

АННОТАЦИИ И КЛЮЧЕВЫЕ СЛОВА
ЖУРНАЛ «ВЕСТНИК МОСКОВСКОГО УНИВЕРСИТЕТА МВД
РОССИИ» №7, 2020 (англ.)

ABSTRACT AND KEYWORDS
VESTNIK MOSKOVSKOGO UNIVERSITETA MVD ROSSII №7, 2020

ENSURING HUMAN RIGHTS DURING TERMINATION CRIMINAL CASE AND (OR) CRIMINAL PROSECUTION

Alla V. Endoltceva,

Abstract. In analyzing the practice of terminating criminal cases or prosecuting criminal cases, problems are considered related to ensuring the rights of participants in the criminal process (suspect, accused, victim) when the investigator or interrogator makes such a decision. Decisions of the Constitutional Court of the Russian Federation on the issues under consideration are given, conclusions are drawn.

Keywords: criminal case, criminal prosecution, termination, human rights, protection of rights, suspect, accused, victim, investigator, interrogator.

PROTECTION OF PROPERTY RIGHTS: QUESTION THEORY

Igor A. Goncharov,

Abstract. A mechanism for the protection of property rights in its historical development in the Russian Federation is being studied, based on the analysis of legislative changes that have taken place in recent years (2014–2019). It is concluded that the existing legal mechanism for the protection of property rights does not provide its full and comprehensive protection, as evidenced by the arising legal conflicts and not reducing the number of court disputes in the Russian Federation in recent years.

Keywords: ownership, court, protection of ownership, state, immovable property, law.

ABOUT POLYSEMICITY OF INTERPRETATION OF THE TERM «NATIONAL» IN RUSSIAN LAW

Alibek S. Gukov,

Abstract. The ambiguity of the term «national» is demonstrated on the basis of an analysis of the norms of certain branches of law, as well as scientific legal, sociological, political, historical, philological and other literature in Russian and domestic law; its meaning variations are defined in various normative legal acts.

Keywords: nation, nationality, national, ethnos, ethnicity, ethnic, interpretation, law, national payment system, motive of national hatred or enmity, national guard troops, national standard of the Russian Federation.

BODIES OF STRUGGLE AGAINST «DISOBEDIENT TO THE WILL OF THE SOVEREIGN» IN THE PETER'S ERA: COMPETENCE AND METHODS

Aleksey A. Ivanov, Tat'yana L. Matienko, Nodari D. Eriashvili,

Abstract. The article examines the features of the formation of the system of bodies for fighting crimes in Russia, according to the idea of the growing autocratic power, which were considered the most dangerous for it. Procedural methods relevant to the era are also highlighted.

Keywords: Preobrazhensky order, secret office of investigative affairs, «major investigative offices», denunciations, «word and deed of the sovereign», «search», torture, protocols.

PROBLEMS OF PREVENTION OF DOMESTIC VIOLENCE AND JUVENILE DELINQUENCY IN LENINGRAD AND THE REGION IN THE EARLY 1960–1990s

Dmitriy V. Ivanov,

Abstract. The article uses the example of Leningrad and the region to consider the problems of preventing family and domestic violence, which in the early 1960–1990s acquired a steady growth trend and dangerous features of fundamental disregard for human rights. The publication gives a socio-legal assessment of the facts of domestic violence and analyzes some of the causes of these criminal offenses, attempts to reconstruct the state-public system of preventing family and domestic violence in the region during this period, and measures for its prevention. Some problems of regulation of this process, which remain relevant in modern conditions, are revealed.

Keywords: family and domestic violence, Leningrad region, prevention of violations, human rights, state and legal regulation, law enforcement agencies, citizens' statements, juvenile delinquency.

ABOUT THE PURPOSE OF EXPERT RESEARCH IN RUSSIAN CIVIL PROCEEDINGS (HISTORICAL AND LEGAL ASPECT)

Pavel M. Murashev,

Abstract. Legal literature and legislation on the purpose of examinations in the civil process of Russia are analyzed; several judgments are expressed: normative legal acts in Soviet Russia (since 1917) are not systematized, despite the fact that expert studies were regulated in some of them; Civil procedure legislation in Soviet Russia was codified and presented in the form of the Code of Criminal Procedure of the RSFSR; the status of an expert as a subject of civil proceedings is first enshrined in the Civil Procedure Code of the Russian Federation.

Keywords: state, Soviet Russia, Russian socialist Federative Soviet Republic, Union of Soviet Socialist Republics, Russian Soviet Federative socialist Republic, legislation, normative legal act, Civil procedure code of the RSFSR, Fundamentals of civil procedure of the USSR and the Union republics, the doctrine of the priority of state interests over the interests of society and the individual, expert research, expertise, expert, civil procedure.

NORMATIVE LEGAL ACT AS LEGAL DEFINITION AND EVALUATION CATEGORY

Tat'yana K. Primak, Yulian N. Usenko,

Abstract. Examines the formal and substantive features of a regulatory legal act, challenges and prospects of the development of its legal definition. Based on the analysis of legislative, judicial and doctrinal positions revealed a number of problems of definition of the regulatory legal act-the symptoms of which do not always lend themselves to exact change and definition. Special attention is paid to new varieties of legal acts that have regulatory properties, the nature of which is established by the courts. The search and determination of the main features (criteria) of a normative legal act is proposed to be carried out through the prism of the study of dialectically interrelated categories of certainty and uncertainty in law, which, according to the authors, will allow to combine the formalized and evaluative elements of legal regulation, to overcome the shortcomings of traditional positivist interpretations of normative legal acts.

Keywords: normative legal act, rule of law, principle of legal certainty, legal definition, evaluation category.

