

Abstract of the thesis of doctoral student Zhangga on the speciality "8D03205-Archival Studies, Documentation and Documentation Provision" on the theme "Legal regulation of electronic document management in China and Kazakhstan: a comparative analysis ", chair of world history, historiography and source studies of Al-Farabi Kazakh National University

Annotation. This dissertation is devoted to the study of modern research in Kazakhstan and China in the field of legislation on electronic document management. The thesis compares the content of legal acts regulating electronic document management in Kazakhstan and China on the basis of explanations of concepts in the field of electronic document management in both countries, and considers the way of development of the two countries in this sphere. The paper also analyses the laws and regulations on electronic document management in other countries of the world in order to provide practical suggestions for improving the regulatory legal acts on electronic document management in Kazakhstan and China using the best practices of other developed countries.

The relevance of the topic is due to several factors. Firstly, there is a lack of attention to the adaptation of legislative and regulatory frameworks to the rapidly changing conditions of the digital economy and technological progress. Secondly, there is a clear need for in-depth comparative analysis of international practices and standards, which contributes to the formation of more efficient and harmonised approaches to the management of electronic documents. Third, current research is often limited to general descriptions of legislation without delving into the subtleties and practical aspects of regulation, leaving important issues unaddressed and unanalysed.

Legal regulation of electronic document management is crucial for the country, as it ensures the integrity, security and accessibility of key information resources that are an integral part of public administration, economic activities and social interactions. The legal framework promotes the creation of a standardised system that guarantees the correctness and transparency of processing, storage and transmission of electronic documents, thereby strengthening the trust of citizens and businesses in electronic means of communication.

In addition, adequate legal regulation helps to prevent fraud, data leakage and other types of abuse that may arise in the electronic document management process. This provides a sound basis for fighting corruption and improving the efficiency of public administration. Thus, the establishment of clear legislative mechanisms contributes not only to the protection of information, but also supports the stability and sustainability of the national economy and public order, which in turn opens the door to further technological and social progress of the country.

The "2023 Archival Data Convergence and Education Conference" and the 13th China Electronic Document Management Forum published the "White Paper on Archival and Content Management in Data Management" (hereinafter referred to as the book), jointly released by the Electronic Document Management Research Centre of the People's University of China and Shanghai Hongyi Software Technology Company, which reviews the current development of document management and the prospects of the new development trend in the field of document storage in the context of digits According to the authors of this book, Liu Yue-Nan, Lun Lin-Yun and others, unstructured data (such as text, images, audio and video) account for more than 80% of enterprise data and require professional methods and technologies for management.

The development of electronic document flow in Kazakhstan is particularly relevant in the context of the national digitalisation strategy, which includes improving conditions for the application of information technologies in public administration and the daily lives of citizens. According to the Digital Transformation Concept for 2023 - 2029, Kazakhstan is making good progress in the rankings for e-government development and online service provision, ranking 28th in the first index and 8th in the second. These positions reflect the

country's significant achievements: 92 per cent of government services are provided electronically, of which 484 services are available exclusively online.

Continued development and optimisation of electronic document management is critical to further strengthening these positions. This not only improves the efficiency of management processes and speeds up information exchange, but also contributes to the creation of a transparent, open and accessible administrative environment for citizens and businesses. In-depth integration of electronic documents into government structures helps to reduce bureaucracy, fight corruption and improve the overall investment attractiveness of the country.

The theoretical basis of the thesis is the scientific works of Chinese and Kazakhstani scientists in the field of archives, document science, information support, law and other areas. The thesis is also based on the works of European and American specialists in the field of electronic document management and related areas. The theoretical framework includes the following components:

Regulatory Theory: Building on the work of Kukeyev (2021) and Kairalapova (2020), it is possible to explore how traditional theories relate and adapt to the digital environment and electronic document management. Liu Yuenan in his article explores that, compared to the process of paper document management, electronic document management processes change in terms of timing, content and consistency.

The concept of electronic document management: Studies by Prikhodko and Dolgova (2011) will develop an understanding of various aspects of electronic document management, from technological to legal. Chinese scholars like Liu Jiazhen, Ding Haibin, Yang Anlian, Feng Huilin, Wang Ning also in their time in their research papers gave insights to define the concept of EDI in China.

