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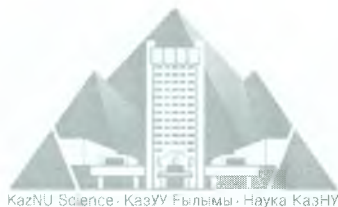
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THE HUMAN RIGHT TO A DIGNITY LIFE

The issues of defining and interpreting the right to a decent life now cause a lot of controversy and debate in the scientific environment, since there is no holistic understanding of a decent life and legal fixing in normative acts, which causes problems of application in theoretical and law enforcement activities.

The article considers political, legal, socio-economic, environmental, social factors affecting the provision of human rights for a decent life, the main problems of the current legislation of the Republic of Kazakhstan and its correlation with international legal norms are outlined.

An analysis of scientific approaches to the concept of «the right to a decent life» was conducted to achieve the goal and objectives, basic criteria for a decent life such as the quality and standard of living of a person were determined, the content of each of them was disclosed. Some recommendations are given on the transformation of the norms of international law and international practice in the field of ensuring the right to a decent life in the national legislation and policy of the Republic of Kazakhstan.

The authors conclude that the main goal in the form of ensuring a decent standard of living and improving the quality of life, especially in the conditions of the current global financial crisis, the problem of realizing the right to a decent life is a complex problem that must be solved jointly by all government bodies responsible for well-being and health person in Kazakhstan.

Key words: the right to a decent life, the state, the quality of life, the standard of living, human and citizen rights.

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Адамның лайықты өмірге құқығы

Теориялық және құқық қолданушылық қызметті қолданудың қиыншылықтарын туғызатын лайықты өмірдің біртұтас түсінігінің жоқ болуы және нормативті актілерде құқықтық түрде бекітілмеуі, қазіргі таңда лайықты өмірге құқықты анықтау мен түсіндіру мәселелерін ғылым аясында көптеген даулар мен пікірталастарды туғызуда.

Мақалада адамның лайықты өмірге құқығын қамтамасыз етуге ықпал ететін саяси-құқықтық, әлеуметтік-экономикалық, экологиялық, әлеуметтік факторлар қарастырылып, Қазақстан Республикасының әрекеттегі заңнамасы мен оның халықаралық-құқықтық нормалармен арақатынасының негізгі мәселелері көрсетілген.

Мақсат пен қойылған міндеттерге жету үшін «лайықты өмірге құқық» түсінігіне ғылыми тәсілдердің талдауы жүргізіліп, адам өмірінің сапасы пен деңгейі сияқты лайықты өмірдің негізгі белгілері анықталып, олардың әрқайсысының құрамы ашылған. Қазақстан Республикасының ұлттық заңнамасы мен саясатына, лайықты өмірге құқықты қамтамасыз ету аясында халықаралық құқық нормалары мен халықаралық тәжірибені енгізу бойынша кейбір ұсыныстар берілген.

Авторлар қазіргі әлемдік қаржылық дағдарыс жағдайларында, лайықты өмір деңгейін қамтамасыз ету мен өмір сапасын жақсарту түріндегі негізгі мақсат, лайықты өмірге құқықты

жүзеге асырудың мәселесі Қазақстандағы адам денсаулығы мен аман-саулығына жауапты, барлық басқару органдарының біріккен күшімен шешілетін кешенді мәселе деп қорытынды жасауда.

Түйін сөздер: лайықты өмірге құқық, мемлекет, өмір сапасы, өмір деңгейі, адам мен азаматтың құқығы.

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Право человека на достойную жизнь

Вопросы определения и толкования права на достойную жизнь в настоящее время вызывают много споров и дискуссий в научной среде, так как нет целостного понимания достойной жизни и правового закрепления в нормативных актах, что вызывает проблемы применения в теоретической и правоприменительной деятельности.

В статье рассмотрены политико-правовые, социально-экономические, экологические, социальные факторы, влияющие на обеспечение прав человека на достойную жизнь, обозначены основные проблемы действующего законодательства Республики Казахстан и его соотношение с международно-правовыми нормами.