ACTUAL PROBLEMS OF ENTERING THE SERVICE IN THE INTERNAL AFFAIRS BODIES OF CITIZENS OF THE RUSSIAN FEDERATION WHO HAVE THE CITIZENSHIP OF A FOREIGN STATE AND EXIT OR REFUSAL OF WHICH IS IMPOSSIBLE FOR REASONS BEYOND THEIR CONTROL

Sergey N. Bocharov, Sergey A. Egorov,

Abstract. Presents an analysis of issues related to the implementation of the right to enter the service in the internal affairs bodies of the Russian and also some problems of the practice of its implementation in terms of the right to enter the service of the internal af-fairs bodies and undergoing such public service by citizens of Russia who have foreign citizenship, withdrawal, either denial from which is impossible for reasons beyond their control.

Keywords: citizenship of the Russian Federation, dual citizenship, foreign citizenship, renunciation of citizenship, public service of the Russian Federation, service in the internal affairs bodies of the Russian Federation.

ECONOMIC FREEDOM OF THE INDIVIDUAL AS A LEGAL CATEGORY IN MODERN RUSSIAN SCIENCE

Inna N. Plotnikova,

Abstract. Based on the analysis of scientific works of Russian scientists, the conclusion is made that in the domestic literature there is a multiple definition of the lexeme «economic freedom», with the allocation of various forms of its manifestation. Most state scholars do not distinguish significantly between the related concepts of «economic freedom» and «freedom of economic activity» (constitutional principle). The author discusses the relationship between the categories «economic freedom» and «freedom of economic activity», «freedom of entrepreneurial activity» and «the right to entrepreneurial activity», arguing that the content of the concept «economic freedom», understood as a constitutional value, is broader than the definition of «freedom of economic activities» (values are embodied in constitutional principles and norms).

Keywords: economic freedom, constitutional values, freedom of economic activity, freedom of entrepreneurial activity, the right to entrepreneurial activity.

THE CONCEPT AND ESSENCE OF FORMS AND METHODS OF INTERACTION BETWEEN MIGRATION UNITS WITH CIVIL SOCIETY INSTITUTIONS AND OTHER PUBLIC AUTHORITIES IN THE FIELD OF MONITORING THE IMPLEMENTATION OF MIGRATION LEGISLATION

Anatoliy S. Prudnikov,

Abstract. The theoretical and legal aspects of the forms and methods of interaction of migration units with civil society institutions and other public authorities in the field of monitoring the implementation of migration legislation are disclosed.

Keywords: civil society, migration, divisions, cooperation, interaction, competence, activity.

THEORETICAL AND LEGAL ISSUES OF LEGAL CAPACITY OF MINORS IN RUSSIA

Vita V. Standetskaya,

Abstract. Consideration is being given to ways in which minors can achieve full legal capacity. The legislation of the Russian Federation is analysed; a brief description of each method of achieving full capacity is given.

Keywords: minors, legal capacity, rights, duties, marriage, emancipation.

DEVELOPMENTS OF LOCAL SELF-GOVERNANCE IN THE LIGHT OF REFORMING THE CONSTITUTIONAL MODEL OF THE RUSSIAN FEDERATION

Levan T. Chikhladze, Olga Yu. Ganina,

Abstract. The novels of the Constitution of the Russian Federation on local self-government, adopted during the all-Russian vote held on July 1, 2020, are analyzed. Legal norms and provisions that disclose the principles of centralization and decentralization in local self-government of Russia were examined. It was concluded that with the adoption of amendments to the Constitution of the Russian Federation, the state went along the path of further strengthening the current constitutional model of local self-government. Most of the short stories of chapter 8 of the basic law have already actually developed and have been partially embodied in federal and regional legislation, as well as in the activities of public authorities at various levels. Their incorporation into the basic law of the State was a logical consequence of established practice.

Keywords: local government, local authorities, centralization, public authority, public authorities.

PRINCIPLES OF LIQUIDATION NETTING OF UNIDROIT AND RUSSIAN LEGISLATION ON LIQUIDATION NETTING: COMPLIANCE ISSUES

Felix O. Vertlib, Kirill S. Shumanov,

Abstract. Close-out netting in Russia has received an absolute guarantee of protection against potential challenge in bankruptcy proceedings. The law directly indicates the possibility of obtaining a balance by the party that, as a result of the formation of a single net obligation, has won. In this article, the authors analyze the norms of the Russian legislation on netting in comparison with the most modern and complete act of international regulation — the UNIDROIT Principles on close-out netting. The authors are faced with the task of answering questions about the path the Russian legislator has taken — is it unique or it is consistent with international regulatory trends.

Keywords: close-out netting, bankruptcy, financial market, derivative financial instruments.

THE LEGAL ASPECT OF TOPICAL ECONOMIC ISSUES ARISING FROM THE RENOVATION OF THE HOUSING IN MOSCOW

Pavel I. Zhurilo,

Abstract. Discusses topical issues related to the financial side of the implementation of the renovation of the housing stock in the city of Moscow. In particular, the issues of the economic activity of the Moscow Foundation for the Renovation of Housing Development, the interests of citizens and contractors with participation in shared construction.

Keywords: Moscow foundation for the renovation of housing development, government procurement, participation in shared construction.

PROBLEMS OF LEGAL REGULATION OF RELATIONS ASSOCIATED WITH THE TRANSPORTATION OF OIL AND GAS

Anastasia N. Kuleshova,

Abstract. Problems related to legal regulation of contractual relations on oil and natural gas transportation, problems of mono-polization of the main pipeline, as well as problems arising in the construction of oil and gas pipelines by private companies are considered. Analysis of legal regulation of relations related to construction of pipelines was carried out. The process of application submission for oil transportation through the main pipeline is considered.

