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Article



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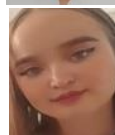
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**STALKING: PERSECUTION IN A POINT OF INDUSTRIAL ESPIONAGE  
AND RELATED WITH IT FACTORS**

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**Abstract:** The article highlights the main points of fixing the persecution in the industrial sector of extraction and production, in which specialized methods of processing and extraction of raw materials can potentially be stolen. The relevance of this study lies in the growing trend of data abduction with the industrial complex, where even professional stalkers trained for surveillance, fixation and hacking in the competitive struggle of large industrial enterprises are being trained. Therefore, as the purpose of this study, it can be noted that stealing and kidnapping of author's data from processing techniques, extraction of raw materials from large industrial complexes by competitors through obsessive persecution by a specially trained or hired person - stalker. The theoretical significance of this study is also regarded as extremely high due to the growing number of studies in the field of mining and processing of minerals. Since most of these are carried out with the help of legal instruments, it is the legal methods of confrontation of stalking in industrial conditions that are effective and relevant in current research. The practical importance of these studies lies in the development of specialized methods of fixing and preventing stalking in an industrial enterprise.

**Key words:** persecution, victim, personal space, psychological barrier, personal boundaries, moral suffering, non-property asset.

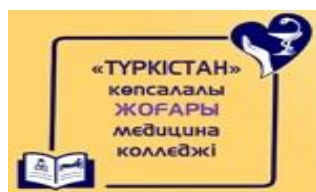
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## Introduction



По результатам технического задания грантового проекта КН МОН РК утвержденного приказом Председателя КН МОН РК от «2» марта 2022 года № 27-нж

According to the Center for Forensic Psychiatry research, 92% of the persecutors suffer from mental disorders of varying degrees of severity. That is, in most cases, stalking is the behavior of a sick person. I think it would be logical, in the presence of the fact of stalking, first of all to send a person to a psychiatric examination and, if necessary, for compulsory treatment. And, of course, it would be right to limit the possibility of their approach to the victims - of course, if the fact of stalking is proved. I was persecuted by an ex-husband for 5 years, his goal, as he told me, was my suicide. The problem is that we have common children with him and under the law of Italy, where we live, he has the right to communicate with them 2

times a week, so I can not move anywhere and hide from him. He started criminal cases against me, hired detectives, tracked, recorded phone calls, poked wheels, took pictures, sat under windows, arranged tax checks, set up children against me, tried to slander, you will not list everything. For three years, two or three times a week I was checked by the police, constantly inspected the apartment - the police kept calling him all the time. I'm known by the police of the three nearby cities, because they all took turns in somehow involved in this business. They can do nothing, because everything that the former does, within the law, plus everything he military, Colonel, in the eyes of society he is a hero.

№	ИРН	Наименование	Заявитель	Научный руководитель	Период реализации	Группа объектов ГНТЭ	Статус	Готовность	Создать
1	AP14871246	<a href="#">Сталкинг: актуальные проблемы социально-правовой модернизации в целях решения латентных проблем безопасности общества</a>	<a href="#">Шалхаров Ернар Сайлаубекович</a>	<a href="#">Шалхаров Ернар Сайлаубекович</a>	2022 - 2024	Конкурс на грантовое финансирование по научным и (или) научно-техническим проектам на 2022-2024 годы (МОН РК)	Подано	100%	Действие ▾

Picture 1. Name, number and period of national grant financing.

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## II. RESEARCH METHODOLOGY AND ETHICAL QUESTIONS.

Description of the scientific methods used in the project as a justification of ways to achieve the set goals.

Methodologically, the present study involves the use of two types of methodological tools: externally descriptive and statistically correlative.

The externally descriptive tool involves the use of four types of design of research results.

Cluster systematization of the information array. This methodological tool involves grouping semantic blocks in the text by the order of transition from a larger variable to a smaller one. It is necessary in the study, as it helps to fix the transition from the general meaning to the result under study. Deduction, induction, abstraction and detailing can also be attributed to this group, which find useful application in the analysis of literary data systematized according to the 2-2-1 system, which involves two sources from far abroad, two sources from near abroad and one source of Kazakh literature. Working with literature in this study has an important place, as it allows you to navigate in the direction of statistical research.

