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Citizenship termination of the Republic of Kazakhstan (legal regulation issues)

The article illustrates problematic legal regulation issues and formalizes the termination of Kazakh citizenship practice and its registration in a loss case. Citizenship termination is considered a continuing legal relationship, which has stages, conditions, and legal regulation in the law and by-laws. The features analysis of the citizenship termination in the legislation of the Republic of Kazakhstan and foreign countries was carried out. The research purpose is a comprehensive analysis of the theory and Kazakh citizenship termination practice, the problems identification in the termination registration process of citizenship, and the ways development to solve them. The research is carried out by general scientific and special legal methods; analysis and generalization of theoretical provisions and legal norms, and implementation practice are used. Citizenship cessation is regarded as a continuing legal relationship. Based on the comparative legal method, the main trends in the development of the legal institution “citizenship termination” at present is revealed. The research goal is the provision on the need to improve the institution of “citizenship termination” in the law and by-laws. In conclusion, it is proposed to correct the legal norms of the Law “On Citizenship”, addenda to by-laws regulating Kazakh citizenship termination to simplify and streamline the procedure for citizenship termination.

Keywords: citizenship, mono-citizenship, legislation on citizenship, citizenship termination, citizenship loss, second citizenship.

Introduction

In modern conditions, the Republic of Kazakhstan citizenship legislation contains legal norms that in practice lead to difficulties in their implementation for the people majority who cannot formalize the citizenship termination in the event of its loss promptly. This problem is relevant and needs to be addressed because when analyzing information from social networks, a fair majority is concerned about the formalizing issue of Kazakh citizenship termination, in case the person accepts another state citizenship [1]. The research relevance of this problem is determined by the need to solve the problem, which consists of the fact that only mono-citizenship is recognized in Kazakhstani legislation [2]. Based on constitutional norms, Kazakh citizenship is lost when a person gets the citizenship of another country; gets the another state civil service, as well as on other grounds that exclude this person from being a citizen of the Republic of Kazakhstan [3]. At the same time, the established one-month period for processing the citizenship termination, as a rule, is not sufficient to fulfill all the requirements of by-laws regulating the procedure for citizenship termination. An

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important problem is also the low level of legal culture around the population since majorities who have received citizenship of other states have not formalized the termination of Kazakh citizenship.

Since gaining independence, 4.2 million people have left the Republic of Kazakhstan. 2.5 million of them went to Russia, more than a million — to Germany, about 225,000 — to Ukraine, 70,000 — to Belarus, 27,000 — to Greece, 8,000 — to the Czech Republic, and 6,000 — to Poland. About 75 thousand went to Asia, including 20 thousand — to Turkmenistan, 13 thousand — to Israel, Uzbekistan, Kyrgyzstan, 7 thousand — to Turkey, 36 thousand — to the USA, 13 thousand — to Canada, more than 2 thousand — to Mali, about a thousand — in Libya, as well as in other countries [4]. Many of these persons, having received foreign citizenship, due to their lack of legal norms knowledge, did not formalize the termination of Kazakh citizenship, having missed the established monthly period. Based on the administrative law norms, all these persons committed an administrative offense, for which a fine of 200 monthly calculation indices is provided, which in 2023 is 690,000 thousand tenge [5]. At the same time, based on the applying administrative norms practice, bringing to administrative responsibility is possible when a person is in the territory of the Republic of Kazakhstan if it is established that this person, being a foreign citizen, has not formalized the Kazakhstan citizenship termination.

The main research purpose is identifying problems in the field of formalizing the Kazakh citizenship termination in the citizenship loss event, to analyze the concerns of the practical application of legal norms governing the citizenship termination, as well as problems arising from the observance, execution and using the Law “On Citizenship of the Republic of Kazakhstan” and the legal norms contained in by-laws of the Ministry of Internal Affairs and the Ministry of Foreign Affairs of the Republic of Kazakhstan.

As the research objectives, questions aimed at achieving the goal of the research are considered:

- Information consideration in social networks, which contains problems related to the legal norms implementation regarding the Kazakh citizenship termination from persons who have another state citizenship.
- Constitutional norms analysis containing the requirements for sole citizenship and the law “On Citizenship of the Republic of Kazakhstan”.
- Legal norms comparison contained in the Republic of Kazakhstan Constitution on citizenship with the norms contained in the law “On Citizenship of the Republic of Kazakhstan” and by-laws.
- Administrative law norms comparison with constitutional law in terms of bringing to administrative responsibility persons who do not comply with the requirements of by-laws in the citizenship termination field.
- Proposals development aimed at harmonizing relations in the field of citizenship termination of the Republic of Kazakhstan to create opportunities for effective legal norms implementation and eliminate obstacles in the implementing process of Kazakhstan citizenship termination.

