

Criminological Characteristics of an Attack on the Life of a Law Enforcement Officer, a Special Government Agency, or a Military Serviceman in Kazakhstan

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Abstract

The purpose of this study was to characterize crimes of encroachment on the lives of law enforcement officers, special government agencies and military personnel in Kazakhstan from the point of view of defining the elements of the crime, criminological characteristics and foreign regulatory experience. The article used methods of statistical analysis, analogy and generalization, as well as formal legal and formal logical approaches. The study identified the features of proving this category of crimes and proposed recommendations for its improvement directly in the Republic of Kazakhstan. The features of the criminological characteristics of crimes against persons representing the authority of public authorities are highlighted, as well as recommendations for the special prevention of criminal attacks provided for in Art. 380-1 of the Criminal Code of the Republic of Kazakhstan.

Keywords: National Security; Criminal Law Characteristics; Legal Mechanisms; Official Duties; State Power.

Introduction

Law enforcement officers, special government agencies and military personnel represent the state itself and perform important functions to ensure the safety and well-being of the population. Their role in detecting and responding to crime makes them a prime target for attacks that can be directed not only against them, but also against the state itself. In this regard, protecting the lives and personal safety of these officials becomes a priority for the state. Attacks on their

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lives pose a significant threat to the stability and functioning of government institutions, as well as to the progressive democratic development of the country.

In response to such threats, legislators in many countries have introduced special laws regulating crimes against government officials. In the Republic of Kazakhstan (RK), such a law is Article 380-1 of the Criminal Code (CC), which provides for criminal liability for attacks on the lives of high-ranking officials. This allows strengthening the protection of these individuals and ensuring the national security of the state. However, despite the measures taken, institutional weaknesses and structural imbalances in security and defence institutions may pose challenges. It is important to continue working to improve national security policy and provide effective protection for officials in order to ensure the stability and development of the state and society as a whole (Criminal Code of the Republic of Kazakhstan of..., 2014). At the moment, experience in the application of this article is limited, and in criminal law theory and practice various issues related to the legal characteristics of the crime provided for in Article 380-1 of the Criminal Code of the Republic of Kazakhstan remain unresolved. This includes the concept and status of state or public figures, the distinction between this crime and related crimes, as well as the goals pursued by its commission (Akimzhanov et al., 2014; Isabaev, 2021).

In modern criminal law science of Kazakhstan, there is significant interest in studying aspects of ensuring the security of state sovereignty, territorial integrity, democratic constitutional system and other national interests of Kazakhstan from current and possible threats. Of particular interest is the protection of the lives of government and public figures. Many scientific studies have been carried out in this area by domestic and foreign scientists, however, despite a significant amount of research, the topic remains relevant, since some aspects remain insufficiently studied.

R.A. Kudeshev (2021) notes that an analysis of the criminal legislation of the Republic of Kazakhstan and foreign countries on the use of violence against government officials shows a variety of approaches to punishment for attacks on their lives. In some countries, liability for the murder of a government official is specified in the law, while in other codes this wording may not be present. However, liability for the use of violence against government officials is present in all criminal laws examined. In this regard, the author believes that the Kazakh legislators should take into account the positive experience of foreign countries and make appropriate additions to the Criminal Code of the Republic of Kazakhstan, for example, establishing liability for the destruction of property of a government official, as provided for in the Criminal Code of Tajikistan.

E.E. Kazhenov and A.S. Kazhenov (2020) note that a group of criminal offences related to creating a danger to life or health are also associated with an attack on life and health. In this context, the methods and forms of influence can be varied, but the key element remains the threat of death or harm to health. On the other hand, N.B. Rakhimov and S.M. Imanbayev (2019) express the opinion that from the point of view of the legislator, the life of a prosecutor or traffic police officer may be less significant compared to the life of other civil servants. It is noted that the punishment for an attack on the life of a bailiff and for the murder of a prosecutor can differ significantly, which emphasizes the different perception of the importance of the life of various categories of officials. Law enforcement practices require up-to-date criminological information about attacks on human life, including those that occur during crisis situations, such as those caused by COVID-19. An important aspect is the availability of objective sources that provide a realistic picture of all types of murders. In this regard, the main goal of this work is to identify the features of the criminological characteristics of attacks on the lives of law enforcement officers, special government agencies and military personnel in Kazakhstan (Dambe, 2021).