Keywords: oil and gas transportation, monopolization, the main pipeline as an object of law, a single real estate object, construction of oil and gas pipelines, filing an application for transportation.

INSTITUTE OF DAMAGES FOR HARM INFLICTED BY LAWFUL ACTIONS OF THE PUBLIC AUTHORITIES IN THE ACTIVITIES OF INTERNAL AFFAIRS BODIES OF THE RUSSIAN FEDERATION

Nataliya A. Malysheva,

Abstract. The importance of the institution of compensation for damage caused by lawful actions of state bodies in the activities of employees of the Department of Internal Affairs of the Russian Federation is considered. The content of art. 16.1 of the Civil Code of the Russian Federation and other regulatory acts regulating the issues of compensation for damage caused by lawful actions of employees of the Department of Internal Affairs of the Russian Federation is analyzed. It is concluded that employees of the Department of Internal Affairs of the Russian Federation, performing official tasks within the framework of the granted rights, become subjects of lawful harm, however, the mechanism for compensating such harm is subject to improvement.

Keywords: compensation for harm, compensation for damage, lawfully caused harm, state bodies, internal affairs of the Russian Federation.

SPECIFICS OF LEGAL REGULATION OF THE ESCROW AGREEMENT

Maria R. Petukhova,

Abstract. A comprehensive study of a new method of securing obligations is being carried out — a escrow agreement. The Escrow Institute is increasingly attracting the attention of specialists, as the legal design presented is a novelty of civil law reform. The article considers the legal nature of escrow, the characteristics of the contractual structure and the legal status of escrow entities. Particular attention is paid to the analysis of regulatory features as a central element in ensuring escrow obligations.

Keywords: conditional deposition (escrow), escrow contract, escrow agent, depositor, beneficiary, ways of providing performance of obligations.

PRIVATE LAW ASPECTS ANTI-TERRORIST PROTECTION OF BUSINESS OBJECTS: ON THE EXAMPLE OF HAZARDOUS PRODUCTION FACILITIES

Sergey A. Sharonov,

Abstract. The conclusion is justified that in modern conditions of civil traffic, the proper implementation of entrepreneurial activities in the field of operation of hazardous production facilities becomes possible only when the requirements of anti-terrorist protection are met. The concept of «anti-terrorist security of hazardous production facilities» is defined, its structural elements are established and their private legal properties are identified.

Keywords: private law aspects, anti-terrorist security, dangerous production facilities, business activity, contract.

PROCEDURE FOR GRANTING LEAVE TO VARIOUS CATEGORIES OF EMPLOYEES IN ACCORDANCE WITH LABOR LEGISLATION IN THE RUSSIAN FEDERATION

Svetlana N. Andreeva,

Abstract. The analysis of the legal regulation of the procedure for granting annual basic and additional paid holidays under the legislation of the Russian Federation is carried out. Ways to improve labor legislation in terms of regulating the procedure for granting annual basic and additional paid vacations carried are proposed.

Keywords: annual leave, additional leave, categories of employees.

THE PROBLEM OF ENVIRONMENTAL POLLUTION IN OIL PRODUCTION: TOPICAL ISSUE

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

Abstract. In the industry of modern Russia, the largest sources of environmental pollution are enterprises of the oil production and refining complex. These conclusions are based on the results of numerous monitoring of the state of the environment, indicating that about 48–50% of emissions of harmful substances into the air, about 30% of the discharge of polluted waste water falls on the oil production and refining complex. In addition, the history of the largest environmental disasters that have occurred over the past 20–30 years shows that the greatest damage to the environment was caused by oil spills as a result of accidents.

Keywords: environment, oil, nature, industrial enterprises, petroleum products, wildlife, environmental safety.

SOME QUESTIONS OF INDUCEMENT TO COMMIT SUICIDE OF MINORS IN THE CRIMINAL LEGISLATION OF THE RUSSIAN FEDERATION

Orkhan G. Aleskerov,

Abstract. Some issues of inducement to commit suicide of minors are considered, namely, subjective and objective signs of the corpus delicti in part of Art. 110.1 of the Criminal Code of the Russian Federation: the identity of the offender and the identity of the suicide victim; problems of identifying the reasons for the commission of a crime in terms of inducement to commit suicide and the latency of crime, including identified and undetected crimes, hidden crimes and hidden crimes in the field of inducement to commit suicide of minors.

Keywords: inclination to commit a crime, latency of crime, personality of the offender, personality of the victim-suicide, signs of corpus delicti.

CRIMINOLOGICAL CHARACTERISTICS OF PERPETRATORS OF CRIMES WITHIN ETHNIC CRIMINAL STRUCTURES

Murtaz M. Ankosi,

Abstract. An in-depth study and knowledge of the criminological characteristics of ethnic organized crime is not possible without considering such an important issue as the subjective characteristics of persons who commit crimes within ethnic criminal communities and groups. According to the author of the article, the complexity of the study of such a question is rooted in the very ethnic nature of the communities involved in crimes. The moral and psychological state of the person of an ethnic criminal should be based on the study not only of his present, but also of the past, since it is unlikely that the tendency to criminal behavior is an innate factor, but rather an acquired form of behavior.

Keywords: ethnic crime, organized crime, criminology, identity of the offender, criminal law.

COMPARATIVE ANALYSIS OF «FOR» AND «AGAINST» THE DEATH PENALTY AS A CRIMINAL SANCTION

Irina A. Gorshenyova, Evgeniya S. Yurchenkova,

Abstract. Arguments are given «for» and «against» the use of the death penalty as a type of criminal punishment.

Keywords: criminal punishment, death penalty, death sentence, crime, criminal responsibility.

LOBBYING AS A CRIMINAL LEGAL CATEGORY

Mevlud D. Davitadze,

Abstract. It considers such a socio-political phenomenon and its importance in law-making activities as lobbying. Both positive and negative (negative) aspects of lobbying are identified, which served as a basis for considering it as a criminal legal category.

