

**АННОТАЦИИ И КЛЮЧЕВЫЕ СЛОВА**  
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ABSTRACT AND KEYWORDS  
**VESTNIK MOSKOVSKOGO UNIVERSITETA MVD ROSSII №3, 2020**

**ABOUT PRIORITY DIRECTIONS OF TRAINING OF PERSONNEL FOR  
LAW-ENFORCEMENT BODIES OF THE RUSSIAN FEDERATION IN  
THE CONDITIONS OF INFORMATIZATION OF SOCIETY**

**Igor A. Kalinichenko,**

**Abstract.** The state of crime related to the use of information technologies in modern Russia has been analyzed. International re-search in the field of combating crimes in the field of information technologies was considered. The task of priority training and re-training of specialists able to counter crimes in the field of information technologies has been formulated.

**Keywords:** cybercrime, cybersecurity, cyber threats, crimes in the field of information technology, training, retraining.

**WHAT IS «CYBERCRIME»?**

**Vasily Yu. Fedorovich,**

**Abstract.** Based on the analysis of international legal acts, in particular the Agreement of States — participants of the Commonwealth of Independent States in struggle against crimes in sphere of computer information, formulates the author's approach to the definition of the General concept of crimes committed in the sphere of information technologies.

**Keywords:** cybercrime, cybersecurity, cyber threats, crimes in the field of information technology, computer information, IT-crimes, crimes in the field of computer information.

**MAIN DIRECTIONS OF DEVELOPMENT CRIMINAL PROCEDURE  
LEGISLATION IN TERMS OF DIGITALIZATION**

**Oleg A. Zaitsev,**

**Abstract.** Organizational and legal bases of development of information society of the Russian Federation in the conditions of digitalization, requirements of the criminal procedural legislation and departmental regulations concerning application of modern digital technologies at production on criminal case are stated. The main directions of further improvement of the domestic criminal procedure legislation are formulated.

**Keywords:** criminal proceedings, criminal procedure legislation, digitalization, electronic criminal case.

## **DIGITALIZATION AS A TREND IN THE DEVELOPMENT OF MODERN CRIMINAL PROCEEDINGS**

**Olga V. Khimicheva, Aleksey V. Andreev,**

**Abstract.** Analyzed the direction of digitalization of society. A number of criminal procedural problems related to the investigation of crimes related to the use of information technologies are formulated. Based on the analysis of the current situation, the main directions of development of legislation that will improve the effectiveness of crime investigation are proposed.

**Keywords:** cybercrime, cybersecurity, crimes in the field of information technology, improvement of criminal procedure legislation, investigative actions.

## **REDUCED PRE-TRIAL PROCEEDINGS: CURRENT STATE AND WAYS OF IMPROVEMENT**

**Boris Ya. Gavrilov,**

**Abstract.** The problems of the current state and ways to improve the investigation are analyzed, while referring to the Protocol form of investigation, which is particularly relevant in the context of a possible return to the Russian legislation of criminal misconduct.

**Keywords:** preliminary investigation, pre-trial proceedings, abbreviated inquiry, procedural form, criminal offense.

## **DIFFERENTIATION OF RESPONSIBILITY FOR FAILURE IN ACCEPTING EVIDENCE**

**Victor N. Grigoryev,**

**Abstract.** In a situation of spreading the facts of an unmotivated refusal to accept evidence presented in the established manner by participants in criminal proceedings, sometimes entailing unlawful decisions, it becomes necessary to establish responsibility for such acts. From the point of view of the current legislation, only the court can be the subject of responsibility in such situations. In order to assign the indicated responsibility to the officials of the executive authorities in the process of the criminal case (the investigator, the head of the investigative body, the body of inquiry, the head of the unit of inquiry, the head of the body of inquiry, the inquirer) vested with the legislator with a one-sided prosecution function (Chapter 6 of the Code of Criminal Procedure of the Russian Federation), it is necessary to first review the normative design of competition in order to remove from them the status of one-sidedness in the study of evidence and the presentation of only one First side — prosecution.

**Keywords:** court, participants in criminal proceedings by the prosecution, unilateralism in the investigation and trial, fragmentation of the circumstances of a crime, optimization of criminal proceedings.

## **ON THE POLITICAL SIGNIFICANCE OF DIGITALIZATION OF PRE-TRIAL PROCEEDINGS IN CRIMINAL PROCEEDINGS**

**Larisa N. Maslennikova,**

**Abstract.** In the article, devoted to the memory of M.S. Strogovich, the problems of rationalization of the criminal process are considered, the shortcomings of pre-trial proceedings are criticized, the political significance of digitalization of pre-trial proceedings for the development of the criminal process and the state is determined.

**Keywords:** rationalization, digitalization of the criminal process, electronic interaction between the state and the population, access to justice, political significance of digitalization of pre-trial proceedings.

## **INFORMATION TECHNOLOGY: THE INEVITABLE WAY FURTHER DEVELOPMENT OF CRIMINAL PROCEEDINGS**

**Alla V. Endoltseva, Yulia V. Endoltseva,**

**Abstract.** Speaking about the introduction of electronic information technologies in criminal proceedings, some ways of their use in criminal proceedings are named, noting their positive aspects. However, there is concern about the information security of criminal proceedings and the need to ensure it, since such activities are so important that they should be carried out simultaneously with the information technology of the criminal process, and most likely even ahead of it.

**Keywords:** electronic information technology, digital recording of testimonies, video conferencing, electronic signature, electronic criminal case, information security of criminal proceedings.

## **LIBERAL LEGAL STRATEGY AND THE EXISTENCE OF RUSSIAN CRIMINAL JUSTICE**

**Aleksandr V. Agutin,**

**Abstract.** It is proved that the liberal legal strategy for the development of criminal justice in Russia does not correspond to the true values of the Russian people and their mentality. Attention is drawn to the fact that the transformation of domestic criminal proceedings under the influence of a liberal legal strategy of criminal proceedings means a violation of the unity of criminal procedure. It is concluded that the loss of essential unity in domestic criminal proceedings, which will lead to a liberal legal strategy, will be manifested in the separation of the worldview, worldview and worldview of officials participating in criminal proceedings from the worldview, worldview and worldview of both the Russian community as a whole, and other participants involved in criminal procedural activities.