Для достижения цели и поставленных задач проведен анализ научных подходов к понятию «право на достойную жизнь», определены основные критерии достойной жизни, такие, как качество и уровень жизни человека, раскрыто содержание каждого из них. Даны некоторые рекомендации по трансформации норм международного права и международной практики в области обеспечения права на достойную жизнь в национальное законодательство и политику Республики Казахстан.

Авторы делают вывод, что основная цель в виде обеспечения достойного уровня жизни и улучшения качества жизни, особенно в условиях современного мирового финансового кризиса, реализации права на достойную жизнь является комплексной проблемой, которая должна решаться совместными усилиями всех органов управления, отвечающих за благополучие и здоровье человека в Казахстане.

Ключевые слова: право на достойную жизнь, государство, качество жизни, уровень жизни, права человека и гражданина.

Introduction

Recognition of a person, his rights and freedoms is the highest value of the state, which implies the creation of appropriate social conditions that ensure the safe functioning of people, the normal functioning of public and state institutions. The social and economic rights of citizen, the level of protection of which assesses the quality of life of the population in the country are represents the particular importance. These rights are called upon to ensure a decent standard of living for the individual by meeting his vital needs.

Thus, according to the 1995 Constitution, the Republic of Kazakhstan claims itself not only a democratic, secular, legal, but also a social state. The Constitutional Council of the Republic of Kazakhstan in its Decree of 21 December 2001 explained that this wording means that our country intends to develop as a state that undertakes to alleviate social inequality by creating conditions for a decent life for its citizens and for the free development of the individual, adequate opportunities for the state. The

social state in its modern sense includes not only the consolidation of the corresponding principle in the Constitution, but also involves the development and implementation of a strong social policy aimed at creating conditions that ensure a dignified life and free development of the individual (Нурмагамбетов А.М., 2010: 1).

Despite the fact that there is a whole package of international legal documents (the Universal Declaration of Human Rights of 1948, the International Covenant on Economic, Social and Cultural Rights of 1966) that describe and normatively fix general principles and conditions for the formation, functioning and development of social state, in none of such acts there is an unambiguous interpretation of exactly how, in terms of quality and quantity, there should be social benefits provided by the state, which meet the criterion of a decent standard of living. Moreover, the concept of «decent level», which is present in virtually all international and domestic legal acts, differs significantly in its content and scope in different sources (Павлова., 2015: 194–203).

At the present time, the issue of ensuring and granting human rights to a decent life is increasingly raised. However, there is still no comprehensive understanding and interpretation of the concept of «the right to a dignified life,» «a decent life,» which leads to problems and contradictions in both theory and law enforcement.

Methods

Solving the tasks in the process of writing this research authors rely on the formal legal method, the method of comparative legal analysis, statistical and system methods. The study of the theoretical positions of the essence and concept of the right to a decent life is carried out with the help of a comparative analysis and a comprehensive approach to the synthesis of scientific works of domestic and foreign scientists in the field of jurisprudence, economics, sociology. When applying system and statistical methods, the criteria of quality and standard of living set by the world community as a reference point for all countries of the world are considered. The statistical method includes a brief overview and the basis for ensuring longevity by ensuring the human right to a decent life. This analytical review presents the main demonstrative examples of ensuring in full the right of every individual to a decent life from the practice of foreign countries.

The comparative method, based on the available database of statistical observation, compares the current practice of the Republic of Kazakhstan and developed countries to ensure a decent life for the population, based on generally accepted minimum standards. Based on these methods, the strengths and weaknesses of domestic policy have been identified, possible ways of solving problems in the functioning of the bodies involved in ensuring full implementation of the adopted policy, as well as possible changes and additions to the relevant regulatory acts of the Republic of Kazakhstan.

Discussion

The human right to a decent life: the concept and its components

The highest value in any civilized society is human life. One of the main indicators of the level of democratization of the state is the reality of ensuring the right to life. However, the problem of the human right to life has a special meaning. Many authors note that it is necessary to distinguish between the concept of «the right to life» and «the right to a decent life». «The human right to a decent life»

is one of the facets of the idea of a social state. In the opinion of A.K. Abdrakhmanova «the most practical way to study a social state is to consider it through the human right to a decent life.» At the same time, the concept of «the right to life» does not have a direct link with the social state (Удербаетова., 2010: 32).