Keywords: lobbying, legality, law-making, law-making activity, normative legal acts, public authorities, state bodies, officials, interests.

ON THE QUESTION OF THE CONTENT AND ROLE OF MODERN CRIMINAL POLICY

Nikolay L. Denisov, Arkady V. Zherebchenko,

Abstract. A number of important nuances are being considered to understand the criminal policy of Russia. Attention is paid to its content and role in the activities of the state mechanism. The opinions of scientists in this field are analysed and their own position is formulated on a number of aspects of criminal policy.

Keywords: criminal policy, the content of criminal policy, the role of criminal policy, functions of criminal policy, rule-making, law enforcement.

CRIMINAL LIABILITY OF PERSONS WITH VIOLENT FORMS OF SEXUAL BEHAVIOR

Andrey B. Kiryukhin, Stanislav I. Kirillov,

Abstract. The influence of specific mental characteristics of persons suffering from disorders of sexual preference (paraphilia) on criminal liability for committing sexual crimes of a violent nature is considered.

Keywords: disorders of sexual preference, gender-role identification, sexual crimes, violence, sanity, criminal responsibility.

SPEAKING OF SPECIAL SUBJECTS OF THE CRIME, PROVIDED FOR BY art. 170 OF THE CRIMINAL CODE OF THE RUSSIAN FEDERATION Svetlana V. Muradyan,

Abstract. Outlined the results of the study of the problems of establishing a special subject of the crime under art. 170 of the Criminal Code, based on the alternative nature of its objective side. The reasons for the high latency of such acts have been established. Proposals have been developed to establish the legal definition of «official» in the framework of the entire Criminal Code of the Russian Federation. The criteria for distinguishing art. 170 of the Criminal Code with related compositions of crimes have been formulated.

Keywords: crime, qualification, special subject, official, criminal liability, real estate, land, registration, cadastral record, registry.

PRACTICE OF ANNOUNCEMENT TO THE INTERNATIONAL INQUIRY ON CASES ON CRIMES COMMITTED ON THE TERRITORY OF THE CRIMEAN PENINSULA: PROBLEMS AND SOLUTION OPTIONS

Nikolay V. Rumyantsev, Maksim Yu. Tarasov,

Abstract. The study of the practice of international search for persons in cases of crimes committed on the territory of the Crimean Peninsula (2014–2020) showed the following problems: 1) removal of the General Secretariat of Interpol data from the database of persons wanted by law enforcement agencies of the Republic of Crimea and Sevastopol; 2) decisions by the competent authorities of foreign States for the extradition of persons sought for criminal cases being in production of bodies of preliminary investigation and courts of the said constituent entities of the Russian Federation located on the territory of the Crimean Peninsula; 3) the actual installed evasion abroad of persons who committed crimes on the territory of the Crimean Peninsula from criminal responsibility and, as a consequence, the achievement of the goals of justice, infringement of the rights of victims of unlawful attacks. Based on the results of the analysis, some solutions to the existing problems in this area are proposed.

Keyword: Interpol, General Secretariat of Interpol, international search, request for international search, notification of search, Republic of Crimea and Sevastopol, Prosecutor General's office of the Russian Federation, NCB of Interpol of the Ministry of internal Affairs of Russia.

CRIMINAL PROCEDURAL DETENTION OF A SUSPECT BY CITIZENS OF THE RUSSIAN FEDERATION

Elmir N. Alimamedov,

Abstract. The problems of criminal procedure detention of the suspect are considered by citizens of the Russian Federation who aren't provided by art. 91 of the Criminal Procedure Code of the Russian Federation.

Keywords: detention of a suspect, body search, suspect, right to detention.

GENERAL CHARACTERISTIC OF INSPECTION AS A CONSEQUENTIAL ACTION

Ruslan B. Gandaloev,

Abstract. The effectiveness of work on the investigation of criminal cases largely depends on the ability to correctly and fully use knowledge in various fields, for example, in the field of forensic science, psychology, criminology, etc. In the context of negative trends in the dynamics of crime, unprecedented diversity and complexity of criminal activity, the widespread use of high-tech devices in it, timely and highly professional production of investigative actions is an indisputable condition for the procedural effectiveness of the preliminary investigation and subsequent trial in criminal cases.

Keywords: investigative actions, inspection, Criminal Procedure Code of the Russian Federation, article, delimitation, characteristics.

FUNCTIONAL CRITERIA OF THE MODERN MECHANISM OF LAW ENFORCEMENT ACTIVITIES OF THE POLICE

Anna V. Kostyuk,

Abstract. Considered the issues with the issues of formation and development of criteria for the functioning of the police in modern conditions, which are relevant for the organization of law enforcement activities. The author's conclusions on the optimization of the quality of training and professional retraining of police officers are presented.

Keywords: law, police, police functions, law enforcement, society.

PROCEDURAL ACTIVITIES FOR PREPARING AND SENDING MATERIALS TO THE COURT FOR THE APPLICATION OF REMAND IN CUSTODY

Anastasiya V. Lugovaya,

Abstract. The procedure for preparing a decision by the investigator and the interrogator to initiate a request for a preventive measure in the form of detention is being investigated. It is concluded that there is a need for careful justification of the need to place a suspect or accused person in a pre-trial detention centre by providing relevant supporting documents.

Keywords: remand in custody, preventive measures, procedural procedure for applying remand in custody, legality of remand in custody.

