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АЙДАРБАЕВ САҒЫНҒАЛИ ЖОЛАМАНҰЛЫНЫҢ
50 жылдық мерейтойына арналған
«ЖАҒАҢДАҢУ ЖАҒДАЙЫНДАҒЫ ҚАЗІРГІ ҚАЗАҚСТАННЫҢ
ДАМУЫНЫҢ САЯСИ-ҚҰҚЫҚТЫҚ ЖӘНЕ
ЭКОНОМИКАЛЫҚ ҚЫРЛАРЫ»
тақырыбындағы халықаралық ғылыми-тәжірибелік
конференцияның материалдар
ЖИНАҒЫ
22 қыркүйек 2018 жыл

СБОРНИК
материалов международной научно-практической конференции
«ПОЛИТИКО-ПРАВОВЫЕ И ЭКОНОМИЧЕСКИЕ АСПЕКТЫ РАЗВИТИЯ
СОВРЕМЕННОГО КАЗАХСТАНА В УСЛОВИЯХ ГЛОБАЛИЗАЦИИ»,
посвященной 50-летию юбилею доктора юридических наук, профессора,
декана факультета международных отношений КазНУ им. аль-Фараби
Айдарбаева Сагынғалий Жоламановича
22 сентября 2018 года

*Рекомендовано Ученым советом факультета
международных отношений
(протокол № 6 от 25.01. 2019 г.)*

Редакционная коллегия:

Сайрамбаева Ж.Т. – Заведующая кафедрой международного права КазНУ им. аль-Фараби,
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«Политико-правовые и экономические аспекты развития современного Казахстана в условиях глобализации»: сборник материалов международной научно-практической конференции, посвященный 50-летию юбилею доктора юридических наук, профессора, декана факультета международных отношений КазНУ им. аль-Фараби Айдарбаева Сагынғали Жоламановича (22 сентября 2018 года). – Алматы: Казак университеті, 2019. – 210 с.

ISBN 978-601-04-3836-1

Материалы конференции включают в себя статьи представителей научного и академического сообщества ведущих ВУЗов и НИИ страны, ближнего и дальнего зарубежья, представителей государственных структур, дипломатических миссий и международных организаций, аккредитованных в Республике Казахстан.

Рекомендуется научным работникам и другим специалистам юридических и экономических специальностей, аспирантам, магистрам, бакалаврам юридических и экономических вузов.

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WORLD TRADE ORGANIZATION'S COOPERATION WITH THE FOOD AND AGRICULTURE ORGANIZATION OF THE UNITED NATIONS (FAO) ON FOOD SAFETY ISSUES

Abstract. The article deals with the main directions of the interaction of World Trade Organization with the Food and Agriculture Organization in the sphere of food security; authority of WTO, FAO, and UN on this issue; establishing sanitary and phytosanitary measures. Much attention is paid to the problem of the Food Codex (Codex Alimentarius) in the field of establishing sanitary and phytosanitary measures for international trade and food security by the cooperation of WTO with FAO.

Keywords. Food safety, WTO, FAO, Committee on Agriculture, Agreement on the Application of Sanitary and Phytosanitary Measures, the Codex Alimentarius, food control, sanitary and phytosanitary measures.

In order to achieve its goals, including in the field of food safety, the World Trade Organization (WTO) cooperates with many international intergovernmental and non-governmental organizations through the conclusion of cooperation agreements on issues related to the activities of the WTO.

The WTO closely enough in its activities, like its predecessor GATT, cooperates with the United Nations (UN). It was the UN that adopted a lot of important documents relating to international trade, such as:

- Principles of international trade relations and trade policy;
- Integrated commodity program.

As M.P. Trunk-Fedorov notes, "both organizations are in favor of active cooperation, but they do not cause the actions of one to coordinate with the actions of the other"[1, P. 25].

