

**ХАЛЫҚАРАЛЫҚ ҚҰҚЫҚ ЖӘНЕ САЛЫСТЫРМАЛЫ ҚҰҚЫҚТАНУ /  
МЕЖДУНАРОДНОЕ ПРАВО И СРАВНИТЕЛЬНОЕ ПРАВОВЕДЕНИЕ /  
INTERNATIONAL LAW AND COMPARATIVE LAW**

---

**UDC 341.1  
IRSTI 10.87.47**

**B.Zh. Sagymbekov**

*The Law Enforcement Academy under the Prosecutor General's Office of the Republic of Kazakhstan,  
Koshy c., the Republic of Kazakhstan*

**INTERNATIONAL EXPERIENCE OF THE ORGANIZATIONS PROTECTING BUSINESS ENTITIES**

**Abstract.** In this article, the author examines the international experience of activity of organizations protecting business. The analysis of international legal acts in the field of protection of the rights of entrepreneurs has shown that the main vector of their direction is focused on creating favorable conditions for the development of entrepreneurial activity and expanding the boundaries of international cooperation between specialized organizations and associations for business protection. Organizations for the protection of the rights of entrepreneurs are represented in almost all major associations, such as the UN, the Council of Europe, the European Union, the OECD, and the EAEU, whose activity is to develop appropriate recommendations for the elimination of certain problems in the field of business protection and human rights in a particular country. At the same time, the universal and leading international organizations for the protection of the rights of business entities are the Office of the United Nations High Commissioner for Human Rights and the Human Rights Council. The author also studied the experience of the functioning of business ombudsmen. Based on the experience of the USA and Georgia, recommendations have been developed to improve the activities of the Business Ombudsman of Kazakhstan.

**Keywords:** business; entrepreneurship; international organizations; UN; international acts; business ombudsman; entrepreneurs' rights.

**Б.Ж. Сағымбеков**

*Қазақстан Республикасы Бас прокуратурасының жанындағы Құқық қорғау органдары академиясы,  
Қосшы қ., Қазақстан Республикасы*

**БИЗНЕСТІ ҚОРҒАУ БОЙЫНША ҰЙЫМДАР ҚЫЗМЕТІНІҢ ХАЛЫҚАРАЛЫҚ ТӘЖІРИБЕСІ**

**Аннотация.** Бұл мақалада автор бизнесті қорғау жөніндегі ұйымдар қызметінің халықаралық тәжірибесін қарастырды. Кәсіпкерлердің құқықтарын қорғау саласындағы халықаралық құқықтық актілерді талдау олардың негізгі бағыты кәсіпкерлік қызметті дамытуға қолайлы жағдайлар жасауға және мамандандырылған ұйымдар мен бизнесті қорғау жөніндегі бірлестіктер арасындағы халықаралық ынтымақтастықтың шекараларын кеңейту болып табылады. Кәсіпкерлердің құқықтарын қорғау жөніндегі ұйымдар БҰҰ, Еуропа Кеңесі, Еуропалық Одақ, ЭЫДҰ, ЕАЭО сияқты барлық ірі бірлестіктерде ұсынылған, олардың қызметі белгілі бір елдегі бизнес пен адам құқықтарын қорғау саласындағы белгілі бір мәселелерді жою бойынша тиісті ұсынымдар әзірлеу болып табылады. Бұл ретте БҰҰ-ның Адам құқықтары жөніндегі Жоғарғы комиссарының басқармасы және адам құқықтары жөніндегі кеңесі кәсіпкерлік субъектілерінің құқықтарын қорғау жөніндегі әмбебап және жетекші халықаралық ұйымдар болып табылады. Автор сонымен қатар бизнес омбудсмендердің жұмыс істеу тәжірибесін зерттеді. АҚШ пен Грузияның тәжірибесі негізінде Қазақстан Бизнес омбудсменінің қызметін жақсарту бойынша ұсынымдар әзірленді.

**Түйінді сөздер:** бизнес; кәсіпкерлік; халықаралық ұйымдар; БҰҰ; халықаралық актілер; бизнес омбудсмен; кәсіпкерлердің құқықтары.

