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death penalty in a civilized country. And therefore it is regarded as contrary to human nature. Kazakhstan has become a different country since independence, and therefore we can decide.

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GENOCIDE AND ITS PUBLIC DANGER

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The Universal Declaration of Human Rights (UDHR) is a document adopted by the United Nations General Assembly on December 10, 1948. The UDHR is an international standard that establishes fundamental rights and freedoms that must be recognized and protected by all States of the world.

The UDHR consists of 30 articles that cover a wide range of rights, including the right to life, freedom from torture and ill-treatment, freedom of thought, conscience and religion, equality before the law, the right to education, work and health, as well as the rights to freedom of movement, participation in Government and freedom of expression [1].

The UDHR is one of the most important documents in the history of human rights and serves as an important guideline for States and organizations around the world in ensuring and protecting human rights. She emphasizes the universality, indivisibility and interconnectedness of all human rights and calls on all States to ensure their protection for all their citizens without discrimination of any kind.

The UDHR established after World War II in response to the horrific human rights violations that were committed during that war. The United Nations General Assembly adopted it on December 10, 1948 in Paris.

Human rights are universal and indivisible rights that belong to each person as their individual rights. They established in laws and international documents, including the Universal

Declaration of Human Rights, the Convention on the Rights of the Child, the Convention on the Elimination of All Forms of Discrimination against Women and many others.

Human rights include such fundamental rights as the right to life, freedom from torture and ill-treatment, freedom from slavery and forced labor, freedom of expression of one's thoughts and beliefs, freedom of religion, freedom of assembly and association, the right to education, to health, to a clean environment and others [2].

Human rights do not depend on a person's race, nationality, language, religion, political beliefs or social status. They are an integral part of human dignity and must be respected and protected by the State and society as a whole.

The United Nations General Assembly adopted the Convention on the Prevention and Punishment of the Crime of Genocide on December 9, 1948 in Paris. The Convention entered into force on January 12, 1951. It establishes the international legal status of the concept of "genocide" as the gravest crime against humanity, and gives its legal definition. It is the culmination of the long-term struggle of the Polish lawyer of Jewish origin, Raphael Lemkin, to establish legal responsibility for the extermination of ethnic groups and the recognition by the international community of genocide as a crime against humanity [3].

The Convention on the Prevention and Punishment of the Crime of Genocide is one of the key documents of international law aimed at preventing crimes against humanity.

Genocide based on the rejection of people of other nationalities, races and religious affiliation. However, any kind of genocide violates the following human rights.

Genocide based on the rejection of people of other nationalities, races and religious affiliation. Nevertheless, any kind of genocide violates inviolable and universal human rights. The most pronounced violations of genocide-related rights include the following:

- 1) The right to life
- 2) The right to freedom and freedom from harsh treatment
- 3) The right to freedom from forced and illegal killings
- 4) The right to freedom from forced and unlawful deprivation of liberty
- 5) The right to freedom from discrimination based on nationality, ethnicity, race or religion

Violations of genocide-related rights have long-term consequences and can affect many aspects of the lives of victims and society as a whole. This may include the destruction of the culture and traditions of certain groups, loss of history and identity, fear and trauma, violation of the right to a decent life, and many other factors. Therefore, it is important to prevent genocide and stop it when it occurs, and to punish the perpetrators fairly.

The most famous examples of genocide are St. Bartholomew's Night in Paris — the massacre of Huguenots by Catholics in 1572, organized by the Medici and the Guises. Genocide of the Herero and Nama tribes (1904-1907). Extermination and deportation of Christians in the Ottoman Empire (genocide of Armenians, Pontic Greeks, Assyrians; 1915-1923). Extermination by Nazi Germany during the Second World War of Jews (Holocaust), Gypsies (genocide of Gypsies). Extermination of Serbs by the pro-fascist Croatian regime of Pavelic during the Second World War (genocide of Serbs; 1941 – 1945). Deportation of Kalmyks by the Stalinist regime to the regions of the Urals, Siberia and Central Asia (recognized by the Russian Parliament as an act of genocide — preamble and Article 2 of the RSFSR Law No. 1107-1 of April 26, 1991 "On the Rehabilitation of Repressed Peoples") [4].

In August 1960, the International Commission of Jurists stated in its report that "acts of genocide were committed in Tibet in an attempt to destroy Tibetans as a religious group." The extermination by the Pol Pot and Ieng Sari regime in 1975 – 1979 in Cambodia of up to three million Cambodians (Khmer Rouge, Killing Fields) (it is often called genocide, although the nationality of the victims was not decisive, if we do not talk about individual national minorities). The extermination by Iraqi forces of the Kurdish population of northern Iraq — in particular, during Operation Anfal (1987-1989). The 1994 genocide in Rwanda was a massacre in Rwanda, because of which representatives of the Hutu tribe exterminated 800 thousand people from the Tutsi tribe. The 1995 Srebrenica massacre was a massacre of Bosnian Muslims by Bosnian Serbs. Genocide

differs from premeditated murder on the grounds of religious, racial, national, ethnic hostility or hostility, causing harm to health for these reasons, a terrorist act and other similar crimes in that its purpose is to exterminate or partially destroy a group of people, a people or a nation. The term "ethnic cleansing", which has recently become familiar with the term genocide. As can be seen from the above examples, genocide in the 20th century became the most widespread.