Two-dimensional design of task reflection. This methodological tool involves a visual analysis of the results of the tasks answered. So each section answers one specific task. In accordance with this analysis, it is possible to observe the total addition of the results of tasks to achieve a common goal, and it is possible to notice the gradual achievement of the goal from one task to another.

The catalyzation of literary data by a legal element. This methodological tool allows you to notice the adaptability of the literature used to the studied territorial space or population.

F.I.N.E.R criterion. In accordance with the F.I.N.E.R criterion, the research question is analyzed from five positions: F-feasible (feasible), I-interesting (interesting), N-novel (new), E-ethical (ethical), R-relevant (important).

Statistical correlation research involves an assessment of the interrelationships between several factors, called variables, which are not controlled by the researcher, and which, in turn, is aimed at establishing changes in one variable when another changes or influences it. Data processing is assumed using the SPSS program, which will give greater validity to the results of the study. Since this study is related to issues such as the protection of personal space and other non-property characteristics of individuals, the use and circulation of a specially designed questionnaire is highly relevant, since only with the help of it it will be possible to fix a constant based on quantitative data. The questions in the questionnaire are supposed to be formed dichotomically, which will increase the validity of the study.

Other methods developed and being developed during the implementation of this study.

Critical points, alternative ways of project implementation. This study will be conducted on the basis of the Turkestan Multidisciplinary Medical College, the International Kazakh-Turkish University named after H. A. Yasavi, the Academy of Public Service under the first President of the Republic of Kazakhstan. The present allows us to expand the boundaries of research to similar territorial units of other countries in accordance with the memoranda of educational institutions. These countries include Turkey, the Czech Republic, Poland, France, the USA and Turkmenistan. If it is impossible to determine certain indicators, the possibility of cooperation with marketing and other firms capable of providing personal data of residents of other countries is provided.

Ethics issues: The project participants will strictly adhere to the principles of scientific ethics, will not allow the fabrication of scientific data, falsification, plagiarism, false co-authorship, use by individual participants of collective research, data and conclusions obtained in research, without the consent of other participants. All project participants have equal rights to the results of the conducted research. The intellectual property rights of the participants will be protected accordingly by the Law of the Republic of Kazakhstan on Intellectual Property rights.

Detailed procedure and mechanism of the study: This project will be carried out in 3 stages:

At the first stage, protocols and manuals, equipment and consumables will be prepared. A primary analysis of the literature data will be carried out, a questionnaire will be constructed and the circulation will be calculated.

At the second stage, there will be work with state bodies, including courts and prosecutorial supervision bodies. The second stage also involves working with victims of harassment and collecting information about the results of the survey.

At the third stage, the research results will be summarized, which will be reflected in relevant publications, copyright certificates, implementation certificates and educational materials on the research topic: "stalking as an unfinished crime in the Republic of Kazakhstan". The textbook is supposed to be written in the state, Russian, English and Turkish languages. The proposal to amend the text of the law "on stalking" will also be completed at the third stage.

Conditions for registration and division of intellectual property rights to research results: To protect the results of intellectual property of scientific research, it is planned to publish scientific articles in foreign publications in the SCOPUS database; author's certificates, educational materials, conference abstracts.

The results of the research will be implemented in the form of practical recommendations when

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meeting with stalkers, formulated in the form of certain legal mechanisms. Teaching aids will also be reflected as the results of the study. The text of the implementation of the Law of the Republic of Kazakhstan "on stalking" will also be the result of the study.

### III. RESULTS.

The originality of this article is to highlight the main points of application of persuasive (stalking) techniques as tools of competitors' pressure in the business sector in preparation for the conclusion of major transactions (1). Therefore, as a research objective, one can note the study of pressure techniques through stalking in the implementation or preparation of transactions on large and especially large scale (2). The relevance of this study is expressed in the modernization of legal research in the field of business law, commercial law, corporate law and other related areas of similar legislation, not only in the Republic of Kazakhstan, but all over the world, which will enable us to develop effective mechanisms for analyzing and fixing fair competition in an era of market relations (3).