Materials and Methods

The research was based on a variety of special legal methods. Including systemic, formal-logical, hermeneutic, comparative and modelling methods, it made it possible to better understand and optimize the criminal legal protection of the professional activities of law enforcement officers in Kazakhstan. The systematic method made it possible to consider the problem in the context of the general system of criminal law protection of public relations, identifying the relationships and influence of various factors on this phenomenon. The formal-logical method was used to interpret the normative content of criminal law norms regulating criminal liability for encroachment on the professional activities of these persons. The hermeneutic method was used to formulate terminological phrases used in the articles of Chapter XV of the Special Part of the Code of the Republic of Kazakhstan. The comparative method was used to compare the provisions on criminal legal protection of the professional activities of law enforcement officers in Kazakhstan with international experience in this area. The modelling method was also used to develop models of criminal legal protection of public relations and the scope of law enforcement activities of these persons. The use of various methods of analysis and research has made it possible to obtain a deeper and more complete understanding of the criminal legal protection of the professional activities of law enforcement officers and to create the basis for taking effective measures to ensure security and law and order in society.

In the process of scientific research aimed at achieving a complete understanding and justification of the issue, the norms of various legal sources were used, including national, foreign and international law. Legal studies, a key tool for analysis, focus on the systematic analysis of positive law, the principles, and doctrines of law, as well as the systematization of legal rules and the determination of the level of legal coherence. In the context of legal research, special attention has been paid to the various types of legal sources. Among them: primary materials, including laws, regulations and other regulations that directly govern criminal justice and have a direct impact on the legal system. Secondary materials, in turn, provide commentary, interpretation, and scholarly articles that contribute to the explanation and application of laws and regulations, providing additional legal education and interpretation. Such a wide range of sources allows for a more in-depth and comprehensive exploration of the topic and improves the quality of research work in this area. Indeed, scientific research in the field of regulatory analysis, focused on ensuring the security of the national interests of Kazakhstan, plays an important role in the development of legal science and practice, and is also of great importance for the development of effective measures to protect sovereignty and law and order in the country.

For a more detailed analysis of the research topic, information was obtained by analysing scientific papers published in the period 2020-2023. The search for the necessary literature and information was carried out, for the most part, in a range of Internet resources and virtual libraries (Google Scholar, Academia, ResearchGate), thanks to a number of typed keywords that directly related to the topic of the work. A total of 20 scientific publications were analysed for the period 2020-2023.

Results and Discussion

Criminal law protection of attacks on the lives of law enforcement officers, special government agencies and military personnel

Public officials are victims of wrongdoing when their life, health, property, and other legally protected rights are violated, as well as the authority of the agency they represent to issue orders to citizens. Such officials receive the so-called “common victim” status without any restrictions. In reality, there is little sympathy for those who use violence against police officers performing their duties properly. Men and women in uniform deserve the protection of the law as long as they lawfully perform their duties. A citizen who finds himself on the wrong side of an altercation with a police officer invariably bears the brunt of the law (Shapoval et al., 2018). Moreover, exercising the common law right to resist unlawful arrest can have fatal consequences for the suspect. Article 380-1 of the

Criminal Code of the Republic of Kazakhstan establishes criminal legal protection for the lives of state and public figures, however, this protection is not autonomous and is applied only in connection with their state or public activities (Jakulin, 2021). Such assistance implies additional responsibility for criminal acts that may be committed against such figures, since their work is important for society and the state as a whole. Thus, causing harm to the victim is aimed at ultimately harming legitimate government or social activities.