## МЕЖДУНАРОДНЫЙ ОПЫТ ДЕЯТЕЛЬНОСТИ ОРГАНИЗАЦИЙ ПО ЗАЩИТЕ БИЗНЕСА

**Аннотация.** В настоящей статье автором рассмотрен международный опыт деятельности организаций по защите бизнеса. Анализ международных правовых актов в сфере защиты прав предпринимателей, показал, что основной вектор их направления ориентирован на создание благоприятных условий развития предпринимательской деятельности и расширение границ международного сотрудничества между специализированными организациями и объединениями по защите бизнеса. Организации по защите прав предпринимателей представлены практически во всех крупных объединениях, как ООН, Совет Европы, Европейский союз, ОЭСР, ЕАЭС, деятельность которых заключается в выработке соответствующих рекомендаций по устранению тех или иных проблем в сфере защиты бизнеса и прав человека в той или иной стране. При этом универсальными и ведущими международными организациями по защите прав субъектов предпринимательства являются Управление Верховного комиссара ООН по правам человека и Совет по правам человека. Автором также изучен опыт функционирования деятельности Бизнес омбудсменов. На основе опыта США и Грузии выработаны рекомендации по улучшению деятельности Бизнес омбудсмена Казахстана.

**Ключевые слова:** бизнес; предпринимательство; международные организации; ООН; международные акты; Бизнес омбудсмен; права предпринимателей.

DOI: 10.52425/25187252\_2023\_28\_117

*Introduction.* In the context of ongoing political and legal reforms, the protection of business continues to be one of the priority and relevant areas of state development.

The Head of State noted that domestic business, the so-called national bourgeoisie, should be supported in every possible way, and those who hinder its development with unreasonable checks, extortion, and raiding, should be severely punished<sup>1</sup>.

In recent years, the state has significantly expanded the range of legal guarantees for the protection of business entities.

The adopted legal acts and amendments to the legislation have significantly reduced various administrative barriers and the level of involvement of businesses in criminal proceedings.

Today, the existing national human rights organizations and institutions in Kazakhstan play a significant role in protecting business.

Thus, comprehensive protection of the rights and interests of business is one of the priorities of the National Chamber of Entrepreneurs «Atameken» (hereinafter – NCE «Atameken»).

At the same time, an important role in protecting the rights of business entities is played by the Institute of the Commissioner for the Protection of the Rights of Entrepreneurs of Kazakhstan – the Business Ombudsman, established in 2016. To implement its tasks, it is endowed with broad powers enshrined at the legislative level.

At the same time, the existing issues in the field of business require further improvement of the activities of the above-mentioned organizations and institutions, taking into account international best practices.

*Materials and methods.* When preparing the article, materials of international legal acts, foreign legislation regulating the activities of business protection organizations using methods of comparative legal analysis were used.

*Results.* The analysis of the international experience of business protection organizations shows that such organizations are represented in almost all major international organizations. At the same time, a special role at the country level in protecting business is played by business ombudsmen, whose positive experience can be

<sup>1</sup> Выступление Главы государства К.Ж. Токаева на расширенном заседании Правительства, 15 июля 2019 г. [Электронный ресурс] – Режим доступа: [https://www.akorda.kz/ru/speeches/internal\\_political\\_affairs/in\\_speeches\\_and\\_addresses/vystuplenie-glavy-gosudarstva-k-tokaeva-na-rasshirennom-zasedanii-pravitelstva](https://www.akorda.kz/ru/speeches/internal_political_affairs/in_speeches_and_addresses/vystuplenie-glavy-gosudarstva-k-tokaeva-na-rasshirennom-zasedanii-pravitelstva) (дата обращения: 02.05.2023).

used in Kazakhstan.

*Discussion.* Currently, considerable attention is paid to entrepreneurship in theoretical research and in practice. The concepts of «entrepreneur» and «entrepreneurship» in their modern understanding were first used by the English economist Richard Cantillon, who expressed the opinion that an entrepreneur is a person acting under conditions of risk. Somewhat later, the French economist of the late XVIII- early XIX centuries J.B. Sey defined entrepreneurial activity as a combination of three factors of production - land, labor, capital [1].

Today, the policy of states in the field of support and protection of entrepreneurs is based on the program provisions of international regulatory legal acts and treaties.

Thus, the Universal Declaration of Human Rights of 1948 in Article 22 establishes that every person as a member of society has the right to exercise the rights necessary to maintain his dignity and for the free development of his personality, including in the economic field<sup>2</sup>.