The theoretical significance of this study allows us to gain huge amounts of empirical fundamental data in studying not only stalking, but also in the field of business law, commercial law, corporate law and other related areas of similar legislation not only in the Republic of Kazakhstan, but all over the world (4). Previously, such studies were not conducted in the case of stalking, which proves the undoubted novelty of the studies (5).

It refers to the type of "rancorous stalker" (he feels offended because I sued him for the amount of money his father gave him on loan) (6). In my opinion, he has a paranoid personality disorder. I went to an expert in Russia, she said that he is a psychological maniac who can splash acid in the face, and one must be careful with him (7).

We have been in courts for 8 years already, in Italy this is normal, 4 lawyers have already refused it, since it is impossible to agree on anything with it (8). Lawyers just run away from him. Faced with clashing in my own life, I believed that I was in a unique and very personal situation (9). But now, a year later, I know how many around people who have survived the same thing as me (10).

There are different forms of stalking, or obsessive persecution. There is a web stalking when you are pestered over the Internet (do not think this is an easy and safe test) (11). But there are also offline persecutors - those who stand under the windows, go around the courts, write letters to the authorities, through social services and courts select children, set the car on fire, make quite tangible household mucks, attack, threaten murder (12). And can do it all at the same time or gradually moving to more and more severe blows (13).

A silent observation began at my house, work, kindergarten. Demonstrative persecution. Then he broke into the house to find out the relationship (14). And one day without warning, he took his daughter from the garden - there the educators were not yet aware of our family changes (15).

Then the shadowing was replaced by sms attacks - from different numbers, from the Internet, messages in Whatsapp, V Kontakte, Odnoklassniki, tons of messages with insults to me as a woman, mother, daughter, sister, wife and just a person (16). Messages and calls came to my relatives, but not with insults, but requests to influence me. This duplicity terrified me. For example, my mother says: "My daughter, Avel asks you to talk to you, he seems to want to agree on a child, does not insult ..." (17). And at the same time he wrote to me: "Look at yourself in the mirror, what are you scum.

### IV. DISCUSSION.

Then all this was supplemented by attacks in social networks on me and my friends from different accounts ... The most terrible were his parishes to work for me with scandals and disassembly. Among other things, he stealthily stole expensive items (laptop, baby clothes) and spoiled them. In general, for a while it was a real "stalk-terror" (18). Honestly, at the very beginning of this epic, I was even confused. But after a while I began to understand how the persecution affects my psychological and physical condition, my ability to work - stalking began to affect all aspects of my life. It was then that I realized the seriousness of stalking as a social phenomenon. In the beginning, I tried to contact, but when I realized that communication with the child and the help of my daughter did not interest him at all, I stopped the dialogue (19). Then she talked to the police, where they told me that the maximum that can be done is to send a policeman to talk, but, from their own words, this will only provoke the stalker, because the persecutors like nobody else know: for their actions in Russia there is no criminal punishment. As a result, after several consultations with the psychologist, I learned to block the feeling of panic, and my persecutor - to ignore, whatever he tried to do (20). The former cohabitant states that they are still guilty today (after a year) of resentment for the self-esteem that has fallen into the abyss and will return it only when I am "morally, mentally, physically destroyed - not fundamentally" (I quote it verbatim). And since I can not get protection from the law, he triumphantly continues his dirty business, and I pretend that I do not notice his actions (although at times it is not easy). I believe that no person (no matter what sex) deserves this. I think that the impunity of stalkers gives them a sense of power, and this can lead to a terrible tragedy (provoke violence, kidnapping, murder - anything you like). That is why I supported the petition of Anna Akatova with the requirement to introduce into the



