradation of habitats, water and atmosphere pollution importantly changed that ecological environment where people and other living organisms have to live. Georgia has a clear interest in rapid economic growth. Green growth and green economy are acknowledged as important and favourable factors of sustainable development. The present paper refers to the discussion of the green economy of Georgia according to the directives of the European Union, it deals with the analyses of the current situation and problems and the development of recommendations.

**Keywords:** green economy, sustainable development, education of the environment protection, clean development, green agreement of the European Union.

### **1. Introductions**

Green Economy is the model of economy development which reduces the risks of the environment protection and economic problems and aims to sustainable development and to reduce the negative impact on the environment. It is in close connection with the ecological economy, provides for achieving of sustainable development through elaborating of the relevant policy and unites the environment protection, social and economic issues. Green economy includes six basic sectors: renewed energy, green buildings, clean transport, water management, waste management and land management.

The number of the World's population exceeded 8 billions in November, 2022 which is a record number in the human beings' history. The increased

population increases demands for such livelihoods as water, food, electric energy and etc. Moreover, according to the latest research of the United Nations Organization, there is a 95% probability that the World population will be between 9.4 and 10 billion by 2050 and between 8.9 and 12.4 billion by 2100. The World is facing a great challenge –on the one hand, it must provide for the satisfaction of the increased consumption and on the other hand, it must care its native planet (Green Economy-One of the Basics of the Sustainable Development, 2022) [1].

The way of getting out of the challenge is Sustainable Development which achievement is possible through introducing of the Green Economy. Georgia is at the 47<sup>th</sup> position among the World's the most ecologically clean economy and it is among such

countries as Uruguay and Australia. RBC published this data on the bases of IEL and Columbia Universities researches.

Georgia is taking important steps to get closer to the European space. The government is taking the initiative to implement voluntary measures to promote Sustainable Development by promoting the development of ecosystem services, clean manufacturing, environmental education and green working positions. Georgia signed the Association Agreement with the European Union in 2014. This is a kind of application and at the same time an action plan, which determines the prospects of integration of Georgia into the European Union. Under these conditions, it must be important for the Georgian society to be aware of those challenges and problems that modern Europe is facing. While in the European space there is an active discussion on such issues as reforming the financial market, eliminating systemic inequality, prospects for the development of the Green and Sustainable Economy (Osadze L., Sreseli L., 2019)[3].

## 2. Materials and Methods

The goal of the research is to evaluate how the existing policy framework in Georgia is in line with the European Union Green Deal policy and what the basic measures are that must be implemented.

The present research is based on the outcomes of the researches implemented by the analytical centre “World Experience for Georgia” which was supported by the European Union (EU) and United Nations Development Programme (UNDP) according to quantitative and qualitative indicators. Based on the statistic indexes and scientific works, we analyzed the identified shortcomings relevant to the basic directions of European Green Deal based on the analyzes on the Georgian policy documents. This study will help the Government of Georgia to develop a guide, to further align Georgian legislation with the EGD policy and to attract international financial supporting.

The evaluation of readiness of Georgia towards European Green Deal includes:

- Reviewing of Georgian policies and strategic documents relevant to EGD;
- Identifying, describing and evaluating progress indicators for monitoring of the implementation of EGD goals and comparing Georgia with EU member states;
- Evaluating of shortcomings in the policy of Georgia and legislative framework in compliance with EGD and preparing of relevant recommendations;
- Identifying and describing examples of Georgian best practices relevant to the goals of EGD (Evaluation of Readiness of Georgia towards Green Deal,;13; 2022) [2].

## Results / discussion

The European Green Deal is a set of policy measures presented by the European Commission, which goal is to make the European Union a climate-neutral union by 2050.

There are some strategies and legislation related to European Green Deal in the EU and Georgia.

The documents related to NEGD in the European Union:

### Communication of the European Commission about the European Green Deal and a Guide Map

The goal of the document is the documents related with EGD and their status in Georgia. This is a new strategy of growth which focuses on transforming the European Union into a fair and developed society with modern, resource-effective and competitive economics where by 2050 there will be no net greenhouse gas emissions and economic development will not depend on the use of resources.

Georgia does not possess a unified strategy related to this issue, however, it has adopted several strategies and action plans that include components relevant to the Green Deal [2].

**Fit for 55 Package** (EUR-Lex – 52021DC0550 – EN – EUR-Lex (europa.eu)) [5]

The goal of the document is the document related with EGD in Georgia and their implementation status.

