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ETHNIC PUBLIC ORGANIZATIONS IN KHAKASSIA

Abstract. The purpose of the study of the legal basis for the activities of ethnic public organizations in Khakassia as exemplified by the Khakass regional public movement of the Khakass people. We study the characteristics of the organizational structure of ethnic public organizations. The author's position is proposed related to the amendment of existing legislation.

Significantly the importance of public associations is increased, since they are not only a means of spiritual unification of ethnic groups, but also help to mitigate national contradictions on the basis of cooperation between the relevant ethnic group and the authorities, with other ethnic groups, these most important factors contribute to the formation of a tolerant attitude to the socio-cultural identity of each nation.

To clarify more deeply the various wordings of the analyzed regulatory provisions the study uses the legal method. Also applied are the methods of historicism, sociocultural determinism, synchronization and diachronization. In addition, a comprehensive and systematic comparative-historical analysis, chronologization, classification and typology of public organizations are used. As a promising method, a retrospective analysis is implemented, which allows you to study life activity and functioning of social organizations of ethnic orientation in evolution.

The authors conclude in the subject of the Russian Federation practically established a regional regulatory – legal framework governing the activity of public organizations of ethnic orientation. It requires the publication of a comprehensive federal law regulating important issues of national, cultural, linguistic revival of the indigenous peoples of Southern Siberia.

Key words: legal foundations, public organizations, legal regulation, Khakass regional public movement of the Khakass people, Republican Council of Elders, charter.

Introduction. Events of the early 1990s were of great importance for the fate of the indigenous peoples of Russia. In December 1991, the Russian Federation was transformed into an independent state (Tolz, 1998, p. 267). During this period, the activity of ethnic public organizations was intensified, and the social and civic position of its members was strengthened. According to Kazakh researchers A.T. Kulsarieva, M.E. Sultanova, Zh.N. Shaigozova formation of national self-identification is a complex process, which takes place at the crossword of many factors (2008, p. 19). The main activity of the ethnic public organizations is to preserve and develop namely the historical and cultural heritage, national identity of the peoples living in the territory of the Republic of Khakassia. Ethnic public organizations are non-profit organizations and the latter continue to be a major focus of research for scholars from a variety of disciplines (Helmig et al., 2003, p. 101). Non-profit organizations contribute to society through their social value creation (Weerawardana et al., 2010, p. 346). The socio-economic and political development of the country, the moral and spiritual state of the people, largely depended on these organizations (Artamonova & Troyakova, 2018, p. 66). Among the local intelligentsia, public associations played a role in the process of growth of citizenship, in the unification of their specific interests. The activities of the latter to preserve the historical and cultural heritage, as well as to strengthen the adaptation and intra-ethnic consolidation of the Khakassians, intensified in the 1991–2000s.

Khakassia, like many other subjects of the Russian Federation is multinational. The region is home to over 100 ethnic groups, the largest of which are Russian and Khakassian, constituting a total of more than 93% of the population (including Russian - 81,7%, Khakassia - 12.1%). One of the main tasks of public

national organizations is to preserve and strengthen the historical traditions of their ethnic group, cultural and national heritage. Currently, there are nine public associations in Khakassia expressing the ethnocultural interests of the Khakass people, of which six are registered organizations.

Methods. The study uses the legal method to clarify more deeply the various wordings of the analyzed regulatory provisions. Also applied are the methods of historicism, sociocultural determinism, synchronization and diachronization. In addition, a comprehensive and systematic comparative-historical analysis, chronologization, classification and typology of public organizations were used. As a promising method, a retrospective analysis is implemented, which allows you to study the life activity and functioning of social organizations of an ethnic orientation in evolution.