The concept of the right to a decent life can not be designated as a short definition, since such human rights consist of a set of legal requirements that are subject to satisfaction by society and the state. The first integral part of the legal content of the human right to a decent life is the right to claim material security, security, health, etc. The second part of the right-claim in the world of work, and the third, the rights-claims of mastery of spiritual well-being, the use of cultural, scientific, educational achievements (Удербаетова., 2010: 32).

So, despite the fact that «the human right to a decent life» is one of the sides of the idea of the state, it is among the social and economic rights of a citizen, and «the right to life», firstly, refers to human rights, and not a citizen, secondly, it refers to personal (civil) human rights and, thirdly, the good underlying the «right to a decent life» is «dignity», and the benefit protected by the «right to life» is human life (Удербаетова., 2010: 33).

Based on these statements, we can conclude:

1. «The human right to life» refers to a person's biological life;
2. The social life of a person refers to «the right to a decent life.»

From the point of view of V.V. Chepurin the human right to a decent life is a natural, inseparable from the person and guaranteed by the norms of domestic legislation and international legal acts, the possibility of protecting the inviolability of life and the freedom to dispose of it. Its legal consolidation and actual implementation is one of the essential indicators of the degree of democracy of the state (Чепурин., 2005:148).

Decent life of a person is mainly associated with a high level and quality of life. For example, S. Lipatova believes that «with a decent life they understand, first of all, material security at the level of the standards of a modern developed society». Worthy life, according to the scientist, «is the opportunity to enjoy and enjoy the benefits of modern civilization, that is, have adequate housing conditions and medical care, modern household appliances, vehicles, rational and high-calorie food, the opportunity to use the services of service companies, use cultural values, etc.» (Липатова., 2006:70).

Liao Matthew, director of the Center for Bioethics and Associate Professor of the Department of Philosophy of New York University, considering his opinion on the fundamental conditions of a good life, reveals some similarity to the concept of the primary needs of the American political philosopher John Rawls that a person as an individual should receive those needs in which he needs first. In order to distinguish the thoughts of the two philosophers, Matthew draws the following conclusions: John Rawls singles out social rather than primary rights, social rights include rights such as freedom, power and opportunity, income and wealth, a sense of self-worth (Rawls., 1999: 71), while natural primary rights include such things as health, energy, intellect and imagination. According to L. Matthew, the basic conditions for the implementation of a good life will include some natural primary needs, such as health. Also, based on the foregoing, the difference between the two opinions is that a person with severe disabilities can have all the primary needs (income, wealth, freedom, etc.), however, as a person he still does not have all the basic conditions for achieving a good life, because he will still have limited opportunities to carry out certain types of active activities. In his opinion, these fundamental conditions for the realization of human rights for the benefit of life are based on the fact that these conditions are of fundamental importance to people, and human rights can provide powerful protection to those who have them. By their very nature, rights protect the interests of rightholders by requiring other officials to perform certain services for rightholders or not to interfere in the desire of rightholders to their essential interests (Liao., 2014: 9-10).

An analysis of scientific views of the criteria of a decent life, as well as the most common ratings and indices of quality and living standards of the population, suggests that the system of criteria for a decent life should include two groups: 1) criteria for the level of the state's fulfillment of the obligation to ensure a decent life their citizens; 2) criteria that characterize the level of fulfillment by a person of the duty to live with dignity (to lead a decent lifestyle). Since the first group of criteria for a decent life is determined by the state's obligations to a person, its indispensable attributes are such categories as a decent or sufficient standard of living and quality of life. Accordingly, this group of criteria, in turn, is divided into two subgroups. The first subgroup includes criteria for a decent (sufficient) standard of living, which refers to an indicator that characterizes the quantity and quality of goods and services consumed by a person, a measure of satisfaction of ba-

sic life needs. The second subgroup includes criteria that characterize the quality of life, which refers to the integral indicator, designed to characterize the social well-being of a person, satisfaction with civil liberties, human rights, safety of existence, the level of its protection, the realization of a person's inner potential, his intellect, the creative meaning of life, etc. (Барсукова., 2016: 5-10).