A provision of a similar legal nature is contained in the International Covenant on Economic, Social and Cultural Rights (hereinafter – the Covenant) of 1966. Article 6 of the Covenant recognizes the right of every person to be able to earn a living by work that he freely chooses or to which he freely agrees, and also guarantees basic economic rights and freedoms of a person<sup>3</sup>.

In European countries, the rights of entrepreneurs and the state's obligation to protect them are enshrined in the Convention on the Protection of Human Rights and Fundamental Freedoms of November 4, 1950. In particular, Article 4 of this international treaty enshrines the right of everyone to freedom of choice of professional, creative, commercial, and other activities necessary to meet the needs of a financial and economic nature<sup>4</sup>.

Along with universal conventions and treaties, international organizations have

adopted special documents to support and protect entrepreneurs. Thus, the Special Representative of the Secretary-General on Human rights and transnational companies and other enterprises has developed the «Guiding Principles of Entrepreneurship in the aspect of human rights» (hereinafter referred to as the UN Guidelines), (No. 17/4 of 16.06.2011) [2].

The UN Guiding Principles stipulate that states should ensure that government departments, agencies and other government agencies that determine business practices are aware of the state's human rights obligations and comply with them in fulfilling their respective mandates, including by providing them with relevant information, training and support.

Special attention in the UN Guidelines is paid to the issue of compliance by organizations with existing national laws, respect for human rights and freedoms enshrined in international acts and legislation of the country.

One of the latest adopted international documents in the field of protection of the rights of entrepreneurs is the Tashkent Declaration of the Commissioners for the Protection of the Rights of Entrepreneurs of Europe and Asia on cooperation in the field of protection of the rights and legitimate interests of business entities (hereinafter – the Tashkent Declaration) dated 12/14/2021. It follows from the Tashkent Declaration that all organizations for the protection and support of the rights of entrepreneurs should combine efforts to coordinate actions, study each other's best practices.

Thus, the above-mentioned acts constitute the international legal basis for the implementation and protection of entrepreneurship.

*International organizations for the protection of the rights of entrepreneurs.*

The universal and leading UN bodies for the protection of human rights, including business entities, are the Office of the United Nations High Commissioner for Human Rights (OHCHR) and the Human Rights Council (HRC).

<sup>2</sup> Всеобщая декларация прав человека: принята резолюцией 217 А (III) Генеральной Ассамблеи ООН от 10 декабря 1948 г. [Электронный ресурс] – Режим доступа: [https://www.un.org/ru/documents/decl\\_conv/declarations/declhr.shtml](https://www.un.org/ru/documents/decl_conv/declarations/declhr.shtml) (дата обращения: 15.04.2023).

<sup>3</sup> Международный пакт об экономических, социальных и культурных правах: принят резолюцией 2200 А (XXI) Генеральной Ассамблеи от 16 декабря 1966 г. [Электронный ресурс] – Режим доступа: [https://www.un.org/ru/documents/decl\\_conv/conventions/pactecon.shtml](https://www.un.org/ru/documents/decl_conv/conventions/pactecon.shtml) (дата обращения: 15.04.2023).

<sup>4</sup> Европейская конвенция о защите прав человека и основных свобод. – г. Рим, 4 ноября 1950 г. [Электронный ресурс] – Режим доступа: <https://www.coe.int/ru/web/compass/the-european-convention-on-human-rights-and-its-protocols> (дата обращения: 15.04.2023).

OHCHR plays a major role in promoting the business and human rights agenda in the UN system. It develops recommendations and training materials on the dissemination and implementation of the Guiding Principles of Entrepreneurship in the Aspect of Human Rights for states, companies, civil society and other stakeholders.

In the context of protecting the rights of entrepreneurs, the activities of the Working Group on Entrepreneurship and Human Rights (also referred to as the Business Working Group), (hereinafter referred to as the Working Group)<sup>5</sup> deserve special attention.

The Working Group conducts annual visits to countries and regions in order to disseminate and support the implementation of the UN Guidelines<sup>6</sup>.

In accordance with Human Rights Council resolution 17/4, the Working Group is authorized to request and receive information from all relevant sources.