Results. The Constitution of the Russian Federation provides the basis for the idea of the right of citizens to association (Clause 1, Article 30) and in accordance with Article 3 of the Federal Law of the Russian Federation of 05.19.1995 No. 82-FZ "On Public Associations", the right of citizens to public associations includes the right to establish voluntary associations for the protection of common interests and the achievement of common goals; the right to join existing public associations or to refrain from joining them, as well as the right to freely leave public associations. This law guarantees "the constitutional right to association and provides legal conditions and guarantees for everyone to participate in the public and political life of the country". This legal norm is also reproduced in the Constitution of the Republic of Khakassia (Article 26).

In accordance with Russian law, citizens can independently choose the form of organization for the implementation of socially useful goals, and combine their efforts to carry out the corresponding tasks. The Constitution of the Russian Federation says that public associations are equal before the law (clause 4 of article 13).

Ethnic social organizations perform important functions that are associated not only with the fulfillment of socially significant tasks. In some cases, these organizations act as partners of the state, in fact replace it, solving problems that the state system cannot cope with and for which, for many reasons, funds are not allocated. The consequence of this is no accident today one of the trends observed in the analysis of the norms of the Russian legislation, is the actual "transfer" of non-profit organizations for the actions of private of public law in the region.

Decree of the President of the Russian Federation of December 19, 2012 No. 1666 "On Strategy of State National Policy of the Russian Federation for the period until 2025" establishes legal guarantees for the rights of indigenous peoples, measures have been taken to develop national and cultural autonomy, to ensure the rights of citizens and national (ethnic) communities in the sphere of education and development of national languages. In addition, in the sphere of interethnic relations, there are unresolved problems caused by both profound social transformations in the formation of free open society and market economy in modern Russia, and some miscalculations in the state national policy of the Russian Federation. The problems associated with exertions of xenophobia, interethnic intolerance, ethnic and religious extremism, and terrorism remain relevant.

Russian law incorporates the diverse public interests of citizens into the legal sphere and provides public organizations with the opportunity to realize their ethnocultural identity on the basis of the law. This means creation and activities of public organizations are governed by regulatory legal acts relating to various branches of law (Lapaeva, 2015, p. 966).

The activities of ethnic organizations are carried out in accordance with the provisions of the Civil Code of the Russian Federation, Federal Laws of the Russian Federation "On Public Associations", "On Non-Profit Organizations", "On State Registration of Legal Entities and Individual employers", Decree of the Government of the Russian Federation "On Providing Support to Socially Oriented Non-Profit organizations", Order of the Ministry of Economic Development of Russia "On maintaining registers of socially oriented non-profit organizations – recipients of support, Decision of Government of the Republic of Khakassia "On approval of Concept of Development of Interethnic Relations in the Republic of Khakassia (2012 - 2020)" and other acts.

In accordance with the Civil Code of the Russian Federation, a non-profit organization is a legal entity that does not have a profit as the main goal of its activity and does not distribute the profit between the participants. Non-profit organizations can be created to achieve social, charitable, cultural, educational, scientific and managerial goals, protect health of citizens, develop physical culture and sports,

satisfy the spiritual and other intangible needs of citizens, protect the rights and legitimate interests of citizens and organizations, as well as other goals aimed at achieving public goods (Clause 2, Article 2 of the Federal Law “On Non-Profit Organizations“).

It should be noted the Russian Civil Code enshrines a non-exhaustive list of legal forms of non-profit organizations. As established in paragraph 3 of Art. 50 of this act, legal entities that are non-profit organizations can be created in the form of consumer cooperatives, public or religious organizations (associations), institutions, charitable and other foundations, as well as in other forms prescribed by law. At the level of other federal laws, a variety of organizational and legal forms of non-profit organizations are fixed, sometimes duplicating or repeating each other. In the legal literature there are from 11 to 27 legal forms of non-profit organizations (Marsunova, 2016, p. 462). In our opinion, such situation inevitably entails the unsystematic nature of the system of legal entities. Therefore, an exhaustive list of non-profit organizations should be enshrined in the Civil Code of the Russian Federation.