**Keywords:** criminal justice, liberalism, cultural and historical heritage, values, mentality, liberal legal strategy

## **PRESUMPTION OF INNOCENCE AND COERCIVE MEASURES: COMBINING THE INCOMPATIBLE**

**Aleksandr A. Sumin,**

**Abstract.** Analyzed the applicability of certain coercive measures of criminal procedural under the conditions of the presumption of innocence. It is concluded that there are a number of debatable issues in the compatibility of the presumption with a limitation of constitutionally protected rights and freedoms of the individual.

**Keywords:** criminal procedure, presumption of innocence, coercive measures of criminal procedure.

## **PRACTICAL PROBLEM OF APPLYING THE INSTITUTION OF A JUDICIAL FINE IN RUSSIAN CRIMINAL PROCEEDINGS**

**Olga N. Tisen,**

**Abstract.** Analyzed the practice of applying the Institute of judicial penalty in Russian criminal proceedings, analyzes the problems that arise in judicial practice, and provides ways to solve them.

**Keywords:** court fine, termination of criminal case, termination of criminal prosecution.

## **ETHICAL AND AXIOLOGICAL RISKS OF DIGITALIZATION FASHION FOR CRIMINAL PROCEEDINGS (ABOUT THE FALLACY OF THE TECHNOLOGICAL APPROACH TO THE CRIMINAL PROCESS)**

**Aleksandr V. Pobedkin,**

**Abstract.** The article raises the question of the danger of the reckless spread of the craze for digital reforms in the field of criminal proceedings. The danger of an obvious digitalization fashion is fraught with oblivion of the many pressing problems of criminal proceedings requiring a first-priority solution. Currently, the digitalization of criminal proceedings is being discussed precisely in the wake of fashion. Proponents of its widespread adoption in the criminal process do not have a clear idea of the forms in which modern technology should be used in criminal proceedings. As a result, the organizational component of digitalization unreasonably mixes with the «digitization» of criminal procedure relations themselves. The quite possible (within reasonable limits) use of digital technologies in criminal procedural activities by their apologists is often unreasonably regarded as a «revolution» in criminal procedural theory and criminal procedural law. Thereby, the laws proved in the sphere of criminal process, proved by many years of scientific research, are threatened; the rights of a person having difficulty using gadgets; criminal proceedings turn into a dry bureaucratic activity, which cannot be due to its special social and moral purpose.

**Keywords:** digital technologies, digitalization of the criminal process, moral principles of the criminal process, scientific and technical means in criminal proceedings, evidence.

## **ABOUT IMPROVEMENT OF THE CRIMINAL PROCEDURE LAW IN THE CONDITIONS OF DEVELOPMENT OF INFORMATION TECHNOLOGIES**

**Elena N. Kleshchina,**

**Abstract.** Trends in improving the criminal procedure law are considered taking into account the development of information technology. It is concluded that the amendments and additions made to the text of the Code of Criminal Procedure of the Russian Federation in recent years do not fully reflect current realities that are emerging in law enforcement practice, which requires its decision at the legislative level.

**Keywords:** criminal procedure law, material evidence, investigative actions, participants of the criminal process.

## **INVESTIGATIVE POWER IN THE POST-TRUTH ERA**

**Yuriy A. Tsvetkov,**

**Abstract.** The article is devoted to the costs of Informatization and digitalization, which are collectively referred to as the post-truth situation. In the conditions of wide access to large data sets (big data) and the absence of clear criteria for distinguishing truth from distortion and misinformation, it becomes possible to manipulate public consciousness for destructive purposes. On the example of the discussion of the problem of investigative power it is shown how inaccuracies in the methodology lead to distortions of the results of sociological research. The empirical basis of the work is the results of a sociological study on the study of public opinion on the activities of the Investigative Committee of the Russian Federation and other law enforcement agencies, conducted by the research Institute of the Moscow Academy of the IC of Russia.

**Keywords:** Investigative Committee, enforcement authorities, public opinion, Lindy effect, idiosyncratic credit, antifragility.

## **ARTIFICIAL INTELLIGENCE VS INTERNAL PERSUASION: VIEW ON THE FUTURE OF CRIMINAL PROCEEDINGS**

**Oksana V. Michurina,**

**Abstract.** In the modern scientific space, the potential areas of the use of artificial intelligence are increasingly being investigated. There are debates about the prospects and risks of its use in legal proceedings and, as a consequence, the possibility of replacing the internal conviction in criminal proceedings by a computer program. Based on the opinions of scientists and practitioners, as well as the already accumulated domestic and foreign experience in using modern technologies in the field of law enforcement, the author of the article tried, having weighed all the arguments for and against, to present her view on the future of the indicated problem.

**Keywords:** artificial intelligence, COMPAS, risk assessment algorithm, due process, internal persuasion, assessment of evidence, admissibility of evidence, procedural decision, future of criminal proceedings, rights and legitimate interests.

## **USING OF ELECTRONIC DOCUMENTS TO INFORM PARTICIPANTS OF PRE-TRIAL CRIMINAL PROCEEDINGS**

**Denis A. Voronov,**

**Abstract.** Discussed the problem associated with the absence in the Russian criminal procedure legislation of the procedure for using electronic documents in order to inform participants in the pre-trial criminal proceedings.

**Keywords:** electronic document, electronic criminal case, informing, notification, familiarization, presentation, criminal case materials, pre-trial proceedings.

## **DEVELOPMENT OF LEGAL THOUGHT AND PROSPECTS IN THE FIGHT AGAINST CYBERCRIME IN THE FIELD OF CRIMINAL JUSTICE**

**Ol'ga V. Volynskaya,**

**Abstract.** A brief overview of the current state of regulatory regulation and law enforcement practice in one of the significant areas — the fight against cybercrime is presented.

