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LEGAL REGULATION OF CRIMES AGAINST SEXUAL INTEGRITY IN KAZAKHSTAN

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The definition of "pedophilia" means sexual attraction to children before puberty and early puberty. In the Republic of Kazakhstan, attraction to persons under the age of majority is considered pedophilia. Pedophilia in a legal context is usually understood as a sexual offense committed by an adult against a child. Thus, pedophilia is legally considered as a form of sexual offense in which an adult shows sexual activity or interest in children. It can include various actions ranging from indecent acts to sexual abuse of minors. All these actions are punishable under the criminal legislation of Kazakhstan.

Pedophilia is not a separate crime in the Criminal Code of Kazakhstan. Instead, it is taken into account in the context of various crimes related to sexual violence or abuse of sexual acts against minors

At the moment, in accordance with the Criminal Code of the Republic of Kazakhstan, pedophilia does not have a clear legal definition as a separate crime or condition. However, in Kazakhstan there are several laws and regulations aimed at resolving the problem of pedophilia and protecting the rights of children, actions that can be attributed to pedophilia and are considered as part of sexual crimes against children.

There are articles in the Criminal Code of Kazakhstan dealing with sexual crimes and violence against children. Article 120. The Criminal Code of the Republic of Kazakhstan "Rape" (regulates sexual crimes, including rape, which may be related to minors); Article 122. The Criminal Code of the Republic of Kazakhstan "Sexual intercourse or other acts of a sexual nature by a person under the age of sixteen", also Article 123. The Criminal Code of the Republic of Kazakhstan "Coercion to sexual intercourse, sodomy, lesbianism or other acts of a sexual nature"; Article 124. Criminal Code of the Republic of Kazakhstan "Corruption of minors"; Article 134 "Sexual intercourse and other acts of a sexual nature with a person under the age of sixteen." This law defines the basic principles of protecting the rights of children in Kazakhstan and establishes the responsibility of the State to ensure their safety and well-being. It also defines measures for the prevention and suppression of cases of sexual abuse of children.

The Decree of the Government of the Republic of Kazakhstan "On approval of the Rules for the provision of social services for children who have been subjected to violence, homeless and left without parental care" defines the procedure for the provision of social services for children who have been victims of violence, including sexual violence. It includes measures for psychological support, rehabilitation and social protection of such children.

The Prosecutor's Office is the key body responsible for ensuring the rule of law and protecting the rights and freedoms of citizens, including the rights of children. The Law of the Republic of Kazakhstan "On the Prosecutor's Office" provides for measures to combat crimes, including sexual crimes against children, and monitors the investigation of such cases.

These laws and regulations form the basis of legal regulation of the problem of pedophilia in Kazakhstan. They are aimed at preventing sexual abuse of children, punishing perpetrators and protecting the rights and interests of children who are victims of such crimes

In Kazakhstan, there are a number of legal aspects related to pedophilia that require special attention and regulation. Despite the tightening of legislation and measures to prevent sexual crimes against children, pedophile acts continue to be committed, causing great harm to the mental and

physical health of children. One of the main problems of pedophilia in Kazakhstan is the absence in the Criminal Code of Kazakhstan defining the concept of pedophilia not as sexual acts with aggravating factors, but as a particularly serious crime.

In Kazakhstan, there are certain mechanisms for preventing and protecting children from pedophile crimes, but their effectiveness is sometimes questionable. For example, the work of law enforcement agencies and social services may not be coordinated enough, which makes it difficult to prevent and investigate such crimes.

In some cases, society may face the problem of covering up cases of pedophilia due to fear, stigmatization or lack of trust in law enforcement agencies. It is necessary to create a safer environment for confidentially reporting such incidents and taking measures to prevent them.

Many citizens may not have a sufficient understanding of pedophilia, its signs, consequences and ways of dealing with it. Educational programs and information campaigns should be more widely disseminated in order to raise public awareness and reduce the likelihood of these crimes.

