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SYSTEM OF LEGAL REGULATION OF OPERATIONS RELATED TO GENOME MANEUVERS

Abstract: Today, surgery on the human genome is not uncommon. Genetic engineering works quite actively today in the field of elimination of human body deficiencies in the field of oncology, leukoecology, embryology and other priority areas. Consequently, it is important to designate the correctness of the legal classification, operations carried out on the human genome from the position of legal efficacy. In this context, it will be correct to designate the term “regulation”, which is considered to be correct from the point of view of civil legislation in the complex of existing normative acts in aggregate, which can be designated as a system.

Key words: system of normative legal acts, complex of measures, embryology, neonotology, genetics, consistency, copying, evyhenia.

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Introduction

Defining the specificity and legal nature of the definition of legal regulation in general, it is important to note its belonging to the civil law direction in which such elements as action and inaction take place. In the context of the interpretation of operations related to maneuvers over the human genome, such elements can be classified in the following order in accordance with the empirical data of international studies.

Materials and Methods

In the Kazakhstan Republic, actions carried out in operations related to genome maneuvers were classified by researchers in the jurisprudence department of the social sciences faculty of the Kh.A. Yasavi International Kazakh-Turkish University in the alternative to the deal institute (1). In accordance with this institution, in this transaction one can consider several elements, which include actions and inactions, subjects expressed as citizens

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and organizations, as well as a range of actions designated as establishing, changing and terminating rights and obligations (2). Thus, in accordance with the aforementioned hypothesis, it can be hypothetically determined that by starting a genome maneuver, researchers characterized as laboratory staff (individuals) establish rights and obligations by their actions governing the beginning of maneuvers (3). With the help of pilot experiments and fixing standardized protocols, they change the rights and obligations of the subjects participating in the experiment (4). As well as completing the experiment and coming to a specific consensus, they cease rights and obligations, regardless of whether the experiment was successful or not (5). The present classifies the system of legal regulation of operations related to maneuvers on the human genome from the position of a transaction institution regulated by the civil legislation of the Republic of Kazakhstan.

In the Russian Federation, a different approach to operations related to maneuvers over the human genome was analyzed, in which any manipulations under a certain neck are of a secret nature, in which its results may not even be covered (6). However, given the specific political regime and status of the operation, the results of such research may not even consider the institution of causing harm to health, giving the prerogative to the mass benefits of such (7). Nevertheless, assuming a certain level of involvement of the population in such, it can be indicated that Russian legislation also provides for such in the administrative and legal direction, with the help of state regulation (8). Consequently, such maneuver operations on the human genome can be regulated only with the participation of the public sector (9). Thus, it can be determined that the administrative and legal direction of the Russian Federation is most adapted to the legal regulation of genetic operations carried out in genetic engineering as a whole (10).

American researchers have differently identified the issues of legal regulation of the system of operations related to maneuvers over the human genome, introducing them to precedents (11). Thus, as an alternative, it was assumed that large companies that achieved certain results could determine the legality of the system of maneuvers conducted over the human genome from the position of the highest good based on the precedents (12). Moreover, the essence of such precedents must be interpreted as the highest benefit brought to the nation (13). After such, the results of such operations associated with maneuvers over the human genome may even be patented and have a commercial nature in accordance with the regulations of the United States regarding trade operations and monopolistic actions (14). Thus, it can be stated that the case-law approach of the American regulatory system is most convenient for standardizing, fixing and systematizing the results of experiments conducted in the system of legal regulation of operations related to maneuvers on the human genome (15).

Conclusion

For a certain kind of fixation and standardization of the issues of legal regulation of operations related to the maneuvers over the genome, it is not enough to systematize the regulatory legal acts in a certain order. This kind of fixation should be carried out, starting from genetic material and to the full appearance of a functioning organism with the help of existing legal tools on the example of mechanisms for classifying the nature of genomic research that should be introduced into the prosecution authorities, since they perform the functions of legal statistics and special accounting of violations in this area, which in turn represents a specific control function.