**Keywords:** legislation, evidence, cybercrime, criminal proceedings.

## **THE BAN ON THE ARREST OF THE ENTREPRENEUR IN THE DIGITAL AGE: FACT OR FICTION?**

**Denis V. Sharov,**

**Abstract.** Stated the gradual institutionalization of the next special proceedings in criminal proceedings-proceedings in criminal cases of crimes in the sphere of economic and entrepreneurial activity.

The problems of practical application of the legislator's ban on the use of such a preventive measure as detention against entrepreneurs are analyzed. It is concluded that despite the direct ban on the use of a preventive measure against entrepreneurs in the form of detention, contained in p. 1.1 of art. 108 of the Criminal Procedure Code, the courts do not always take into account these circumstances, especially if the state is involved in the case, one way or another. Examples from practical activities confirming this conclusion are given.

**Keywords:** preventive measures, detention, arrest of an entrepreneur, entrepreneur.

## **PROVISION OF INTERNATIONAL LEGAL AID IN OBTAINING ELECTRONIC EVIDENCE**

**Anna V. Mironova,**

**Abstract.** In recent years, the amount of electronic evidence used in the preliminary investigation has been growing. This evidence may be stored outside the Russian Federation, therefore, to obtain it, you must seek legal assistance. The article discusses the issues of processing a request for electronic evidence.

**Keywords:** electronic evidence, crime, information and communications technology, services, mutual legal assistance request, contract.

## **ON THE PLACE OF ELECTRONIC INFORMATION CARRIERS IN THE SYSTEM OF EVIDENCE IN CRIMINAL CASES**

**Anna Yu. Fedyukina,**

**Abstract.** Analyzed the issues related to the investigation of crimes committed using electronic media. The concept of «electronic in-formation carrier» is considered in the context of the current legislation, on the basis of which the author's definition of electronic media is proposed. The problematic aspects of the order of withdrawal and copying of information contained in electronic media are highlighted. The problematic aspects of determining the place of electronic media in the system of evidence in criminal cases are outlined.

**Keywords:** electronic information carrier, information environment, evidence, investigative actions, physical evidence, legal owner of information.

## **INFORMATION RESOURCES AS A MEANS OF OBTAINING INFORMATION BY THE INVESTIGATOR ABOUT THE PROPERTY, WHICH CAN BE SEIZED IN ORDER TO COMPENSATE FOR THE HARM CAUSED BY THE CRIME**

**Dmitry A. Ivanov,**

**Abstract.** The possibilities of using information resources in order to obtain the investigator information on property that may be seized. The conclusion is substantiated that the use by the investigator of various rapidly developing databases and information re-sources in order to establish property that may be seized creates real guarantees of compensation for damage caused by the crime.

**Keywords:** harm caused by a crime, investigator, seizure of property, preliminary investigation.

## **LEGITIMACY OF RESTRICTION OF CONSTITUTIONAL RIGHTS AND FREEDOMS OF CITIZENS IN THE COURSE OF INVESTIGATIVE ACTIONS RELATED TO OBTAINING ELECTRONIC INFORMATION**

**Elena Yu. Alontseva,**

**Abstract.** Discussed the legality of restricting constitutional rights and freedoms of citizens involved in criminal proceedings in respect of which investigative steps are taken related to obtaining electronic information, problems arising from this.

**Keywords:** criminal proceedings, investigative actions, electronic information, constitutional rights and freedoms of citizens, lawfulness.

## **ON THE NEED TO CHANGE THE APPROACH TO PROVING THE ORIGIN OF COMPUTER FILES IN CRIMINAL PROCEEDINGS**

**Aleksandr V. Sharov,**

**Abstract.** The issues of using electronic documents in proving are analyzed. It is concluded that the proof process should have a different set of tools, tools related to working with electronic documents (computer files, etc.), be more operational, characterized by a significant reduction in paper document flow.

**Keywords:** evidence, criminal proceedings, computer files, electronic document, information technologies.

## **USE OF VIDEO RECORDINGS IN CRIMINAL PROCEEDINGS**

**Ol'ga E. Zhamkova,**

**Abstract.** Some problematic issues related to the possibility of using video recordings in criminal proceedings were raised. It is concluded that the use of video recording in criminal proceedings has stable trends and prospects for development and improvement.

**Keywords:** criminal proceedings, video recording, investigative actions, evidence.

## **ADMISSIBILITY OF THE USE OF ARTIFICIAL INTELLIGENCE IN CRIMINAL PROCEEDINGS**

**Anna G. Solomatina,**

**Abstract.** The concept of artificial intellectualization of criminal procedural activity is studied. The relevance of its improvement in the designated vector of scientific development is considered. Acceptable options for using tools and methods that have artificial intelligence in order to optimize criminal proceedings are proposed. The main problems of integrating artificial intelligence in criminal proceedings are identified, the main risks are considered, and ways to overcome them are proposed.

**Keywords:** criminal procedural activity, justice, criminal proceedings, artificial intelligence, neural networks, artificial intelligence unit, intelligent systems, computer, robot, mind, thinking.

## **ELECTRONIC NOTIFICATION OF PERSONS SERVED WITH SUSPICION**

**Elena V. Sopneva,**

**Abstract.** Discussed the necessity and opportunity, advantages and prerequisites for electronic forms of notification of persons served with suspicion.

**Keywords:** informing, electronic format, person



## **ELECTRONIC DOCUMENT FLOW DURING INITIATION BEFORE THE COURT, PETITIONS FOR THE APPLICATION OF A COURT FINE**

**Viktor V. Shishov,**

**Abstract.** The possibility of introducing electronic document management in criminal proceedings is analyzed. It is concluded that the introduction of electronic document management when filing a petition before the court for the application of a court fine will significantly increase the effectiveness of procedural control and supervision of criminal investigations, will not violate the rights and legitimate interests of participants in criminal proceedings, and will contribute to effective and economical proceedings.

**Keywords:** court fine, electronic document circulation, pre-trial proceedings, criminal case, investigator, prosecutor.

