

СОЦИАЛЬНОЕ ПАРТНЕРСТВО В КАЗАХСТАНЕ: МЕХАНИЗМЫ ВЗАИМОДЕЙСТВИЯ ГОСУДАРСТВА С НЕПРАВИТЕЛЬСТВЕННЫМИ ОРГАНИЗАЦИЯМИ ПРИ РЕШЕНИИ СОЦИАЛЬНЫХ ВОПРОСОВ

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Аннотация. Настоящая статья посвящена изучению института социального партнерства в Казахстане, как особой формы взаимоотношений государства и гражданского сектора, основанной на идеи социального диалога, равноправия, партнерства и консенсуса, и нацеленной на решение социально значимых задач развития государства и общества. Особое внимание уделяется государственно-частному партнерству в социальной сфере, в частности приводится пример социального партнерства в образовательной сфере. Автором на основе изучения вторичных источников, государственных официальных документов предпринята попытка определения основных этапов становления института, его особенностей, преимуществ, а также проблем и барьеров, возникающих в процессе реализации целей партнерства. На основе проведенного анализа в статье заключается, что при существующих положительных сторонах функционирования социального партнерства имеются определенные негативные моменты, препятствующие дальнейшему укреплению и развитию института.

Ключевые слова: гражданское общество, государство, неправительственные организации, социальное партнерство, третий сектор, социальная политика

ҚАЗАҚСТАНДАҒЫ ӘЛЕУМЕТТІК СЕРІКТЕСТІК: ӘЛЕУМЕТТІК МӘСЕЛЕЛЕРДІ ШЕШУДЕ МЕМЛЕКЕТ ПЕН ҮКІМЕТТІК ЕМЕС ҰЙЫМДАРДЫҢ ӨЗАРА ӘРЕКЕТТЕСУ МЕХАНИЗМДЕРІ

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Аңдатпа. Бұл мақала Қазақстандағы әлеуметтік серіктестік институтын мемлекет пен азаматтық сектордың қарым - қатынасының әлеуметтік диалог, теңдік, серіктестік пен консенсус идеясына негізделген және әлеуметтік маңызды мәселелерді шешуге бағытталған ерекше формасы ретінде зерттеуге арналған. Әлеуметтік саладағы мемлекеттік-жекеменшік әріптестікке ерекше назар аударылады, атап айтқанда, білім беру саласындағы әлеуметтік әріптестіктің мысалы келтірілген. Қосымша дереккөздерді, мемлекеттік ресми құжаттарды зерттеу негізінде автор әлеуметтік институттардың қалыптасуының негізгі кезеңдерін, оның ерекшеліктерін, артықшылықтарын, сондай-ақ серіктестік мақсаттарын жүзеге асыру барысында туындайтын мәселелер мен кедергілерді анықтауға тырысты. Мақаланы талдай отырып, әлеуметтік серіктестіктің институты жұмысының оң жақтарымен одан әрі нығайту мен дамуына кедергі келтіретін белгілі бір теріс аспектілер бар деген қорытындыға келеді.

Түйін сөздер: азаматтық қоғам, мемлекет, үкіметтік емес ұйымдар, әлеуметтік серіктестік, үшінші сектор, әлеуметтік саясат

SOCIAL PARTNERSHIP IN KAZAKHSTAN: MECHANISMS OF INTER-ACTION BETWEEN THE STATE AND NON-GOVERNMENTAL ORGANIZATIONS IN ADDRESSING SOCIAL ISSUES

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Abstract. This article is devoted to the study of the institute of social partnership in Kazakhstan, as a special form of relations between the state and the civil sector, based on the ideas of social dialogue, equality, partnership and consensus, and aimed at solving socially significant problems of state and society development. Based on the study

of secondary sources and state official documents, the author has attempted to identify the main stages in the formation of the institute, its features, advantages, as well as problems and barriers that arise in the process of implementing the goals of partnership. On the basis of the carried out analysis the article concludes that despite existing positive sides of social partnership functioning there are certain negative moments which prevent from further strengthening and development of the institute.

Keywords: *civil society, state, non-governmental organizations, social partnership, third sector, social policy*

Introduction

Development of institute of social partnership in modern socio-economic, political conditions of society and state functioning is one of key elements of formation and strengthening of civil society which, in turn, causes political stability, dynamic development of national economy and strengthening of social sphere.

Therefore, in our opinion, the study of such an economic category as “social partnership”, which is one of the priority areas of state policy and represents a special type of social relations in the social and labor sphere, is of particular relevance, based on the coordination and protection of the interests of workers, employers and government structures through contracts, agreements, reaching compromises and consensus on labor regulation and economic and political development.

