

Judicial Control in a Context of the Concept of Legal Policy of the Republic of Kazakhstan

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Abstract : This article is devoted to judicial control in criminal legal proceedings of the Republic of Kazakhstan in the light of the new Concept of legal policy till 2020. In article the general characteristic and concept of judicial control, and also its signs and types are considered. Different views of scientists are analyzed. Foreign experiment on application of judicial control is given. The author states also the point sight on this problem and gives the definition to concept of judicial control. The code of criminal procedure of the Republic of Kazakhstan (RK Criminal Procedure Code) doesn't consolidate concept of judicial control. The author in article suggests making change and addition to the existing Code of criminal procedure of the Republic of Kazakhstan by definition of judicial control. The decree of the President of the Republic of Kazakhstan of August 24, 2009 No. 858 approved the Concept of legal policy of the Republic for the period from 2010 to 2020. The new Concept of legal policy of the Republic of Kazakhstan, defines prospects of development of national legal system of the country on the following decade. The concept of legal policy completely mentions also institute of judicial control. Since finding of the independence by Kazakhstan the set of laws, including the rights directed on providing, freedoms and a legitimate interest of citizens was accepted. Certainly, in any country, whatever democratic it was, there are problems to human rights. However, it is obvious that Kazakhstan strongly intends to guarantee all Republic of Kazakhstan proclaimed in the Constitution the rights and freedoms of the citizens. Our country seeks for creation of the constitutional state, tries to provide a guarantee from various arbitrariness in activity of competent government bodies, officials. In the concept of legal policy of the Republic of Kazakhstan it is specified: "...priority of development of the criminal procedure right there is a further consecutive realization of the fundamental principles of the criminal legal proceedings directed on protection of the rights and freedoms of the person". Judicial control just also is such guarantee.

Keywords : rights and freedoms of the person, concept, legal policy, court, judicial control

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