ABSTRACT AND KEYWORDS

BULLETIN OF THE MOSCOW UNIVERSITY OF THE MINISTRY OF INTERNAL AFFAIRS OF RUSSIA, №1, 2022

FEATURES OF THE ORGANIZATIONAL AND LEGAL FOUNDATIONS OF THE CONSTRUCTION OF THE SYSTEM OF INTERNAL AFFAIRS BODIES OF THE USSR IN 1946–1953

Olga V. Avdeeva

Abstract. The problems of the features of the organizational and legal foundations of the construction of the system of internal affairs of the USSR in the post-war period are touched upon. Using dialectical, logical and historical methods, the dynamics of the development of the legal status of the Ministry of Internal Affairs of the USSR in the direction of increasing the economic function of the department is shown. The historical and political method of interpretation of external forms of structural and functional reorganizations of state security bodies and internal affairs bodies is used. **Keywords:** NKVD, Ministry of Internal Affairs, MGB, reorganization, law and order, USSR

ABOUT THE PROBLEM OF INCLUDING DISPUTES IN SCOPE OF COMPETENCE OF COMMERCIAL COURTS

Lenara L. Azamatova, Tagir R. Maksyutov

Abstract. The problem of jurisdiction by the arbitration court of cases on challenging decisions on bringing to administrative responsibility is analyzed.

Keywords: commercial courts, Code of Administrative Offences of Russian Federation, including disputes in scope of competence

PROBLEMS OF BRINGING MINORS AND THEIR LEGAL REPRESENTATIVES TO ADMINISTRATIVE RESPONSIBILITY

Venera N. Amelchakova, Galina N. Suslova

Abstract. The problematic issues of bringing minors and their legal representatives to administrative responsibility are considered.

Keywords: offence, administrative liability, minors, legal representatives

FAMILY MURDERS

Yuri M. Antonyan, Elena M. Timoshina

Abstract. Provides statistics on the state and dynamics of murders in family. Particular attention is paid to the reasons for these crimes, first of all, the reasons for the emergence of conflicts in the family, which lead to murders. The analysis of the reasons is given from the sociological and psychological positions. The origin of

psychological causes from the depths of the psyche is traced, the criminological significance of relations between family members is assessed. Some examples are analyzed.

Keywords: family, domestic violence, domestic violence, family conflict, murder, domination in the family, contradictions between subcultures in the family

CURRENT PROBLEMS OF QUALIFICATION OF CRIMINAL OFFENSES AGAINST PERSON

Alibek B. Baigaliev

Abstract. The trends in the development of the criminal legislation of Kazakhstan in relation to criminal offenses against the person are analyzed. Various approaches to the interpretation of the concept of «qualification of criminal offenses against the person» are studied and the most reasonable of them is proposed. Competition of criminal law norms is considered as one of the most significant problems of qualification of this type of offenses.

Keywords: criminal offenses against person, qualification of crimes, the conflict of criminal law principles

PECULIARITIES OF THE EXTRADITION OF CRIMINALS: INTERNATIONAL LEGAL CHARACTERISTICS

Anatoly A. Bakaev, Yulia A. Ivanova, Tatiana V. Radchenko, Marat V. Saudakhanov Abstract. Currently, extradition is used quite often and there are many requests for extradition, and the legal regulation of extradition is at the intersection of the norms of domestic and international law, and it occurs only if there are relevant conventions and treaties on the extradition of criminals, hence there may be some difficulties with the implementation of this institution, due to the lack of uniform standards. In addition, there is now a signi- ficant increase in the number of norms governing this institution, as well as norms that relate to human rights, which should not be violated during the extradition and transfer of the requested person.

Keywords: United Nations, international organizations, criminal, responsibility, extradition, extradition, inter- national legal characteristics, international law

FORENSIC EXAMINATIONS IN CASES OF FORGERY OF DOCUMENTS

Roza V. Bondarenko, Dina A. Mozgovaya

Abstract. The investigation of forgery of documents in each case is associated with the appointment of forensic examinations, the results of which do not always contain criminally significant information. Based on the analysis of forensic investigative practice, the main issues related to the appointment of forensic examinations are highlighted.

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

MODERN PROBLEMS OF BRINGING TO CRIMINAL RESPONSIBILITY FOR INCITING HATRED OR ENMITY, AS WELL AS HUMILIATION OF HUMAN DIGNITY

Tatiana N. Borodkina, Evgeniya Yu. Samolaeva

Abstract. The issues related to the commission of actions entailing incitement of hatred, enmity, as well as humiliation of human dignity in Russia, committed using information and telecommunication networks, are considered. The assessment of the number of criminally punishable acts is given; the problems of organizational and regulatory nature that contribute to the disclosure of these acts are identified; the necessity of improving legislation in terms of intensifying control over the activities of persons on whose resources extremist information is published and the inevitability of bringing to justice for crimes under Article 282 of the Criminal Code of the Russian Federation is substantiated.

Keywords: extremism, incitement of hatred, enmity, humiliation of human dignity, social networks, Internet resources

ARTIFICIAL INTELLIGENCE AS A MEANS OF COMMITTING EXTREMIST CRIMES COMMITTED USING INFORMATION AND TELECOMMUNICATION NETWORKS, AND COMBATING THEM Vasily V. Bychkov

Vasily V. Bychkov

Abstract. Crimes committed using artificial intelligence are considered. The possibilities of using artificial in-telligence as a means of combating socially dangerous acts are revealed. The directions of the use of artificial intelligence are proposed in order to increase the efficiency and effectiveness of the disclosure and investigation of extremist crimes committed using information and telecommunication networks.