Quality of life as the main indicator of a decent life for a person: the concept and key indicators

Assessment of the quality of life is a procedure to identify the degree of compliance of the basic parameters and living conditions of a person with his life needs, as well as personal perceptions of a decent, full and satisfying standard of living. It is carried out on the basis of a comparison of the parameters and characteristics of the life of a given individual or society with the relevant criteria accepted for the standard, and a value interpretation of the results of this comparison. The category «quality of life» is defined in a narrow and broad sense: in a narrow sense – through a characteristic of the level of consumption of the population and the degree of satisfaction of needs (measurement of income, expenditure and consumption of goods and services by the population); in a broad sense – through the characterization of the level of human development (health status, life expectancy, the capacity of the population to meet the needs) and the living conditions of the population (the state of the habitat and the safety of the population) (Исаева., 2011: 186).

The international experience speaks about examples of effective application of various kinds of national projects. For example, Kazakhstan is implementing such national projects as the State Program for Health Development of the Republic of Kazakhstan «Salamatty Kazakhstan» for 2011-2015 and the State Health Development Program of the Republic of Kazakhstan «Densaulyk» for 2016-2019. The objectives of these national projects are: development of the public health system; improvement of prevention and management of diseases; improving the management and financing of the health system; ensuring the rational use of resources and optimizing the infrastructure; an increase in the life expectancy of the population of the Republic of Kazakhstan.

For the period of the implementation of the State Program for Health Development of the Republic of Kazakhstan «Salamatty Kazakhstan» for 2011-2015, the following were noted:

- increase in population in the republic;
- growth of life expectancy;
- reduction in the overall mortality of the population;

- an increase in the birth rate;
- reduction of maternal mortality;
- reduction of infant mortality;
- reducing the incidence of tuberculosis;
- retention of the prevalence of the human immunodeficiency virus / acquired immunodeficiency syndrome (Государственная программа развития здравоохранения Республики Казахстан «Саламатты Қазақстан» на 2011 – 2015 гг.).

Despite the positive dynamics of health indicators, the life expectancy of Kazakhstanis is almost 10 years less than in the OECD countries. There is a significant difference between the expected life expectancy of men and women, the mortality rate among men of working age is 24% higher than that of women.

In the structure of overall mortality, the leading cause is circulatory system diseases. The second cause is mortality from malignant neoplasms. In third place – the death rate from accidents, injuries and poisoning. Every year, more than 3,000 people die from intentional self-harm, which outruns deaths from road accidents.

At the same time, the analysis of macroeconomic indicators revealed a significant lag in the size of budget investments in health care in Kazakhstan from the level of developed countries. The share of total expenditure on health in the Gross Domestic Product in Kazakhstan is 3.6%, OECD – 9.4%. In general, public health expenditure per capita in Kazakhstan is 9 times lower than in OECD countries (Kazakhstan – \$ 268, OECD – 2414). Due to inadequate financing of health care, Kazakhstan maintains a high level of private spending on receiving medical care (RK – 35.4%, OECD – 19.6%, EU – 16.3%). According to WHO, the population's spending rate of more than 20% is a sign of low financial sustainability of the health system and characterizes the increased risk for the population associated with their approach to the poverty line due to diseases that in turn can affect all areas such as the ability to receive education, economic productivity, a decrease in the demand for medical services, as well as lead to deterioration in health, quality and life expectancy and demographic indicators (Государственная программа развития здравоохранения Республики Казахстан «Денсаулық» на 2016-2020 гг.).

According to Table 1, Norway, Australia and New Zealand are the top three in terms of average wages per month, if we compare this indicator with our country, then we can state that in our country the problem of decent wages is very acute.

A decent standard of living should mean good nutrition, quality medical care, adequate rest and

other benefits for the material and spiritual provision of each person.

Table 1 – Rating of countries according to the size of the average salary (Official web-site of the World Health Organization: World Health Organization Assesses the World's Health Systems)

Countries	Average monthly salary in US \$
Norway	7049
Australia	5209
New Zealand	4763
USA	4580
Germany	4576
Canada	3676
Japan	3418
France	3397
Italy	3270
South Korea	2785
Spain	2776
Slovakia	1382
Estonia	1259
Greece	1121
Turkey	907
Russia	829
China	450
Kazakhstan	449

In the Republic of Kazakhstan, the population is now provided with housing at an extremely low level and the further aggravation of the situation with housing is clearly visible. Despite the measures taken by the state, namely: the state provides rental housing with a subsequent right to purchase, as well as the program «Affordable Housing – 2020», the desired result is not achieved. According to Article 75 of the Law of the Republic of Kazakhstan on 16th April in 1997, No. 94-I «On Housing Relationships,» «a dwelling from a public housing fund or a home leased by a local executive body in a private housing stock shall be granted not less than fifteen square meters and not more than eighteen square meters of useful space per person, but not less than one-room apartment or room in the hostel».