Article 20 of the Federal Law “On Public Associations” gives a direct indication that the Charter of an association should contain information about the purpose, organizational and legal form, structure of a public association, its governing and control and audit bodies, as well as the procedure for forming the governing bodies of a public association, terms their authority, location of the permanent governing body.

According to the Charter of the Khakass Regional Public Movement of the Khakass People, the main areas of activity are the preparation of proposals and recommendations to public authorities and local self-government of the Republic of Khakassia on the most important issues of the national, cultural, linguistic revival of the Khakass people; educational functioning to protect the interests of the Khakass people (conferences, meetings); revival of traditional forms of management; promotion of healthy lifestyles; assistance in strengthening peace, friendship and harmony between the peoples living in the Republic of Khakassia.

In 1993 the Khakass Regional Public Movement of the Khakass People was created, operates on the basis of the adopted Charter, and is a socially oriented non-profit organization. The main goals of this movement are the struggle to increase the material and spiritual living standards of the Khakass people; work with public authorities and local governments on the problems of the state and development of the Khakass people; preservation and development of the Khakass language; education of the young generation in the spirit of traditions, customs and culture of the Khakass people.

The main tasks of the Khakass Regional Public Movement of the Khakass people are the development and promotion of national culture, the revival of the traditions and customs of the Khakass people; the formation in the public consciousness of the Khakass national identity, the coordination of the labor of the Khakass people, the promotion of a healthy lifestyle, as well as the support of youth and intellectual initiatives that contribute to this direction, the support of the traditional beliefs of the Khakass people. The supreme governing body of the movement is the Congress of the Khakass people, which is convened by the Republican Council of Elders at least once every five years. Unlike other public organizations, the Congress has the right of legislative initiative in Supreme Council of the Republic of Khakassia (the legislative body of the subject of the Russian Federation) regarding its conduct. Republican Council of Elders of Khakass people is a permanent collegiate governing body and a governing body of the movement.

It should be noted that the First Congress of the Khakass People took place in 1990, which became the main event that influenced the fate of Khakassia (Artamonova & Troyakova, 2018, p. 26). The practice of socio-political self-government among the Khakasses in the form of congresses arose in April, 1917. So, for example, E.A. Sagalakov supposes the socio-political development of South Siberia in the period under review is characterized by the intensification of the socio-political movement of the indigenous peoples of the region – Altais, Tuvans, Khakasses and Shors (Sagalakov E.A., 2018, p. 84).

The Council includes representatives of councils of district and town of elders, representatives of national organizations and institutions, national public associations, elders and representatives of all tribes of the Khakass people, members of the Presidium of 55 people. The Presidium of the Council of Elders is elected by members of the Republican Council of Elders from the Republican Council of Elders and is a permanent collegial executive body of the Movement. The Presidium includes members of the Council of Elders – respected, well-known people in the region.

As the Korean researcher S. Hong notes, social and historical aspirations of public organizations significantly influence their performance improvement (2019, p. 1). Since 2003, the Republican Council of Elders of the Khakass People has been working on compiling registers of clans of the Khakass people, sacred (clan) places of the Khakass clans; inventory of historical and cultural heritage on the territory of the Republic of Khakassia (kurgan, ancient settlements, etc.); the organization of the movement of Khakass births for admission to raising families of orphans from orphanages in Khakassia; revival and increase of significance of the Khakass national holidays; awards titles and orders of movement.

The relationship between the nonprofit and the public can be framed as the reciprocity of expectations (Bryce, 2007, p. 112). The Council of Elders is actively working with appeals from residents of the region. Basically, citizens' appeals are related to studying the Khakass language in schools, quality of language teaching, miss of literature in their native language, history textbooks, etc. With the participation of the Council of Elders, the issue of magazines in the Khakass language and textbooks on the Khakass language and Khakass literature for schools of the republic was restored. Traditionally, in the republic with the participation of the Council of Elders of the Khakass people, Khakass folk holidays are celebrated – Day of First Milk, New Year's Day on the Khakass calendar, Khakass Earth Day.