Special Procedures of the Human Rights Council (hereinafter referred to as Special Procedures)<sup>7</sup> play an important role in protecting and supporting the rights of entrepreneurs. This body consists of independent human rights experts authorized to inform and advise on specific human rights issues or on human rights situations in certain countries.

Also, Special Procedures are either an individual (referred to as a «Special Rapporteur» or «Independent Expert»), or a working group consisting of five members (one from each UN regional group: Africa, Asia, Latin America and the Caribbean, Eastern Europe and a group of Western countries).

Thus, the review showed that international organizations dealing with entrepreneurship issues are focused on their protection and support from an exclusively economic and financial point of view.

Legal protection of entrepreneurs is limited to providing legal advice, developing proposals, making recommendations to the state and

considering individual violations in the areas of civil, tax, investment, financial, banking, social and administrative law.

*Organizations for the protection of the rights of entrepreneurs in certain foreign countries.*

The study of foreign legislation has shown that today, chambers of entrepreneurs (hereinafter referred to as CP), chambers of commerce and industry and various associations of entrepreneurs act as the main universal associations in most cases.

In most cases, CP are established in accordance with the law and are endowed with a number of functions and powers by the state.

For example, the functioning of the Austrian Chamber of Economics is carried out on the basis of the Law «On the Chamber of Economics» (1998), the Union of Chambers and Exchanges of Turkey – the Law «On Unions of Chambers of Commerce and Exchanges of Turkey and Chambers of Commerce and Commodity Exchanges» (2004).

Most CP have the status of non-profit organizations, have a territorial character, function, among other things, on the basis of the charter developed by the members, provide services to their members aimed at the development of entrepreneurship in general, use influence and authority to create a favorable legal climate and lobby for business interests in public authorities.

Union of Chambers and Exchanges of Turkey (TOVV) It is the largest non-governmental organization in this country, not pursuing the goal of profit-making, representing the interests of the private sector in government bodies.

The Union of Chambers and Exchanges of Turkey provides assistance to Turkish entrepreneurs in the development of their foreign economic and trade activities.

The Association of Chambers of Commerce and Industry of Germany (DIHK) is the parent organization of the territorial chambers of commerce and industry of Germany. According to the law, all German enterprises, except

<sup>5</sup> Working Group on Business and Human Rights [Electronic resource] – Access mode: <https://www.ohchr.org/en/special-procedures/wg-business> (Access data: 02.05.2023).

<sup>6</sup> About the mandate. Working Group on Business and Human Rights [Electronic resource] – Access mode: <https://www.ohchr.org/en/special-procedures/wg-business/about-mandate> (Access data: 02.05.2023).

<sup>7</sup> Special Procedures of the Human Rights Council [Electronic resource] – Access mode: <https://www.ohchr.org/en/special-procedures-human-rights-council> (Access data: 02.05.2023).

agricultural and handicraft enterprises, as well as persons of liberal professions, are members of the Chambers.

The DIHK is entrusted by the state with the management of the activities of the German Chambers of Foreign Trade (Auslandshandelskammer – AHK). These representative offices of German business abroad (120 representative offices in 80 countries) interact with German business associations, support and promote the interests of German firms, provide paid consulting services, and train personnel.

The US Chamber of Commerce was created to unite the efforts of local chambers of commerce and leading US companies in order to protect their interests. It consists of over 3 million companies, almost 3 thousand chambers of commerce of individual states and municipalities, 830 associations and 111 American chambers of commerce in foreign countries.

The main task performed by the US CC is lobbying the interests of the American business community before the US Congress, the US Administration, regulatory authorities, courts, the public and governments.

The British Business Chamber is the Chamber of Commerce and Industry of the United Kingdom (British Chamber of Commerce and Industry), which is a non-governmental non-profit organization. Its main tasks are to create favorable conditions for business, to help the comprehensive development of all areas of commerce, trade, economic, scientific and technical relations of businessmen of England with entrepreneurs of other countries, as well as to protect the rights and represent the legitimate interests of members of the Chamber in government agencies of Great Britain and in the world community.

The CCI of Great Britain comprehensively contributes to the development of the national and global economy, relying on British traditions and the experience of global business. The British Chamber of Commerce and Industry was founded in 1884 and has headquarters

in London, Manchester and Birmingham. The Chamber of Commerce and Industry publishes an annual catalog of commercial companies with a description of their services and prices, distributing it only to its members. The Chamber has its own trusted lawyers and business consultants.