Social partnership is conditioned by the relationship of partners in the process of overcoming the emerging contradictions and conflicts in the sphere of labor and production, as well as achieving agreement in the socio-economic and political interests of the parties. In this regard, one of the primary aspects of the development of the sphere of social and labor relations and regulation of the labor market in the Republic of Kazakhstan, both at the national and regional levels, is a comprehensive consideration and clarification of the modern Kazakhstani model of social partnership.

Social partnership in the broad sense is understood as a system of intersectoral interaction: state, non-governmental sector, business, which on the basis of building equitable, transparent relations is aimed at creating favorable, advantageous for all parties conditions for the implementation and solution of social problems. Thus, the institute of social partnership, on the one hand, contributes to increasing the effectiveness of state social policy and its accessibility to the population, and on the other hand, by establishing cooperation and activation of the third sector, promotes the development of civil society.

For Kazakhstan, the collapse of the Soviet Union and the transition to democracy as a form of governance, as well as to a market system, marked the need to change the system of interaction of power structures with various non-state sectors and, in particular, with the population. At the current stage of socio-economic development of Kazakhstan, the institute of social partnership

plays a special role in the process of further establishment and development of civil society, providing measures to level various kinds of conflicts arising in the sphere of public relations.

In this regard, the study of the origin, formation and development of the institute of social partnership in Kazakhstan, its features, forms and role in strengthening the social dialogue between the state, non-governmental sectors, the business environment and individual citizens is of particular interest.

One of the basic principles of the Universal Labor Society is the principle of partnership participation, which consists in close interaction of the state, business and citizens to ensure a rational balance of interests of the state, society and the individual. As the Head of State notes in the program “Social Modernization: Twenty Steps to the Society of Universal Labor”, “it is important to actively develop social partnership, create conditions for expanding the participation of the non-governmental sector in the modernization of the country, primarily in the social sphere” [1]. As emphasized in the President’s Address to the people of Kazakhstan dated November 30, 2015, “today only the Universal Labor Society is capable of becoming a real basis for an effective economy, resistant to external shocks” [2]. The relevance of the topic corresponds to the Concept of social development of the Republic of Kazakhstan until 2030 and the Plan of social modernization for the period until 2016[3], which determine the need for “effective functioning in the current social model of the national scheme of social partnership based on the distribution of responsibility between the state, employers and citizens”.

Thus, this article is devoted to a review of the main stages in the formation of the institute of social partnership in Kazakhstan, identifying the features and advantages of the Kazakhstani model, as well as problematic moments in the implementation process.

Research Methods

The methodological basis of this study is general scientific dialectical method of cognition as a way of objective and a comprehensive study of reality and its dynamics. The study is based on the study of secondary sources of information, in particular scientific articles, studies conducted earlier on the topic, as well as official government documents, regulations in this area.

Main part

The term social partnership appeared relatively recently at the beginning of XX century, which was defined as a special type of relations in the sphere of labor relations, which are based on the principles of consent and compromise between employees and employers with the participation of the state. Based on a more general interpretation of the phenomenon of social partnership, we can conclude that the theoretical foundations of the concept were already reflected

in the works of such thinkers as J. Locke, J.J. Rousseau, T. Hobbes, C.A. de Saint-Simon, G. Spencer, K. Marx, M. Weber and others [4].

Over time, the phenomenon has expanded the field of its application and, in a general sense, social partnership is understood as various varieties of social interaction between actors of social relations, aimed at achieving harmony, avoiding conflicts and tensions by establishing dialogue and agreements. Here it is worth noting that the tasks of social partnership are diverse, and its forms can vary in relation to different spheres of public life, as well as country specifics.

Today, the institution of social partnership is widely used in the provision of social services and the construction of social infrastructure. In this regard, the main actors of interaction are the state, civil sector organizations, and commercial organizations, while the population is the beneficiary recipient of services. Such cooperation, on the one hand, reduces the pressure on the state bodies to implement social policy, on the other hand, acts as mechanisms to support civil society institutions in their institutional and financial stability, and also increases the quality of the state social sphere, as the solution of its tasks and problems is in the hands of organizations knowledgeable in this area and directly contacting, having point-to-point contact with the recipients of services.

There are several models of the relationship between the state and non-governmental organizations in the provision of social services to the population. The first is continental, based on the experience of continental European states (Germany, France), in which the state funds nongovernmental organizations, which provide various social services to local communities, thus the state guarantees broader coverage of the population with state social benefits.