Since 1933, the leaders of Nazi Germany have set themselves the task of practically exterminating individual peoples because of their national origin, religion, and the political structure of the country. The Nuremberg International Tribunal in 1945 established that war criminals include both those who violated the laws and customs of war and committed crimes against peace, as well as those whose actions directed against humanity, who deliberately destroyed the civilian population. At its 1st session in 1946, the UN General Assembly reaffirmed the principles of the statute and verdict of the Nuremberg Tribunal, and also established that genocide is a crime and that those who committed it are subject to strict punishment. The Assembly called on States to cooperate in preventing and punishing the perpetrators of genocide. She invited States to adopt national norms of their criminal legislation regulating liability for these crimes.

Article 168. Genocide

1. Genocide is intentional acts aimed at the complete or partial destruction of a national, ethnic, racial or religious group by killing members of this group, causing serious harm to their health, forcibly preventing childbearing, forcibly transferring children, forcibly relocating or creating other living conditions designed to physically destroy members of this group, – is punishable by imprisonment for a term of fifteen to twenty years or life imprisonment with or without deprivation of citizenship of the Republic of Kazakhstan.

2. The same acts committed in wartime shall be punishable by imprisonment for a term of fifteen to twenty years or life imprisonment with or without deprivation of citizenship of the Republic of Kazakhstan.

Genocide in its literal sense is the murder of a clan, a tribe. Genocide refers to crimes against humanity, the essence of which consists in the physical extermination of entire groups of the population on racial, national, ethnic and religious grounds [3].

The public danger of the crime in question lies in the fact that genocide in any of its forms leads or may lead to the complete or partial cessation of the existence of a certain national, ethnic, racial or religious group of people with their own identity.

The direct object of the crime is social relations that ensure safe living conditions for national, ethnic, racial and religious groups.

The victims of genocide are not individuals or members of such groups, and the named groups themselves are national, ethnic, racial or religious) in general, the destruction of which this crime is aimed at [5].

The objective side of the crime includes actions aimed at the complete or partial destruction of a national, ethnic, racial or religious group

One of the methods indicated in the disposition is:

- By killing members of this group;
- causing serious harm to their health;
- Forcible obstruction of childbearing; - forced transfer of children;
- forced relocation;
- Other creation of living conditions designed for the physical destruction of members of this group.

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КИБЕРПРЕСТУПНОСТЬ В РЕСПУБЛИКЕ КАЗАХСТАН: ВЫЗОВЫ И ПУТИ РЕШЕНИЯ

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Киберпреступность представляет собой одну из наиболее актуальных проблем современного общества. В Республике Казахстан, как и во всем мире, наблюдается рост киберпреступлений, что обуславливает необходимость совершенствования законодательства и системы противодействия этому виду преступности.

Наиболее распространенным видом киберпреступности в Казахстане является мошенничество. Злоумышленники используют различные методы для обмана пользователей, такие как: рассылка электронных писем или SMS-сообщений, имитирующих сообщения от известных организаций, с целью завладеть конфиденциальной информацией, например, паролями или данными банковских карт, создание сайтов, имитирующих сайты известных компаний или государственных органов, с целью завладеть личными данными пользователей, звонки пользователей с целью завладеть их личными данными или денежными средствами.

Кража личных данных является еще одним распространенным видом киберпреступности. Злоумышленники могут похищать личные данные пользователей из различных источников: несанкционированный доступ к базам данных организаций с целью кражи личных данных пользователей, непреднамеренное раскрытие личных данных пользователей из-за халатности сотрудников организаций, использование методов психологического воздействия на пользователей с целью склонить их к раскрытию своих личных данных.

Кибератаки на государственные и коммерческие структуры становятся все более сложнее. Злоумышленники могут использовать различные методы для атак. В основном это атаки, направленные на перегрузку серверов и сайтов с целью их вывода из строя либо внедрение вредоносного кода в базы данных с целью кражи или уничтожения информации. Также шифрование данных пользователей с целью вымогательства денег за их расшифровку.

Действующее законодательство Республики Казахстан в сфере кибербезопасности не в полной мере соответствует современным вызовам. К основным проблемам законодательства можно отнести, во-первых, отсутствие комплексного закона о кибербезопасности: вопросы кибербезопасности регулируются разрозненными нормативными правовыми актами. Также не все виды киберпреступлений предусмотрены Уголовным кодексом Республики Казахстан, следовательно, правоохранительные органы не всегда имеют необходимые ресурсы и возможности для расследования киберпреступлений.