#### *Institutes of the Business Ombudsman.*

The Ombudsman Institution is a traditional institution for conflict resolution and consensus building.

Since the middle 1990s, standards and recommendations for the effective functioning of the Ombudsman institution have been formulated by the UN (in the Paris Principles) and the Venice Commission of the Council of Europe.

The main purpose of the Ombudsman is: «... protection of citizens from unfair governance», that is, protection of the rights of an individual against measures taken by the government and state administration [3]. The Ombudsman does not resolve disputes between two individuals or two legal entities.

In most countries, Ombudsman institutions are established and operate within the framework of a legal act. For example, in the USA the Law on Fair Enforcement in Small Business (SBREFA) of 1996, in France the Government Decree of 2002, in Georgia the Law on the Business Ombudsman and the Tax Code.

As already noted, business ombudsmen exercise their powers by reviewing and resolving individual complaints. The forms and methods of filing such complaints may be different.

For example, complaints to the Ombudsman of the European Union can be submitted online or in a form that can be downloaded and then sent by mail or fax. There is a special page with complaint forms on the website of the European Ombudsman, which can be easily found<sup>8</sup>.

The National Ombudsman of the US Small Business Administration also accepts complaints by e-mail, online or by regular mail and fax<sup>9</sup>.

Complaints can also be addressed to the Ombudsman in France either by filling out a simple online form with the appropriate

<sup>8</sup> Make a complaint to the European Ombudsman [Electronic resource] – Access mode: <https://secure.ombudsman.europa.eu/en/atyourservice/secured/complaintform.faces> (Access data: 02.05.2023).

<sup>9</sup> Since its founding, SBA has delivered millions of loans, loan guarantees, contracts, counseling sessions, and other forms of assistance to small businesses / The U.S. Small Business Administration (SBA) [Electronic resource] – Access mode: <https://www.sba.gov/about-sba/organization> (Access data: 02.05.2023).

documentary evidence attached, or by sending information to the Ombudsman by mail.

The Ombudsman institutions in the USA, the UK and the European Ombudsman are authorized to request the necessary information from the government. Such information includes copies of available documents, as well as explanatory notes.

In addition to reviewing individual cases, ombudsmen have the right to make recommendations on improving the procedures and internal structure of government organizations.

In most countries, business ombudsmen prepare a report on their activities and compile various ratings.

The reports of the Ombudsmen are usually made public. The European Ombudsman, in the USA and Georgia – are submitted to the respective parliaments. These reports are not only aimed at making the Ombudsman report on his work during the year, but are also a serious tool to increase confidence in the work of this institution.

In the annual report to Congress, the US Business Ombudsman makes a rating of various government departments according to the degree of fairness of their activities in relation to business<sup>10</sup>.

In the Russian Federation, the activities of the Business Ombudsman are regulated by Federal Law No. 78-FZ of May 13, 2013 «On Authorized Representatives for the Protection of Entrepreneurs in the Russian Federation»<sup>11</sup>.

The authorized representatives of the Russian Federation participate in the protection of the rights of entrepreneurs both during the investigation of criminal cases and in administrative disputes [3].

For example, in the criminal case of the entrepreneur Mr. S. on the fact of fraud, the Commissioner of the Russian Federation

appeared in court with a demand for recognition of his entrepreneurial activity. The judge, guided by the position of the Commissioner of the Russian Federation, changed the charge, which led to a reduction in the term from 9 years to 5 years 6 months.

Another example, a criminal case was initiated against the entrepreneur Mr. T. on charges of copyright infringement. The judge chose detention as a preventive measure against Mr. T. Nevertheless, taking into account the position of the Commissioner of the Russian Federation, the court changed the measure of restraint. The entrepreneur was released on bail.

It should be noted that for the convenience of entrepreneurs, a special application form is posted on the website of the Commissioner of the Russian Federation, which contains all the necessary details of the violation<sup>12</sup>.

For comparison, we note that the website of the Commissioner for the Protection of the Rights of Entrepreneurs of Kazakhstan contains a section «Submit an appeal». At the same time, the site does not allow you to file a complaint, but only posts an appeal on the Commissioner's blog in the form of a «question-answer».