If these data are compared with Europe, then there is one citizen occupying 40-45 square meters of housing. In Western Europe, for example, the approach to rationing living quarters depends on their purpose. For example, the living area for 2-3

people should be at least 20 sq. M in Germany and Sweden, and in Denmark and Holland – not less than 18 sq m, without taking into account the area necessary for a stationary place for sleeping and taking into account the area necessary for the place of food intake. The bedroom must be at least 13 sq.m in Germany, 11 sq.m in Holland and 12 sq.m in Sweden (Official statistics from web-site of the Organization for economic co-operation and development: Average annual wages).

According to the international statistics, the provision of housing for the population is much less often characterized by the number of square meters per person. The number of people per room is often used. Thus, one of the criteria for living in slums, adopted by the United Nations Human Settlements Program (UN-HABITAT), is an inadequate area of housing – more than three people per living room. And according to the criteria of the Statistical Committee of the European Union, overcrowded housing is considered when there are more than one person per room (International Human Development Indicators – UNDP).

The standard of living of the population and its main indicators.

The standard of living of the population is an economic category. This is the level of provision of the population with necessary material goods and services. The standard of living is the level of the well-being of the population, the consumption of goods and services, the totality of conditions and indicators that characterize the measure of satisfaction of the basic vital needs of people. The standard of living is determined by a system of indicators, each of which gives an idea of any one side of human life. These indicators include: income poverty, consumer basket, life expectancy of the population, the state of the environment, and the level of education.

Poverty is one of the main problems of the world community, therefore poverty reduction is defined as the first among the goals in the field of human development formulated in the Millennium Development Goals adopted by the United Nations Organization «Millennium Development Goals». The uneven distribution of material goods and services leads to inequality of economic well-being, which, in addition to the positively stimulating party, also has negative manifestations. The negative consequences of inequality include the formation of a standard of living for a part of the population, which does not allow even basic economic needs to satisfy even the most basic needs, especially in food, clothing, housing, etc. Reflecting the objective

inequality of well-being, poverty indicates its qualitatively low level. By the Decision of the UN Economic and Social Council on 19th of December, 1984: «The poor are people, families, groups of persons whose resources (material, cultural and social) are so limited that they do not allow them to lead a minimally acceptable way of life in states, in which they live» (Eurostat yearbook 2006-2007, Europe in figures).

The national poverty line is relative, not absolute in developed countries. According to the concept of relative poverty, a person is considered poor if the means at his disposal do not allow him to lead the way of life adopted in the society in which he lives. The boundary of relative poverty is defined at 40% of the average income in the USA; within the framework of the Luxembourg International Income Research – 50% in Europe; in the Scandinavian countries – 60% (Голубенко., 2007: 146).

According to the official data of the Committee on Statistics of the Ministry of National Economy of the Republic of Kazakhstan, 4% of the population has incomes below the subsistence level, which, as of January 1, 2018, was 24,228 tenge (Minimum wage, Monthly calculation index and cost of living (for 1995 – 2018).

1. The consumer basket is one of the indicators of the standard of living in each country. The consumer basket is «a minimum set of food products, as well as non-food items and services, which are necessary to preserve human health and ensure its vital activity, the cost of which is determined in relation to the cost of a minimum set of food products.» The consumer basket for calculating the consumer price index in the US consists of 300 products and services-representatives (The official statistics portal: U.S. Consumer Price Index excluding food and energy 1990-2016), in France – 250 (The trading economics portal: France Consumer Price Index (CPI) in 1990-2018), Germany – 475 (Statistisches Bundesamt portal: Personal inflation calculator), England – 350 (Office for National statistics of the UK: Consumer price inflation basket of goods and services: 2015), Russia – 156 (Кураков., 2004:785).