Keywords: extremism, extremist crimes, information and telecommunication networks, Internet, disclosure, investigation, artificial intelligence, means of committing a crime, countering crimes

INTERACTION OF INTERNAL AFFAIRS BODIES WITH PUBLIC INSTITUTIONS AND CITIZENS IN MATTERS OF CRIME PREVENTION (ON THE EXAMPLE OF THE STAVROPOL TERRITORY)

Vladislav V. Vlasenko, Arkady V. Zherebchenko

Abstract. The state of interaction of the internal affairs bodies of the Stavropol Territory with the public in matters of crime prevention and the existing positive experience is considered. In the course of the study, conclusions were drawn according to which the internal affairs bodies of the Stavropol Territory have established effective cooperation in crime prevention activities with various public, commercial and other organizations, as well as citizens. However, there are some minor shortcomings in this matter. In addition, the main directions of further development and improvement of the quality of such interaction are outlined. The presented material makes a significant contribution to the study of the regional

specifics of the organization of interaction of the internal affairs bodies of the Russian Federation with public institutions and citizens.

Keywords: public order, people's guards, Cossack societies, law and order, population, law and order, offenses

WAYS TO IMPROVE MEASURES AIMED AT COMBATING CORRUPTION AT THE PRESENT STAGE OF DEVELOPMENT OF RUSSIA

Stanislav E. Vorodyuhin, Victoria A. Lysenko, Viktor V. Vasiliev

Abstract. The main anti-corruption measures that already exist at the present stage of Russia's development are highlighted, and new ways of improving them are proposed. In connection with the crisis caused by the COVID-19 coronavirus pandemic, there is a tendency to corruption offenses around the world. Special measures are given that should be paid special attention to during the pandemic, as they are aimed at countering corruption in the most vulnerable areas of society. **Keywords:** corruption, anti-corruption measures, employees of the

internal affairs bodies

ADMINISTRATIVE ACTIVITIES OF THE POLICE IN CONDITIONS OF SOCIAL TENSION

Alexey M. Voronov

Abstract. Based on the analysis of the latest Russian legislation, the practice of law enforcement agencies, the modern realities of Russian statehood, the author states that public tension in the state is significantly increased in emergency situations: during man-made disasters, epidemics, social crises, when committing acts of terrorism and other negative situations. The main areas of improvement of police security activities are investigation and analysis of threat trends and risk assessment. With this approach, the author statues the new administrative and legal institution of the police «Organization of police activities in conditions of social tension», which integrates issues related to the organization and activities of the police in extraordinary conditions.

Keywords: social tension, administrative activity, security, administrative and legal institution, risk assessment

THE LEGAL NATURE OF DIGITAL USER SERVICE AGREEMENTS

Asad Ya. ogly Gasanov

Abstract. The legal nature of user agreements for the provision of services using digital technologies is being studied. It is concluded that the actual joining of the user (by signing a user agreement) to the «rules of the game» established on a certain resource (platform, website) is a hidden form of partial violation of the right of citizens to information and the right to access the Internet. Since without joining certain requirements and rules, the user cannot access the corresponding resource

located on the Internet, and accordingly, his rights to access information and rights to access the Internet are partially violated. This issue has not yet received a proper legal explanation in the law enforcement practice of the courts.

Keywords: digital technologies, internet, user agreement, social networks, digital services, digital rights, copyright, content

METHODOLOGY OF SEARCHING FOR MISSING PERSONS IN THE FOREST

Roman V. Glubokovskikh

Abstract. The importance of investigative work as part of the operational-investigative activities of the internal affairs bodies using a situational approach is emphasized. The presence of significant problems in the search for missing persons was noted, in particular, due to the lack of methods of conducting search operations by criminal investigation units with the involvement of public associations (volunteers). The analysis of the results of a socio- logical survey of criminal investigation officers and volunteers was carried out. A method of searching for missing persons in forests has been developed.

Keywords: search work, situation, forest, missing person, criminal investigation department, volunteer, methodology

FORMS AND PROCEDURES OF MARRIAGE IN ANCIENT RUSSIAOF THE PRE-CHRISTIAN PERIOD. ON THE ISSUE OF THE MARITAL AND FAMILY STATUS OF MEN OF THE OLD RUSSIAN STATE

Sergey N. Groshev

Abstract. The problems of the marital and family status of the male gender group in Ancient Russia are touched upon through the prism of the forms and procedures of marriage in the Ancient Russian state of the pre-Christian period. With the help of dialectical, logical and historical methods, the dynamics of the development of the legal status of men in the marital and family sphere is shown. The historical and political method of interpretation of the legal norms regulating family legal relations in the Ancient Russian state is used.

Keywords: Ancient Russia, ancient Russian marriage and family law, Byzantine legislation, Christianity, the legal status of men

ON THE PROSPECTS OF MAKING CHANGES TO THE CURRENT CRIMINAL PROCEDURE LEGISLATION OF RUSSIA

Mevlud D. Davitadze, Grigory A. Maystrenko

Abstract. The prospects of introducing amendments to the Criminal Procedure Code of the Russian Federation in terms of adjusting the legal norms governing such institutions of criminal procedure as the trial of a criminal case before a justice of the peace, judicial proceedings with the participation of jurors, cassation proceedings in a

case are analyzed. There is no doubt that the changes in these institutions will have a positive impact on law enforcement practice.