INTERESTS AND CHALLENGES IN CRIMINAL PROSECUTION: COMPLEXITIES OF LAW-MAKING AND ENFORCEMENT

Victor V. Pushkarev,

Abstract. It is disclosed that public interests in criminal procedure law are permanently represented as a component of personal interests that form public, and, therefore, state and municipal interests. It is established that they cannot be absent in criminal procedural relations of a public legal nature. The influence of interests on the results of the goal (task) in the criminal process is described, the thesis is argued about the need to achieve a balance of interests in criminal procedure law.

Keywords: criminal prosecution, purpose of criminal proceedings, pre-trial stages, interest.

CURRENT ISSUES OF PROCEDURAL ACTIVITY OF THE INVESTIGATOR ON INVESTIGATION OF CORRUPTION CRIMES COMMITTED IN THE SPHERE OF DISTRIBUTION AND EXPENDITURE OF BUDGET FUNDS

Stanislav V. Selivanov,

Abstract. Issues of procedural activity of the investigator to investigate corruption crimes committed in the field of distribution and expenditure of budget funds are considered. The conclusion is justified that the investigator should take into account the fact that corruption crimes cause enormous damage to the state, the development of such negative rules for allocating funds from budgets based on the principles of «kickbacks» and bribes, which adversely and negatively affect the effective functioning of the financial system of the state as a whole.

Keywords: corruption crimes, investigator, preliminary investigation, distribution and expenditure of budget funds.

CERTAIN ISSUES OF IMPROVEMENT OF THE ORDER OF ATTRACTION OF THE PERSON AS THE DEFENDANT AND CHANGE OF THE PREVIOUSLY DEDICATED CHARGE

Yuri V. Sidorov,

Abstract. The article deals with issues related to the need for legislative regulation of the form and terms of notification of the accused on the day of the charge, as well as the introduction of a number of changes to art. 175 of the Code of Criminal Procedure of the Russian Federation, concerning procedural issues of changing the charge and terminating the criminal prosecution in the part of the previously filed charge, which was not confirmed in the part of the earlier filed charge in order to comply with the rights of the accused and streamline the activities of law enforcement officers.

Keywords: prosecution, investigator, form and terms of notification of the accused, modification and addition of the previously charged, termination of the criminal prosecution in part, observance of the rights of participants in criminal proceedings, qualification of the actions of the accused.

DEVELOPMENT OF LEGISLATION PROHIBITING THE DISCLOSURE OF PRE-TRIAL RECORDS

Anna V. Skachko, Elena V. Blinova,

Abstract. The main historical stages of the development of legislation ensuring a ban on the disclosure of pre-trial proceedings in Russia are considered.

Keywords: general conditions of preliminary investigation, historical stages, non-disclosure of preliminary investigation data.

INSTITUTE OF PROCEDURAL DETENTION IN THE LIGHT OF THE NOVELTIES OF THE CONSTITUTION OF THE RUSSIAN FEDERATION

Margarita A. Chikovani,

Abstract. A set of issues related to the institution of detention in the Russian criminal process is being considered in the light of the update of the country's basic law. The terms of detention and the admissibility of their extension by the court under the current criminal procedure law are examined. The positions of the Constitutional Court of the Russian Federation on the issue of detention are given. It is concluded that the procedure for extending the period of detention is inconsistent. Consideration is being given to the possibility of reviewing certain rules of criminal procedure in order to optimize the procedural activities of the subjects of investigation regarding the procedural procedure and the duration of detention.

Keywords: detention, Constitution, President, arrest, detention, suspect, investigator.

INTERNATIONAL LEGAL REGULATION OF THE PROTECTION OF HUMAN RIGHTS IN THE FIELD OF BIOMEDICINE WITHIN THE COUNCIL OF EUROPE

Ivan I. Kotlyarov, Anastasiya A. Kozlova,

Abstract. Legal analysis of international legal and advisory acts of the Council of Europe on the protection of human rights in the field of biomedicine has been carried out. The provisions and principles of the 1997 Oviedo Convention, which are an effective tool for the protection of human rights in the field of biomedicine at the regional level, have been studied. Based on the review of the results of the Council of Europe Bioethics Committee key strategies for its work in the light of pandemic threats have been identified.

Keywords: biomedicine, organ donation, transplantation, bioethics, human rights, Oviedo Convention, Council of Europe.

INTERNATIONAL LEGAL COOPERATION IN COMBATING ILLEGAL TRAFFICKING OF CULTURAL PROPERTIES

Yuliya V. Puzyreva, Anastasia A. Klunenkova,

Abstract. Analyzed the state and development trends of international law enforcement cooperation between states in the fight against illicit trafficking in cultural property. The contribution of Interpol to the coordination of such interdepartmental universal interaction was determined, and general forms of cooperation between Interpol and the United Nations (UNESCO) in the field of combating crimes against cultural property as a threat to international security were formulated.

Keywords: trafficking in cultural property, database of stolen works of art, police operations, competent police agencies, Interpol, United Nations, UNESCO.

SOME FEATURES OF THE PROTECTION OF THE RIGHTS AND FREEDOMS OF MINORS BY A NOTARY

Samvel S. Mailyan, Viktor V. Vasiliev,

Abstract. Some features of protection of rights and freedoms of minors by notary are considered. Based on an analysis of the provisions of the current legislation, including the Family Code of the Russian Federation, the Civil Code of the Russian Federation, the Civil Procedure Code of the Russian Federation and other regulatory legal acts, the author makes a number of judgments, citing as an example the conflicts and contradictions in the law. In conclusion, on the basis of the analysis, some conclusions are drawn, in particular regarding the nature of the notary's activities and its effectiveness in protecting the rights, freedoms and legitimate interests of minors.

Keywords: notary, minors, rights, freedoms, legitimate interests, guardianship.