## **CHANGING THE CRIMINAL PROCEDURE LAW CAUSED BY THE DIGITALIZATION OF ECONOMIC RELATIONS: REALITY AND NEED**

**Pavel O. Panfilov,**

**Abstract.** The state of economic relations, as well as the current legislation, is analysed taking into account the changes taking place in connection with the development of digital technologies. It is concluded that the modern criminal process of Russia is not ready to meet the needs of society in the digital environment, but it is necessary to reform it taking into account the preservation of unity, guarantees of correct establishment of circumstances in the criminal case.

**Keywords:** digitalization, criminal process, economic relations, smart contract, business activity, criminal case, crime.

## **MODERN PROBLEMS OF COMPLIANCE WITH THE RIGHTS OF PARTICIPANTS OF CRIMINAL PROCEEDINGS**

**Natal'ya V. Grigor'eva, Natal'ya V. Ugol'nikova,**

**Abstract.** Topical issues of ensuring the rights and legitimate interests of participants in criminal proceedings at various stages of criminal proceedings are considered. The diversity of applications that address the rights of participants in criminal proceedings is defined. A number of measures are proposed to improve the protection of human and civil rights and freedoms in the area of criminal procedure.

**Keywords:** guarantees, rights, participants in criminal proceedings, appeal.

## **NON-DISCLOSURE OF PRELIMINARY INVESTIGATION DATA: ENFORCEMENT AND INTERPRETATION ISSUES**

**Alla S. Esina, Elena V. Blinova,**

**Abstract.** Some problematic issues that arise in the activities of an investigator when applying the provisions of art. 161 of the Criminal Procedure Code of the Russian Federation are considered. The author gives recommendations to the law enforcement officer on understanding the conceptual apparatus, resolving complex situations that may occur in law enforcement practice.

**Keywords:** non-disclosure of preliminary investigation data, investigator, secret, general rules of preliminary investigation, participants of criminal proceedings, general rules of investigation.

## **FUNCTIONS OF THE PREVENTION AS A LEGAL CATEGORY: THEORETICAL AND LEGAL ANALYSIS**

**Konstantin A. Vasilkov,**

**Abstract.** The concept of functions of legal categories within the framework of modern reality is defined based on the analysis of theoretical representations of the scientific community about the functions of law. The functions of prevention as a legal category in the context of its essential orientation are highlighted.

**Keywords:** legal category, functions of legal categories, functions of prevention

## **ROLE AND SIGNIFICANCE OF THE UNION OF SOVIET SOCIALIST REPUBLICS THE PROVISION OF INTERNATIONAL ASSISTANCE DEMOCRATIC REPUBLIC OF AFGHANISTAN**

**Valery I. Elinskiy, Ruslan M. Akhmedov, Yuliya A. Ivanova,**

**Abstract.** The course of the Afghan war (1979 to 1989) is not familiar to every citizen of the Russian Federation, as well as other countries of the former Soviet Union. At the end of the last century, due to violent political reforms and economic crises, the Afghan campaign was forced out of the public consciousness, but today, when significant work has been done by historians, it is possible to look at the events of the past war years impartially.

**Keywords:** Afghanistan, the USSR, war, fighting, international assistance, interaction of States, ideologists.

## **PRESUMPTION OF INNOCENCE AS A FUNDAMENTAL LEGAL PRINCIPLE**

**Sergey G. Vasilevich,**

**Abstract.** Analyzed the concept and content of the principle of presumption of innocence in the Commission of crimes and other offenses. The role of a presumption is to exempt the party in whose favor it is established from proof. It is emphasized that to resolve the issue of bringing to administrative responsibility, as well as to any other responsibility, it is important to establish the guilt of the person. Problems of proof in administrative proceedings are no less relevant than, for example, in criminal proceedings and other branches of law. Of particular relevance is the resolution of the conflict between public and private interests in the consideration of administrative cases related to the determination of guilt when recording exceeding the speed limit by vehicles operating in automatic mode with special technical means that have the functions of photo and film shooting, video recording. The responsibility of owners (owners) of vehicles in connection with the establishment of such facts often raises objections from scientists and practitioners. A controversial practice is the termination of proceedings in an administrative case, when the car is parked in violation of the current rules, and the owner refers to the fact that the car was transferred to the management of a close relative, against whom he has a constitutional right not to testify. In the article, the author makes his own judgments on this issue.

**Keywords:** presumption of innocence, administrative responsibility, speed limit, parking.

## **ON THE BASIS OF CONSTITUTIONAL PROCEEDINGS IN DECISIONS OF THE CONSTITUTIONAL COURT OF THE RUSSIAN FEDERATION**

**Anatoly Yu. Olimpiev,**

**Abstract.** The legal positions of the constitutional Court concerning the bases of constitutional proceedings are considered. Analyzed the acts of the constitutional Court on the issues of General obligation and legal force of decisions taken in the course of constitutional proceedings; on the specifics of constitutional proceedings; on the subject matter of constitutional procedural relations; on the procedure for considering a case without a hearing.

**Keywords:** judicial power, justice, human and civil rights and freedoms, Constitutional Court of the Russian Federation, Constitution of the Russian Federation, constitutional legal proceedings.

## **CONSTITUTIONAL AND LEGAL REGULATION OF OBTAINING A RESIDENCE PERMIT IN THE REPUBLIC OF ESTONIA**

**Anatoliy S. Prudnikov,**

**Abstract.** The features of the immigration policy of the Republic of Estonia, the basis of immigration legislation and the procedure for obtaining a residence permit in the Republic of Estonia in accordance with the Aliens Act are described.

**Keywords:** Estonia, foreign citizen, permit, residence, procedure, law, law, immigration policy.

## **POWERS OF THE PRESIDENT OF THE RUSSIAN FEDERATION TO CONTROL THE ACTIVITIES OF LAW ENFORCEMENT AGENCIES**

**Anatoly M. Tarasov,**

**Abstract.** The level of Executive discipline in law enforcement agencies is not always at a high level. In some cases, the provisions of regulatory legal acts, including those issued by the President of the Russian Federation, are not implemented in time or in full. In his speeches at the meetings of the Board of the Ministry of internal Affairs of Russia in 2018–2020, the head of state noted the need to increase the overall level of crime detection. Speaking at a meeting of the Board of the FSB of Russia on February 20, 2020 The President of the Russian Federation has set the FSB system the task of ensuring strict control over the passage of financial flows that are allocated for the implementation of national projects from the state budget.