Keywords: Criminal Procedure Code, criminal procedure legislation, cassation proceedings, the institute of jurors, the trial of the case before a justice of the peace

THE EFFECTIVENESS OF CRIMINAL LAW AGAINST CRIME IN THE CONTEXT OF THE CRIMINAL LIABILITY OF LEGAL ENTITIES

Mikhail Yu. Dvoretsky

Abstract. The effectiveness of criminal law counteraction to crime in the context of criminal liability of legal entities is considered. Its genesis, problems of foreign and domestic theory of criminal law and law enforcement practice related to its introduction and effective implementation are analyzed.

Keywords: effectiveness of criminal law against crime, criminal liability, legal entity, problems of the theory of criminal law, law enforcement practice

CRITERIA FOR THE ADMISSIBILITY OF CONDUCTING INVESTIGATIVE ACTIONS AT THE STAGE OF INITIATING A CRIMINAL CASE

Daria A. Dell

Abstract. The reasons of inefficiency of activity at the stage of initiation of a criminal case are considered. One of the reasons seems to be the absence of any significant signs that should be relied upon when choosing investigative actions, which entails constant changes by the legislator to the list of ways to verify a crime report, which does not solve this problem, but, on the contrary, aggravate it, turning the initial stage into a «surrogate» of the preliminary investigation. A solution to this problem is proposed, in the form of developing criteria for the admissibility of investigative actions at the stage under consideration, which will allow them to be brought into a theoretically sound system that meets the requirements of effective verification of a crime report, which may sub-sequently be reflected at the legislative level.

Keywords: criterion, initiation of a criminal case, urgency, urgency, restriction of rights and freedoms and of a person, universality

PROBLEMS OF DETERMINING OBJECTIVE SIGNS OF A CRIME UNDER ART. 292.1 OF THE CRIMINAL CODE OF THE RUSSIAN FEDERATION

Alexandra M. Zarina

Abstract. At the present stage, in connection with the development of international relations, the article considers certain issues of determining objective signs of a crime under article 292.1 of the Criminal Code of the Russian Federation. This act is directly related to the violation of the official document flow in the Russian Federation. It is necessary to define article 292.1 of the Criminal Code of the Russian

Federation as a corruption-oriented crime at the legislative level, to develop recommendations for its application at the level of judicial interpretation. **Keywords:** illegal acquisition of citizenship, passport, official document management, corruption-related crimes, migration control

PROCEDURAL INDEPENDENCE OF THE INVESTIGATOR IN CRIMINAL PROCEEDINGS (COMPARATIVE LEGAL ANALYSIS OF RUSSIAN AND VIETNAMESE LEGISLATION)

Dmitry A. Ivanov, Vo Kim Dung, Valeria V. Artemova

Abstract. The issues related to the procedural independence of the investigator in criminal proceedings, as well as its relationship with the procedural powers of the investigator, are considered. Analyzing the provisions of the Criminal Procedure Code of the Russian Federation and the Criminal Procedure Code of the SRV, the authors come to the conclusion that the procedural independence of the investigator in pre-trial proceedings in a criminal case in Vietnam is significantly limited. The authors are convinced that in its further development, the Vietnamese legislator will expand the procedural independence of the investigator within the permissible limits by granting him additional procedural powers.

Keywords: preliminary investigation, criminal case, procedural independence, investigator, participants in criminal proceedings, procedural powers, pre-trial proceedings, investigative action

QUALIFICATION INCIDENTS OF THE APPLICATION OF ARTICLE 238 OF THE CRIMINAL CODE OF THE RUSSIAN FEDERATION IN THE INVESTIGATION OF IATROGENIC CRIMES

Elena O. Igonina

Abstract. The legal problems arising during the application of the norms of article 238 of the Criminal Code of the Russian Federation to acts committed by medical workers through negligence are revealed. The analyzed judicial practice indicates the presence of qualification difficulties, which in turn is due to the specifics of the subject of the crime and the objective side of the act. The issue of differentiation of article 109 with article 238 of the Criminal Code of the Russian Federation is investigated, suggesting possible criteria for differentiation.

Keywords: criminal law, criminal law norm, medical service, service that does not meet security requirements, medical error

ACTIVITIES OF JUVENILE AFFAIRS UNITS IN THE PREVENTION OF NEGLECT AND JUVENILE DELINQUENCY

Svetlana V. Kalinina

Abstract. The analysis of the activities of the juvenile affairs units in the preventive work of neglect and juvenile delinquency is carried out; current problems and solutions to neglect are considered.

Keywords: delinquency, neglect, juvenile, juvenile affairs units, PDN inspector, preventive work

ON THE ISSUE OF THE PROBLEMS OF REGULATORY LEGAL REGULATION OF A ONE-TIME SOCIAL PAYMENT FOR THE PURCHASE OR CONSTRUCTION OF RESIDENTIAL PREMISES

Yulia A. Kanaeva

Abstract. The problems of regulatory legal regulation of a one-time social payment for the purchase or construction of residential premises are disclosed. It was concluded that the procedure for granting a lump sum payment to employees of internal affairs bodies in order to provide the latter with residential premises requires additional legislative regulation. Some adjustments to the provisions of Government Decision No. 1223 of 30 December 2011 are justified, where at the moment there is no clear definition of the conditions under which family members of the deceased employee cannot claim to receive a lump sum social payment for the purchase or construction of a residential premises. In addition, it was concluded that it was necessary to indicate what was meant by conditions of service and what did not fall within that concept.