In the theory and methodology of law, gaps are identified due to conflicts and theory of law in relation to the interpretation of ongoing legal relations of an abstract nature and legal states. Citizenship as a legal phenomenon can be considered as a basic element of the constitutional status of an individual and at the same time as a continuing legal relationship that binds a person to a particular state. At the same time, the problem of understanding citizenship as a legal and political phenomenon arises, since the question arises of the need for a person to understand and realize this legal and political connection, its essence and the rights and obligations arising from it.

Citizenship, in modern conditions, is defined as a stable legal or political-legal relationship between the state and a person, which imposes mutual rights and obligations [2]. At the same time, stability is defining these relationship elements, which can be considered as a legal relationship between a citizen and the state. Considering citizenship as a legal relationship, one can note the continuing nature of this legal relationship. In the law theory, such legal relations are defined as abstract and ongoing legal relations that determine the legal status or a special person's legal status. A legal citizen is realized through the rights, duties, and legitimate interests that are carried out by a citizen or are potential opportunities that can be realized. Accordingly, legal norms fix the citizen's ability to exercise their rights, defining these opportunity limits. Thus, citizenship is one of the main conditions for individual rights realization, in turn, forming legal relations of an abstract nature, which implementation is possible, as a rule, subject to the awareness and understanding of each individual. At the same time, legal culture, which includes knowledge and legal norms understanding, as well as a positive attitude towards them, plays an important role in citizenship implementation as a special, abstract, and lasting legal relationship. Knowledge and citizenship understanding as a legal relationship presupposes the fulfillment by a citizen of the rights and obligations arising from the citizenship state, as well as the rights and obligations arising from the need to realize citizenship as a legal relationship. At the same

time, it is important to resolve the presence or absence of a continuing legal relationship issue of an abstract nature if a person does not know about his duties, and, accordingly, does not perform these duties voluntarily. The understanding issue of the abstract legal relationship arises since legal liability is provided for failure to fulfill a legal obligation, which may be due to failure to fulfill the obligations stipulated by this legal relationship. Accordingly, bringing to legal responsibility confirms the continuing existence an abstract legal relationship between the person and the state. This raises the question of whether it is important and necessary for a person who is one of the parties to such a legal relationship to understand his role in this legal relationship, his rights, and obligations, or whether this aspect is not important and decisive when considering citizenship as a legal relationship. In our opinion, it is important to take measures to improve the citizen's legal culture to form a citizenship understanding as a legal relationship in which a citizen is in a continuous relationship, while not only the legal nature of this relationship but also the citizenship political component, which determines the state formation is a great importance as the republic form. From the author's point of view, further Kazakh citizenship institution modernization is necessary on the liberalization principles basis, humanism, scientific character, democracy, and pluralism. Thus, the current stage of national legislation and law enforcement development practice in the field of citizenship requires a mono-citizenship institution rethinking and procedure improvement for terminating citizenship on a citizenship loss basis. The recommendations proposed in the article will allow for preserving the complementary nature of the considered legal norms, giving them complexity and consistency with the capabilities of the individual in the implementing process of the Kazakh citizenship termination.

Methodology and research methods

To achieve objectivity, completeness, and comprehensiveness of the research results, general scientific and special methods of complex cognition were used. Their use is due to a systematic approach, thanks to which the citizenship termination in their unity and interrelation problems is considered.

The research methodological basis is a scientifically based approach to the problem research of citizenship termination legal regulation in its loss case and exit from it, as well as the prospects for overcoming these problems.

In the research course, private-scientific methods were used. The sociological method made it possible to take into account the social factors totality that are outside the law sphere, but which have a great influence on the legislation implementation on citizenship by persons who have another state citizenship. Using the comparative method, in conjunction with general scientific analogy and generalization methods, the general and particular were identified in the protection field of people's rights observance that have lost Kazakhstani citizenship, but without formalizing it in the proper manner following the Kazakhstani legislation requirements. The formal legal method was used in the law and legal practice norms analysis of the term definition, the identification of signs of legal phenomena, and their classification implementation. Through the legal hermeneutics method, new approaches to the legal terminology formation in the citizenship termination implementation field of the Republic of Kazakhstan are determined.