SOME QUESTIONS ABOUT THE APPOINTMENT OF FORENSIC EXAMINATIONS IN CASES OF FORGERY OF DOCUMENTS

Roza V. Bondarenko, Dina A. Mozgovaya,

Abstract. Based on the analysis of scientific literature and forensic investigation practice, the authors consider the issues of appointment of handwriting and technical and forensic examinations in cases of forgery of documents.

Keywords: forensic examination, expert opinion, forgery of documents, samples.

FEATURES OF DRAWING UP AN EXPERT OPINION ON THE RESULTS OF FORENSIC HANDWRITING IDENTIFICATION EXAMINATION OF MANUSCRIPTS MADE IN CHINESE CHARACTERS

Pavel A. Chetverkin, Stanislav M. Bobovkin,

Abstract. Recommendations on the procedure for issuing expert opinions on the results of identification studies of handwritten objects performed by Chinese hieroglyphic writing are proposed. Taking into account the use of an integrated approach to the research process, the authors consider the features of the participation of a handwriting expert and an expert linguist at this stage of the solution of the issue of identification of the performer. Particular attention is paid to the preparation of illustrative material.

Keywords: handwriting expertise, identification of the performer, manuscripts, Chinese characters, a comprehensive approach, registration of the expert's conclusion, illustrative material.

DOMESTIC ANIMALS CARE ADMINISTRATIVE-LEGAL REGULATION SEVERAL ASPECTS

Natal'ya A. Golovanova, Vladimir A. Seleznev, Natal'ya Yu. Treshchetenkova,

Abstract. The problems of dogs care administrative-legal regulation problems are considered in the article as well as possible variants of its resolution on the base of the foreign legislation conclusion. The necessity to state the administrative responsibilities for potentially dangerous dogs care rules violations is justified.

Keywords: administrative rules violations, administrative responsibilities, responsible animals care, domestic animals care rules, potentially dangerous dogs.

THE MECHANISM OF LEGAL REGULATION OF RELATIONS TO FORM AND MAINTAIN A DIGITAL ENVIRONMENT OF TRUST

Sergey M. Zyryanov, Anastasia V. Kalmykova,

Abstract. The implementation of the national project «Digital Economy of Russia» and the federal project «Digital Environment Regulation» are aimed at developing and implementing advanced technologies of economic development and creating a digital environment of trust as a prerequisite for the wide use of digital technologies, information and telecommunications networks, ensuring the fuller realization of the rights and freedoms of citizens in the information sphere. The authors assume that the goals of the national project can be achieved only if all the organizational, legal and financial resources of public administration are concentrated on the tasks of the national project. At the same time, in the context of regulatory enforcement, the objectives of the national project should be used to improve the legal mechanism and make effective use of all available legal means. As a result of the study the authors conclude that the emerging mechanism of legal regulation of the digital environment is marked by an imbalance with a clear preponderance of prohibitions in relation to permits and permissive, although it is clear that the prohibition is not the best means of building an atmosphere of trust.

Keywords: national projects, information, information security, legal regulatory mechanism, information environment of trust, prohibitions, permits, permits.

ON THE PARTICIPATION OF PRIVATE LAW ENTITIES IN THE IMPLEMENTATION OF THE FUNCTIONS OF PUBLIC AUTHORITY IN THE SPHERE OF INTERNAL AFFAIRS

Anatoly M. Kononov,

Abstract. At present, the implementation of public authority functions is no longer a monopoly of state or local self-government bodies. In some cases, there is a transfer of public functions and, consequently, the corresponding powers from the sphere of state and municipal administration to the private legal sphere. There is a certain privatization of public authority functions. This situation has also become possible in the sphere of internal affairs.

Participation of private law entities in the implementation of public authority functions in the sphere of internal affairs today takes place in the forms of organizational and functional privatization, and is expressed in the provision of public services assigned to the Ministry of Internal affairs of Russia through their subordinate institutions or other organizations, outsourcing, i.e. the transfer of certain police functions to the private sector on a competitive basis, the conclusion of concession agreements and administrative agreements with private law entities.

Domestic and foreign practice contains examples of material privatization, which provides for the full transfer of public tasks to the non-state sector and assigning all responsibility for their solution to private law entities.

The search for ways to optimize the functions of Executive authorities, including Internal affairs bodies, prompted a scientific discussion about the prospects for transferring certain functions of public administration to private law entities in the Russian Federation. The most controversial issues are the boundaries and conditions for privatizing public authority functions. Particular care should be taken in this process when making decisions on the transfer of functions of public authority in the field of internal affairs.

Keywords: privatization of public authority functions, delegation of authority, outsourcing of public functions, concession agreements, organizational privatization, functional privatization, material privatization, property privatization, borders and conditions of privatization.

ON THE ISSUE OF THE ADMINISTRATIVE AND LEGAL REGIME OF SPECIAL INSTITUTIONS OF THE MINISTRY OF INTERNAL AFFAIRS OF RUSSIA FOR THE DETENTION OF FOREIGN CITIZENS AND STATELESS PERSONS SUBJECT TO ADMINISTRATIVE EXPULSION FROM THE RUSSIAN FEDERATION

Vladimir A. Morozov,

Abstract. The conditions of appearance of administrative-legal regime of the special institutions of MIA of Russia for foreign citizens and stateless persons subject to administrative expulsion from the Russian Federation, the peculiarities of administrative-legal regulation of social relations in the process of detention of foreign nationals or stateless persons in special institutions of MIA of Russia, taking into account the existing special legal regime.

Keywords: administrative and legal status, regime, regulation, foreign citizen, special institution of the Ministry of internal Affairs of Russia, administrative expulsion.

CERTAIN ASPECTS OF THE IMPLEMENTATION OF THE RIGHT TO WORK BY FOREIGN CITIZENS IN THE RUSSIAN FEDERATION

Irina V. Potapenkova, Elena N. Yarmonova,

Abstract. The legal basis for restricting the rights of foreign citizens to work in the Russian Federation, as well as the criteria for exercising the labour rights of foreign citizens in the territory of the Russian Federation, are being considered.