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Criminal Code of the Russian Federation an article on stalking, because only in this way it is possible to prevent this (21). This research examines interpersonal relationships between individuals who are or are in close relationships, perhaps even divorced when one person intentionally disturbs the peace of another person for their own mercenary purposes. As a rule, these purposes include intimidation, pressure or blackmail. In practice, most stalkers are former lovers or secret admirers of the victim. Most often of course, such is found among celebrities. However, according to statistics in family relations or simply relationships, this is more popular action by an outcast wife, boy / girl. The relevance of this study is expressed in the growing tendency of studying the methods of securing the parties of interpersonal legal relations. Consequently, as an objective, it is possible to identify the issues of legal protection of citizens who are in close relations with other citizens or who are in close relations (ex-spouses). The theoretical and practical significance lies in increasing the fundamental knowledge in the field of stalking among former partners or spouses in their future life after a break or divorce (22). This is highly relevant because marriage and family is no less important constitutional guaranteed priority, as well as the personal space of citizens. The first time I applied to the police in 2015, when the former husband first hacked my e-mail box and stole my documents from there. In the statement, I wrote about the crime and about the fact that he threatens me with reprisals. After a while there was a refusal to open a criminal case. I went to the prosecutor's office, but they did not answer at all. The second time I applied to the police in 2016, when the ex-husband tried to break into our apartment and cut the electric wire. I went to the interrogation, I was told that my statement can only be taken under the article on hooliganism, and prosecution under our legislation can not be qualified in any way. They said that they will conduct a preventive conversation, and then they will file the case in the archive. Criminal proceedings were refused. Then I decided to create a petition about the need for criminal punishment for stalkers to protect victims (23). A conversation is not a punishment. The conversation does not correct the killed nerves, the shaken psyche and the inconvenience (although the "inconvenience" is too soft), which this psychoterror causes. After the publication of the petition on Change.org, I became aware that I was not the first victim of stalking by my ex-husband - when I was pregnant, he chased his ex-girlfriend, called her mother, guarded him at the place of study and asked me to return to him. And another ex-girl was also terrorized by messages and calls for 8 years. People say: "How did you not get it right away?", "He loves you" or "What stalking, what you invented there, he's just looking for attention." I do not want any of these commentators to be in such a situation. Read the text of my petition - there it is told,

to what consequences stalking can lead. And any type of persecution should be punishable, because it endangers the psychological and physical health of the victim. I was "lucky" to face stalking after parting with a roommate. I tried to keep a friendly relationship with him to discuss the order of meetings with my daughter (although it is not recorded in the documents) and its partial material support. Based on this, I did not change my phone number, work, hide my residence (which I later regretted). But my ex was overwhelmed with love for himself, he did not take seriously my departure and did not want to admit what had happened. When after a while he realized that I would not return under any circumstances, and besides I arrange my personal life, he literally. Let's start with the most innocuous - calls and messages. Messages are different - in social networks, on a mobile phone, an endless stream that is a change of mood from "you are a German litter", "your parents are fagots" to "I here met a girl, she wants a relationship, but I love only you." Of course, in all social networks I blocked it, but it does not save - messages come from accounts of mutual friends or his current girlfriend (24). He hacked my pages in social networks. I received messages with quotes from my personal correspondence, screenshots of documents stolen from private mail, my private photos with comments, screenshots from my account in Instagram, again with his comments about me and my life. He wrote to future classmates in Germany, asking: "And do you study such and such, and where does she live, and how do you get to your university?" At one of the meetings, initiated for reconciliation, he stole my personal diary from my bag and then quoted it to my mom. Further more. Photos from the FSB office on Liteiny with the signature "Here they are engaged in your personal business on my tip", "You're not going anywhere". He watched me at the entrance to the front door, when I got home from work, his car followed me when I went out to the store; I went for a walk with the child in the park, and he followed and filmed us on video. One day I went to a meeting with friends, and I received a message on the phone with a photograph of the place where I was, and the signature "I'm near". Another case - he watched me at the apartment and cut the power supply wires, almost causing a fire. My mother saw him at her work, he guarded her too. To my parents he called and shouted into the phone: "You have bugs all over the apartment, I hear everything you say," "You can not leave me, I'll spoil your life." But he lived for a year at the expense of my parents in their apartment. We are afraid to live. A terrible feeling when every step you take is fixed when you are afraid to get out of the entrance, because you know that down below is his car, that he will get out of it and follow you wherever you go, and most importantly, do not know what from people expect - it's just scary. I no longer correspond in social networks, do not do posts. I can not tell my friends how I'm doing, because