As the Norwegian researchers A. Waeraas and H. Byrkjeflot note, public organizations have trouble connecting with their stakeholders on an emotional level, standing out as unique and differentiated organizations, communicating as coherent bodies, and maintaining excellent reputations (2012, p. 186). However, this cannot be said for the Khakass Regional Public Movement of the Khakass people. Successfully the public organization cooperates with the authorities of the subject of the federation on improving the quality of life of the population of Khakassia, preserving the cultural heritage of the Khakass people. For example, the movement initiated the decision by the Government of the Republic of Khakassia to finish the construction of schools in rural areas of the republic.

Discussion. Theoretical, methodological and practical questions about public organizations in Russia have been developed to a sufficient degree. Researchers M.A. Astvatsaturova, Y.V. Harutyunyan, M.N. Guboglo, M.E. Kogan, L.V. Malinovsky, V. Maamyagi, G.V. Starovoitova, A.A. Susokolov, S.A. Pistryakov. In the 1990s, the study of non-political public organizations and movements was intensified. A. Abrahamyan proposes and proves the need for the development of national communities. L.M. Drobizheva, within the framework of a sociological approach, seriously analyzes the problems of interethnic relations in Russia during the reform of the socio-political system. The works of V.Y. Zorin, S.A. Krasilnikov, I.V. Nam, E.I. Chernyak contain the political and legal aspect of ethnopolitical and ethnocultural relations, the interaction and influence of public and power structures on the formation of the new national and cultural policy through the prism of historical experience of previous centuries. The following researchers cover the problems of national-cultural interaction in the modern ethnocultural situation: V.V. Mezentsev, N.A. Tomilov, V.S. Shmakov. Some individual aspects of the characteristics of the activities of the national public organizations in Siberia were considered in the works of M.V. Belozeroва, T.A. Zamiralova, D.V. Novikova, L.A. Adaskevich, L.P. Aikina and others. So, for example, in the opinion of M.V. Belozeroва, starting from the 1960–1970s. the problem of preserving the cultural, including national, heritage is given great attention at the interstate, state and regional levels. The latter is evidenced by significant work on the legal regulation of the protection of cultural heritage (at the international, federal and regional levels) (2013, p. 36).

In order to improve the effectiveness of force of legal norms in sphere of activities of non-profit organizations between the state and civil society, a stable dialogue should be established, and the information space in this area should be wider. Accessibility and openness to both sides should be the main principle of shared activity, aspiring to build a full-fledged civil society. Another important problem in the implementation of legal status of non-profit organizations is the low level of trust of citizens in their activities.

The main problem in the legal regulation of public organizations is low quality of the legislative framework. The development of this area as an integral component of the development of civil society is impossible without a clear regulation of this civil law activity. It is not uncommon that the rules governing these relations contain conflicting provisions, and also have a reference character, i.e. supplemented by a number of other regulatory acts.

Identified deficiencies are mainly a prerequisite for legal illiteracy of representatives of ethnic public organizations. In addition, there is an overly complex bureaucratic process associated with registration actions and other procedures related to the interaction of such organizations with government bodies.

It seems that in modern Russia, the collective goals and interests of the population are not fully structured and realized, mass justice has not been tested into legal reality. In this connection, there is a problem of legal registration and regulation of ethnic public organizations. In the framework of legal regulation of the status and activities of such legal entities, great attention should be paid to the group of interests pursued by them in order to correctly apply Russian legal norms.

Thus, public organizations, including ethnic ones, are an important factor in the participation of people in social and cultural development, play an important role in improving public administration and ensuring civic culture of the population. For example, the Khakass Regional Public Movement of the Khakass people defends the interests of the Khakass people. This organization has become an independent entity and works effectively in conjunction with the authorities in the republic, which gives its activity an equal character and brings the greatest usefulness not only to one of the indigenous peoples of Southern Siberia, but also to all peoples living in the corresponding territory.