International Standards and Practices: UNCITRAL (United Nations Commission on International Trade Law) Model Law and EU Directives that influence the shaping of legal regulation in Kazakhstan and China. Kalimullina and Matrosova (2018) provide comparative characteristics that are used to understand the international context and its impact on national legislation.

The author also used the works of foreign scientists such as David Bearman "Modern strategy of institutional document management using electronic evidence", Sprague Jr., Ralph H. "Electronic document management: Challenges and opportunities for information systems managers", Michael K. "What is a 'document'?", Banerjee K. "Challenges of using metadata in a library setting: The Collection And Management of Electronic Links (CAMEL) project at Oregon State University", Raynes Michael. "Document management: is the time now right? ", Larin, M. V. "Documentation in the information society: normative and methodological support of document management", Maseh, E. "E-government implications for records management in Africa-a review of literature", Külçü Ö., Dişli M. "The Evaluation of Electronic Records Management Systems at Universities in Terms of Interoperability". These papers represent a wide range of studies related to various aspects of electronic records management, from technical and managerial issues to philosophical and methodological approaches to the definition and use of records in the digital age.

The purpose of this study is to comprehensively analyse and compare the legal regulation of electronic document management in China and Kazakhstan. This will make it possible to identify common trends and unique features of legal mechanisms, as well as to develop recommendations for improving the legislative and regulatory framework in both countries.

To achieve the objective, the study focuses on the following objectives:

- Review of the history of development and current state of legal regulation of EDI in Kazakhstan and China. Historical analysis allows to understand the evolution of legal norms and current challenges faced by both countries.

- Study of similarities and differences in legislation on electronic document management. Comparative analysis of regulatory acts of China and Kazakhstan helps to identify common features and unique

characteristics of approaches to EDI regulation.

- Analysis of different approaches to law drafting and implementation strategies. A study of the processes of drafting, adopting and implementing legislation identifies the key tasks and challenges facing both countries.

- Disclosure of basic principles and approaches to electronic document management. Attention is paid to analysing the principles on which the management of electronic documents is based in China and Kazakhstan.

- Research of laws, standards and regulations governing EDI. Analysis of legislative acts includes the study of the rules of creation, storage, processing and transmission of electronic documents, as well as data protection and privacy mechanisms.

- Development of recommendations to improve the legal regulation of EDI. The results of the study make it possible to propose measures to adapt international standards to national conditions, which contributes to the improvement of electronic document management and legal protection of data.

The main objective of this thesis is to study and compare the legislation and standards of electronic archives (records) management in China and Kazakhstan. The study compares the legal norms governing electronic documents and archives, identifies aspects of legislation that do not meet international standards, which emphasises the need for improvement. The existing problems of EDI legislation are also analysed, which facilitates mutual exchange of experience and achievement of common goals in the field of electronic records management.

In writing the thesis, various research methods were used to ensure a comprehensive and integrated study. These include historical method, document analysis method, quantitative analysis method, interdisciplinary research method, case study method, comparative analysis method, interview method, quantitative research method, information research method and empirical method. Each of these methods was designed to study the construction of electronic document management rules in China and Kazakhstan from different perspectives, in order to obtain a more complete and in-depth understanding of the problem at hand.

The scientific novelty of this study lies in the comprehensive approach to analysing and comparing the legislation and regulations of China and Kazakhstan. For the first time, the legal documents of the two countries are jointly reviewed in the context of electronic document management, which opens new horizons for understanding and adapting best practices. This unique comparative analysis allows not only to identify common trends in the legal regulation of EDI, but also to identify specific features due to historical, cultural and economic factors.

The study pays special attention to the current challenges associated with the rapid development of technologies and their impact on the legal regulation of EDI. It considers innovative technologies such as blockchain and artificial intelligence and their role in improving the security and efficiency of data exchange. Key challenges and risks associated with the introduction of new technologies are highlighted, and ways to overcome them through legislative and regulatory changes are suggested.

The practical significance of the research lies in the development of specific recommendations to improve the legislative and regulatory framework in the field of EDI. The proposed measures are aimed at adapting international standards to national conditions, which may contribute to the improvement of electronic document management at the international level. The recommendations focus on strengthening legal protection of data, increasing trust in electronic systems and improving interstate co-operation in the field of EDI.