Keywords: employee of internal affairs bodies, deceased employee, member of the family of the deceased employee, lump sum social payment, housing

CRIMINALITY OF FOREIGN CITIZENS AND STATELESS PERSONS IN THE RUSSIAN FEDERATION

Oksana S. Kapinus

Abstract. The state, structure, and dynamics of crime of foreign citizens and stateless persons, as well as crimes committed against this category of persons in the Russian Federation over a ten-year period are analyzed. The article presents the results of research conducted by the University of the Prosecutor's Office of the Russian Federation on the peculiarities of the personality of a foreign criminal and factors contributing to the commission of crimes by migrants, including data from expert surveys and questionnaires of foreign citizens convicted in Russia for committing crimes. A set of measures aimed at improving the fight against crime of foreigners and stateless persons is proposed.

Keywords: crime, migrants, causes of crime, identity of the criminal, crime prevention

TACTICAL FEATURES OF THE USE OF MODERN TECHNICAL AND FORENSIC MEANS OF UNMANNED AIRCRAFT DURING THE INSPECTION OF THE SCENE OF THE ACCIDENT

Olga A. Karpenko, Anastasia A. Shmyrina

Abstract. The relevance and advantages of using unmanned aerial vehicles in the detection and investigation of crimes of a number of categories are considered. The

modern material and technical equipment of law enforcement units is highlighted. The tactics of using technical and forensic means of unmanned aircraft during the inspection of the scene of the accident are proposed.

Keywords: technical and forensic means, unmanned aerial vehicle, forensic tactics, unmanned aircraft, inspection of the scene of the accident

OVERVIEW OF KEY CHANGES IN THE LEGAL REGIME OF INDUSTRIAL SAFETY IN CONNECTION WITH THE «REGULATORY GUILLOTINE» OF CONTROL AND SUPERVISORY ACTIVITIES

Natalia V. Kovaleva, Stanislav B. Nemchenko, Viktor M. Shenshin **Abstract.** The changes in the licensing procedure in the field of industrial safety expertise, the introduction of mandatory pre-trial appeal of decisions of control and supervisory authorities, the new procedure for registration of hazardous production facilities and federal state mining supervision, remote control and electronic document management at hazardous production facilities are highlighted. The list of normative acts that have become invalid is given.

Keywords: industrial legislation, industrial safety, licensing, registration of hazardous production facilities, federal state mining supervision, remote control, electronic document management at hazardous production facilities

PRINCIPLES OF MIGRATION REGIMES

Oleg V. Kudin

Abstract. The system of principles of migration regimes is considered. The principles of migration regimes as an important element of their content are based both on general principles of law and on a system of sectoral principles of administrative law, at the same time, representing an independent regulatory system. **Keywords:** migration regimes, principles of migration regimes, principles of administrative law

WAYS TO IMPROVE NATIONAL LEGISLATION TO ADDRESS ISSUES OF ASYLUM IN THE RUSSIAN FEDERATION

Larisa A. Larina

Abstract. The article deals with topical issues of asylum in the Russian Federation in various historical periods of development, which contributed to the formation of interstate relations and the settlement of issues related to the officially established procedure and the process of treatment of foreign citizens and stateless persons. In order to regulate the migration flow to our country for asylum seekers on the territory of the Russian Federation, it is necessary to improve the national legislation in the migration sphere.

Keywords: asylum, legislative improvement, abuse of refugee status

FEATURES OF TRAINING OF SCIENTIFIC PERSONNEL IN THE FIELD OF FORENSIC EXPERTISE AND CRIMINALISTICS

Nadezhda P. Mailis

Abstract. The problematic issues related to the peculiarities of the training of scientific personnel in forensic activities and criminalistics are considered; shortcomings are noted. Special attention is paid to the role of a supervisor when writing a dissertation research by a candidate. Proposals are formulated to eliminate the existing problems.

Keywords: forensic examination, criminalistics, scientific supervisor, applicant, dissertation research

PURPOSE AND PURPOSE OF ADMINISTRATIVE WARNING MEASURES

Kirill E. Maraev

Abstract. The article is devoted to determining the place of preventive measures in the system of administrative coercion measures. The main violations committed during the implementation by the management object of the management program set by the management subject are identified, and the role of preventive measures in eliminating these violations is indicated. The positions of researchers on the establishment of the purpose and purpose of preventive measures are presented and analyzed, and their conclusions are presented.

Keywords: subject of management, object of management, management program, coercive measures, preventive measures

CRIMINOLOGICAL CHARACTERISTICS OF CRIMES AGAINST SEXUAL FREEDOM AND INVIOLABILITY OF MINORS COMMITTED USING INFORMATION AND TELECOMMUNICATIONS TECHNOLOGIES

Elena V. Mikhailova

Abstract. In the modern world, children have unhindered access to the Internet information and telecommunications network. Being in the virtual space, minors inevitably face many threats, the most dangerous of which is the threat of becoming a victim of a crime against sexual integrity committed for the purpose of sexual violence or sexual exploitation. The digitalization of this criminal sphere is becoming more and more active, in the course of which the real and virtual spheres are converging.

Keywords: sexual violence, sexual exploitation, minors, information and telecommunications technologies

STATE POLICY IN THE SPHERE OF LAND RELATIONS IN THE RUSSIAN EMPIRE IN THE SECOND HALF OF THE XVIII CENTURY: HISTORICAL AND LEGAL ASPECT

Natalia V. Mikhaylova, Elena V. Zazolina

Abstract. The main directions of state policy in the field of land fund management in Russia in the second half of the XVIII century are considered. The conducted land reforms are analyzed — the General Delimitation of lands in 1765 and the reform of the secularization of church lands. The main normative legal acts regulating the reforms carried out by Catherine II in the field of regulation of land relations are investigated. The analysis of the state of the land fund during the reign of Empress Catherine II. Proposals have been made to improve the current legislation in the field of land relations.