Results

As a result of the research, the following was identified:

In the Constitution of the Republic of Kazakhstan, in the tenth article, the provision is fixed that Kazakh citizenship is acquired and terminated following the law, and is uniform and equal regardless of the grounds for its acquisition, the provision is also fixed that "another state citizenship is not recognized for a citizen of the Republic" [3]. This norm-principle establishes the determining nature of the citizenship institution for Kazakhstani statehood and citizens' legal status. The Decree of the Constitutional Council of December 1, 2003 states that the meaning of this constitutional and legal provision provides for the unacceptability of multiple citizenship in the Republic, including dual citizenship. The general provisions, principles, and norms provided for in the Constitution, relating to the foundations of the sovereignty, independence, and constitutional order of the Republic, are provided and protected, first of all, by the Constitution, and only then — by normative legal acts of lesser legal force based on it. Accordingly, the norm-principle established in the Basic Law on non-recognition of another state citizenship for a citizen of the Republic contains the rule: if a citizen of the Republic acquires another state citizenship, then he does not retain Kazakhstan citizenship from the corresponding registration time of the free person will. By the imperative norm of paragraph 3, Article 10, Constitution, the citizenship termination of the Republic must be carried out in a simplified (registration) procedure, as provided for in citizenship loss cases. At the same time, the Resolution of the

Constitutional Council determines that the Constitution, not being able to regulate the issues of citizenship loss by another state person due to these relations' international nature, provided for a self-sufficient mechanism for protecting one's statehood, contained in paragraph 3, Article 10, Constitution. This constitutional principle has found further development in the Law "On Citizenship of the Republic of Kazakhstan" and international documents, in which the Republic participates, based on the analyzed norms of the Constitution and not contradicting them [6]. The international treaty norms contain similar mechanisms that multiple citizenships prevent cases. Thus, the provisions of the Agreement between the Republic of Belarus, the Republic of Kazakhstan, the Kyrgyz Republic and the Russian Federation on a simplified procedure for acquiring citizenship of February 26, 1999; Agreement between the Russian Federation and the Republic of Kazakhstan on a simplified procedure for acquiring citizenship by citizens of the Russian Federation arriving for permanent residence in the Republic of Kazakhstan, and citizens of the Republic of Kazakhstan arriving for permanent residence in the Russian Federation, dated January 20, 1995; Agreement between the Republic of Kazakhstan and the Republic of Belarus on a simplified procedure for acquiring citizenship by citizens of the Republic of Kazakhstan arriving for permanent residence in the Republic of Belarus, and citizens of the Republic of Belarus arriving for permanent residence in the Republic of Kazakhstan dated January 17, 1996; Agreements between the Republic of Kazakhstan and Ukraine on a simplified procedure for the acquisition and citizenship termination by citizens of the Republic of Kazakhstan permanently residing in Ukraine and citizens of Ukraine permanently residing in the Republic of Kazakhstan, and the prevention of cases of statelessness and dual citizenship dated May 19, 2000, provide for the resolution of issues of acquiring citizenship of one state with simultaneous termination (loss) of citizenship of another state. Thus, the Constitutional Council of the Republic of Kazakhstan considers that under the requirements of paragraph 3 of Article 10 of the Constitution of the Republic, a person who is a foreign citizen cannot simultaneously be a citizen of Kazakhstan. Accordingly, the Constitutional Council of the Republic of Kazakhstan concerning this issue decided: "The norm of paragraph 3 of Article 10 of the Constitution of the Republic of Kazakhstan — "citizenship of another state is not recognized for a citizen of the Republic" — should be understood as the unacceptability in the Republic of Kazakhstan of multiple, including dual citizenship. This means that a foreign citizen is not simultaneously a citizen of the Republic of Kazakhstan. The constitutional principle "the citizenship of another state is not recognized for a citizen of the Republic" is ensured by the following mechanism, arising from the meaning of paragraph 3 of Article 10 of the Constitution of the Republic of Kazakhstan: if a citizen of the Republic of Kazakhstan acquires another state citizenship, then from that moment he does not retain the citizenship of the Republic of Kazakhstan" [6]. Thus, the Constitutional Council unequivocally determines the loss moment of Kazakhstani citizenship, giving an official interpretation of the Constitutional norms, the Constitutional Council decision, which has entered into force, is binding on the entire Kazakhstan territory, is final and not subject to appeal. At the same time, at present, the Constitutional Council decisions are the current law, and the established Constitutional Court of the Republic is the legal successor of the Constitutional Council.