In Georgia, the Business Ombudsman oversees the protection of the rights and legitimate interests of a person related to the conduct of entrepreneurial activity on the territory of Georgia, identifies violations of these rights and legitimate interests by an administrative body and promotes the restoration of violated rights in accordance with the law<sup>13</sup>.

In certain cases, perform the functions of a judicial consultant (Amicus Curiae) in the Constitutional Court of Georgia.

Thus, in accordance with Article 55 of the Criminal Procedure Code of Georgia, a judicial consultant (assistant – Amicus Curiae) as an interested person who is not a party to a criminal case, he has the right to submit his written views

<sup>10</sup> SBA's National Ombudsman works for small businesses to assist them with excessive federal regulatory issues / Office of the National Ombudsman. [Electronic resource] – Access mode: <https://www.sba.gov/about-sba/oversight-advocacy/office-national-ombudsman> (Access data: 02.05.2023).

<sup>11</sup> Об уполномоченных по защите прав предпринимателей в Российской Федерации: Федеральный закон от 07 мая 2013 г. №78-ФЗ [Электронный ресурс] – Режим доступа: [http://www.consultant.ru/document/cons\\_doc\\_LAW\\_145997/](http://www.consultant.ru/document/cons_doc_LAW_145997/) (дата обращения: 02.05.2023).

<sup>12</sup> Работа с обращениями / Уполномоченный при президенте РФ по защите прав предпринимателей [Электронный ресурс] – Режим доступа: <https://ombudsmanbiz.ru/rabota-s-obrashhenijami/> (дата обращения: 02.05.2023).

<sup>13</sup> უფლებამოსილება და კომპეტენციის ფარგლები [Electronic resource] – Access mode: <https://businessombudsman.ge/en/about-us/activities> (Access data: 02.05.2023).

to the court no later than 5 days before the consideration of the case on the merits<sup>14</sup>.

*Conclusion.* Thus, our review allows us to draw the following conclusions:

1. The main vector of the direction of international legal acts in the field of protection of the rights of entrepreneurs is focused on creating favorable conditions for the development of entrepreneurial activity and expanding the boundaries of international cooperation between specialized organizations and associations for the protection of business.

2. Special attention is focused on the issues of conscientious and responsible business conduct on the part of individual entrepreneurs and companies.

3. In foreign countries (USA, Turkey, Great Britain, Germany,) business protection and support organizations are represented in the form of national and chambers of commerce and industry, various centers and bureaus for the protection of entrepreneurs' rights.

These organizations and associations were created primarily to protect and support the economic interests of entrepreneurs and also do not participate in the protection of the rights of entrepreneurs in criminal proceedings.

4. In a number of countries, at the level of national legislation, there is an institute of business ombudsmen (Commissioner for the Rights of entrepreneurs) with the authority to consider individual complaints of entrepreneurs, including those related to criminal proceedings.

5. The experience of the US Business Ombudsman is of the greatest interest to Kazakhstan. Despite the limitations of his powers to protect the rights of entrepreneurs in criminal proceedings, the US Business Ombudsman is charged with the duty to compile a rating of government agencies according to the degree of fairness of their activities in relation to business.

It is advisable to consider granting such

functions to the Commissioner for the Protection of the Rights of Entrepreneurs of Kazakhstan with the introduction of such a «rating of state bodies for the observance of the rights of entrepreneurs» when submitting an annual report.

6. In the light of the functioning of the Constitutional Court of the Republic of Kazakhstan, a positive example for our country is the experience of Georgia in the participation of the Business Ombudsman in the Constitutional Court as a judicial assistant in criminal cases on the protection of the rights of entrepreneurs. The introduction of such a tool can serve as an additional mechanism in matters of business protection.

Thus, the protection of the rights of entrepreneurs in Kazakhstan, taking into account international trends, should consist in the following areas:

- implementation and dissemination of business standards enshrined in the UN Guidelines;

- implementation in the business environment of anti-corruption standards provided for by the OECD Guidelines;

- activation of the work of NCE «Atameken» and the Commissioner for the Protection of the Rights of Entrepreneurs of Kazakhstan within the framework of international agreements in the field of business protection;

- establishment and strengthening of international cooperation with the UN Working Group on Business and Human Rights;

- strengthening analytical, predictive and preventive mechanisms for protecting the rights of entrepreneurs based on the experience of advanced countries;

- improving the legal culture and responsibility of doing business on the part of individual entrepreneurs and companies of the Republic of Kazakhstan.