2. The minimum consumer basket last approved in Kazakhstan in 2005 and now contains 46 product names, where 60% of costs are for food products and 40% for non-food products and services (Совместный приказ и.о. Министра здравоохранения и социального развития Республики Казахстан от 27 июля 2015 года № 623 и и.о. Министра национальной экономики Республики Казахстан от 31 июля 2015 года № 585 об утверждении Правил расчета величины прожиточного минимума и

установлении фиксированной доли расходов на непродовольственные товары и услуги).

While, food costs do not exceed 20% in Western Europe. The consumer basket of Europe contributes not only to the functioning of man as a biological being, but also gives the opportunity to develop spiritually, to join culture and fully maintain his physical health. For example, in the French consumer basket there were considerable expenses for visiting a hairdresser, buying varnishes, hair shampoos, shower gels and numerous cosmetics, as well as many as fourteen colors, without which it turns out that the normal life of even a low-income person is not possible (Кыраков., 2004:786).

Situation in Kazakhstan, on the contrary, the consumer basket is the minimum that is necessary for a person simply to live, or rather to survive, providing himself with a minimum of food.

The standard of living of the population is one of the most complex categories, which implies many aspects. Not only the economic but also the ecological aspect of the problem of the standard of living of the population is becoming very relevant.

As noted in the Concept of the transition of the Republic of Kazakhstan to sustainable development for 2007-2024, approved by the Presidential Decree on 14th of November, 2006, it is necessary that economic, environmental, social and political development factors be integrated and viewed as a single process aimed at improving the standard of living of Kazakhstan's population (Проненко., 2015: 2581-2585).

The problem of the standard of living cannot be considered in isolation from the general environmental problems of the world and Kazakhstan, since they are closely linked not only with economic, but also socio-political solutions. The overall social and environmental situation in the world is extreme. Now 750 million people are starving in the world, 1,225 million are in poverty. In developing countries 95% of the population is born, lives and dies in poverty, staying away from the «fruits» of scientific and technological progress (Концепция перехода Республики Казахстан к устойчивому развитию на 2007-2024 гг.).

Education has a leading role as an indicator of a high standard of living, which is due to the key importance of intellectual or intellectual capital, which includes discoveries, inventions, and improvements accumulated by previous generations. It is true that in modern conditions a high level of education and qualification is needed to improve the standard of living of every person. In connection with this, the use of a number of practical pro-

posals based on the application of foreign experience is proposed.

Thus, in the field of higher education, close attention is paid to the analysis of the functioning of its systems in the United Kingdom, the United States and Japan. Based on the study, the conclusion was made about the expediency of expanding the commercial scientific activity of the country's universities. Scientific research can be conducted for various organizations, including public ones. At the same time, the system of grants should be used much more widely, as to what should be taken into account the results of the evaluation of the productivity of research: the higher the score, the greater the amount of grants.

Effective is the development and implementation of effective mechanisms to stimulate teaching activities by reforming the pay system of teachers, as well as the introduction of new information technologies and innovative teaching methods into the educational process.

An increase in the professional and qualification level of the main part of specialists, especially highly skilled workers in all branches of the national economy, seems to be effective. Realistically, the creation and use of various kinds of training programs, where specialists with the financial support of their firms can carry out their own research. It is useful to conduct specialized scientific and practical seminars to get acquainted with specific scientific achievements and technical innovations. At the enterprise level, effective use of the practice of creating groups of interesting ideas, a system for taking into account proposals (Клюева., 2008:180).

Of course, for a full-fledged life a person needs material prosperity, without which he simply can not exist. However, one should not substitute a decent life for a person with a high standard of living. This conclusion can be reached by analyzing the Universal Declaration of Human Rights, namely, Article 25, which proclaims the right to a decent standard of living. A person has the right to a standard of living that is necessary to maintain the health and well-being of himself and his family, as well as the right to security in connection with unemployment, disability, old age or other loss of livelihood due to circumstances beyond his control. Motherhood and infancy give the right to social care and support. All children born in or out of wedlock should feel social protection (Universal Declaration of Human Rights, 1948).