Even though at the constitutional level the issue of Kazakh citizenship loss moment has been unequivocally resolved, Article 37 of the Law of the Republic of Kazakhstan "On Citizenship" stipulates that citizenship of the Republic of Kazakhstan is terminated on the registration day of its loss by state bodies. At the same time, in practice, many people who left the country received foreign citizenship and did not go through the procedure for registering the loss of Kazakh citizenship and, accordingly, can be considered simultaneously as two-state citizens. This period between the foreign citizenship adoption and the registration of the Kazakh citizenship loss can be extended for a long period from several months to several years and decades. At the same time, Article 37 provisions of the Republic of Kazakhstan's "On Citizenship" law, most likely suggest considering the citizenship loss a process that has its stages, the passage of all stages, the citizenship loss process can speak of the citizenship loss in the final stage. At the same time, attention should be paid to determining the person's legal status who is in the registering process of the citizenship loss, from the moment the legal status of citizenship loss arises to the final stage of "citizenship termination". Attention should be paid to the lack of serious scientific research in legal science on the citizenship loss problems and citizenship termination and, accordingly, research of the legal status of an individual in the process of notification and citizenship loss registration, as well as consideration for the contradictions absence with the provisions of the Constitution on the dual citizenship non-recognition. At the same time, the provisions of the Constitution on mono-citizenship and the official interpretation of the Constitutional Council that Kazakh citizenship is lost at the time of foreign citizenship acceptance are the basis for such studies. An important registration element of the citizenship loss is the Kazakhstani passport (identity card) surrender as well as the provision

of accompanying documents (application, questionnaire, notarized copies, etc.) package, which is considered by the migration authorities of the Republic of Kazakhstan and, if they do not meet the requirements, can be returned to the applicant. Citizenship termination is regulated by Chapter 3 “Citizenship termination” of the Law of the Republic of Kazakhstan “On Citizenship of the Republic of Kazakhstan”. Citizenship of Kazakhstan determines a stable political and legal relationship of a person with the state, expressing the totality of their mutual rights and obligations. At the same time, citizenship of another state is not recognized as a citizen of the Republic of Kazakhstan. The same chapter lists the grounds for citizenship termination: 1) citizenship renunciation; 2) citizenship loss 3) citizenship deprivation [2]. At the same time, the term for citizenship termination in Article 37 “Calculation of the period for acquiring and terminating citizenship” of the Law of the Republic of Kazakhstan On Citizenship [2] is defined as follows: “Citizenship of Kazakhstan is terminated on the day: 1) Issue of the Decree of the President of the Republic of Kazakhstan on citizenship renunciation. 2) Entry into legal force of the court verdict on citizenship deprivation. 3) Loss registration by state bodies. 4) Registration of withdrawal from the citizenship of the Republic of Kazakhstan in the manner prescribed by interstate agreements of the Republic of Kazakhstan” [2]. In this case, for example, from the citizenship loss moment, before its registration, a rather long time may pass. Following the Code of Administrative Offenses of the Republic of Kazakhstan, persons who fail to report the adoption of foreign citizenship within a month are subject to a fine of 200 monthly calculation indices or administrative expulsion from the country [5]. Thus, it is assumed that a person who has lost their citizenship in Kazakhstan will apply within a month.

To register the citizenship loss, a person permanently residing in the territory of the Republic of Kazakhstan and who has acquired the citizenship of another state shall, within thirty calendar days, submit the following documents to the internal affairs bodies:

- 1) an application for citizenship loss registration of the Republic of Kazakhstan in any form;
- 2) passport and (or) identity card of the Republic of Kazakhstan citizen (original); in case of loss of the passport and (or) identity card of the Republic of Kazakhstan, the person shall give a written explanation.
- 3) a passport copy of a foreign state citizen or a document confirming the presence of foreign citizenship;

An official draws up a protocol for the identity documents seizure [3].