At the same time, it should be noted that the shortcomings of the controlled bodies, the state of their performance discipline can often be associated not only with the state of their organizational activities, but also with their insufficient resources, in particular, such as legal, financial, material and technical, personnel, etc.

The relevance, importance and innovation of this topic is confirmed by the strategic constitutional status of the President of the Russian Federation as the head of state, the guarantor of human and civil rights and freedoms (art. 80 of the Constitution of the Russian Federation). The study of issues related to the legal support of the control exercised by the President of the Russian Federation is essential for the theory and practice of public administration.

The significance of this topic also stems from the place and role of law enforcement and regulatory agencies established in art. 45 of the «National security Strategy of the RF», approved by presidential decree No. 683 of December 31, 2015, which defines that state and public security is ensured, including by improving the effectiveness of law enforcement agencies and state control (supervision) bodies.

The relevance and novelty of this theme is confirmed in the speech of the President of the Russian Federation February 28, 2019 at the Board meeting of the MIA of Russia, where the head of state stressed the importance of implementing a customized digital plat-form to monitor what is happening in the field of law enforcement.

Conclusions are made that the President of the Russian Federation as the main and strategic subject of the state control system is vested with the Constitution of the Russian Federation and Federal, including constitutional laws, powers to monitor all areas of activity of law enforcement agencies of Executive power, including operational and investigative activities, as well as the activities of the Investigative Committee of the Russian Federation.

Given the special place and role of Prosecutor's office of the Russian Federation in system of bodies of state power established in art. 129 of the Constitution, the President of the Russian Federation does not have direct power to exercise direction and control over the activities of the Prosecutor's office. However, the head of state is responsible for the formation of personnel policy and the assignment of powers to the Prosecutor's office to coordinate activities in the fight against crime. However,

it should be noted that in p. 7 of art. 12 of the Federal law on the Prosecutor's office of the Russian Federation provides for accountability of the Prosecutor's office to the President of the Russian Federation — on the state of law and order, as well as on the work done to strengthen them. Unlike the leadership of law enforcement bodies of Executive power and the Investigative Committee of the Russian Federation, the Russian President is not empowered to give direct instructions or orders to the Prosecutor General of the Russian Federation.

The special status of the President of the Russian Federation in respect of management and control over activity of law enforcement bodies allows to draw a valid conclusion about the importance of inclusion in the draft Federal law «On the Federal, regional and municipal control in the Russian Federation» developed by the Ministry of economic development , a separate section dealing with the powers of head of state in the regulation and organization of presidential control over those agencies of state power.

**Keywords:** President of the Russian Federation, Constitution of the Russian Federation, law enforcement agencies, control and supervision, Ministry of internal Affairs of Russia, FSB of Russia, Investigative Committee of the Russian Federation.

## **LEGAL GUARANTEES OF CONSTITUTIONAL RIGHTS AND FREEDOMS HUMAN AND CITIZEN IN RUSSIA**

**Evgeniy N. Khazov, Rufat M. Khalilov,**

**Abstract.** Actual theoretical issues of legal guarantees of constitutional rights and freedoms of man and citizen are considered. The main directions of the mechanism for implementing legal guarantees of human rights and freedoms at the present stage of development of Russia are analyzed.

**Keywords:** Constitution, constitutional norms, state, legal support, implementation, legal guarantees, constitutional rights and freedoms of man and citizen.

## **THE ESSENCE OF FRANCHISING AND THE SPECIFICS OF ITS LEGAL REGULATION IN RUSSIA**

**Sergey A. Anokhin,**

**Abstract.** The article deals with the definition of the concept of «franchising», examines the specifics of its legal regulation in Russia, analyzes the elements of a commercial concession agreement. According to the results of the study, the problematic aspects of legal regulation of franchising relations are identified and measures are proposed to improve domestic legislation.

**Keywords:** franchising, commercial concession agreement, franchise agreement, franchise, franchisor, franchisee.

## **ON THE STATUS OF LAND PLOTS SEIZED FOR STATE AND MUNICIPAL NEEDS**

**Pavel Igorevich Zhurilo,**

**Abstract.** Discussed the development trends of land legislation in the light of a discussion of the problems caused by the renovation of the housing stock in Moscow. The key issue in the study is the legal status of land under an apartment building, subject to seizure for municipal and state needs.

**Keywords:** renovation in Moscow, ownership of the land, exemption for municipal and state needs.

## **CIVIL REGULATION OF THE PROTECTION OF HOUSING RIGHTS OF INDIVIDUALS DURING THE RENOVATION**

**Aleksandr P. Ivanov, Svetlana V. Ignatyeva,**

**Abstract.** Topical issues of civil law regulation of housing rights in the implementation of renovation are considered. The article analyzes the issues of legal interpretation of the concept of housing renovation and the content of the right to housing. The article reveals the essence of the civil right to housing and its doctrinal justification. The article analyzes the legislation of renovation of the housing stock in Moscow and examines the existing practice of implementing and protecting the housing rights of individuals in the process of reforming the legal relations of renovation in the capital. Based on the analysis of judicial practice in the field of civil rights protection during renovation, the most acute problems that need to be resolved in this area are identified.

**Keywords:** civil law regulation, legal interpretation of renovation, housing fund, right to housing, legislation on renovation, protection of civil rights, housing rights of individuals.

## **ON THE PERMISSIBILITY OF RESTRICTIONS ON THE FREEDOM OF WILLS OF REAL ESTATE OF ORPHANED CHILDREN AND CHILDREN LEFT WITHOUT PARENTAL CARE IN RUSSIAN FEDERATION**

**Mamuka I. Nikitin,**

**Abstract.** Based on the analysis of legal literature and legislation on the admissibility of restrictions on the freedom of the will of immovable property in the Russian Federation, several judgements have been made: the legal basis for the institution of the will of immovable property is the provisions of Part 3 of the Civil Code of the Russian Federation; General provisions of part 3 of the Civil Code of the Russian Federation on the will of immovable property should be defined not as the principle of dispensability, but as general rules of inheritance; Restriction of the freedom of the will, including immovable property, may be considered as an exception to the general rules.