The Fit for 55 package includes interconnected legislative initiatives which goal is to regulate the legislative framework of green transformation by 2030 and in the subsequent period. The beforementioned package offers changes in the current legislation and presents new legislative initiatives. Overall, updating of 8 current legislative documents and elaborating of 5 new initiatives are planned according to the package. These changes will affect the following sectors: climate, energetics and fuel, transport, buildings, land use and forestry:

- Reviewing of the EU Emissions Trading Scheme (ETS), including maritime, aviation and CORSIA;
- Carbon Border Adjustment Mechanism (CBAM);
- Effort Sharing Regulation (ESR);
- Changing in the Directive on Renewable Energy to meet the ambition of the new 2030 climate goal (RED);
- Changing in the Directive on Energy Efficiency to meet the ambition of the new 2030 climate goal.

It is not yet mandatory for Georgia to transfer the beforementioned initiatives in the legislation. However, it will be important to consider them when trading high-polluting products (cement, iron and steel, aluminum, fertilizers, electricity) with EU member states. There is a discussion in progress in Georgia regarding the introduction of the emissions trading scheme. Georgia also transposed the previous versions of the RED and EED Directives [2].

#### **Law of Georgia, on Promoting the Generation and Consumption of Energy From Renewable Sources, 2019 [6]**

The following issues are controlled according to the document:

- Law on Energy Efficiency (Law of Georgia on Energy Efficiency, 2020) [7];
- Revision of the regulation on greenhouse gas emissions in the LULUCF sector;
- Revision of the Directive on deployment of alternative fuel infrastructure;

- Revision of the regulation which sets CO<sub>2</sub> emission performance standards for new passenger cars and new light commercial vehicles.

The most important in this package is:

Increasing the share of renewable energies to 40%, increasing the target rate of energy efficiency to 36–39%, changing the emissions trading system. The introduction of CBAM and green hydrogen promotion mechanisms can be considered innovative [2].

#### **The Just Transition Mechanism**

The Just Transition Mechanism (JTM) is a key tool to ensure that the transition towards Green Economy happens in a fair way and inclusive. The goal of the mechanism is to create investments for those people who are employed in coal industry. Georgia does not possess the just transition mechanism [2].

#### **The new EU Strategy on Adaptation to Climate Change**

(Forging a climate-resilient Europe – the new EU Strategy on Adaptation to Climate Change, 2021) [8].

The goal of the document is the documents related with EGD in Georgia and their status. The strategy aims to realize the 2050 vision of a climate-resilient connection by strengthening smarter, systemic, rapid and international actions. This is expressed in the improved knowledge and data throughout the policy cycle, support for policy development and climate risk management at all levels and accelerated adaptation action. This means that each municipality, company or family must have access to the information on the adaptation. Georgia has not possessed adaptation to climate change plan yet.

The goal of NDC of Georgia is to support sustainable and balanced development of the country, considering of climate change, environmental and socio-economic challenges. One of the priorities of the climate policy of Georgia is the adaptation to climate change- The National Plan of Adaptation to Climate Change for the Agricultural Sector – (The National Plan of Adaptation to Climate Change for the Agricultural Sector, 2017) [9], which determines the goals and activities in the Agricultural Sector.

**EU Gender Equality** (Gender Equality Strategy 2020–2025, 2020) [10].

The goal of the document is the documents related with EGD in Georgia and their status. One of the basic goal of the EU Gender Equality Strategy is to promote women's participation in the labor market and to facilitate their education by providing access to educational programmes and training. Georgia does not have Gender Strategy [2]

**Programme –Digital Europe** (Shaping Europe's digital future, 2022) [11]

The programme of digital Europe (DIGITAL) is a new programme funded by the European Union which is focused on accessing digital technologies to business, citizens and public administration. The Digital Europe Programme provides strategic funding to support projects in five key areas: super computers, artificial intellect, cyber security, advanced digital skills and ensuring the widespread use of digital technologies in the economy and society, including through digital innovation hubs. The total budget of the programme is €7.5 billion.

Georgia is planning to develop "Long-term National Strategy for the Development of the Digital Economy and Information Society and Its Implementation Plan ("Government Programme 2021–2024 for "Building a European State", 2022) [12], according to which in coordination, by the involvement of all the relevant organizations, the future directions of the digital economy development and the activities of its implementation will be determined, which will contribute to the development of electronic services in public and private sectors, the growth of digital literacy, the acceleration of the process of forming an information society, the increase of high-tech exports, the development of research and innovation, and the increase of the competitiveness of Georgia in the global digital economy. In addition, the 2020–2025 action plan for the development of broadband networks of Georgia and its implementation has already been developed. As a result of the implementation of the state programme for the de-

velopment of broadband, fiber-optic infrastructure, the population living in the regions of Georgia will benefit from high-speed Internet, which will further increase the involvement of our citizens in the socio-economic life of the country [2].