Keywords: foreign citizens, labor activity, state civil service, institute of citizenship.

INTERACTION OF UNITS FOR MIGRATION TO PASSPORT AND VISA CENTERS FOR CONTROL OVER EXECUTION OF THE LEGISLATION IN THE FIELD OF MIGRATION

Tatyana A. Prudnikova,

Abstract. Describes the features of the interaction of the FSUE «PVS» Ministry of internal Affairs of Russia divisions on the issues of migration, control over execution of the legislation in the sphere of migration in the provision of public services.

Keywords: passport and visa center, divisions, migration, interaction, forms, methods, legislation.

PECULIARITIES OF THE PARTICIPATION OF THE DEPARTMENT OF INTERNAL AFFAIRS AT THE MOSCOW METRO OF THE MAIN DEPARTMENT OF THE MINISTRY OF INTERNAL AFFAIRS OF THE RUSSIAN FEDERATION IN THE ELIMINATION OF MAN-MADE EMERGENCIES

Valery G. Akimov,

Abstract. The activity of law enforcement agencies in case of emergencies on the Moscow metro is analyzed. Proposals are given to improve the activities of law enforcement agencies and other law enforcement agencies to improve joint activities in the course of solving operational tasks.

Keywords: emergency incidents, emergency circumstances, transport security, management organization, external and internal management, action planning, management body and control point, organization of interaction.

RISKS OF ECONOMIC POLICY OF RUSSIA

Alexey A. Artemyev, Ivan F. Nepomnyashchikh, Pavel A. Kokhno,

Abstract. The economic situation of Russia is considered; it is indicated that the Russian economy is in dire need of various kinds of resources, primarily investment. The peculiarity of the modern economic situation is that the prospects for resolving the issues of the sanctions confrontation will have a significant impact on investment activity. If sanctions are intensified, then this will naturally slow down investment, not only foreign, but also domestic. The investment climate, the level of tax burden, and the predictability of economic and tax policies play a key role in the dynamics of private investment. An assessment of the impact of borrowed capital on the timing of innovative projects is proposed. It is justified that under the current fiscal and monetary policy, with severe restrictions on increasing domestic demand, it is almost impossible to launch sustained economic growth. Given the high uncertainty of the economic situation, the growing tax burden, the unpredictability of economic policy, the slowdown in the world economy and other negative factors, the state of the Russian economy will remain difficult in the coming years. Therefore, the population should become a driver of economic growth of the country's economy, including through the development and growth of the small and medium-sized enterprise sector.

Keywords: economy of Russia, investment resources, sanctions opposition, borrowed investment funds, trade and economic co-operation, enterprise activity, budgetary and monetary policy.

IDENTIFICATION OF VULNERABILITIES OF LAUNDERING OF PROCEEDS FROM CRIME AND THEIR PREVENTION IN THE BANKING SYSTEM

Elena I. Kuznetsova, Irina V. Filatova,

Abstract. It is determined that the term «vulnerability» is quite applicable in scientific research on economic security issues, not only as an element of assessing the risk of money laundering in the AML/CFT sphere, but also as a possibility of harming the financial system by performing financial transactions for the purpose of laundering criminal proceeds.

In accordance with this, the analysis of vulnerabilities of the banking system at the present stage, the counteraction of which can provide an increase in the level of economic security. The following threats were identified: a high share of the shadow economy and cash turnover, concealment of the results of receiving funds and assets.

Keywords: vulnerability, laundering of proceeds of crime, AML/CFT sphere, risks of the banking system, risk prevention.

PROBLEMS OF IMPROVING THE EFFICIENCY OF STATE FINANCIAL AND CREDIT SUPPORT FOR ENTREPRENEURSHIP

Indira Z. Toguzova, Vladimir A. Kaytmazov,

Abstract. The problems of improving the efficiency of state financial and credit support for entrepreneurship are considered. The analysis is carried out at the level of federal subjects. Problems and ways to solve them are identified.

Keywords: state support, small and medium-sized businesses, subjects of the Russian Federation, monetary policy.

ASSESSMENT OF INTERESTS AND LOSSES OF ORGANIZATIONS THAT PRODUCE, IMPORT AND SELL FOOD

Svetlana Yu. Mustafina, Andrey E. Lyapin,

Abstract. The study of the level of sales of food products that make up the grocery basket of the average person. Based on the analysis of data from state statistical agencies, the interim results of the import substitution process in the food market were evaluated and a short-term forecast was made.

Keywords: food market, import substitution, food, alcoholic beverages, agricultural products.

DEVELOPMENT TRENDS OF THE RUSSIAN HOUSING MORTGAGE MARKET

Diana I. Stepanova, Daria Yu. Mironova,

Abstract. The current state of the mortgage lending market in Russia is considered, its main trends and trends of further development are revealed based on the results of market analysis for 2018–2020. The dynamics of the volume of mortgage housing loans issued in Russia, interest rates, prerequisites for the growth of the Russian mortgage market are presented.

Keywords: mortgage, loan, mortgage market, mortgage rates.

TRANSFORMATION OF INDUSTRY IN THE CONDITIONS OF TRANSITION TO «INDUSTRY 4.0»

Nelly V. Tskhadadze,

Abstract. Discussed the features of the fourth industrial revolution; identified the main problems and prospects of the transition of Russian enterprises to «Industry 4.0»; the principles of active introduction of new technologies in enterprises are highlighted. The basis of these systems is the Internet of things (IoT) technology, which allows you to combine, analyze, process and transfer large amounts of data.

Keywords: Industry 4.0, cyberphysical systems, industrial revolution, robotics, digital transformation.