In modern specialized literature, the question of the direct object of an attack on the life of a statesman or public figure is discussed among scientists, and the prevailing opinion is that this object can be the political system of the state, as well as the life and health of the victim himself (Aidarbayev, 2018; Ünver, 2021). However, in scientific research on this topic, one can find other points of view, which, despite formal differences, significantly coincide with the above point of view and are dominant among specialists. Researchers in the field of law focus on the fact that this crime should be considered as a violation of state security in the context of the exercise of supreme state power, as well as a threat to the life and health of citizens. Legal scholars in their analyses note that the direct object of this crime is not only the security of the state, but also the safety of all citizens whose life and health may be at risk (Gnatenko et al., 2020; Moss, 2021). Indeed, this crime can have a serious impact on the security of the state, since it concerns the highest structures of government and government bodies, whose work is aimed at ensuring the stability and normal functioning of the country. Interference with the work of these bodies could lead to a breakdown in law and order, creating potential threats to national security. In addition, crimes against senior officials and government bodies also pose a threat to the life and health of ordinary citizens. Breakdowns of law and order and attacks on government structures can create an environment of instability and insecurity for citizens, which can have serious consequences for society as a whole.

Thus, the crime in question should be perceived as a multifaceted legal aspect, affecting both the security of the state and its key structures, and the safety of life and health of citizens. Legal protection and prevention of such crimes play an important role in ensuring stability, security, and lawfulness in society. It is noteworthy that an attack on the life of a statesman or public figure in the form of murder, as a rule, is committed only through active aggressive actions, and this crime falls under the category of violent attacks. At the same time, the nature of the actions is characterized by the use of physical force against government or public figures. Therefore, murder is carried out through active actions, where the person committing the crime can use both physical and mental force to take the life of a person. For example, inflicting mental trauma leading to death, inciting

suicide of a person who is not aware of the significance of his act, and other similar methods can be used to commit murder (Methven, 2019). The guilty person can use a variety of tools and implements, such as weapons, poison, objects such as knives, stones, and also activate various mechanisms and substances, such as firearms, poisons, and other dangerous substances. In addition, this crime can be committed through the use of natural phenomena, sources of increased danger, as well as in conditions of a natural disaster.

It is worth noting that many authors suggest that it is necessary to change the names of articles of the criminal law that regulate liability for encroachment on the life of certain authorized persons, and replace them with more specific terms that indicate only one option for the development of events – the murder of such persons (Kuczur & Kuczur, 2019). This change could prevent long-term discussions about the interpretation of the term “assault” and eliminate problems associated with the application of such rules, including cases where the perpetrator mistakenly believes that he is the victim, which gives rise to the non-existent concept of “attempted assault.” Considering the non-detailed term “attack on life” in Article 380-1 of the Criminal Code of the Republic of Kazakhstan, it seems reasonable to change the title of this article to a more precise and clear definition that will eliminate uncertainty. For example, it is possible to replace it with “Intentional murder or attempted murder of a law enforcement officer, special government agency or military personnel.” From the point of view of the subjective side of the act, provided for in Article 380-1 of the Criminal Code of the Republic of Kazakhstan, the crime is committed with direct intent. That is, the person is aware of the socially dangerous nature of his attack, assumes that his actions may lead to the death of a statesman or public figure, and wants such death to occur. An integral feature of the subjective side of a crime against the life of a statesman or public figure are special motives. This includes the desire to either prevent or stop the victim’s activities related to the performance of his state or public functions, or to change the nature of such activities, or retribution for the victim’s previous acts.

Taking into account the different views on the issue of encroachment on the life of a statesman or public figure, the position of O.O. Kiyashko and O.S. Sotula (2020) seems interesting, they believe that such crimes have a high social danger. However, they also indicate the peculiarities of the level of mental development of the person who committed the crime, especially if it was committed by a person of fourteen years of age. In accordance with their point of view, at this age a person may not be fully aware of the seriousness of his actions and may not be aware of their illegality, and therefore assessing the subjective side of the crime becomes a difficult task. After careful consideration of the data and research, the authors

come to the conclusion that the proposal to establish a lower age of criminal responsibility for an attack on the life of government or public figures is unreasonable. The position of researchers is based on the need to take into account individual characteristics and the level of personal development in order to apply appropriate measures of legal responsibility. This approach allows avoiding unfair application of the law and taking into account the characteristics of young people when considering criminal cases. However, it should be noted that the issue of establishing the age of criminal responsibility remains a matter of debate and requires further research and discussion among legal experts. Each state should strive to develop balanced and fair approaches to criminal liability, taking into account both the social danger of the crime and the age characteristics of adolescents and young people. This will help create a more effective justice system and ensure fairness for all participants in legal processes (Zaimova-Tsaneva, 2021; Kolotik, 2022).