The UN Declaration does not use the concept of «subsistence minimum», but it clearly states that

decent living conditions will be guaranteed only when a person can meet his own needs for clothing, food, housing and services. Consequently, the content of the term «decent living conditions» is revealed through the right of any family to satisfy the most important needs. The human right to a decent standard of living is necessary to maintain the well-being of the person, his family. Legal support of the human right to a decent standard of living is the realization of the obligations of the state, enshrined in the legislation, to its citizens. Possession and use of material and public goods of the modern world contribute to the free formation of the subject, raising the level and quality of life of citizens (Amy Fontinelle, 2017.).

Article 26 of the American Convention on Human Rights (adopted on 22nd of November in 1969) imposes an obligation to constantly improve conditions and prohibit the adoption of deliberately regressive measures. This interpretation finds support in the recent jurisprudence of the Inter-American Commission on Human Rights. In addition, the San Salvador Protocol adopted on 17th of November in 1988 examines the right to an adequate standard of living in Article 12 (1). This article provides that «everyone has the right to adequate food, which guarantees the possibility of achieving the highest level of physical, emotional and intellectual development».

At the European level, in Article 4 (1) of the European Social Charter of 1961, the contracting parties undertake to «recognize the workers' right to remuneration, such as providing them and their families with a decent standard of living». In addition, the European Social Charter (revised) includes article 31 on the right to housing.

States have also committed to the realisation of the right to an adequate standard of living in several international instruments, such as the Declaration on the Right to Development (Article 8); the Universal Declaration on the Eradication of Hunger and Malnutrition (Article 1); the Rome Declaration of the World Food Summit; Agenda 21 (e.g., Chapters 3 and 7); the Habitat Agenda (e.g., paragraphs 36 and 116); the Declaration of Alma-Ata on Primary Health Care; the Platform of Action of the Fourth World Conference on Women; the Declaration on the Protection of Women and Children in Emergency and Armed Conflict; the Standard Minimum Rules for the Treatment of Prisoners; the Declaration on the Rights of Mentally Retarded Persons; the Declaration on the Rights of Disabled Persons; and the UN Declaration on the Rights of Indigenous

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As already noted, a decent life of a person is mainly associated with a high level and quality of life. So, the above statement of S. Lipatova that «first of all under a dignified life they understand material security at the level of the standards of a modern developed society. Worthy life is an opportunity to enjoy and enjoy the benefits of modern civilization, i.e. have adequate housing conditions and medical care, modern household appliances, vehicles, rational and high-calorie food, the opportunity to use the services of service companies, use cultural values, etc. «.

The humanistic essence of social rights is manifested in their striving for a constant increase in the number of social rights and increasing the level of their provision. But on the way to achieve this goal there are two obstacles. First, this is the limitation of the real material, technical and financial resources of this social community. The second obstacle is that there is not, and in principle cannot be, a single international standard for the material, technical and financial provision of basic social human rights. These standards will always be national in nature and depend on the material and financial capabilities of each country. However, despite such a result of the research, each country should strive for a better future that will ensure a decent life for its citizens.

Thus, the results show that the established goal in the form of increasing the life expectancy of citizens, ensuring a decent standard of living and improving the quality of life, especially in the conditions of the current global financial crisis, is a complex problem that must be solved jointly by all government bodies responsible for human well-being in Kazakhstan.

Conclusion

Thus, the human right to a decent life occupies a special place in the human rights system. It is among the social and economic rights of a citizen, and the «right to life», firstly, refers to human rights, not citizens, and secondly refers to personal (civil) human rights and, thirdly, the good, the underlying principle of the «right to a decent life» is «dignity», and the benefit protected by the «right to life» is human life. The human right to a decent life is a natural, inseparable from the person and guaranteed by the norms of domestic legislation and international legal acts, the possibility of protecting

the inviolability of life and the freedom to dispose of it. Its legal consolidation and actual implementation is one of the significant indicators of the degree of democracy of the state. Also, the human right to a decent life consists of two criteria: the quality of life and the standard of living.

In order to improve the current policy on life expectancy and ensure the right to a decent life, based on successful foreign practice, it is necessary to develop an effective policy aimed at ensuring the quality of life and the standard of living of the whole society and the life expectancy of each person.

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