Keywords: general division of lands, secularization of church lands, Catherine II, land fund, land management

ADMINISTRATIVE AND LEGAL STATUS OF OFFICIALS OF A SPECIAL INSTITUTION OF THE MINISTRY OF INTERNAL AFFAIRS OF THE RUSSIAN FEDERATION FOR THE DETENTION OF FOREIGN CITIZENS AND STATELESS PERSONS SUBJECT TO ADMINISTRATIVE EXPULSION FROM THE RUSSIAN FEDERATION

Vladimir A. Morozov

Abstract. Legal aspects of the concept of «civil servant» of the Russian Federation, «official», «administrative and legal status» are investigated. An attempt is being made to scientifically comprehend the administrative and legal status of officials of a special institution 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 in the system of internal affairs bodies. The legal basis of the activities of officials of these institutions is considered, and the need for its improvement is also indicated.

Keywords: foreign citizen, stateless person, special institution of the Ministry of Internal Affairs of Russia, administrative expulsion, administrative and legal status, official

THE LIMITS OF THE EXPERT'S COMPETENCE IN CONDUCTING A FORENSIC AUTO-TECHNICAL EXAMINATION

Pavel M. Murashev, Evgeny A. Roshchin, Anatoly V. Kandaurov, Vladimir Kadyrovich Dadabaev

Abstract. The limits of the expert's competence in conducting a forensic autotechnical examination are pre-sented.

Keywords: Russian Federation, legislation, Federal Law of the Russian Federation «On State Forensic Expert Activity in the Russian Federation» dated April 05, 2001, expert research, forensic examination, initial data, expert competence, auto-technical expertise, the immediate technical cause of the accident, accident mechanism, road safety, technical qualification of the actions of drivers and pedestrians

RISK-ORIENTED MODEL OF THE ORGANIZATION OF CONTROL AND SUPERVISORY ACTIVITIES IN THE FIELD OF EDUCATION: FORMATION, DEVELOPMENT AND PROSPECTS

Fedor G. Myshko, Svetlana E. Titor

Abstract. The reform of control and supervisory activities raises many questions. The risk-oriented model as a method of control (supervision) is just beginning to emerge. The correct identification of all risks, i.e. possible negative consequences of violations of legally protected values, is key in this matter. In the field of education, a risk-based approach to the organization of control (supervision) is just beginning to emerge. It is important to correctly and accurately identify all available risks. The study analyzes the discussion of researchers and the law enforcement practice of determining risks in the field of education.

Keywords: control, supervision, risks, risk-oriented approach, education, risk management

CONFLICT OF INTERESTS OF ECONOMIC ENTITIES DURING THE BANKRUPTCY PROCEDURE

Abstract. The problem of conflict of interests and causes of conflict of interests between economic entities is considered. The current state of the institute of bankruptcy is analyzed. The categories of «positive interest of bankruptcy subjects» and «negative interest of bankruptcy subjects» were identified. Conclusions are drawn about the optimization of the bankruptcy procedure, manifested in the rejection of the tightening and complication of regulatory legal acts in this industry. Keywords: bankruptcy, conflict of interests, problems of resolving conflicts of interests in bankruptcy, economic insolvency, competitiveness analysis, insolvency, external obligations, internal obligations, positive interest of creditors, negative conflict of interests

SOME ASPECTS OF IMPROVING THE LEGAL REGULATION OF THE INSTITUTE OF GROSS VIOLATIONS OF OFFICIAL DISCIPLINE IN THE POLICE

Sergey V. Nenarokov

Abstract. The article reveals the main directions of improving the legal regulation of the institute of gross violations of official discipline committed by police officers. The proper functioning of this institution should be considered as a condition for the effective and stable functioning of the system of disciplinary responsibility in the field of police activities, which, in turn, serves as the basis for the implementation of the law enforcement tasks assigned to the police.

Keywords: disciplinary responsibility, disciplinary misconduct, official discipline, gross violation, criteria for the grossness of the violation, a police officer

EMBEZZLEMENT AND EMBEZZLEMENT AS A MINOR ACT: ANALYTICAL REVIEW OF JUDICIAL PRACTICE

Yulia V. Nikonorova

Abstract. The results of the analysis of judicial practice on the question of the insignificance of the act in the qualification of appropriation and embezzlement are presented. The main positions of the supreme judicial bodies are given. A number of criteria have been derived, which were the basis for the decision of the judicial authorities on the recognition of embezzlement and embezzlement as an insignificant act.

Keyword: embezzlement and embezzlement, insignificant act, crime, act, criminal law

PROCEDURAL PROBLEMS THAT ARISE WHEN COMPLETION OF THE PRELIMINARY INVESTIGATION

Yuri G. Ovchinnikov

Abstract. The article examines the procedural problematic situations faced by investigators and interrogators at the end of the preliminary investigation. In particular, the author justifies the proposal to review the current procedure for familiarizing the accused and his defense lawyer with the originals of the criminal case material. In addition, the procedure for assigning powers by the prosecutor that are not characteristic of the investigator to hand over a copy of the indictment to the accused, as well as ensuring his appearance to the prosecutor in order to obtain a copy of this final decision (on the example of the investigative units of the internal affairs bodies of the Primorsky Territory) is disclosed.