**Sustainable and Smart Mobility Strategy –European Transport Future** [13]

The European Green Deal aims to reduce greenhouse gas emissions from the transport sector by 90% by 2050.

The goal of the Climate Change and Action Plan for 2021–2023 is to reduce greenhouse gas emissions in the transport sector below 15% of baseline by 2030.

Some potential plans and strategies are elaborated in the transport sector which will have a positive effect on the redirection of road freight to rail shipments, however, a clearer plan needs to be presented.

An integrated plan for Sustainable Urban Mobility of Batumi was developed. The main task of the plan is to increase the safety of transport. The Sustainable Urban Strategy of Tbilisi and the long-term action plan related to it (2022–2030), as well as the "Green City Action Plan" of Tbilisi (2017–2030) were developed (2017–2030).

**Circular Economy Action Plan**

Georgia is planning to elaborate a circular economy strategy and action plan. Nowadays, MEPA is working on elaboration of the target indicators. The new waste code is the first step in this direction. Along with the development of the Code, MEPA also established new principles of extended consumer producer responsibility and adopted several regulations to promote waste circularity [15].

**Small and Medium-Sized Business Strategy for Sustainable and Digital Europe** [16].

Small and Medium-sized sector accounts for more than half of gross domestic product of the European Union, creates two-thirds of jobs and covers all sectors of the economy. The strategy is based on the current framework of the European Union related to small and medium-sized business and aims to involve the

beforementioned businesses into sustainable development. Ministry of Economy and Sustainable Development elaborated the strategy for the development of small and medium-sized entrepreneurship of Georgia, 2021–202[17]. The strategy is based on the Principles of Small Business Act of 2008, the best practice of the European countries in small and medium-sized business. The main priorities of the strategy are the improvement of legislation on permits/licenses, strengthening of institutions and operational environment. Various institutions and agencies will support entrepreneurship through low-interest financing, research in electronic communications, information technology and innovation and finding additional export markets. According to the strategy, it is planned to simplify the business start-up procedures and digitize the digital services and tax administration system introduced up today for entrepreneurs. The goal of the strategy is to prioritize the fight against corruption. As a result, competitiveness among small and medium-sized enterprises will increase, creating a solid foundation for inclusive and sustainable economic growth.

### **The European Union’s Biodiversity Strategy for 2030 [18]**

The goal of the strategy is to ensure the restoration of the world’s ecosystems by 2050, maintaining their resilience and adequate protection.

Biodiversity strategy and action plan of Georgia [19] covers the biodiversity of the following areas: species and habitats, protected territories, forest ecosystems, agricultural biodiversity and natural fields, inland water ecosystems and the Black Sea. The strategy sets the goal, national target indexes and the activities to each directions.

It is worth mentioning that the Association Agreement includes the introduction of green policy issues in Georgia.

**National Action Plan for Association Agreement Implementation [20]** covers the activities to be implemented on concrete terms. The order N297 by the Minister of Labor, Health and Social Defence of Georgia includes different directions: “Drinking water, hygienic requirements for water quality of centralized drinking water supply systems, quality control” (Annex 1); “Hygienic requirements for the water quality of non-centralized water supply. Sanitary protection of springs” (Annex 3); “Protection of costal water from pollution in the areas of population water consumption “-sanitary rules and norms (Annex 4).

### **Conclusion**

In the XXI century, on the way of implementing the green strategy, it is the Green Economy that has the means to bring the highest capitalization. This is the biggest opportunities for our small economy. The study revealed lots of shortcomings and outlined the problems.

As mentioned, the European Green Deal is closely related to the Sustainable Development goals. The National Development Strategy of Georgia is in the process of elaborating. It determines general directions of the country development and includes both sectoral strategies and the goals of the Sustainable Development. That is why EGD compliance issues can only be analyzed at the level of individual sectors. Georgia has great opportunities to develop its industrial sector, create safe environment, develop digital economy and weaken the problems of education through its strategic location and the AA/DCFTA Agreements signed with the European Union, Georgia has great opportunities. The process of implementing separate paragraph of the agreement is started, the legislative norms were developed in some directions, however, more attention and consistency is needed in our steps.