Anglo-Saxon model (Great Britain) - also assumes funding, support from the state, but in smaller amounts than under the continental model. In general, the relationship between the state and the non-governmental sector is based on agreements, which enshrine the principle of non-interference by the state. This approach allows the civil sector to remain more independent from state support, having other sources of funding, but at the same time remaining in interaction with state structures.

The Scandinavian model, in which the state is the main service provider and NGOs do not participate in the provision of social services for the most part. Non-governmental organizations in this model meet the cultural, sports and communication needs and interests of members of communities and groups targeted by their activities, but without financial support from the state [5].

For Kazakhstan with the acquisition of independence was the issue of formation of civil society, independent civil sector organizations, as well as building a new model of interaction with already existing and new institutions of the sector. The process was complicated by the fact that during the Soviet Union, according to the logic of the party-state apparatus, all public organizations, associations were considered as part of the party mechanism for implementing

the needs of the population, that is, we can conclude that the civil sector was absorbed by the state and was not independent.

The first independent public organizations in Kazakhstan began to be created in the 1980s. Independent trade unions, mass media, public and religious organizations began to actively appear in the country. One of the first and most vivid examples is the Nevada-Semipalatinsk movement. Thus it became necessary to regulate this sphere of social relations, as well as to regulate and interact with state institutions. In June 1991 the Law “On Public Associations in the Kazakh SSR” was adopted.

Adoption of this law even more activated the process of creating new organizations of the non-governmental sector and political parties. The transition to a market system of regulation of the economy, including labor relations, brought the issue of protecting the interests of workers and employers up to date. In 1994, the President of the country signed a decree on the creation of the Republican tripartite commission in the sphere of socio-economic and labor relations [6], which can be considered the beginning of the formation of the institution of social partnership in Kazakhstan.

The next stage in the development of the institution of social partnership was the adoption of the Law “On Social Partnership in the Republic of Kazakhstan” in 2000. Here it is necessary to note that the law and the commission were aimed at regulation of labor relations, i.e. social partnership was understood in its narrowly specialized definition. Thus, the law gave the following definition to the concept - “the system of relations and mechanisms aimed at ensuring coordination of interests of representatives of executive authorities, representatives of employers and employees” Law “On Social Partnership in the Republic of Kazakhstan”[7]. The law also enshrined the principles of equality, consensus, equality of parties in resolving labor issues and conflicts. In addition, a system of commissions at the national, sectoral and regional levels was established, whose tasks were to reconcile the interests of the parties. In 2007, the law lost its force.

Since the early 2000s, the process of formation and strengthening of civil society continued. This stage was characterized by the appearance of various platforms and forms of interaction of the state with the civil sector in various directions: Civil Forum, the Congress of Leaders of World Religions, state programs to support non-governmental organizations, National Commissions, committees of public trust, and others. During this period there was a gradual expansion of the use of ideas of social partnership and opportunities for cooperation between the state and the civil sector in the implementation of the state social and economic policy.

In 2005, the Law “On the State Social Order” was adopted, which secured the possibility for non-governmental organizations to implement state social programs, social projects through a competitive selection. Moreover, the law provides for the creation of specialized consultative and advisory bodies to

discuss and solve the problems of interaction between state bodies and non-governmental organizations.

To date, the law regulates the relations arising not only in the process of the state social order, but also the presentation of grants and awards for NGOs. To coordinate and monitor the implementation of state grants to support civic initiatives and the participation of non-governmental organizations in solving urgent social problems, NPJSC “Center to Support Civic Initiatives” was established. Over the years of the Center’s activity more than 400 different NGO projects have been implemented, both at the state and regional levels. Every year the state also awards prizes for NGOs in 15 areas.

It is worth noting that the state is expanding the scope of the institution of social partnership as a tool for implementing social policy, extending it to the private sector as well. For example, in 2015 the country adopted the Law “On Public-Private Partnership,” which involves the combined efforts of the state and the private (business) sector in addressing the socio-economic development objectives of the state through a balanced distribution of costs, rights and obligations, and based on the contract, partnership and trust of the parties.

Table 1. The system of social partnership in the republic includes the following elements [8]:

- national level	- regional level	- territorial level
- sectoral (inter-sectoral) level	- professional level	- local level

At the national level, social partnership is carried out by republican associations of trade unions and employers, as well as by the Government of the Republic of Kazakhstan or its authorized body. At the national level, annual general agreements are concluded.

The regional (region, several regions) and territorial (city) levels of social partnership are characterized by the participation of the respective associations of trade unions and employers, as well as the executive bodies (akims) of the respective territories.