The legal foundations of the activities of ethnic organizations in the Republic of Khakassia are characterized as intersectoral and multi-level. The authors come to the conclusion that in the subject of the Russian Federation there is practically no regional regulatory framework that regulates the activities of ethnic organizations. It also requires the publication of a comprehensive federal law regulating important issues of national, cultural, linguistic revival of the indigenous peoples of Southern Siberia.

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ХАКАСИЯДАҒЫ ЭТНИКАЛЫҚ ҚОҒАМДЫҚ ҰЙЫМДАР

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ЭТНИЧЕСКИЕ ОБЩЕСТВЕННЫЕ ОРГАНИЗАЦИИ В ХАКАСИИ

Аннотация. В статье рассматриваются правовые основы деятельности такой общественной организации, как Хакасское региональное общественное движение хакасского народа. Республика Хакасия, как и многие другие субъекты Российской Федерации, является многонациональной. В регионе проживают представители свыше ста различных этнических общностей. По состоянию на 31 декабря 2019 года в Республике Хакасия действовала 43 организация этнической направленности (в том числе 27 организаций, зарегистрированных в установленном порядке Управлением Министерства юстиции Российской Федерации по Республике Хакасия, 14 организаций – действующих без государственной регистрации). По этнической принадлежности указанные общественные организации распределяются следующим образом: хакасские – 9, шорские – 8, немецкие – 6, польские – 2, киргизские – 2, азербайджанские – 2. По одной организации имеют алтайцы, армяне, дагестанцы, евреи, корейцы, русские, таджики, татары, тувинцы, украинцы, чуваша. Еще 3 организации сформированы по межнациональному принципу (1 организация, объединяющая узбекский и таджикский народы; 1 организация, выражающая интересы коренных народов Хакасии; 1 организация, представляющая коренные народы Саяно-Алтайского нагорья, и одна хакасская ассоциация шорского народа). Одной из главных задач общественных национальных организаций является сохранение и укрепление исторических традиций своего этноса, культурного и национального наследия. В настоящее время в Республике Хакасия функционирует девять общественных объединений, выражающих этнокультурные интересы хакасского народа, из них шесть зарегистрированных организаций. Это Хакасское региональное общественное движение хакасского народа (Республиканский Совет старейшин), Хакасская региональная общественная организация «Лига хакасских женщин «Алтынай», Межрегиональная общественная организация «Культурный центр коренных народов Саяно-Алтайского нагорья», Хакасская региональная общественная организация «Информационный центр коренных народов Республики Хакасия»

«Аран Чула», Фонд возрождения самобытности хакасского народа – Хан обаа «Ах хулун» и Республиканское движение за сохранение и развитие хакасского языка «Ине тілі».

Начало деятельности общественных организаций этнической направленности приходится на начало 1990-х годов в субъектах Российской Федерации. Основная деятельность последних заключается в сохранении и развитии историко-культурного наследия и национальной самобытности народов, проживающих на территории Республики Хакасия (РХ). Отмечается, что от них, во многом зависело социально-экономическое и политическое развитие страны, нравственное и духовное состояние народа. В среде местной интеллигенции, общественные объединения сыграли определенную роль в процессе роста самосознания граждан, в объединении их конкретных интересов. Деятельность последних по сохранению историко-культурного наследия, а также усилению адаптации и внутриэтнической консолидации хакасов активизировалась в 1991–2000-е гг., что можно проследить по их деятельности на региональном уровне, в частности на примере Республики Хакасия.

Значимость общественных объединений существенно повышается в современных условиях тем обстоятельством, что они являются не только средством духовного объединения этносов, но и способствуют смягчению национальных противоречий на основе сотрудничества между этносом и властью, с другими этносами, эти важнейшие факторы содействуют формированию толерантного отношения к социально-культурному своеобразию каждой нации.