Registration of the citizenship loss of persons permanently residing outside Kazakhstan is carried out by foreign institutions, based on documents confirming the existence of the conditions provided for in the Law “On Citizenship”, foreign institutions draw up a conclusion on the registration of the citizenship loss of the Republic of Kazakhstan of persons permanently residing outside the Republic of Kazakhstan, according to the established in the Rules form [7]. A person permanently residing outside the Republic of Kazakhstan and who has acquired the citizenship of another state, to register the citizenship loss of the Republic of Kazakhstan, submits the following documents to the foreign office:

- 1) Application for registration of the citizenship loss of the Republic of Kazakhstan in any form;
- 2) Citizen passport of the Republic of Kazakhstan (original);
- 3) A copy of the passport of a citizen of a foreign state or a document confirming the presence of foreign citizenship;
- 4) A copy of the decision to leave for another state for permanent residence or a document confirming permission to leave for another state for permanent residence [8]. At the same time, it is very difficult to provide a copy of the decision to leave for another state for permanent residence or a document confirming permission to leave for another state for permanent residence, if the person has acquired citizenship abroad. Thus, the problem of registering citizenship loss arises, which is associated with a complex procedure and a list of documents required for registering the loss of citizenship.

Discussion

An analysis of scientific publications allows us to state that the Kazakh citizenship loss problem has not been given sufficient attention, since the problem under consideration has not been disclosed at the scientific level. At the same time, it should be noted that a comparative analysis of the articles regulating citizenship termination as a continuing legal relationship or the constitutional status of an individual involves consideration of these issues at a theoretical level. Since citizenship is a legal relationship, the emergence, termination, and existence of it is due to legal facts, while the presence of citizenship in a person can also be considered a legal fact. In the theory of law, there are different approaches to understanding and defining legal facts, including ongoing legal facts and abstract legal concepts [9]. At the same time, some authors consider a legal

fact as a basis for the emergence, legal relationship change, or termination. Accordingly, citizenship can be considered as a continuing, abstract legal relationship that arises, changes, or terminates depending on the conditions defined in the legislation. An important aspect of the Kazakh citizenship loss is its registration, which means the termination of this legal relationship of a person with the state. Being in continuous communication, the citizen and the state interact in the legal field, often not understanding the whole range of legal and political rights and obligations that arise or should arise in the implementation of citizenship as a political and legal relationship. Accordingly, understanding and awareness of this relationship is not a mandatory feature, while the absence of the fact of citizenship termination confirms its existence.

In modern conditions, a fairly large number of persons with “dual citizenship” are revealed, which, most likely, should be defined as “second citizenship”, since dual citizenship is regulated by an international treaty between the two states. Such an international treaty imposes on a citizen of both states the rights and obligations that are agreed upon in this treaty. The second citizenship is possible in the absence of categorical norms on the prohibition for a citizen to simultaneously have the citizenship of another state. The presence of a second citizenship, as a rule, in the territory of the country does not add any additional rights and obligations, since many states allow the presence of another citizenship. This is a fairly common practice, since it is very difficult to identify such persons, in addition, many states have abandoned the practice of requiring confirmation of the renunciation of previous citizenship when accepting this person as their citizenship. Second citizenship is allowed in the UK, Germany, USA, Canada, Montenegro, Malta, Cyprus, and other countries. Currently, Russia has also waived the requirement to prove renunciation of the former citizenship when accepting Russian citizenship. The practice, which does not require, when accepting citizenship, a confirming document on renunciation of the previous citizenship, is due to the complexity, and often the impossibility, of identifying persons with second or third citizenship. This factor hinders the effective implementation of constitutional norms on the non-recognition of the citizenship of another state for citizens of Kazakhstan. At the same time, many persons with second citizenship are not aware of their relationship with this or that state, and, as a rule, do not think about an abstract and lasting legal relationship — Kazakh citizenship.

A rather complicated procedure for issuing a permit to leave for permanent residence abroad is provided for ensuring the rights of citizens and the state, in respect of which various obligations may not be fulfilled. This aspect is also important when registering the loss of citizenship, since persons who have acquired the citizenship of another country must also issue an exit permit, or when registering the citizenship termination, submit documents stating that they have either fulfilled their obligations, or all interested persons do not have maintenance claims. At the same time, persons who have left for another country, as a rule, do not seek to formalize the loss of Kazakh citizenship, since the procedure for terminating citizenship seems rather complicated for these persons.

Conclusions

Thus, based on the research, to optimize the procedure for citizenship termination on the loss basis, withdrawal, and citizenship deprivation, we consider it appropriate to propose the following.