If there is intent to kill, a set of circumstances arises that can serve as confirmation of guilt. These circumstances include the following: the specific location of bruises and wounds inflicted on vital organs such as the head, neck, left side of the chest, liver, odour; use of tools or means that can cause death, such as a pistol, brass knuckles, an axe, or a heavy object; the intensity of the perpetrator's actions clearly aimed at damaging the functionality or anatomical integrity of vital organs, such as severe blows or multiple wounds, resulting in a clear understanding of incompatibility with life. In addition, the presence of hostile interpersonal relationships between the victim and the perpetrator, including prior threats and fights, can play a decisive role in establishing intent to kill. It is also important to consider how the criminal activities were stopped – on their own initiative or under pressure from others who fear being exposed or detained. Particular attention should be paid to the deliberate use of an environment that prevents timely medical care, thereby creating conditions under which the victim cannot receive the necessary help. It is worth noting that all these circumstances must be considered together in order to make a reasonable conclusion about the presence of intent to kill. Establishing such intent is a complex process that requires a careful analysis of the facts and an objective approach. This helps ensure fairness and accuracy of justice in criminal cases involving serious crimes such as murder.

According to the provisions of Article 380-1 of the Criminal Code of the Republic of Kazakhstan, public officials holding leadership or membership positions in collegial supreme bodies of state power play a key role in determining the strategic directions of public policy in Kazakhstan. As a result, they are classified as statesmen. Since an attack on their life poses a serious threat to

national security, the establishment in Article 380-1 of the Criminal Code of the Republic of Kazakhstan of a criminal law provision that ensures the protection of their life and health is considered necessary. However, the list of senior government officials presented may be supplemented by other key individuals, such as the Chairman and members of the Corruption Prevention Agency and the Chairman and members of the Central Election Commission. The addition of such high-ranking officials to the list of officials protected by a special criminal law is fundamental to ensuring the stability and effectiveness of the state's political system for the following reasons:

Role of Key Institutions: The Corruption Prevention Agency and the Central Election Commission are key institutions to ensure fair and transparent elections, as well as the fight against corruption in the state. The chairmen and members of these organizations perform responsible functions that are aimed at preserving democratic principles and the principles of the rule of law. Attacking the lives of such high-ranking officials can seriously disrupt these processes, causing damage to the state system.

Ensuring the stability of the political system: the stability of the political system is one of the most important conditions for the successful development of the state and society as a whole. Key government officials, such as the Chairman and members of the Corruption Prevention Agency, and the Chairman and members of the Central Election Commission, have an important role in ensuring this stability. The protection of their life and health by a special criminal law norm helps to prevent threats to state security and preserve the institutions and norms of the rule of law.

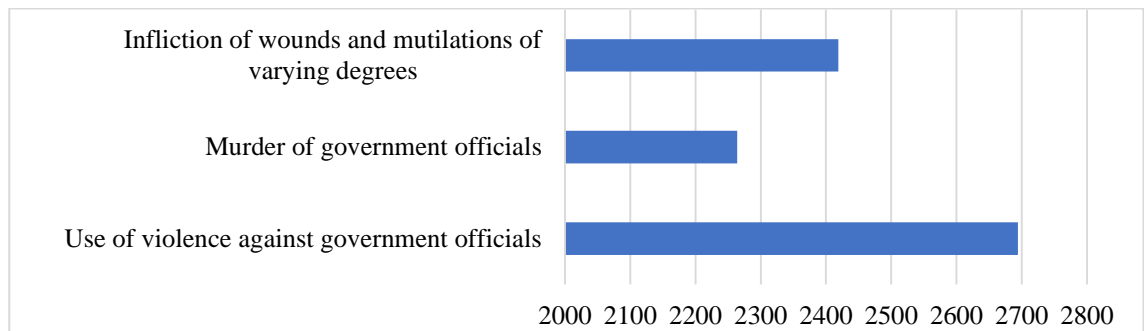
Protection from corruption and political manipulation: Corruption and political manipulation pose a serious threat to the stability and effectiveness of government institutions. The chairmen and members of the Agency for the Prevention of Corruption and the Central Election Commission play an important role in combating these phenomena. Their protection under a special criminal law strengthens their independence and security, ensuring more effective efforts to prevent and suppress corruption schemes and improper interference in political processes.