Keywords: completion of the preliminary investigation, electronic criminal case, familiarization of the accused with the case materials, procedural independence of the investigator, handing the accused a copy of the indictment

AMENDMENTS TO THE CONSTITUTION OF THE RUSSIAN FEDERATION 2020 ON THE INTERACTION OF THE PRESIDENT WITH THE PARLIAMENT OF RUSSIA: SOME ISSUES OF NATIONAL SECURITY

Elena A. Osavelyuk

Abstract. Based on the analysis of the provisions of the amendment to the Constitution of the Russian Federation in 2020, the article shows the main changes in the relationship between the President and the Parliament of Russia and their impact on Russia's national security.

Special attention is paid to the author's proposals aimed at strengthening national security.

Keywords: President of the Russian Federation, Parliament, national security, amendments to the Constitution of the Russian Federation

FEATURES OF THE QUALIFICATION OF THE ACTIONS, ASSOCIATED WITH THE ABUSE OF DEAD BODIES, ON THE BASIS OF THE SUBJECT OF THE CRIME

Roman B. Osokin

Abstract. In article value of a subject of the crime provided by Art. 244 of the Criminal Code of Russian Federation (a body of the dead) at qualification of crimes is opened. The analysis of the blanket legislation regulating questions of definition of death of the person showed existence of a set of the qualification problems reflecting not uniformity of practice of application of Art. 244 of the Criminal Code of Russian Federation.

On the basis of studying of materials of criminal cases about violation of bodies of the dead and others crimes, adjacent to it, law-enforcement problems of qualification of socially dangerous acts interfaced to violation of bodies of the dead on the basis of a crime subject are revealed, versions of the solution of these problems are proved. In article it is noted that at the heart of the recommendations about an appropriate assessment of the actions interfaced to violation of bodies of the dead formulated by the author the revealed regularity proved by means of the analysis of criminal cases about violations of bodies of the dead and characterizing interrelation of time of death of the victim, time of commission of criminal action, an orientation of intention guilty lies.

Keywords: violation, bodies of the dead, the qualification, the actual mistake, acts preceding violation, subject of abuse

SOURCES OF THE FORMATION OF THE PARADIGM OF POWER RELATIONS IN THE MODERN THEORY OF LAW

Vitaly M. Paliy, Ekaterina S. Paliy

Abstract. The article presents the materials of the author's research on the problem of the sources of the formation of the paradigm of power and power relations in the attitudes of the theory of law. The content of the concepts «legal regulation» and «legal impact» relevant to this topic is revealed and justified. The problems of local legal paradigms for branch science and legal practice are established.

Keywords: power, law, paradigm, legislative regulation, legal regulation, legal impact, fiduciary, state, society

PRACTICAL REALIZATION OF SOME POWERS BY PUBLIC AUTHORITIES IN REGIONS

Irina G. Poltavchenko

Abstract. The problems of the formation of the system of public authorities according to the latest constitutional amendments are analyzed. Some problems of interaction between local self-government bodies and local public authorities are considered, which include difficulties in leveling the budget system and corruption manifestations on the ground. The effectiveness of the interaction of public authorities in the implementation of individual national projects is investigated.

Keywords: public authorities, problems, local government, municipal level, powers, finances, corruption, national projects

CURRENT ASPECTS OF INTERNATIONAL POLICE COOPERATION IN COUNTERING PHARMACEUTICAL CRIME

Yuliya V. Puzyreva, Kristina I. Zimina

Abstract. The article deals with topical issues of international police cooperation in the fight against pharmaceutical crime on the example of the activities of Interpol and Europol. Attention is paid to the study of complex strategies of international law enforcement interaction of states in the context of a pandemic with the definition of the most effective forms of cooperation.

Keywords: crimes in the pharmaceutical sector, illegal trafficking of medical products, international police organizations, Interpol, Europol, international police cooperation

ABOUT THE NATURE OF FRAUDULENT ENCROACHMENT IN THE FIELD OF CREDIT

Maia M. Savchenko

Abstract. The issues of qualification of crimes committed in the sphere of crediting (mainly fraud) are considered, and, referring to various studies of legal scholars, analyzes various interpretations of the norms of criminal legislation. It is concluded that Article 176 of the Criminal Code of the Russian Federation as a whole is a special norm in relation to Article 159 of the Criminal Code of the Russian Federation.

Keywords: Criminal Code of the Russian Federation, fraud, crimes in the economic sphere, lending, corpus delict

REVIEW OF METHODOLOGIES FOR PREVENTING THE BANKRUPTCY OF AN ORGANIZATION AND RESTORING THE DEBTOR'S SOLVENCY

Gulnara A. Salakhetdinova

Abstract. In a situation where a company's liabilities exceed its income and it does not have enough liquidity to repay them, it can be assumed that the company is bankrupt and most likely must cease operations. A company can be susceptible to bankruptcy from both external and internal factors. Ineffective process management, poor quality of financial management — expressed in excessive costs and failed investments — can lead to the closure of a business. The article is devoted to determining the conditions that lead to bankruptcy and determining the tactics for restoring a debtor's solvency.

Keywords: insolvency, bankruptcy, crisis management, financial recovery, crisis management tools

FEATURES OF PROOF IN CASES OF PROTECTING THE BUSINESS REPUTATION OF MILITARY PERSONNEL (EMPLOYEES) OF THE

NATIONAL GUARD OF THE RUSSIAN FEDERATION

Vladislav E. Sanin, Evgeny P. Sanin

Abstract. The specifics of proving cases on the protection of the business reputation of persons in respect of whom false, defamatory information is distributed are considered. Attention is paid to the problems of determining the proper defendant in such cases, as well as the subject of proof.