On issues of food safety, the WTO interacts with the Food and Agriculture Organization (FAO), which was established in 1945 and is part of the UN. The main objectives of FAO are: eradicating hunger, food insecurity and malnutrition; the elimination of poverty and the promotion of economic and social development for all, as well as the sustainable management and use of natural resources, including land, water, air, climate and genetic resources, for the benefit of present and future generations. Within the FAO, there is a Committee on Agriculture (COA), which covers not only agrarian problems but also the safety of food products. To be precise, the functions of COA include rulemaking in agriculture, animal husbandry, food security, nutrition, rural development, and natural resource management. The COA also provides advice and recommendations to the FAO Conference on Global Policies and Regulatory Issues in Agriculture, and to the FAO Council on issues related to the organization's priorities, programs, and budgets [2].

In the structure of the FAO in 1995 was established the Office for Cooperation with the WTO, which has been assigned the status of a permanent committee.

FAO representatives participate in the work of the General Council, and also serve as experts on the WTO Committee on Agriculture, on sanitary and phytosanitary measures, on technical barriers to trade, on subsidies and countervailing measures, etc.

FAO assists its members in fulfilling the commitments they made under the WTO, constantly conducts seminars for the countries - members of the World Trade Organization on WTO rules and methods of supporting agriculture, which is of no small importance, since "our country faces big challenges in

preparing effective professionals who know the problems of the WTO and are able to apply the norms of the WTO agreements” [3, P.210].

In turn, representatives of the WTO are invited to attend the meetings of the FAO Conference, which takes place every two years and is the highest governing body of FAO.

To address the challenge of food security, FAO monitors international supply, production and consumption of food in various regions of the planet. Based on the data obtained, FAO provides statistical data and an assessment of food security to the WTO in connection with the provisions of the Agreement on Agriculture in the field of prohibitions and restrictions. “The Global Information Organization and the Early Warning System and FAO are an important source of information useful for implementing decisions on measures regarding the possible negative effects of policy reform for the least developed countries and developing countries that are the largest food importers” [4, P.74].

Close cooperation between the WTO and FAO has established in the area of establishing sanitary and phytosanitary measures for international trade in agricultural products. This interaction takes place in accordance with the Agreement on the Application of Sanitary and Phytosanitary Measures and the Agreement on Technical Barriers to Trade under the WTO Committees on Sanitary Measures and on Technical Barriers.

In cooperation with the WTO and FAO, the Joint FAO Commission, the Codex Alimentarius, the World Health Organization, and the International Plant Protection Convention are also actively involved.

Under the auspices of FAO, multilateral environmental agreements have been developed that have an impact on international trade, namely:

- International Agreement on Plant Genetic Resources;
- An exemplary code of conduct in forestry;
- Code of Conduct for Responsible Fisheries;
- International Code of Conduct on the Distribution and Use of Pesticides.

It should be noted that states, international and non-governmental institutions have the right to request “information regarding the degree of exposure to the danger of certain types of flora and fauna” [4, P.81].

Confidence in the safety of food, no cheating dishonest sellers and manufacturers is one of the important tasks that governments decided from the oldest days. In history, you can find a lot of examples of how different countries independently drafting laws and product requirements for food often used various security and quality testing methods for food and inform consumers about purchased goods. However, differences in national requirements and standards often made it difficult for cross-border trade. At the same time, consumers began to increasingly understand the risks associated with food, including health risks from microorganisms, pesticide residues, unsafe food additives, and other substances.

States need to be actively involved in the development of international food trade standards if they want to take advantage of global trade and keep up with the inevitable technological changes, according to a publication released by the Food and Agriculture Organization of the United Nations and the World Trade Organization [5, P.27].

Developing countries, in particular, should invest in developing capacities and skills for effective interaction with international institutions and organizations, such as the WTO and the Codex Alimentarius Commission, which is the main international food regulatory authority in the world.

“When food standards and international trade complement each other, it helps to ensure food security, as well as improve the quality of nutrition throughout the world. It can also help stimulate growth and development and make progress towards achieving new Sustainable Development Goals” said WTO Director-General Robert Azevedo.

One of the significant results of the interaction of the WTO with FAO is the creation of a single document called Codex Alimentarius within the international body of the Codex Alimentarius Commission.

With the Codex Alimentarius, the WTO forms a system of rules to ensure the safety, quality and fair trade of food. The Codex Alimentarius Commission was established to address these problems, as well as develop and publish food standards as part of the Food Codex (Codex Alimentarius) to improve health care and ensure uniform and fair rules of the game in world trade. In accordance with the general principles of the Code, it serves as a guide and helps in the development of definitions and food requirements for their harmonization and the subsequent involvement of food products in world trade. Therefore, Codex standards have gained an important role in the WTO SPS and TBT agreements.