FUNCTIONS OF CONTROL AND AUDIT INSTITUTIONS TO COUNTER NEGATIVE PROCESSES IN THE ECONOMY OF THE RUSSIAN FEDERATION

Tat'yana N. Agapova, Tat'yana V. Voevoda,

Abstract. Due to the transition of the economy of the Russian Federation from Directive management methods to market mechanisms for regulating the economy, the role, place and functions of state financial control institutions in the public administration system have become fundamentally different. In a broad sense, they are intended, along with directly controlling functions, to serve as an instrument of state regulation and stabilization of economic processes. In the conditions of market regulation of the economy, the institutions of state financial control began to perform a relatively new fiscal function for them. The main attention in the article is drawn to the fact that in the implementation of its functions, the system of state financial control relies on one of its mobile, operational, and therefore most effective tools — control and audit institutions.

The study showed that the direct relationship of control and audit institutions with the objects and subjects of economic relations allows us to achieve a high level of objectivity of the results of financial control and, as a result, to develop timely and correct decisions and measures to regulate the economic and financial policy of the state.

Keywords: control and audit institutions, functions of control and audit institutions, negative processes in the economy, economic offenses.

THE ORGANIZATION OF INTERACTION OF INSPECTIONS FOR JUVENILE AFFAIRS, BODIES OF LOCAL SELF-GOVERNMENT

Elizaveta M. Goncharova, Irina B. Mar'yasis,

Abstract. The status of juvenile inspectorates is being examined to identify problems between the main actors of inter-agency co-operation. Data are provided that indicate the number of illegal acts committed not only by minors, but also by their legal representatives. Recommendations are offered to optimize modern forms of interaction with problem adolescents.

Keywords: minors, social relations, interaction in society, inspections for minors, protection of children's rights, local self-government bodies.

DEVELOPMENT OF LEGAL CONSCIOUSNESS OF LAW UNIVERSITY'S STUDENTS

Mariya V. Ladukhina,

Abstract. The results of experimental study of effective methods of development of legal consciousness in students of legal university through specially organized system of additional to the main educational program of events are presented. It was concluded that increasing the level of development of students' legal awareness through the influence on the motivational component and social activity of the individual is a necessary condition for the formation of basic professional competencies from the first courses of study in law universities.

Keywords: law and morality, legal conscience, development of legal consciousness, law students.

FEATURES OF THE MANIFESTATION OF AGGRESSION IN THE PROFESSIONAL ACTIVITIES OF POLICE OFFICERS

Vladimir F. Rodin, Fedor D. Gorelov,

Abstract. Aggression is a familiar phenomenon, and everyone is constantly faced with its manifestation, if not as a participant in a situation, then as a witness. Currently, one of the most dangerous behavior is — aggression by some police officers. As a rule, its manifestation leads to various negative situations and consequences that should not be allowed. Let's see what aggression is, how it provokes outbursts of anger from some police officers, and how to get rid of aggression and irritability, or at least prevent them from seriously affecting a person's life.

Keywords: aggression, manifestation of aggression, human aggressiveness, destructive behavior.

ESSENTIAL FEATURES OF EMOTIONAL INTELLIGENCE

Vyacheslav A. Sitarov, Olga A. Pashkova

Abstract. Essential signs of emotional intelligence, personal development are considered, spiritual and universal human values are distinguished, and personality development is indicated. Essential signs of emotional intelligence are described — interaction between people, control and control of emotions.

Keywords: emotional intelligence, personality, values, essential attributes, feelings, emotions.

IDENTIFICATION OF PROFESSIONAL SYMPTOM COMPLEXES IN THE PERSONALITY STRUCTURE OF CIVIL AVIATION PILOTS

Yulia V. Slavinskaya, Alexandra A. Zharkikh, Svetlana V. Rettges,

Abstract. The personality of pilots is one of the important factors in flight safety. Choosing the theory of leading trends as a theoretical platform, the results of the study of symptom complexes of civil aviation pilots are presented. There are four main symptom complexes characterized by the specificity of the severity of the leading trends within the same type of response and similar indices of GNI.

Keywords: symptom complex, theory of leading trends, pilot, civil aviation.

COMPARATIVE ANALYSIS OF THE SOCIAL SELF OF SUBJECTS OF LAW ENFORCEMENT AND CREATIVE ACTIVITY

Valery S. Agapov, Vyacheslav L. Tsvetkov, Tatiana A. Khrustaleva,

Abstract. The article presents the results of generalization of comparative analysis of empirical verification of the structure of the social Self of cadets of educational organizations of the Ministry of internal Affairs of Russian Federation as subjects of law enforcement and students as subjects of creative activity. The article describes the revealed differences in the structural features of the social Self of subjects of law enforcement and creative activity.

Keyword: activity approach, law enforcement, creative activity, subject, Self, social self-awareness, social Self, interpersonal relations, creative personality.

RESEARCH OF RISK PROPENSITY IN EXTREME SPORTS ATHLETES DEPENDING ON THE LEVEL OF VICTIMIZATION

Marina V. Smirnova, Yulia G. Kasperovich, Tatyana S. Maksimova,

Abstract. One of the current tasks in psychology is considered, related to the study of the causes of inadequately risky behavior in sports, which often leads to increased injury or death of athletes. Risk propensity is analyzed depending on the level of victimhood, as well as gender characteristics of victimhood and risk propensity of athletes of extreme and traditional sports. The results of the study of personal characteristics (individual typological features, coping strategies, meaningful orientations) of athletes of extreme sports are presented, which, combined with a high level of victimhood, lead to the manifestation of erroneously risky behavior in non-standard situations of sports activity.

Keywords: risk behavior in sports, risk propensity, victimization, individual typological features, coping strategies, life orientations.