**Keywords:** Russian Federation, legislation, normative legal act, Constitution of the Russian Federation, Federal law of the Russian Federation, civil legislation, Civil code of the Russian Federation (part 1, part 2, part 3, part 4), civil law, Institute, inheritance of immovable property, restrictions on the freedom of will of immovable property, immovable property.

## **QUALIFICATION OF THE CONTRACT: THE RIGHT OF THE PARTIES OR THE OBLIGATION OF THE COURT?**

**Lyudmila A. Chegovadze, Aleksandra A. Kupriyanova,**

**Abstract.** Based on the materials of judicial practice justifies the need to grant the court the right to qualify (re-qualify) the contractual relationship and the feasibility of normative consolidation of this method of protection as a requirement for the qualification of the contract.

**Keywords:** contractual disputes, interpretation, legal qualification, qualification criteria, methods of protection.

## **CRIMINAL LIABILITY FOR SABOTAGE**

**Mevlud D. Davitadze,**

**Abstract.** Criminal liability for sabotage is being considered. An expanded interpretation of «other actions» is given and a new version of article 281 of the criminal code of the Russian Federation is proposed, which provides for responsibility for sabotage.

**Keywords:** sabotage, criminal liability, other actions, explosion, arson, social stability, economic security, defense capability.

## **THE INTERNAL AFFAIRS BODIES IN THE SYSTEM OF PREVENTING ROAD TRAFFIC CRIMES OF MINORS: FEATURES AND ISSUES**

**Sergey V. Ivantsov, Aleksey I. Dobrenkov,**

**Abstract.** The role of the internal affairs agencies in the system of subjects for the prevention of road traffic crimes of minors is revealed. The role of specific services and units in this work is analysed.

**Keywords:** traffic crime, juvenile delinquency, warning system, internal affairs agencies.

## **CRIMINOLOGICAL CONSEQUENCES OF MASS UNREST**

**Nikolay A. Kabanov,**

**Abstract.** The consequences of the riots that go beyond the harm specified in the criminal law on liability for acts related to such riots, and causing an increased social danger of the corresponding illegal actions and the need to develop a set of special measures to prevent the latter, are examined. Official statistics are presented, analyzes the points of view of scientists and their own position is ex-pressed regarding the criminological features of the riots and increase the effectiveness of countering their manifestations.

**Keywords:** mass riots, public danger, crime prevention, criminological consequences.

## **TO THE QUESTION OF DELIMITATION OF MASS RIOTS AND GROUP DISORDERLY CONDUCT**

**Sergey K. Kudashkin,**

**Abstract.** The article considers the criteria for distinguishing the elements of crimes provided for in p. 2 of art. 212 (participation in mass riots) and p. 2 of art. 213 (group hooliganism). The author analyzes the forms of acts, objective and subjective characteristics of the elements of crimes. The problems of differentiation of these crimes depending on the number of participants, motives and goals of their actions are investigated. Proposals are formulated to improve the relevant provisions of the criminal law and the practice of its application.

**Keywords:** Criminal liability for mass riots and group hooliganism. Criteria for distinguishing crimes depending on the characteristics of their composition. Participants of mass riots and group hooliganism and the qualification of their actions.

## **CRIMINOLOGICAL FEATURES OF THE SPECIAL PREVENTION OF CRIMES COMMITTED DURING THE LIQUIDATION OF A LEGAL ENTITY**

**Alexey V. Chinenov,**

**Abstract.** Analyzed the measures taken by the state to prevent crimes committed during the liquidation of a legal entity, considers the problems that arise in this case, and suggests ways to solve them.

**Keywords:** crime, legal entity, economy, liquidation of a legal entity, crime prevention system



## **ON THE IMPORTANCE OF THE STAGE OF CRIMINAL PROCEEDINGS AND ITS PRESERVATION IN THE RUSSIAN CRIMINAL PROCEEDINGS**

**Vadim V. Mironov,**

**Abstract.** The current problem related to the determination of the significance of the stage of initiation of criminal proceedings for Russian criminal proceedings is considered. The positions of scientists, who are both supporters and opponents of the preservation and development of this stage of criminal proceedings, are highlighted, as well as their own views on this issue are expressed and justified.

**Keywords:** initiation of legal proceedings, stages of criminal proceedings, criminal proceedings.

## **FEATURES OF EVIDENCE IN CRIMINAL CASES IN THE COURT OF FIRST INSTANCE**

**Aleksey M. Popov, Svetlana V. Medvedeva,**

**Abstract.** The expansion of adversarial principles in criminal proceedings and the improvement of the objectivity of the proof process should be carried out in accordance with the logic, meaning and spirit of the current criminal procedure legislation. Therefore, all information established in accordance with the criminal procedure law must be checked in terms of its relevance, admissibility and reliability. This constitutional requirement must be strictly observed when improving the criminal procedure law. The Declaration of independence of the court changes its role and significance in criminal proceedings. Therefore, there is a question of improving the process of proof and identifying the role of the court in it, since the very purpose of criminal proceedings has changed — protection of the rights and legitimate interests of persons and organizations who have suffered from crimes; protection of the individual from il-legal and unfounded charges, convictions, restrictions on her rights and freedoms. Another area that confirms the relevance of the study is the need to distinguish the role of the court and the parties in the process of proof.

**Keywords:** proof, evidence, evaluation of evidence, relevance, admissibility, reliability, trial, court, criminal case.

## **ABOUT DIFFERENTIATION OF THE CRIMINAL PROCEDURAL FORM OF PRELIMINARY INVESTIGATION**

**Ekaterina A. Prokhorova, Viktor A. Samoroka, Mikhail S. Balayants,**

**Abstract.** The problems of differentiation of the criminal procedure form of preliminary investigation are considered. The necessity of reforming the Institute of inquiry, giving it new features that meet the needs of modern practice is justified.