Promoting openness and trust in government bodies: Protecting the Chairman and members of said bodies also helps promote openness and trust in government bodies. Citizens see that the state is serious about ensuring the security and independence of key government officials, which confirms its commitment to democratic values and legitimate rule.

Criminological characteristics of attacks on the lives of law enforcement officers, special government agencies and military personnel

The work of police officers is characterized by high difficulty, danger, and tension. They function in an environment of constant uncertainty and danger associated with the threat of crime and terrorist attacks, lack of human and material resources, difficulties in teamwork or control, criticism from society and citizens, and misunderstanding from others, including family and friends. At the same time, a high level of unemployment, an increase in domestic crime and ineffective methods of preventing it create conditions for an increased sense of vulnerability and insecurity of the health, life, and property of government employees, both for ordinary citizens and for professionals. During the period from 2012 to 2022, 2,694 cases of violence against government officials were recorded in Kazakhstan (Figure 1). Increasingly, law enforcement officers, in particular internal affairs officers, are becoming the target of such attacks. The official data presented indicate the growing problem of countering this type of especially dangerous crime.

Figure 1: Statistics for article 380-1 of the Criminal Code of the Republic of Kazakhstan in the period from 2012-2022



Source: (18 U.S. Code § 1114 – Protection of officers and employees of the United States).

Despite the small share of this category of crimes in overall crime, their social significance, the nature, and severity of the damage they cause make the fight against them a task of paramount importance:

1. A characteristic aspect of crimes committed against government officials is their classic secrecy.

2. Violence is used against government officials, and its manifestation depends on the intentions of the offender, the specific situation and the professionalism of government officials in the performance of their duties.

3. There is a consistent increase in the number of crimes against persons occupying authoritative positions in government bodies. This is due to the increase in the aggressiveness of citizens, the spread of asocial phenomena in society and the illegal circulation of weapons.

4. Crimes against government officials are intentional and are determined by situational factors caused by the violation of the law committed by the criminal and the legal demands made by the government official to stop these actions.

The above features of criminological analysis of crimes against persons occupying authoritative positions in government bodies are of interest for subsequent research in this area of crime and can serve as one of the conditions for developing an effective system for combating such crimes. In order to eradicate established psychological and ideological attitudes that consider it acceptable and, in some cases, necessary, to use violence against employees of internal affairs bodies, it is necessary to take special measures to prevent criminal attacks, provided for in Article 380-1 of the Criminal Code of the Republic of Kazakhstan. To improve the situation, it is extremely important to ensure the effective work of the criminal prosecution authorities, which is aimed at uncovering and thoroughly investigating crimes of this category, as well as bringing to justice all those involved. This is the only way to ensure justice and prevent similar acts of violence in the future.

Effective prevention and combating crimes that affect the life and health of law enforcement officers is a priority. To do this, it is necessary to actively apply all available legal mechanisms and use modern investigative methods, such as forensic technologies and data analysis. In addition, it is also necessary to pay attention to the formation of a positive public opinion about the work of law enforcement agencies and their importance to society. Active communication with citizens and transparency of government activities will help build trust and respect for law enforcement officers. Thus, it is necessary to unite the efforts of all relevant structures and public organizations to ensure the safety and protection of the life and health of law enforcement officers. The responsibility to combat such crimes lies with all of us, and only through joint efforts is it possible to achieve success in this important area.

For effective preventive work to prevent attacks on the lives of internal affairs officers, it is necessary to apply an integrated approach that combines general social and special criminological measures, as well as victimological

methods of influence. This complex should include scientifically based and practically applicable measures, provided by the state and guaranteed in their effectiveness, aimed at preventing crimes classified as an attack on the life of employees of special state and law enforcement agencies (Tymoshenko & Makarenko, 2022).