In order to effectively combat pedophilia, active cooperation between law enforcement agencies, educational institutions, public organizations and other interested structures is necessary. The lack of coordination and information exchange can create problems in the prevention and suppression of such crimes.

In recent years, Kazakhstan has discussed the need to toughen penalties for sexual crimes against children. This includes considering the possibility of tougher prison terms for perpetrators of such crimes, as well as the introduction of additional measures to protect the rights of children and support their victims.

An important aspect in the fight against pedophilia is to raise public awareness of this problem. Educational programs aimed at providing information about pedophilia, its consequences and ways to protect children play an important role in this process. The more aware society becomes, the more effective measures can be taken to combat this phenomenon.

Since pedophilia is a global problem, international cooperation plays an important role in overcoming it. Kazakhstan actively cooperates with other countries and international organizations in the fight against pedophilia, the exchange of information and experience, as well as in the development of joint strategies to prevent this phenomenon.

The problem of pedophilia is a serious social and legal issue that requires a comprehensive approach and comprehensive measures to prevent and combat this phenomenon.

Solving the problem of pedophilia requires a comprehensive approach that includes measures for prevention, lawmaking, psychological support, public education and effective impact on the causes and consequences of this phenomenon. Laws that contribute to solving the problem of pedophilia may include the following measures: the adoption of laws that increase the punishment for sexual crimes against children, ensuring a fair trial and punishment for perpetrators of crimes against minors can serve as a deterrent to potential criminals and provide tougher protection of children's rights; which expand the rights of children and strengthen mechanisms for their protection, including measures to prevent pedophile crimes and provide support for child victims of such crimes; aimed at improving mechanisms for preventing pedophile crimes and ensuring more effective investigation of such cases, supporting educational and information campaigns on pedophilia and ways to protect children, as well as how to seek help in case of such situations; contributing to strengthening international cooperation in the fight against pedophilia, exchange of information and experience, as well as joint developing strategies to prevent this phenomenon.

Conducting information campaigns about pedophilia, its signs and consequences is prevention. The inclusion of the topic of pedophilia in educational programs for children, parents and teachers. Conducting psychological trainings for children and adolescents about safety and self-protection from sexual harassment.

Providing psychological assistance and support to victims of pedophilia. Development of rehabilitation programs for people with pedophile tendencies in order to prevent new crimes.

Combining these methods will help in creating an effective strategy to combat pedophilia, protect the rights and safety of children, and prevent suffering caused by these serious social problems.

Thus, pedophilia is a serious legal problem in Kazakhstan, requiring a comprehensive and effective approach from law enforcement agencies, society and the international community. Strict legislation, preventive measures, educational programs and international cooperation play a key role in combating this phenomenon and ensuring the protection of children's rights in Kazakhstan. Only through joint efforts on the part of all interested structures can significant progress be achieved in the fight against pedophilia and ensure the protection of children's rights and safety.

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КОНФИСКАЦИЯ ИМУЩЕСТВА КАК МЕРА УГОЛОВНО ПРАВОВОГО ВОЗДЕЙСТВИЯ

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С 1 января 2018 года введена в действие статья 48 УК РК, такого вида наказания как конфискация имущества. До введения нового Уголовного кодекса Республики Казахстан от 3 июля 2014 года, понятие конфискации имущества было только дополнительным наказанием, но теперь впервые применяется также по решению суда как мера уголовно-правового воздействия.

Расширяя применение конфискации имущества как меры уголовно-правового воздействия, имплементированного в соответствие с международными Конвенциями о борьбе против коррупции, с терроризмом, с отмыванием преступных доходов, конфискацию имущества как меру уголовного наказания следует отличать от конфискации имущества как меры правового воздействия. Общими признаками рассматриваемых определений конфискации имущества являются: принудительность конфискации, безвозмездность конфискации, поступление имущества в результате конфискации в собственность государства.