Исследуются вопросы характеристики организационной структуры общественного объединения этнической направленности, основы правового регулирования их деятельности. Проведен анализ устава Хакасского регионального общественного движения хакасского народа. На основании анализа нормативного правового законодательства предлагается авторская позиция, связанная с внесением изменений в существующее законодательство. Авторами статьи поднимается проблема взаимодействия гражданского общества и государства. Для улучшения результативности работы правовых норм в сфере деятельности некоммерческих организаций между государством и гражданским обществом должен быть налажен устойчивый диалог, информационное пространство в этой сфере должно быть шире. Общественные организации этнической направленности выполняют важные функции, которые сегодня связаны не только с выполнением социально-значимых задач. Данные организации в ряде случаев выступают партнерами государства и фактически решают проблемы, с которыми государственная система не справляется и на которые в силу многих причин не выделяются средства. Вследствие этого не случайно сегодня одной из основных тенденций, наблюдаемых при анализе норм законодательства РФ, является фактический «перенос» некоммерческих организаций из сферы действия частноправового регулирования в область публичного права.

В исследовании широко применяется формально-юридический метод, позволяющий глубже прояснить разнообразные формулировки анализируемых нормативных положений. Рассмотрение деятельности общественных организаций этнической направленности предполагает применение разных принципов исследования: историзма, социокультурного детерминизма, синхронизации и диахронизации. В качестве методов используются комплексный и системный сравнительно-исторический анализ, хронологизация, классификация и типология общественных организаций. В качестве перспективных используется ретроспективный анализ, который позволяет изучить жизнедеятельность и функционирование общественных организаций этнической направленности в эволюции.

Авторы приходят к выводу о том, что в субъекте Российской Федерации (РФ) практически не создана региональная нормативно-правовая база, регулирующая деятельность общественных организаций этнической направленности. Требуется издание комплексного федерального закона, регулирующего важные вопросы национального, культурного, языкового возрождения коренных народов Южной Сибири.

Ключевые слова: правовые основы, общественные организации, нормативно-правовое регулирование, Хакасское региональное общественное движение хакасского народа, Республиканский совет старейшин, устав.