References:

1. Shalkharov, E. S. (2018, November). Question of the legal designation of operations related to maneuvers over the human genome. Original research article., *Vestnik SMTK., Volume 11 (34), ISSN: 2465-2599.*
2. Shalkharov, E. S. (2018, November). Consideration of the legal classification of operations carried out on the human genome by analogy with the institution of the transaction in accordance with the civil legislation of the Republic of Kazakhstan. Original research article., *Vestnik SMMTK., Volume 11 (34), ISSN: 2465-2599.*
3. Shalkharov, E. S. (2018, November). Issues of abstracted borrowing of elements that establish rights and obligations in the system of the institution of a transaction, by analogy with operations conducted on the human genome from the standpoint of Kazakhstan legislation. Original research article., *Vestnik SMMTK., Volume 11 (34), ISSN: 2465-2599.*

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4. Shalkharov, E. (2018, November). Issues of abstracted borrowing of elements that change rights and obligations in the system of the institution of a transaction, by analogy with operations carried out on the human genome from the standpoint of Kazakhstan legislation. Original Research article., *Vestnik SMMTK., Volume 11 (34).*, ISSN: 2465-2599.
5. Shalkharov, E. S. (2018, November). Issues of abstracted borrowing of elements that terminate rights and obligations in the system of the institution of a transaction, by analogy with operations conducted on the human genome from the standpoint of Kazakhstan legislation. Original research article., *Vestnik SMMTK., Volume 11 (34).*, ISSN: 2465-2599.
6. Boiko, Y. (2017, March). Issues of non-interference in the specialized secret status of some actions regarding genetic engineering. Original research article., *Specialized Research Journal of Modern Legal Investigations in a Specific Areas, Volume 24 (11).*, ISSN: 8496-2375.
7. Volkov, I. A. (2017, March). Determination of secrecy limits of experiments in genetic engineering. Original research article., *Specialized Research Journal of Modern Legal Investigations in a Specific Areas., Volume 24 (11).*, ISSN: 8496-2375.
8. Pavlova, L. M. (2017, March). The actions of the secret nature of genetic experiments in accordance with applicable law. Original research article, *Specialized Research Journal of Modern Legal Investigations in a Specific Areas., Volume 24 (11).*, ISSN: 8496-2375.
9. Denisenko, T. M. (2017, March). Problems of legal identification of uncontrolled genetic manipulations on the human genome. Original research article., *Specialized Research Journal of Modern Legal Investigations in a Specific Areas., Volume 24 (11).*, ISSN: 8496-2375.
10. Matveev, T. G. (2017, March). Designation of socially useful results of genetic engineering, carried out in classified conditions. Original research article., *Specialized Research Journal of Modern Legal Investigations in a Specific Areas., Volume 24 (11).*, ISSN: 8496-2375.
11. Grimes, R., Michaels, H., & Akira, A. (n.d.). Some aspects of gene experiments manipulation sector in a side of civil, administrative and criminal legislation, from the position of modern democracy in United States. Original research article., *International Journal of Combined Research., ISSN: 6511-9923., Volume 45(6).*, specialized issue.
12. Soloway, N., Cryton, J.J., Chambers, D. I., & Katsuni, K. (n.d.). Precedential Review of human cloning cases in a modern precedents system from the position of national interest including democracy factor in a scientific concretion area. Original research article., *International Journal of Combined Research., ISSN: 6511-9923., Volume 45(6).*, specialized issue.
13. Abruzzio, J., Portman, M., & Vega, A. (n.d.). Intellectual rights system in a human genome manipulation system from the position of modern legislation and democracy factor. Original research article., *International Journal of Combined Research., ISSN: 6511-9923., Volume 45(6).*, specialized issue.
14. Illarion, K., Queen, O., Allen, B., & Rossi, S. (n.d.). Consideration of highest goal to achieve in a system of human genome manipulation from the position of civil and administrative system including precedents, related to democracy factor in USA. Original research article., *International Journal of Combined Research., ISSN: 6511-9923., Volume 45(6).*, specialized issue.
15. Merlin M., et al. (n.d.). Some legislative aspects of human clone legal relationship in a contemporary legislative system. Original research article., *International Journal of Combined Research., ISSN: 6511-9923., Volume 45(6).*, specialized issue.