The main points put forward for defence are as follows;

1. Judging by the number and content of existing laws and regulations concerning electronic document management in China and Kazakhstan, the regulatory system in this area has already taken shape. However, their way of thinking in the field of electronic document management still remains at the level of traditional

paper-based document management. Modern electronic document management is not a paper document scanned into pdf format to preserve the image format, but based on a set of rules and order, corresponding to the characteristics of electronic documents, the need for relatively independent legal rules, systems and standards of integrated management tools. Therefore, first of all, it is necessary to change the way of thinking, to realise the fundamental elements of electronic document management, to understand even more deeply the difference between electronic document management and traditional paper workflow.

2. Develop a separate "Law on Evidence" to supplement the existing legislation on evidence, as it contains over-simplified and sketchy rules of evidence. The existing provisions on the equal legal effect of electronic and paper documents in the two countries are also only regulations and guidelines of government departments and are not mandatory requirements at the legislative level. The following elements should be covered in its drafting process;

1. It is clearly defined that electronic documents are categorised as documents and that electronic documents have the same legal evidentiary value as paper documents under certain conditions.

2. Ensuring originality, authenticity and integrity of archived electronic documents.

3. Clearly define the procedure for the establishment, rights and obligations of the providers of electronic document authentication services.

4. Define the responsibilities and authorities of archives, structural units, information units and relevant governing bodies for records management.

5. Provide basic objectives and principles for the creation, transfer, archiving, transfer, authentication, long-term preservation, exploitation and management of electronic documents.

6. Determine a deadline for opening electronic archives.

7. Expand the powers of state archival management bodies and strengthen the functions of archives in electronic records management to guarantee the convergence and compatibility of various regulations and standards

8. Scientific and governmental institutions should invest more and increase research funding in the field of electronic document management rules.

It is important to take into account and popularise the laws and regulations of electronic document management to emphasise their significance and importance in society, and to stimulate the enthusiasm and initiative of citizens to consciously observe and implement the laws and regulations. Especially after the introduction of the new EDI rules, it is important to make full use of various media such as television, radio, newspapers and the Internet to systematically explain the importance of the rules to the public, so that relevant organisations and individuals can clearly and accurately understand the main purpose and specific contents of the rules.

The results of the dissertation research can be applied in the educational process of higher educational institutions. They are especially relevant for lecture and practical classes in the specialities "Archival Studies, Documentation and Documentation Provision" and "Digital Archivology and Document Science". The study will help in the study of regulatory legal acts of electronic document management of foreign countries and Central Asia, as well as business and information law, including other interdisciplinary courses.

The approbation of the research results was carried out at each stage of the dissertation work as the research results were obtained. The dissertation was completed under the supervision of Doctor of Historical Sciences, Professor of Al-Farabi Kazakh National University, Gulzira Ashimkhanovna Sexenbayeva, and was discussed at the Department of World History, Historiography, and Source Studies of the Faculty of History of Al-Farabi Kazakh National University. The research results were also presented and discussed at the scientific seminar of the Department of World History, Historiography, and Source Studies.

In addition to the dissertation work, seven scientific articles on the topic of the dissertation were published, including in one international peer-reviewed scientific journal indexed in the Scopus database, in three scientific publications recommended by the Committee for Control in Education and Science of the Ministry of Education and Science of the Republic of Kazakhstan (MES RK), and in the collections of materials from international conferences: 1. Legislative Acts on Electronic Document Management in China // Preservation, Digital Technology and Culture. – 2023. – Vol. 52, №4. – P. 115-127. 2. The history of the formation of the concept of electronic document management in China // Journal of history. – 2023. – Vol. 110, №3. – P. 130-142. 3. Electronic document management in China at the present stage // New Archive. – 2023. – Vol. 2, №2. – P. 45-55. 4. Trends in the development of archival legislation in China // Bulletin of KazNU. Historical series. – 2023. – Vol. 108, №1. – P. 124-134. 5. Implementation of state programs on electronic document management in China: a historical aspect // Bulletin of KazNU. Historical series. – 2024. – Vol. 112, №1. 6. Archival education in the universities of the People's Republic of China // Modern Archival Studies: Issues, Practices, Innovations: 3rd International Scientific and Practical Conference (2021). 7. Regulatory documents on archival work in China // Issues of Document Management. – 2022. – Vol. 156, №12. – P. 66-68.