Standards, guidelines, and rules of the Codex are inherently advisory in nature. To make them mandatory, countries should purposefully introduce them into national legislation. All Codex documents are freely available on the Codex website [6].

Codex standards set the requirements for the physical and chemical characteristics of nearly 200 of the products on the market, ranging from apples to frozen fish and bottled water.

The agreements of the WTO Committee on Sanitary and Phytosanitary Measures, as well as the Committee on Technical Barriers to Trade, set out basic rules on how governments can apply food safety measures and animal and plant health, as well as technical rules for human health, environmental protection and providing reliable information for consumers. The agreement of the WTO Committee for Sanitary and Phytosanitary Measures specifically refers to standards developed by the Code to ensure food safety, and WTO members often refer to these standards during discussions in the Committee on Technical Barriers to Trade.

While countries in transition have recently begun to expand their participation in key Codex and WTO committees, the level of participation of many least developed countries remains low [7, P.450].

The application of Codex standards and collaboration with SPS and TBT committees allows a country to contribute to improving health care and expanding international trade opportunities. Successful participation is based on good knowledge and understanding of food security and standards. Commitment to goals and ongoing investments in improving food control systems are very important.

To improve food safety, countries should apply an integrated approach, taking into account the views of representatives of various industries. Coordination at the national level is key to maximizing the benefits that can be obtained from the application of the international code of food standards, agreements on SPS and TBT.

Coordination at the international level (for example, between organizations) is also an important condition for increasing effectiveness and impact of international support.

As for any institution where everyone has the right to vote and participation, the two complementary areas, the Code and the WTO, are based on the quality of the contribution made. Participation is important to implement change, support and move forward with international standardization, the use of SPS and TBT tools, which in turn supports the work and importance of both bodies.

Starting work on the Code, member countries develop food standards that establish criteria for health and trade protection. Thanks to the WTO agreements, the participants are seriously harmonizing trade measures, taking into account these international standards. Then, again with the help of the WTO, participants control the application of standards to each other for their inclusion in the legal framework and the impact on trade achieved. The chain closes when information on the needs of interested parties and trade returns back to the process of developing the Code, allowing participants to decide on the need to develop a new standard or update an existing one. Boost qualifications provided by FAO, WTO and other bodies is very important to maximize the benefits of the system among member countries [8, P. 166].

Food control is becoming increasingly necessary to ensure rapid response to outbreaks of foodborne illness. Methods for measuring radiation, pesticides and other chemical pollutants in food are becoming increasingly sensitive and highlight the growing importance of the capacity of developing countries to assess and manage their associated risks.

These trends pose serious problems for many developing countries, where food inspection and certification systems are often in their infancy, and supply chains are often fragmented and underdeveloped. WTO, FAO, and other stakeholders have established a partnership, the Standards, and Trade Development Foundation, to disseminate best practices and support projects to help developing countries expand market access by adhering to international standards.