### **References:**

1. Green Economy-One of the Basics of Sustainable Development, ISO Consulting Blog, 2022. URL: <https://www.isoconsulting.ge/single-post/Green-Economy-One-of-the-Basics-of-Sustainable-Development>

2. Evaluation of Readness of Georgia toward the European Green deal, the EU for Georgia, – Tbilisi, 2022. – 124 p. URL: <file:///C:/Users/admin/Desktop/undp-georgia-eu4climate-green-deal-assessment-2022-geo.pdf>
3. Osadze L., Sreseli L., Green Economy- An Opportunity of Sustainable Development of Georgia, TSU, the Scientific Conference of Gugushvili's Institute of Economics, – Tb. 2019. – P. 296–301. URL: <file:///C:/Users/admin/Documents/conf.kreb.2019.pdf>
4. Communication From the Commission – The European Green Deal, Brussels, 11.12.2019. EUR-Lex – 52019DC0640-EN-EUR-Lex (europa.eu). URL: <https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=COM%3A2019%3A640%3AFIN>
5. Law of Georgia, on Promoting the Generation and Consumption of Energy From Renewable Sources, 2019. URL: <https://matsne.gov.ge/ka/document/view/4737753?publication=1>
6. The Legislative Herald of Georgia, Law of Georgia on Energy Efficiency, 2020. URL: <https://matsne.gov.ge/ka/document/view/4873938?publication=>
7. Forging a climate-resilient Europe – the new EU Strategy on Adaptation to Climate Change, 2021. URL: <https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=COM%3A2021%3A82%3AFIN>
8. Georgia's Updated 2021 Nationally Determined Contribution (NDC), 2021. URL: [https://unfccc.int/sites/default/files/NDC/2022-06/NDC%20Georgia\\_ENG%20WEB-approved.pdf](https://unfccc.int/sites/default/files/NDC/2022-06/NDC%20Georgia_ENG%20WEB-approved.pdf)
9. Climate Change Adaptation Plan For Georgia's Agriculture Sector, 2017. URL: <https://eiec.gov.ge/ge/Documents/Download/531>
10. Gender Equality Strategy 2020–2025. URL: [https://ec.europa.eu/info/policies/justice-and-fundamental-rights/gender-equality/gender-equality-strategy\\_en](https://ec.europa.eu/info/policies/justice-and-fundamental-rights/gender-equality/gender-equality-strategy_en)
11. Digital Programme – Shaping Europe's digital future, 2022. URL: [https://commission.europa.eu/strategy-and-policy/priorities-2019–2024/europe-fit-digital-age/shaping-europes-digital-future\\_en](https://commission.europa.eu/strategy-and-policy/priorities-2019–2024/europe-fit-digital-age/shaping-europes-digital-future_en)
12. Government Programme 2021–2024. “Towards Building a European State”, 2022. URL: <https://www.undp.org/sites/g/files/zskgke326/files/2022–10/undp-georgia-eu4climate-green-deal-assessment-2022-geo.pdf>
13. Sustainable and Smart Mobility Strategy, 2020. URL: [https://ec.europa.eu/info/law/better-regulation/have-your-say/initiatives/12438-Sustainable-and-Smart-Mobility-Strategy\\_en](https://ec.europa.eu/info/law/better-regulation/have-your-say/initiatives/12438-Sustainable-and-Smart-Mobility-Strategy_en)
14. 2021–2023 Action Plan of Georgia's 2030 Climate Strategy. URL: <https://mepa.gov.ge/En/Files/View-File/50122>
15. Ministry of Environmental Protection and Agriculture of Georgia. URL: <https://mepa.gov.ge/En/Page/functionsandgoalssofministry>.
16. Communication From the Commission to the European Parliament, the Council, the European Economic and Social Committee and the Committee of the Regions an SME Strategy for a sustainable and digital Europe, 2020. URL: <https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=CELEX:52020DC0103>
17. Development Strategy of Small and Medium-Sized Enterprises of Georgia, 2021–2025. URL: [https://www.economy.ge/uploads/files/2017/ek\\_politika/sme\\_strategy/sme\\_development\\_strategy\\_2021\\_2025\\_.pdf](https://www.economy.ge/uploads/files/2017/ek_politika/sme_strategy/sme_development_strategy_2021_2025_.pdf)
18. Communication From the Commission to the European Parliament, the Council, the European Economic and Social Committee and the Committee of the Regions Eu Biodiversity Strategy for 2030 Bringing nature back into our lives, 2020. URL: <https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=CELEX:52020DC0380>

19. National Biodiversity Strategy and Action Plan of Georgia 2014–2020. URL: <https://www.cbd.int/doc/world/ge/ge-nbsap-v2-en.pdf>
20. The Legislative Herald of Georgia, EU/Georgia Association Agreement, 2014. URL: <https://matsne.gov.ge/ka/document/view/2496959?publication=0>



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