Foreign experience in regulating attacks on the lives of law enforcement officers, special government agencies and military personnel

Since the United States is a federal state, illegal actions against public officials are recognized as crimes at both the federal and state levels. 18 U.S. Code § 112, “Protection of Foreign Officials, Official Visitors, and Internationally Protected Persons,” provides special penalties for assault against a foreign official or representative. In the event of an attack, kidnapping, injury, imprisonment, or violence against such persons, or taking other violent actions that may pose a danger to their life or freedom, as well as in the event of a violent attack on the place of residence, private residence or vehicle of such persons, the person is subject to a fine or imprisonment for a term not exceeding three years or both (Johnson, 2019).

Some argue that officers are now reluctant to use force in situations where it would be justified. Others believe that criticism and negative attention directed at law enforcement agencies makes criminals bolder, which increases the likelihood of physical resistance to officers’ orders and even violent acts in response (Shjarback & Maguire, 2021; Leštaniin, 2023). Overall, it is clear from the criminal statutes reviewed that the United States places a high priority on both the national and foreign security of its officials, as evidenced by its harsh penalties. In addition, extraterritorial jurisdiction applies for conduct prohibited by these laws. Protecting public servants in the US is considered a good practice, but it also reflects a long-standing policy of over-criminalization, where even minor offences are met with severe sanctions. This code, which is a model for emulation at the state level, also deserves study at the state level, including the California Penitentiary. Thus, it can be summarized that the United States has strict criminal statutes that provide severe penalties for both domestic and foreign public officials. Extraterritorial jurisdiction extends beyond the borders of a country and applies to conduct prohibited by U.S. law. Protecting public servants in the US is a good practice, but it also reflects a policy of over-criminalization, where even minor offences can be severely punished. Some states, such as California, serve as models for role and research at the state level. In general, the US sentencing system is focused on strict enforcement of the law and the protection of society, but raises questions about the fairness and effectiveness of this approach.

A criminal offence in Serbia is defined as an act prescribed by law that is illegal and secret. If during the trial, it is determined that there is no fault or wrongdoing in a particular case, then there is no criminal offence. The criminal policy system is quite lenient towards criminals, and, therefore, threats against police officers on the territory of Serbia have been recorded with an increase in the observed period. In the future, the government should develop special programs and projects aimed at protecting police officers while establishing positive examples of cooperation between the police and citizens. The provision of facilities and equipment to protect against hazards, especially attacks, must be available to police officers during the performance of their duties. Training and development of police officers should be aimed at developing communication skills in order to prevent conflicts and disputes with citizens (Shen, 2023).

The criminological characteristics of attacks on life indicate the complexity and seriousness of this phenomenon in ensuring law and order and national security in Serbia. Taking effective measures to prevent and investigate such crimes is an important task for the state and society, aimed at ensuring the safety and protection of law enforcement officers and government officials. Article 277 of China's Criminal Code provides for punishment of up to three years' imprisonment, arrest, control, or fine for a person who obstructs a public servant in the performance of his official duties by violence or threat. This crime has two elements: first, the employee must be a government agency; secondly, violent or threatening methods are used to interfere with the performance of his official duties in accordance with the law. The object of the encroachment is the people's militia in the performance of their official duties (Asif, 2023; Shapovalova, 2023).

The criminological characteristics of attacks on the lives of law enforcement officers, special government agencies and military personnel in China may include the following features:

1. Security Falsehoods: China is a large country with numerous regions and diverse environments, which poses challenges to the security and protection of law enforcement and military personnel in different regions.
2. Terrorist and extremist threats: Terrorist and extremist groups exist in some regions of China and may target law enforcement and military personnel in an effort to weaken government control.
3. Cultural and Social Factors: Cultural and social factors can influence public perceptions of law enforcement and military personnel, which can affect their safety and pose a risk for assault.
4. Organized Crime: Some attacks against law enforcement and military personnel may be the result of organized criminal activity, increasing the

threat and requiring more sophisticated prevention and control techniques (Vilks & Bergmanis, 2018).

5. Geopolitical factors: Attacks against law enforcement and military personnel may be related to geopolitical interests and conflicts, increasing the difficulty of ensuring their security.