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ӘЛ-ФАРАБИ АТЫНДАҒЫ ҚАЗҰУ ДЕКАНДАР ҚАУЫМДАСТЫҒЫНЫҢ ҚҰТТЫҚТАУЫ ПОЗДРАВЛЕНИЕ КОЛЛЕКТИВА ДЕКАНОВ КАЗНУ ИМ. АЛЬ-ФАРАБИ.....	29
ӘЛ-ФАРАБИ АТЫНДАҒЫ ҚАЗҰУ ДЕКАНДАРЫНЫҢ ҚАУЫМДАСТЫҒЫНЫҢ ҚҰТТЫҚТАУЫ ПОЗДРАВЛЕНИЕ ДЕКАНОВ КАЗНУ ИМ. АЛЬ-ФАРАБИ	30
ӘЛ-ФАРАБИ АТЫНДАҒЫ ҚАЗҰУ МЕХАНИКА-МАТЕМАТИКА ФАКУЛЬТЕТІНІҢ ДЕКАНЫ Д.Б.ЖАКЕБАЕВТІҢ ҚҰТТЫҚТАУЫ ПОЗДРАВЛЕНИЕ ДЕКАНА МЕХАНИКО-МАТЕМАТИЧЕСКОГО ФАКУЛЬТЕТА КАЗНУ ИМ. АЛЬ-ФАРАБИ Д.Б. ЖАКЕБАЕВА	31
ӘЛ-ФАРАБИ АТЫНДАҒЫ ҚАЗҰУ ХАЛЫҚАРАЛЫҚ ҚАТЫНАСТАР ЖӘНЕ ӘЛЕМДІК ЭКОНОМИКА КАФЕДРАСЫ ҰЖЫМЫНЫҢ ҚҰТТЫҚТАУЫ..... ПОЗДРАВЛЕНИЕ КОЛЛЕКТИВА КАФЕДРЫ МЕЖДУНАРОДНЫХ ОТНОШЕНИЙ И МИРОВОЙ ЭКОНОМИКИ ФМО КАЗНУ ИМ.АЛЬ-ФАРАБИ.....	32
ӘЛ-ФАРАБИ АТЫНДАҒЫ ҚАЗҰУ ХАЛЫҚАРАЛЫҚ ҚАТЫНАСТАР ФАКУЛЬТЕТІНІҢ ДИПЛОМАТИЯЛЫҚ АУДАРМА КАФЕДРАСЫ ҰЖЫМЫНЫҢ ҚҰТТЫҚТАУЫ..... ПОЗДРАВЛЕНИЕ КОЛЛЕКТИВА КАФЕДРЫ ДИПЛОМАТИЧЕСКОГО ПЕРЕВОДА ФМО КАЗНУ ИМ.АЛЬ-ФАРАБИ	33
ӘЛ-ФАРАБИ АТЫНДАҒЫ ҚАЗАҚ ҰЛТТЫҚ УНИВЕРСИТЕТІ ХАЛЫҚАРАЛЫҚ ҚАТЫНАСТАР ФАКУЛЬТЕТІНІҢ ДЕКАНЫ, ҒАЛЫМ ПРОФЕССОР САҒЫНҒАЛИ АЙДАРБАЕВ 50 ЖАСҚА КЕЛДІ // ЗАҢ ГАЗЕТІ УЧЕНОМУ, ПРОФЕССОРУ, ДЕКАНУ ФАКУЛЬТЕТА МЕЖДУНАРОДНЫХ ОТНОШЕНИЙ КАЗАХСКОГО НАЦИОНАЛЬНОГО УНИВЕРСИТЕТА ИМЕНИ АЛЬ-ФАРАБИ САҒЫНҒАЛИЙ АЙДАРБАЕВУ ИСПОЛНИЛОСЬ 50 ЛЕТ // ЮРИДИЧЕСКАЯ ГАЗЕТА	34
ҰСТАЗ ШӘКІРТІНЕ ТАЛМАС ТАЛАП СЫЙЛАЙДЫ // ЗАҢ ГАЗЕТІ	35
ТЕНДЕСТЕРДІҢ ІШІНДЕГІ ҮЗДІГІ (З.Ғ.Д., ПРОФЕССОР С.Ж. АЙДАРБАЕВ 50 ЖАСТА) // ВЕСТНИК. ХАЛЫҚАРАЛЫҚ ҚАТЫНАСТАР ЖӘНЕ ХАЛЫҚАРАЛЫҚ ҚҰҚЫҚ СЕРИЯСЫ ПЕРВЫЙ СРЕДИ РАВНЫХ (50 ЛЕТ Д.Ю.Н., ПРОФЕССОРУ С.Ж. АЙДАРБАЕВУ) // ВЕСТНИК. СЕРИЯ МЕЖДУНАРОДНЫЕ ОТНОШЕНИЯ И МЕЖДУНАРОДНОЕ ПРАВО	36
ҚҰҚЫҚТАНУ МАМАНДЫҒЫНДАҒЫ ХАЛЫҚАРАЛЫҚ ҚҰҚЫҚ МАМАНДЫҒЫ БОЙЫНША ЗАҢГЕРЛЕРДІҢ ОРНЫ // ЗАҢ ЖУРНАЛЫ	39
САЙРАМБАЕВА Ж.Т. ХАЛЫҚАРАЛЫҚ ҚҰҚЫҚТЫҢ БІЛГІР МАМАНЫ САҒЫНҒАЛИ ЖОЛАМАНҰЛЫ АЙДАРБАЕВ 50 ЖАСТА.....	42
САЛИМГЕРЕЙ А.А. О РОЛИ КАФЕДРЫ МЕЖДУНАРОДНОГО ПРАВА КАЗНУ ИМ. АЛЬ-ФАРАБИ В СТАНОВЛЕНИИ И РАЗВИТИИ МЕЖДУНАРОДНО-ПРАВОВОЙ НАУКИ КАЗАХСТАНА.....	43
ӨМІРЖАНОВ Е. Т. БІЛІКТІ БАСШЫ, БІЛГІР ҒАЛЫМ САҒЫНҒАЛИ ЖОЛАМАНҰЛЫНЫҢ 50 ЖАСҚА ТОЛУЫНА ОРАЙ	45