At the sectoral (inter-sectoral) level, social partnership is provided by the relevant trade unions and employers’ associations. Representatives of the authorized state body responsible for this industry (several industries) act on behalf of the state. The professional level of social partnership covers associations of workers of one profession and their employers; at this level, sectoral and professional tariff agreements are concluded.

At the local level, social partnership is carried out directly in organizations between the trade union committees of organizations and the employer by concluding collective agreements.

The main objectives of the commission are: creation of a system of social

partnership in the field of labor relations, prevention and assistance in the settlement of collective labor conflicts in the context of the transition to a market economy.

Today, public-private entrepreneurship is most actively developing in the field of education. So, for example, as of June 1, 2020, out of 786 PPP contracts concluded, 56% in the amount of about 115 billion tenge [8].

Table 2. PPP projects in education [9].

● Installation and operation of the access control system in educational institutions.	● Construction, reconstruction and operation of the hostel.	● Implementation and operation of intelligent video surveillance systems to ensure safety in schools.
● Construction and operation of boarding schools.	PPP projects in education	● Installation and maintenance of a fire-prevention system (alarm) in educational institutions.
● Construction / reconstruction and operation of camps.		● Construction, reconstruction and operation of schools, lyceum, gymnasium, colleges and higher educational institutions.
● Transfer of educational objects to trust management through the PPP mechanism.		
● Supply / modernization and maintenance / technical support of equipment and technology for educational institutions.	● Organization of catering / modernization and maintenance of catering facilities (canteens) in educational institutions.	● Installation and operation of the lighting system at educational facilities.

State support through certain mechanisms made the field of “Preschool education and training” attractive for the business environment: more than 1/3 of preschool organizations are private (2019 - 40.6%, 2015 - 20.1%). Additional PPP mechanisms should be worked out to create healthy competition between preschool organizations and improve the quality of «Preschool education and training».

The driver of the rapid growth of the network of preschool organizations and the increase in the coverage of children. Preschool education and training «was the mechanism of PPP, which contributed to the creation of investment attractiveness of the sphere of Preschool education and training» for the Kazakhstani business environment. Over the years of the implementation of the GPRS, the number of private preschool organizations almost doubled (+1 963 units) In 2019, the number of private preschool organizations in Kazakhstan was 4 299 units, or 40.6%, which is 15.8% higher than in 2016 (24.8%). For 2016-2019 the indicator increased by 17% and amounted to 42% of the total number of places in preschool organizations. The total number of places in private preschool organizations is 415,520 places, of which 255,256 are in the city, 160,264 - in rural areas. Private preschool organizations covered 351,128

children, which is 39.4% of the total number of children in the network of Preschool education and training. In the dynamics of four years, there is an increase in the share of children covered by non-state preschool organizations by 16% (2016 - 23.2%) [9].

One of the forms of cooperation between the state and the business environment in the field of Preschool education and training is trust management. It means the transfer of existing kindergartens to long-term trust management to a private entrepreneur who undertakes to carry out activities without changing the profile. Trust management is carried out on the basis of an agreement in which the obligations of the two parties are prescribed, and the owner does not lose the right to foreclose on this property or return. In other words, the transfer of kindergartens to trust management with a long service life (from 10 years or more) gives an entrepreneur the opportunity to create comfortable and modern conditions for the safe living and development of children, the provision of additional educational and health services (sections, circles, innovative teaching technologies etc.) and get a profit on your investment [9].

In addition to cooperation of the state with non-governmental and private sectors in the framework of social partnership, in recent years in Kazakhstan there is an intensification of interaction between business and civil society organizations for the implementation of joint social projects in the framework of charity, creation of corporate funds, providing educational grants and others.

For example, this year a new BINOM School was opened in Nur-Sultan, a new brand for the introduction of advanced methods in Kazakhstan's general education process. Education in these schools is planned on the basis of domestic model and advanced international systems of Finland, Great Britain and South Korea. The project was realized on the principle of public-private partnership (PPP) by innovative building holding BI Group together with Nur-Sultan akimat, it is planned to open 6 schools of such format.

Thus, we can conclude that Kazakhstan has established institutional and legislative mechanisms for the functioning of the institute of social partnership with various sectors.

The main objectives of PPP are:

a) creation of conditions for effective interaction of the state partner and the private partner in order to ensure sustainable socio-economic development of the Republic of Kazakhstan;

b) attraction of investments into the economy of the state by combining resources of the state partner and the private partner for development of infrastructure and life support systems of the population;

(c) Improving the availability and quality of goods, works and services, taking into account the interests and needs of the population as well as those of other stakeholders;

d) increasing the overall innovation activity in the Republic of Kazakhstan, including the promotion of high-tech and science-intensive industries.