Keywords: serviceman, employee, national guard troops, business reputation, court, plaintiff, proper defendant, subject of proof, linguistic expertise

THE CONSTITUTIONAL RIGHT OF PRIVATE PROPERTY AS A SYSTEM

Marat V. Saudakhanov

Abstract. Based on the analysis of constitutional legislation and scientific literature, the unique content of the right of private property and its place is shown not only among other socio-economic rights and freedoms of man and citizen, but also among the whole complex of rights and freedoms.

Particular attention is paid to the disclosure of this right as oneself as a system. It is shown that it as a system is manifested, first of all, in the hierarchy of norms regulating social relations on the issues of consolidation and implementation of the right to private property. In addition, the systemic nature of private property rights is manifested in its content (as subjective and objective rights, rights to material objects and intangible goods, interconnection with other types of rights, etc.), as well as the priority place that the right of private property occupies among other types of human and civil rights and freedoms. First of all, among the socio-economic human rights. **Keywords:** private property, priority of private property, human rights, economic rights, property, system of relations

PROCEDURAL MEASURES TO ENSURE THE SAFETY OF THE VICTIM

Gagik Z. Sndzhoi, Timur M. Daudi

Abstract. Procedural measures to ensure the safety of the victim as the main source of evidence are considered. Based on the analysis of these procedural measures, proposals are made to amend the Criminal Procedure Law in order to ensure the possibility of their fuller implementation in practice.

Keywords: security measures, victim, security, procedural measures to ensure the security of participants in criminal proceedings

ON THE NEED TO DEVELOP METHODOLOGICAL RECOMMENDATIONS FOR CHECKING THE CIRCUMSTANCES OF AN ACCIDENT BY METHODS OF AUTO TECHNICAL EXPERTISE

Evgeny A. Tarasov

Abstract. The relevance of this study is the need to develop a unified methodology for checking the circum-stances of an accident at the stage of consideration by the safety specialists of an insurance company. The results of the study suggest that evidence-based methods are given a minimum of attention, which leads to a limited opportunity to prove probable insurance fraud in CTP cases. It is concluded that it is necessary to develop really useful, not out of touch with life guidelines for checking the circumstances of an accident for signs of insurance fraud.

Keywords: auto technical expertise, road accidents, insurance fraud, CTP, auto technician expert

ASSESSMENT OF EFFICIENCY OF USE INTERDISCIPLINARY COMMUNICATIONS IN THE SYSTEM OF CRIMINAL LEGAL SCIENCES

Andrei N. Tolochko

Abstract. A comprehensive methodological approach to assessing the effectiveness of the use of interdisciplinary relations in the system of criminal law sciences, based on the joint consideration of the quantitative and qualitative characteristics of relations, is developed. The features of the developed methodology are considered on the example of assessing the effectiveness of the use of relations between operational-search activity theory and criminalistics.

Keywords: interdisciplinary relations, efficiency of use, methodology of assessment, criminal law sciences, theory of operational-search activity, criminalistics

TO THE QUESTION OF THE MOMENT OF THE END OF THE CRIME IN THE FORM OF CONCEALMENT OF FUNDS OR PROPERTY OF AN ORGANIZATION OR AN INDIVIDUAL ENTREPRENEUR, FROM WHICH TAXES, FEES, INSURANCE PREMIUMS SHOULD BE COLLECTED

Alexey S. Ushakov

Abstract. The article deals with the actual problem of interpretation and subsequent application of Article 1992 of the Criminal Code of the Russian Federation, related to determining the moment of the end of the crime in the form of concealment of funds or property of an organization or individual entrepreneur, at the expense of which taxes, fees, insurance premiums should be collected. Based on the results of the study, a proposal has been formulated and substantiated to change the official judicial interpretation of the specified criminal law norm in terms of disclosing the specifics of the moment of the end of the crime provided for in it, taking into account the interests of preventing tax crime and compensating for the harm caused by it. **Keywords:** collection of taxes, fees, insurance premiums, the moment of the end of the crime; tax offences, concealment of funds or property of an organization or an individual entrepreneur

MIGRATION POLICY OF THE RUSSIAN FEDERATION: PROBLEMS, TRENDS, PROSPECTS OF DEVELOPMENT

Inna V. Fedorova, Mikhail A. Ushakov, Armen A. Gulikyan, Daria S. Klokova **Abstract.** Analyzed the migration policy of the Russian Federation, identifies problems, trends and prospects for development.

Keywords: migration, migration policy, the Russian Federation, migration services, migration development trends, migration development prospects, migration policy problems

FREEDOM OF EVALUATION OF EVIDENCE IN CRIMINAL PROCEEDINGS: ABOUT THE HISTORY AND CURRENT STATE OF LEGAL REGULATION

Mikhail V. Khimichev

Abstract. The article is devoted to the interpretation of the evaluation of evidence in three main historically established evidentiary doctrines (theory of formal evidence; theory of proof by internal conviction (free proof); Anglo-Saxon theory of evidence). The essence of freedom of evaluation of evidence in the modern Russian criminal process is analyzed, the trends of its development in the light of changes in the criminal procedure law are shown.

Keywords: freedom of evaluation of evidence, proof, evaluation of evidence, principles of criminal procedure, models of criminal proceedings, simplified criminal proceedings

EXPERIMENTAL LEGAL REGIMES AS A WAY OF RULEMAKING

Ludmila A. Chegovadze

Abstract. The analysis of the legislation of the Russian Federation on experimental legal regimes shows that the adaptation of normative acts to the relations of digitalization should be carried out using system tools for improving the law, and not replacing the existing norms with fundamentally new legal provisions tested in the limited (in time and place) legal space of the experiment and a relatively narrow circle of its subjects.