СЕКЦИЯ 1
«МЕЖДУНАРОДНО-ПРАВОВЫЕ АСПЕКТЫ РАЗВИТИЯ КАЗАХСТАНА
В УСЛОВИЯХ ГЛОБАЛИЗАЦИИ

САРСЕМБАЕВ М.А. СОВЕРШЕНСТВОВАНИЕ ЭЛЕКТОРАЛЬНОГО ЗАКОНОДАТЕЛЬСТВА РЕСПУБЛИКИ КАЗАХСТАН ПО МЕСТНЫМ ВЫБОРАМ	48
САЛИМГЕРЕЙ А.А., АЙДАРБАЕВ С.Ж. КОНВЕНЦИЯ О ПРЕСТУПЛЕНИЯХ И НЕКОТОРЫХ ДРУГИХ АКТАХ, СОВЕРШАЕМЫХ НА БОРТУ ВОЗДУШНЫХ СУДОВ И ПРОТОКОЛ, ИЗМЕНЯЮЩИЙ КОНВЕНЦИЮ О ПРЕСТУПЛЕНИЯХ И НЕКОТОРЫХ ДРУГИХ АКТАХ, СОВЕРШАЕМЫХ НА БОРТУ ВОЗДУШНЫХ СУДОВ (НАУЧНО-ПРАВОВОЙ КОММЕНТАРИЙ)	51