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I'm afraid that my account will be hacked again (25). I had nervous breakdowns. We can not walk quietly with a child. My mother goes to work, looking around. My father (he is a pensioner) started to have health problems. The feeling of constant surveillance has become an integral part of our lives, but this is not life, it's a nightmare. I know that many people who encountered a conflict changed their place of residence. I would not want to, of course.

### V. ACKNOWLEDGEMENTS.

This study was carried out on the basis of a private institution "Higher Multidisciplinary Medical College "Turkestan"", which has a certain room and equipment for conducting research. It is also



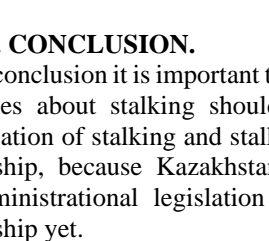
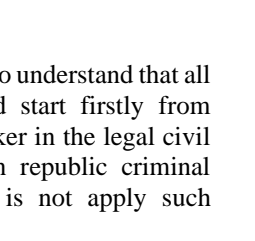


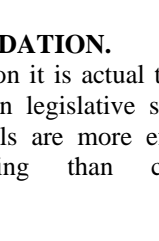
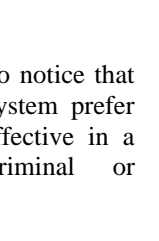
necessary to note the high level of involvement of the staff of the college, who have made a significant contribution to the development of this topic. As for the student potential, there were many activists who agreed to take part in the research in various positions listed below. These positions include data and positions from the table below. Thus, as a legal experiment, the research group planned a study with the participation of 16 full-time students in the specialty of nursing. So 8 students participated in an experiment where each of them was given the role of an active stalker and a passive stalker, as well as an active victim and a passive victim. Four students monitored and four students supervised each group of tests.

Table 1. List of student participators according to their positions.

№	Curator of group	Monitoring personal	Stalker		Victim	
1-st Combination  Group Alfa	Participant: student of group MK-101 Abdulatipova Nigora	Participant: student of group MK-101 Hisina Botaguz	Participant: student of group MK-101 Kayirbek Aliaskar		Participant: student of group MK-101 Ikmatova Dana	
			Active stalker	Passive stalker	Active victim	Passive Victim
2-nd Combination  Group Beta	Participant: student of group MK-101 Mahmudova Nigora	Participant: student of group MK-101 Elubaeva Gulzira	Participant: student of group MK-101 Rustemov Umit		Participant: student of group MK-101 Isakova Shahnoza	
			Active stalker	Passive stalker	Active victim	Passive Victim
3-rd Combination  Group Gamma	Participant: student of group MK-101 Hajieva Shahnaza	Participant: student of group MK-101 Turmahanbet Feruza	Participant: student of group MK-101 Nematullaev Atabek		Participant: student of group MK-101 Karimova Diyora	
			Active stalker	Passive stalker	Active victim	Passive Victim
4-th Com-	Participant: student of group MK-101 Alimbekova Shahnaz	Participant: student of group MK-101 Zhaksylyk Saniya	Participant: student of group MK-101 Kayirbek Aliaskar		Participant: student of group MK-101 Afinova Albina	

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bina- tion  Group Delta			Active stalker	Passive stalker	Active victim	Passive Victim
						

## VI. CONCLUSION.

In conclusion it is important to understand that all researches about stalking should start firstly from identification of stalking and stalker in the legal civil relationship, because Kazakhstan republic criminal and administrative legislation is not apply such relationship yet.

## VII. RECOMMENDATION.

As a recommendation it is actual to notice that contemporary Kazakhstan legislative system prefer that civil legislative tools are more effective in a policy against stalking than criminal or administrative.

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