**Keywords:** differentiation of the criminal procedure form of preliminary investigation, preliminary investigation, inquest, inquiry in abbreviated form, reforming the Institute of inquiry.

## **SOME ISSUES OF DELIMITATION OF COMPETENCE TO ENSURE COMPETITION BETWEEN LAW ENFORCEMENT BODIES AND THE FAS RUSSIA**

**Ilya N. Klimenkov,**

**Abstract.** Analyzed the competence of the FAS Russia and internal affairs bodies to ensure competition in the Russian Federation. The need for analysis of this system is due to the goals of creating a balanced competitive environment and eliminating cartel conspiracies in the Russian Federation. Considers the main regulatory legal acts regulating the activities of the FAS Russia and internal affairs bodies in the field of ensuring competition and concludes on the main directions for the implementation of their competence in this area.

**Keywords.** Federal Antimonopoly Service, competition, monopoly, internal affairs bodies, legislation.

## **FEATURES OF THE ORGANIZATION OF AN ANTI-CORRUPTION SECURITY SYSTEM IN THE MINISTRY OF INTERNAL AFFAIRS OF THE RUSSIAN FEDERATION**

**Sergey A. Popov,**

**Abstract.** The paper considers the main doctrinal approaches to organizing an anti-corruption security system in the Ministry of Internal Affairs of Russia, analyzes the regulatory legal acts in this area, and also draws a conclusion about the features of the organization of activities of the Ministry of Internal Affairs of Russia in this area.

**Keywords:** corruption, theoretical analysis, anti-corruption, law enforcement, system.

## **LEGAL CONSEQUENCES OF A CONFLICT OF INTEREST WHEN A LAWYER IS DEFENDING A CRIMINAL CASE**

**Pavel V. Smirnov,**

**Abstract.** The peculiarities of the exercise of legal protection in criminal proceedings are considered, in particular, the obligation of counsel to the defendant in case of detection of conflict of interest. The legislation governing the legal profession in this area is being reviewed and gaps in the legislative regulation are being identified on the basis of an analysis of the opinions of legal researchers and foreign practices.

The purpose of this article is a comprehensive analysis of the limitations and prohibitions existing in the legislation of the Russian Federation regarding the actions of a lawyer in the defense of a criminal case.

The relevance of the study is explained by existence of significant gaps in the regulation of lawyer's actions consequences in case of a conflict of interest in the criminal law proceeding, which indicates the need for its modernization.

The results of the work are the following: Russian legislators have not resolved a number of issues regarding the removal of a lawyer from participation in criminal proceedings in case of a conflict of interest and requiring legal regulation.

**Keywords:** conflict of interest, defense in a criminal case, elimination from participation, self-rejection, obligations to the principal, gap in the legislation.

## **ON THE ISSUE OF COUNTERING YOUTH EXTREMISM IN RUSSIA**

**Galina V. Akimova,**

**Abstract.** General and practical issues of organization and implementation of opposition to youth extremism are considered. Statistical data and theoretical provisions are provided. Priority areas of opposition to youth extremism are defined by the units of the Ministry of Internal Affairs of the Russian Federation.

**Keywords:** extremism, youth, youth extremism, counteraction, crime.

## **ON THE ROLE OF ADMINISTRATIVE REGULATIONS IN ACTIVITIES BODIES OF INTERNAL AFFAIRS OF THE RUSSIAN FEDERATION**

**Svetlana G. Guseva, Tatyana Ya. Konyakhina, Anna P. Skvortsova,**

**Abstract.** Based on the analysis of legal literature and legislation on administrative regulations in the activities of internal Affairs bodies of the Russian Federation justifies several judgments: in theory and in legislation, the terms «internal Affairs body» and «police» should be related as generic: the internal Affairs body includes the police; the organization and activities of internal Affairs bodies can be regulated in the Federal law «On internal Affairs bodies in the Russian Federation»; the activities of internal Affairs bodies should be considered as a set of powers, not functions; the law-making experience of regulating certain «functions» of internal Affairs bodies through the adoption of subordinate normative legal acts on administrative regulations should be assessed negatively.

**Keywords:** Russian Federation, legislation, normative legal act, Constitution of the Russian Federation, Federal constitutional law of the Russian Federation, Federal constitutional law of the Russian Federation «On the Government of the Russian Federation» of may 14, 1997, Federal law, Federal law «On police» of January 28, 2011, Executive power, state body, Federal Ministry, Ministry of internal Affairs of the Russian Federation, administrative regulations.

## **EMPLOYMENT AND STUDY OF FOREIGN CITIZENS IN THE KINGDOM OF THE NETHERLANDS**

**Tatyana A. Prudnikova,**

**Abstract.** The features of the work of foreign citizens and stateless persons, obtaining work permits, including for qualified specialists in the Kingdom of the Netherlands, are disclosed.

**Keywords:** foreign citizen, labor activity, migration processes, regulation, migrants, study, permission, rules, asylum.

## **THE RELATIONSHIP OF COMMON SENSE, WILL, DISCRETION AND INTEREST WITH THE ABILITY OF PERSONS WITH LEGAL STATUS**

## **TO UNDERSTAND THE MEANING OF THEIR ACTIONS OR TO LEAD THEM IN CIVIL PROCEEDINGS**

**Larisa E. Kiselevskaya,**

**Abstract.** The question of the relationship of the ability to understand the meaning of their actions to persons with particular legal status, with their common sense, will, interest and discretion in civil proceedings is investigated. It is concluded that all concepts are inextricably linked and presented as criteria that determine the capacity of a citizen as a subject of rights and a person as a rational being. Suggestions for improving the Code of Civil Procedure of the Russian Federation are formulated.

**Keywords:** ability to understand the meaning of action, will, interest, discretion, balance.

## **EXPERT PREVENTION IN CASES ON ECONOMIC VIOLATIONS**

**Dmitriy S. Goltsev,**

**Abstract.** Issues related to preventive activities of expert economists are considered, the main tasks in the field of expert prevention are considered, the solution of which will increase the efficiency of activities of expert and forensic units, problems in methodological, information and organizational-legal support of their implementation and ways of their solution are listed.