#### List of sources used:

1. Банзрагч, Б. Понятие и содержание предпринимательства [Электронный ресурс] / Б. Банзрагч // Проблемы науки. – 2017. – №7(20). – С. 52-57. – Режим доступа: <https://cyberleninka.ru/article/n/ponyatie-i-soderzhanie-predprinimatelstva> (дата обращения: 05.05.2023).

<sup>14</sup>საქართველოს სისხლის სამართლის საპროცესო კოდექსი [Electronic resource] – Access mode: <https://matsne.gov.ge/ka/document/view/90034> (Access data: 02.05.2023).

2. Руководящие принципы предпринимательской деятельности в аспекте прав человека [Электронный ресурс]: ООН, Нью-Йорк и Женева, 2011 – 47 с. – Режим доступа: [https://www.ohchr.org/documents/publications/guidingprinciplesbusinesshr\\_ru.pdf](https://www.ohchr.org/documents/publications/guidingprinciplesbusinesshr_ru.pdf) (дата обращения: 05.05.2023).

3. Международный и Российский опыт: полномочия, компетенция и деятельность института бизнес омбудсмена [Электронный ресурс]: подготовлен М. Моргнером и Д.В. Крыловой / Эксперты Совета Европы ECCU-ПРЕКОП-1/2013, – 76 с. – Режим доступа: <https://rm.coe.int/16806d8110> (дата обращения: 05.05.2023).

#### References:

1. Banzragch, B. Ponjatie i sodержanie predprinimatel'stva [Jelektronnyj resurs] / B. Banzragch // Problemy nauki. – 2017. – №7(20). – С. 52-57. – Rezhim dostupa: <https://cyberleninka.ru/article/n/ponyatie-i-soderzhanie-predprinimatelstva> (data obrashhenija: 05.05.2023).

2. Rukovodjashhie principy predprinimatel'skoj dejatel'nosti v aspekte prav cheloveka [Jelektronnyj resurs]: OON, N'ju-Jork i Zheneva, 2011 – 47 s. – Rezhim dostupa: [https://www.ohchr.org/documents/publications/guidingprinciplesbusinesshr\\_ru.pdf](https://www.ohchr.org/documents/publications/guidingprinciplesbusinesshr_ru.pdf) (data obrashhenija: 05.05.2023).

3. Mezhdunarodnyj i Rossijskij opyt: polnomochija, kompetencija i dejatel'nost' instituta biznes ombudsmena [Jelektronnyj resurs]: podgotovlen M. Morgnerom i D.V. Krylovoj / Jeksperty Soveta Evropy ECCU-PREKOP-1/2013, – 76 s. – Rezhim dostupa: <https://rm.coe.int/16806d8110> (data obrashhenija: 05.05.2023).

#### **АВТОРЛАР ТУРАЛЫ МӘЛІМЕТТЕР / СВЕДЕНИЯ ОБ АВТОРАХ / INFORMATION ABOUT AUTHORS**

**Бақытжан Жасамұратұлы Сағымбеков** – Қазақстан Республикасы Бас прокуратурасының жанындағы Құқық қорғау органдары академиясының ведомствоаралық ғылыми-зерттеу институтының қылмыстық процесс проблемаларын зерттеу орталығының бас ғылыми қызметкері, LL.M құқық магистрі, e-mail: [sagimbekov@mail.ru](mailto:sagimbekov@mail.ru).

**Сағымбеков Бахытжан Жасамуратович** – главный научный сотрудник Центра исследования проблем уголовного процесса Межведомственного научно-исследовательского института Академии правоохранительных органов при Генеральной прокуратуре Республики Казахстан, магистр права LL.M, e-mail: [sagimbekov@mail.ru](mailto:sagimbekov@mail.ru).

**Sagymbekov Bakhytzhan Zhassamuratovich** – Chief Researcher of the Center for the Study of Criminal Procedure Problems of the Interdepartmental Research Institute of the Law Enforcement Academy under the Prosecutor General's Office of the Republic of Kazakhstan, Master of Law LL.M, e-mail: [sagimbekov@mail.ru](mailto:sagimbekov@mail.ru).