ТЛЕПИНА Ш.В. К ВОПРОСУ ОБ ИСТОРИИ МЕЖДУНАРОДНОГО ПРАВА	55
PIERRE CHABAL LIBRE RÉFLEXION D’UN DESCENDANT DE LA PATRIE DE MONTESQUIEU APRÈS DES VOYAGES EN ‘KAZAKHILIE’	59
ШАКИРОВ К. Н. О СИСТЕМНО-СТРУКТУРНОМ ПОСТРОЕНИИ СУДЕБНОЙ ЭКСПЕРТОЛОГИИ	61
АЙТХОЖИН К. К. КОММЕНТАРИЙ К ВОСЬМОМУ-ДЕСЯТОМУ СВОДНОМУ ПЕРИОДИЧЕСКОМУ ДОКЛАДУ О ВЫПОЛНЕНИИ РЕСПУБЛИКОЙ КАЗАХСТАН МЕЖДУНАРОДНОЙ КОНВЕНЦИИ О ЛИКВИДАЦИИ ВСЕХ ФОРМ РАСОВОЙ ДИСКРИМИНАЦИИ ПО ВОПРОСАМ ОБРАЗОВАНИЯ (2018 ГОДА).....	67
БОГАТЫРЕВ В.В. РАСШИРЕНИЕ СОТРУДНИЧЕСТВА МЕЖДУ РЕСПУБЛИКОЙ КАЗАХСТАН И ЕВРОПЕЙСКИМ СОЮЗОМ С ПОЗИЦИИ НАЦИОНАЛЬНОЙ БЕЗОПАСНОСТИ: СИНЕРГЕТИЧЕСКИЙ ПОДХОД.....	73
САЙРАМБАЕВА Ж. Т. ҚАЗАҚСТАН РЕСПУБЛИКАСЫНДАҒЫ БОСҚЫНДАРДЫҢ ҚҰҚЫҚТЫҚ МӘРТЕБЕСІ ТУРАЛЫ МӘСЕЛЕ.....	78
АМАНГЕЛЬДЫ А.А. ДОГОВОР КАК ОБЩЕПРАВОВАЯ ЦЕННОСТЬ В ГРАЖДАНСКОМ ПРАВЕ.....	80
АХМЕТОВ Е. Б. РОЛЬ СОВМЕСТНОЙ СОВЕТСКО-ЯПОНСКОЙ ДЕКЛАРАЦИИ 1956 ГОДА В РАЗРЕШЕНИИ ТЕРРИТОРИАЛЬНОГО РАЗНОГЛАСИЯ МЕЖДУ РОССИЕЙ И ЯПОНИЕЙ.....	84
ИВАНОВА Ж. Б. К ВОПРОСУ О СОБСТВЕННИКЕ ОБЪЕКТА КУЛЬТУРНОГО НАСЛЕДИЯ	87
АЙДАРБАЕВ С. Ж., ЖОЛАМАНОВА А. С. КАЗАХСКО-УЗБЕКСКОЕ СОГЛАШЕНИЕ О ТРУДОВОЙ ДЕЯТЕЛЬНОСТИ И ЗАЩИТЕ ПРАВ ТРУДЯЩИХСЯ-МИГРАНТОВ: ПРАВОВОЙ АНАЛИЗ.....	89
ШАКИРОВ К. Н., САПАР М. О ПРИНЦИПЕ ПРИОРИТЕТА ПРАВА ЕАЭС	94
BAIMAGAMBETOVA Z. M., SYVANBAYEVA N.K. WORLD TRADE ORGANIZATION’S COOPERATION WITH THE FOOD AND AGRICULTURE ORGANIZATION OF THE UNITED NATIONS (FAO) ON FOOD SAFETY ISSUES	98
АЛТАЕВА К. Ж., ЕРГӨБЕК Ш. Қ. АЛТЫН ОРДА МЕМЛЕКЕТІНДЕГІ ДІННІҢ ҚҰҚЫҚТЫҚ МӘРТЕБЕСІ.....	101
АБДРАХМАНОВА Э.С. ОБЫЧАЙ, ОБЫКНОВЕНИЯ И НОРМЫ МЯГКОГО ПРАВА КАК ИСТОЧНИКИ МЕЖДУНАРОДНОГО ГРАЖДАНСКОГО ПРОЦЕССУАЛЬНОГО ПРАВА.....	103
ГИЛЕВА Н. В. ИСПЫТАТЕЛЬНЫЙ СРОК ПРИ ПРИЁМЕ НА РАБОТУ: ПРИЧИНЫ И ПОРЯДОК РАСТОРЖЕНИЯ ТРУДОВОГО ДОГОВОРА	106
ДОСЫМБЕКОВА М. С. РЕАЛИЗАЦИЯ ПРИНЦИПА УВАЖЕНИЯ ПРАВ И СВОБОД ЧЕЛОВЕКА И ГРАЖДАНИНА В УСЛОВИЯХ ГЛОБАЛИЗАЦИИ	109
ИРЖАНОВ А. С. О НЕКОТОРЫХ АСПЕКТАХ ПОНЯТИЯ МЕЖДУНАРОДНОГО ТЕРРОРИЗМА	113
MAKISHAEVA M. K. THE ROLE OF ENGLISH IN STUDYING LEGAL ASPECTS IN THE DEVELOPMENT OF KAZAKHSTAN	114
САМАЛДЫКОВ М. К. ДЕНАЦИОНАЛИЗАЦИЯ (ПРИНУДИТЕЛЬНОЕ ЛИШЕНИЕ ГРАЖДАНСТВА) В КАЗАХСТАНЕ, ЕЕ ПЛЮСЫ И МИНУСЫ.....	116
ТУСУПОВА А. Ж. АКТУАЛЬНЫЕ ВОПРОСЫ МЕЖПАРЛАМЕНТСКОГО СОТРУДНИЧЕСТВА РЕСПУБЛИКИ КАЗАХСТАН И ЕВРОПЕЙСКОГО СОЮЗА.....	121