It seems necessary, based on the Decree of the Constitutional Council, December 1, 2003 (emphasizing the imperative of the norm, paragraph 3, Article 10, Constitution that the citizenship termination of the Republic should be carried out in a simplified (registration) procedure), to provide for a simplified procedure for the notification nature of registration of the loss of Kazakh citizenship. This can be realized in the documents confirming the presentation of the adoption of foreign citizenship basis and a decrease in the number of documents required for registration of the citizenship termination.

Accordingly, in our opinion, it is possible to delete subparagraph 4 from paragraph 24 of the Rules for accepting, processing, and considering foreign institutions of the Republic of Kazakhstan applications on issues of citizenship, loss, and deprivation of citizenship, and determining belonging to citizenship [8]: “A copy of the decision to leave for another state for permanent residence or a document confirming permission to travel to another state for permanent residence. In our opinion, the registration of the citizenship loss can be carried out through the Conclusion on the registration of the citizenship loss of persons permanently residing outside the Republic of Kazakhstan based on documents confirming the acquisition of citizenship of another state.

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Қазақстан Республикасының азаматтығын тоқтату (құқықтық реттеу мәселелері)

Мақалада Қазақстан азаматтығын тоқтатқан және жоғалтқан жағдайда тіркеудің тәжірибелік рәсімделуі мен құқықтық реттеудің мәселелері қарастырылған. Азаматтықтың тоқтатылуы белгілі бір заңдар мен заңға тәуелді актілерде кезеңдері, шарттары мен құқықтық реттелуі анықталған ұзақ құқықтық қатынас ретінде көрсетілген. Қазақстан Республикасы мен шет елдердегі заңнамаларындағы азаматтықтың тоқтатылу ерекшеліктеріне талдау жүргізілген. Зерттеудің мақсаты — Қазақстан азаматтығын тоқтату теориясы мен тәжірибесіне кешенді талдау жүргізу, азаматтықты тоқтатуды рәсімдеу кезіндегі мәселелерді анықтау және оларды шешу жолдарын зірлеу. Зерттеу жалпы ғылыми және арнайы құқықтық әдістер арқылы жүзеге асырылды, теориялық ережелер мен құқықтық нормаларды талдау және жалпылау, оларды жүзеге асыру тәжірибесі қолданылды. Азаматтықты тоқтату ұзақ мерзімді құқықтық қатынас ретінде қарастырылған. Салыстырмалы-құқықтық әдіс негізінде қазіргі уақытта «азаматтықты тоқтату» құқықтық институтының дамуының негізгі тенденциялары анықталды. Зерттеудің негізгі нәтижесі заңдағы және заңға тәуелді актілердегі «азаматтықты тоқтату» институтын жетілдіру қажеттілігі туралы ереже. Қорытынды ретінде авторлар «Азаматтық туралы» ҚР Заңының құқықтық нормаларын түзетуді; азаматтықты тоқтату рәсімін оңайлату және ретке келтіру мақсатында Қазақстан азаматтығын тоқтатуды регламенттейтін заңға тәуелді актілерге толықтырулар енгізуді ұсынған.

Кілт сөздер: азаматтық, бір азаматтық, азаматтық туралы заңнама, азаматтықты тоқтату, азаматтығын жоғалту, екінші азаматтық.

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Преращение гражданства Республики Казахстан (проблемы правовой регламентации)

В статье рассмотрены проблемные вопросы правовой регламентации и практики оформления прекращения казахстанского гражданства и его регистрации в случае утраты. Прекращение гражданства по-казано как длящееся правоотношение, которое имеет этапы, условия и правовую регламентацию в за-

конах и подзаконных актах. Проведен анализ особенностей прекращения гражданства в законодательстве Республики Казахстан и зарубежных стран. Цель исследования — комплексный анализ теории и практики прекращения казахстанского гражданства, выявление проблем при оформлении прекращения гражданства и выработка путей их решения. Исследование осуществлено посредством общенаучных и специально-правовых методов, использованы анализ и обобщение теоретических положений и правовых норм, практика их реализации. На основе сравнительно-правового метода выявлены основные тенденции развития правового института «прекращение гражданства» в настоящее время. Основным результатом исследования является положение о необходимости совершенствования института «прекращение гражданства» в законе и подзаконных актах. В качестве выводов авторами предложена корректировка правовых норм Закона РК «О гражданстве»; дополнения в подзаконные акты, регламентирующие прекращение казахстанского гражданства с целью упрощения и упорядочения процедуры прекращения гражданства.

Ключевые слова: гражданство, моногражданство, законодательство о гражданстве, прекращение гражданства, утрата гражданства, второе гражданство.

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