Availability of numerous services and authorities: China has an extensive system of law enforcement and special government agencies, which requires coordination and cooperation between them to ensure security and prevent attacks. In general, the criminological characteristics of attacks on the lives of law enforcement officers, special government agencies and military personnel in China show the presence of various threats and difficulties in ensuring their safety. Effectively preventing and combating such crimes requires an integrated and coordinated approach on the part of the state and relevant services. The study suggests that in Pakistan, some people who are easily angered or who view the police as illegitimate express righteous anger and support brutal violence against (perceived) offenders. This finding fits into a broader debate about how vindictive violence can be seen as a way of self-defence and achieving social control in the face of weak or absent states, and the influence of emotions on such behaviour (Abdrasulov et al., 2023). Thus, this study highlights that approval of vigilante violence is not driven solely by compensation for the state's lack of monopoly on violence or its illegitimacy, but that emotions, especially anger, also play an important role in explaining public support for self-defensive violence.

No one has the right to interfere in the administration of justice, because this undermines not only its foundations, but also the foundations of any state, its integrity. A similar approach is supported by the international community (Hayes-Conroyh et al., 2020; Rhodes, 2020). Thus, it should be stated that justice is important because it protects the rights and freedoms of man and citizen, legal entities, society, and the state. An attack on justice undermines not only its foundations, but also the foundations of the state, state integrity and inviolability, and therefore the criminal legal protection of justice becomes important.

Conclusions

The crime situation in the Republic of Kazakhstan is in danger of intensifying, and there is a trend of increasing crimes against the life and health of government officials, including law enforcement officers. Such facts should be considered as a serious threat to the foundations of public administration and local executive authorities. The quality of legal protection of the foundations of public administration affects the entire legal framework for the protection and protection of the foundations of the constitutional and social system of the country. Thus, it is

necessary to continue work on the development and improvement of criminal legal mechanisms in order to effectively combat crimes against officials and ensure reliable protection of the foundations of public administration. This will help ensure the stability and security of the country's functioning and maintain legal order, which is an important element of the constitutional and social system of the state. It is important to note that criminal legal protection of attacks on the lives of law enforcement officers, special government agencies and military personnel in the Republic of Kazakhstan is a necessary measure to ensure their safety, work efficiency and the implementation of important tasks to ensure national security. Legislation providing for liability for crimes against these categories of persons plays an important role in preventing and suppressing such crimes, as well as in maintaining stability and lawfulness in the state. Foreign experience in regulating attacks on the lives of law enforcement officers, special government agencies and military personnel shows that this is an important and complex task for states around the world. Attacks on members of security forces have serious consequences for public safety, law, and order and the functioning of the state.

Foreign experience also shows that it is important to take into account public opinion and trust in law enforcement agencies. Transparency in the activities of law enforcement agencies, public awareness of the difficulties and risks faced by their representatives, as well as active cooperation between society and law enforcement agencies contribute to a more effective fight against crimes against them. It is also important to take into account the characteristics of specific regions and countries, since approaches to regulating attacks on the lives of law enforcement and special agencies may vary depending on the level of crime, political situation and cultural characteristics. In general, foreign experience shows that regulating attacks on the lives of law enforcement officers, special government agencies and military personnel is a complex and multifaceted task that requires an integrated and balanced approach on the part of the state, society, and law enforcement agencies to ensure the safety and protection of those who serve society and state.

Based on the results of the study, the focus is on the advisability of replacing the title of Article 380-1 of the Criminal Code of the Republic of Kazakhstan with a more precise and specific definition – “Intentional murder or attempted murder of a law enforcement officer, special government agency, or military personnel.” Such a step seems necessary, since the term “attack on life” does not fully reflect the essence of the crime that is regulated by this law. It is also worth noting that public officials listed in the disposition of Article 380-1 of the Criminal Code are key and strategic persons determining the state policy of

Kazakhstan, and an attack on their life poses a threat to national security. Therefore, special prevention of such criminal acts should be aimed at changing psychological attitudes and awareness of the unacceptability of violence against law enforcement officers. Effective activities of criminal prosecution bodies, detection, and investigation of crimes, as well as bringing perpetrators to criminal liability will contribute to the installation of criminals in the inevitability of punishment and the formation of a public condemning opinion regarding violence against law enforcement officers. Thus, important measures to prevent attacks on the lives of law enforcement officers are complex general social and special criminological measures, as well as victimological influence aimed at creating a condemning attitude of society towards violence against law enforcement officers.

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