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REFERENCES

- [1] Artamonova N.Y., Troyakova Y.K. (2018) Kul'turnaya missiya natsional'noy intelligentsii respublik Tyva i Khakasiya v sovremennom politnicheskom prostranstve [Cultural Mission of the National Intelligentsia of the Republics of Tuva and Khakassia in the Modern Multi-Ethnic Space]. Publishing House "Brigantine", Abakan (in Russ.).
- [2] Ayupova Z.K., Kussainov D.U., Winston N. (2019) On the State Mechanisms of Ensuring Social Policy in the Republic of Kazakhstan, Reports of the National Academy of Sciences of the Republic of Kazakhstan, 1 (323): 47-51. DOI: 10.32014/2019.2518-1483.6 (in Eng.).
- [3] Belozerova M.V. (2013) Deyatel'nost' natsional'nykh obshchestvennykh organizatsiy Kemerovskoy oblasti i problemy sokhraneniya kul'turnogo naslediya [Activities of national public organizations of the Kemerovo region and the problems of preservation of cultural heritage], Bulletin of Tomsk State University. History, 4: 36-40 (in Russ.).
- [4] Bryce H. (2007) The Public's Trust in Nonprofit Organizations: The Role of Relationship Marketing and Management, California Management Review, 49 (4): 112-131. DOI: 10.2307/41166408 (in Eng.).
- [5] Helmig B., Jegers M., Lapsley I. (2004). Challenges in Managing Nonprofit Organizations, A Research Overview, International Journal of Voluntary and Nonprofit Organizations, 15 (2): 101-116. DOI: 10.1023/B:VOLU.0000033176.34018.75 (in Eng.).
- [6] Hong S. (2019) A Behavioral Model of Public Organizations: Bounded Rationality, Performance Feedback, and Negativity Bias, Journal of Public Administration Research and Theory, 29 (1): 1-17. DOI: 10.1093/jopart/muy048 (in Eng.).
- [7] Karachakova O. Vse o deyatelnosti Soveta stareyshin khakasskogo naroda – iz pervykh ust [Everything About the Activities of the Council of Elders of the Khakass People by Firsthand]. Abakan today. 05/04/2017. (In Russian).
- [8] Kulsariev A.T., Sultanova M.E., Shaigozova Zh.N. (2018) Folklore and Identity: History, Memory and Myth-Making in the Modern Visual Culture of Kazakhstan, News of the National Academy of Sciences of the Republic of Kazakhstan. Series of Social and Human Sciences, 5 (321): 19-25. DOI: 10.32014/2018.2224-5294.3 (in Eng.).
- [9] Lapaeva V.V. (2015) Federal'noye i regional'noye zakonodatel'stvo ob obshchestvennykh ob'yedineniyakh [Federal and Regional Legislation on Public Associations], Journal of Foreign Legislation and Comparative Law, 6: 966-975 (in Russ.).
- [10] Marsunova E.V. (2016) Osobennosti zakonodatel'nogo regulirovaniya grazhdansko-pravovogo statusa nekommercheskikh organizatsiy kak yuridicheskikh lits [Features of the Legislative Regulation of the Civil Status of Non-Profit Organizations as Legal Entities], Bulletin of Science and Practice – Scientific Journal, 4: 461-469 (in Russ.).
- [11] Naumkina V.V. (2019) Public Opinion about the Personality as Criterion of Definition of Disciplinary Measures On Common Law of the Siberian Nomads, Bulletin of the National Academy of Sciences of the Republic of Kazakhstan, 2 (378): 216-219. DOI: 10.32014/2019.2518-1467.58 (in Eng.).
- [12] Naumkina V.V. (2019) The Function of Ritual in Traditional Society, Bulletin of the National Academy of Sciences of the Republic of Kazakhstan, 1 (377): 126-129. DOI: 10.32014/2019.2518-1467.15 (in Eng.).
- [13] Panzabekova A.Zh., Mussayeva D.M., Zhanbozova A.B. (2018) Formation and Development of Information Society in the Context of Its Impact on Quality of Population Life, Reports of the National Academy of Sciences of the Republic of Kazakhstan, 5 (375): 94-99. DOI: 10.32014/2018.2518-1483.14 (in Eng.).
- [14] Sagalakov E.A. (2018) Sotsial'no-politicheskoye razvitiye Yuzhnoy Sibiri v 1917 godu [Socio-political Development of South Siberia in 1917], Bulletin of Katanov Khakass State University, 23: 84-85 (in Russ.).
- [15] Sagalakov E.A. (2019) Socio-political Development of the Altai-Sayan Region in 1919–1924, Bulletin of the National Academy of Sciences of the Republic of Kazakhstan, 1 (377): 195-198. DOI: 10.32014/2019.2518-1467.22 (in Eng.).
- [16] Tolz V. (1998) Conflicting "Homeland Myths" and Nation-State Building in Postcommunist Russia, Slavic Review, 57 (2): 267-294. DOI: 10.2307/2501851 (in Eng.).
- [17] Waeraas A., Byrkjeflot H. (2012) Public Sector Organizations and Reputation Management: Five Problems, International Public Management Journal, 15 (2): 186-206. DOI: 10.1080/10967494.2012.702590 (in Eng.).
- [18] Weerawardena J., McDonald R., Mort G. (2010) Sustainability of Nonprofit Organizations: An Empirical Investigation, Journal of World Business, 45 (4): 346-356. DOI: 10.1016/j.jwb.2009.08.004 (in Eng.).
- [19] Yastrebova A.I. (2007) Konstitutsionno-pravovyye osnovy deyatelnosti obshchestvennykh organizatsiy v Rossiyskoy Federatsii [Constitutional and Legal Foundations of the Activities of Public Organizations in the Russian Federation], Modern Law, 9 (1): 33-34 (in Russ.).

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