**Keywords:** forensic economic expertise, expert prevention, economic ratios, methodological support, financial analysis, financial statements.

## **THE ECONOMIC SECURITY OF RUSSIA IN CONJUNCTION WITH MODERN MIGRATION PROCESSES**

**Nikolay P. Kupreschenko, Asya A. Kushhova,**

**Abstract.** The complex and topical issue of understanding migration processes and their impact on the economic security of donor countries and recipient countries is investigated. Migration creates both opportunities for economic security and threats. It also raises the question of how migration policy can reduce threats to economic security and take advantage of the opportunities created by migration processes.

**Keywords:** economic security, migration processes, migration, migration policy, economic development, labor market.

## **INNOVATIVE APPROACH TO PERSONNEL MANAGEMENT SYSTEM**

**Valentina M. Maslova,**

**Abstract.** The main innovative approaches to the personnel management system are considered. The article presents a classification of innovations in the personnel management system based on the following characteristics: the phases of employee participation in the professional educational and labor process; the degree of radicality, scale and pace of implementation. Examples of the main innovation processes in companies are given.

**Keywords:** innovations in personnel management system, personnel potential, digitalization, onboarding.

## **ASSESSMENT OF EXISTING POSITION AND OF SOME PERSPECTIVES OF USING OF EURO AS ABOVE NATIONAL CURRENCY**

**Andrey A. Yakovlev,**

**Abstract.** Characterized the position, that euro (being united European currency) has absolutely all the preconditions for becoming as one of leading world currencies. The status of mentioned above national currency in target spheres of world monetary system is analyzed. Also it is based, that brightly expressed regional nature is typical for international position of euro. At the time a factor of internationalization of Chinese currency and creation of Asian (regional) monetary coalition (as the third basic element of nowadays world monetary system) is separately brought. Ways of using of euro in Russia (as a reserve and investment currency) are also examined.

**Keywords:** united European currency; European monetary space; world monetary system; exchange rate; currency basket; financial market; money and credit policy; export transactions; regional monetary coalition.

## **THE ESSENCE AND TECHNOLOGY OF INDIVIDUALIZATION OF INSURANCE IN THE CONTEXT OF DIGITALIZATION**

**Nadezhda N. Nikulina, Svetlana V. Berezina, Maria E. Shashkina,**

**Abstract.** In accordance with the government's Digital Economy program, work in the insurance industry has begun in three areas of implementation: internetization, individualization, digitalization. This article discusses the essence and role of individualization in the development of the insurance market, in increasing the importance for consumers—clients of acquiring insurance protection of property interests through interlockers. The factors of individualization development of insurance offers in digitalization are systematized.

**Keywords:** digital economy, insurance industry, electronic platform, electronic communications, individualization, digital insurance, interlocker, insurance offer, smart technologies.

## **INDIVIDUAL PSYCHOLOGICAL CHARACTERISTICS OF THE PERSONALITY INFLUENCING THE SUCCESS OF OWNERSHIP OF PROFESSIONAL POLICE OFFICER**

**Roman V. Osin,**

**Abstract.** The professionally important qualities of police officers are examined to improve the quality of psychological selection, professional adaptation and psychological support. The assumption that professionally important qualities include: a low level of neurotic overcontrol, the absence of depressive tendencies, a low level of emotional mobility, high neuropsychic stability, offensiveness, assertiveness, intransigence, and caution in relation to people around us were confirmed.

**Keywords:** personal characteristics, individual psychological characteristics, professional group, police, Ministry of Internal Affairs, the quality of police officers, performance.

## **MAIN FACTORS FOR ACHIEVING ACADEMIC SUCCESS OF STUDENTS**

**Vyacheslav A. Sitarov, Olga A. Pashkova**

**Abstract.** Factors of achievement of academic success, formation and formation of personality are considered. The importance of true spiritual values for man is noted, the value and uniqueness of the individual is stressed. The qualities of the individual are stated — mindfulness, freedom, creativity, spirituality, morality. The personality, through his worldview and inner life, is drawn to the world of values.

**Keywords:** academic success, personality, values, will, outlook, love.

## **TRADITIONAL AND MODERN MEANS OF CRIMINAL COMMUNICATION**

**Anatoly N. Sukhov,**

**Abstract.** The reveals the essence of the socio-psychological approach to understanding organized crime. It is based on the criminal model of success, which in turn is not feasible without the creation of a secret criminal organization, and that without traditional and modern means of criminal communication. From the point of view of social psychology, the main mechanism for the preparation and Commission of crimes, and primarily within the framework of organized crime, is criminal communication, which is carried out using special means. Among the traditional means of criminal communication are: jargon, tattoos, secret writing, etc. as for modern ones, they are the encryption of information messages using mathematical methods of information conversion, etc. Discussed the practice of countering modern means of criminal communication.

**Keywords:** socio-psychological analysis, organized criminal group, theory, criminal organization and model of success, traditional and modern means of criminal communication.

## **METHODOLOGY FOR FORECASTING ECONOMIC CRISES IN THE INTERESTS OF STRENGTHENING NATIONAL SECURITY**

**Ludmila V. Shmaneva, Sergey V. Shmanev,**

**Abstract.** The methodology for forecasting global and regional economic crises in the interests of improving the national system for strategizing socio-economic development and strengthening national security should ensure the achievement of goals and the solution of specific tasks in the current economic situation. The foresight methodology considers the interaction between the state, society and business as a complex entity that is part of a more General system. It allows you to study the objects of research of any complexity, to identify the laws of formation of structural relations and the dynamics of the development of direct and feedback, to consider the processes, both in quantitative and qualitative form. The «foresight» methodology allows, based on the set goals and objectives, to predict the results of control actions for the formation of conditions for the socio-economic development of the state and ensuring national security.

**Keywords:** system, management, foresight, methodology, methods, models, forecasting, socio-economic development.