Another feature of Kazakhstan is the automation, digitalization of the processes of interaction between the state and the non-governmental sector through established mechanisms for a more open, transparent selection of NGO organizations to implement social tasks. At the same time, the state is also attempting to expand partnerships and establish a dialogue with the civil sector on political decision-making, creating various platforms of interaction: open discussion of draft regulations, the functioning of the Public Councils, the National Council of Public Trust and others.

For example, at Nur-Sultan City Akimat in order to attract investors to investment projects and mutually beneficial cooperation, the Center for Public-Private Partnership LLP «ASTANA INVEST», which within its activities provides advisory support for urban PPP projects.

However, at the same time, there are certain barriers that hinder the further development of dialogue between the state and the non-governmental sector. Despite the fact that the state actively creates various platforms of interaction, often some of them duplicate each other's functions, which creates an excessive "burden" of the entire system of social partnership. In addition, due to the presence of difficulties in explaining the goals and objectives of public policy at the regional level, there is a formal attitude and low interest of public authorities in those institutions, tools and mechanisms created to implement social projects, initiatives in partnership with the civil sector.

The preservation of regional and sectoral imbalance of civil sector representation, especially in the rural-urban context, contributes to a similar imbalance in the functioning of the institution of social partnership, which affects its effectiveness as a whole, since a certain layer of the population remains uncovered by social services, infrastructure [10].

Weak outreach, both by government agencies and non-governmental organizations, lack of human resources, also affects the coverage of services provided by the partnership [11].

In addition, despite the availability of certain tools to exclude the emergence of corruption schemes, the high level of corruption in the country, the low level of zero tolerance for corruption offenses contributes to its manifestation in the sphere of public social order, which again actualizes the issue of efficiency.

Discussion of results

The mechanisms of financial support of non-governmental organizations built by the state, on the one hand, support the development of civil society in the country, but on the other hand, form the dependence of civil sector organizations on the state source of funding, which can be reflected in impartiality and neutrality of organizations, while there is a possibility of the state authorities to support only "loyal" organizations [12].

At the same time, work to remove these barriers on the part of the state

is underway. In particular, NP JSC «Center to Support Civic Initiatives» implements a campaign of small grants for rural NGOs, launched the “NGO Academy” project to train leaders of organizations, etc. However, it is too early to talk about their effectiveness, since they started relatively recently.

Conclusion

Institute of social partnership today went beyond its original understanding as an instrument to regulate labor relations, based on the principles of equality, consensus, partnership between employers and employees with the direct participation and guarantee from the state. Social partnership in a broad sense is used to denote a special form of relationship between the state, civil, private sector, which is also based on the principles of equality, mutual trust, mutual benefit, openness, dialogue, etc.

Kazakhstan is at the stage of formation, both with respect to civil society and the institute of social partnership. One of the strengths is the established institutional and legislative framework for the development of social dialogue between the state and the civil sector. However, at the same time there are also negative sides that hinder the development of social partnership, related to corruption, population coverage, regional and sectoral imbalance, information activities, low political and legal culture, interest of state bodies and others.

At the same time, the current legislation of the Republic of Kazakhstan in the field of public-private partnership has certain gaps and shortcomings, there are also difficulties in law enforcement practice, which, in turn, impede the development of a public-private partnership mechanism. In particular, there are issues that arise in the process of preparing and implementing a public-private partnership project, concluding, executing and terminating a public-private partnership agreement [13].

Recommendations

In order to increase the effectiveness of the existing mechanisms of social partnership between the state and the civil sector in the implementation of social programs and projects, it is necessary: firstly, to expand opportunities for training, consulting non-governmental organizations in matters of interaction with government bodies, opportunities within the framework of social partnership, as well as clarifications algorithms of actions when submitting an application, with special attention to be paid to NGOs working in rural areas; secondly, to conduct more targeted information and explanatory seminars for civil servants of authorized bodies implementing social policy in order to increase their knowledge in the field of goals and objectives of specific policy areas, as well as their functionality within the framework of their implementation; thirdly, to conduct an audit of existing forms and tools of social partnership in order to identify problematic issues that complicate and complicate the process of implementing cooperation, which also affects its effectiveness. In order to stimulate the attraction of private investors,

together with interested state bodies, to further improve the legislation of the Republic of Kazakhstan in the field of public-private partnerships on taxation issues.

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