Keywords: digital innovations, experimental legal regime, legal means, general legal regulation, special legal regulation, rulemaking

STRUCTURAL PROBLEMS OF CONTRACTUAL AND LEGAL REGULATION OF RELATIONS OF INNOVATION ACTIVITY SUBJECTS Igor I. Shuvalov

Abstract. The problems of regulation of relations of subjects of innovative activity are considered. Given that the legislation does not contain a definition of the concept of «subjects of innovative activity», it is obvious that the state, investors and persons engaged in innovative activities can use any type of civil law contracts to regulate the structure of their relations. However, due to a number of problems, innovative activity is regulated not only by the provisions of the Special Part of the Civil Code of the Russian Federation, but also by the norms of the Federal Law «On Science».

At the same time, the subject of the contract for the performance of design and survey work and the subject of the contract for research and development (R&D) is extremely difficult to distinguish, since scientific activity acts as such, which is far ambiguously understood even by researchers, not to mention law enforcement officials.

Keywords: innovation, scientific activity, contract agreement, research and development, contract agreement for the performance of design and survey work

DIGITAL TRANSFORMATION OF MANUFACTURING IN LIGHT INDUSTRY

Lyubov V. Shcherbacheva

Abstract. The transformation of business in light industry is considered, which is associated with the introduction of technologies that have become available in recent years: big data analytics and machine learning, artificial intelligence and robotics. It is concluded that digitalization of production is a modern way of processing and systematization of information, which will help transform experience into new opportunities.

Keywords: «digital production», 3D modeling, digital twin, information security, personal computers, modernization, artificial intelligence, robotization

THE PARADIGM OF «TAX RECONSTRUCTION» HAS REACHED A DEAD END OR A NEW VISION OF THE PROBLEM THROUGH THE EYES OF THE FEDERAL TAX SERVICE OF RUSSIA

Nodari D. Eriashvili, Alexander I. Grigoriev

Abstract. More than 15 years have passed since the Supreme Commercial Court of the Russian Federation adopted a precedent-setting ruling that legalized the presumption of taxpayer integrity. However, disputes concerning the caution in the taxpayer's choice of counterparties have not subsided to this day. An attempt to consider the position of the Federal Tax Service, analyze the existing judicial practice and give recipes for resolving conflict situations in favor of taxpayers is made.

Keywords: VAT, tax reconstruction, caution and prudence in choosing counterparty, tax integrity, court rulings

FEATURES OF CRIMINAL LIABILITY FOR THE DESTRUCTION OR DAMAGE OF SOMEONE ELSE'S PROPERTY

Ulyana S. Yudina

Abstract. The features of criminal responsibility and the problems of qualification of destruction and damage to other people's property are analyzed. Particular attention is paid to the need for judicial interpretation in terms of determining significant damage to a legal entity. Conclusions are drawn about the unification of the concepts of consequences in crimes against property, as well as in independent elements of crimes in the form of destruction or damage to property.

Keywords: destruction or damage to someone else's property, significant damage, major damage, large size, criminal liability

TO THE ANALYSIS OF THE CONTROL ACTIVITIES OF TAX AUTHORITIES IN THE SUBFEDERAL EDUCATION

Diana A. Balaeva, Dzerassa R. Getoeva, Eliza O. Enaldieva, Fatima V. Gadzaonova **Abstract.** The analysis of the control activities of the tax authorities of the subject of the federation is carried out. The relevance lies in the fact that the overall economic results of the tax administration system of the subject of the federation depend on the effectiveness of the control activities of tax authorities in sub-federal education. From these positions, the results of the control activities of the tax authorities of the Russian Federation for the period 2017–2019 are considered.

Keywords: tax control, tax audits, test results, liability, sanction, tax offenses

ECONOMY OF RUSSIAN REGIONS UNDER PANDEMIC CONDITIONS Nikolay V. Zhakhov, Albina V. Kaitukova, Diana A. Gabeeva

Abstract. The key trends in economic activity and price processes in the regions are presented, the revealed effect of factors — both national and local in the conditions of a pandemic.

Keywords: regional economy, pandemic, budget deficit, competition, innovative development

PROBLEMS OF UNEMPLOYMENT AND EMPLOYMENT OF THE POPULATION ON THE EXAMPLE OF REPUBLIC OF NORTH OSSETIA — ALANIA

Mira A. Kantemirova, Agunda R. Plieva, Georgy R. Kobesov, Zarina R. Plieva **Abstract.** Unemployment and employment of the Republic of North Ossetia — Alania, problems and methods of their minimization are considered. Indicated key areas of low activities in labor market, ways of development of the state policy of employment of the population of the RNO — Alania.

Keywords: unemployment, employment, social economic development, shadow economy, labor force

PROBLEMS AND CONTRADICTIONS OF THE DEVELOPMENT OF INTERNATIONAL BUSINESS OF ENERGY COMPANIES IN THE CONDITIONS OF ASYMMETRY OF THE INTERNATIONAL FINANCIAL MARKET

Mikhail E. Kosov

Abstract. The classical energy and energy resources market is under pressure and experiencing problems both in the direction of demand for the products produced and from the financial market, which is significantly changing the approach to investing

and communicating with potential customers. There are several objective reasons for this process. The first factor is the economic slowdown in recent years. The second factor is the changing global energy paradigm. The third factor is the strengthening of the ESG factor in making investment decisions. Based on this analysis, we can say that a global transformation is taking place in the industry.

Keywords: energy companies, financial market, financial market asymmetry, Warren Buffett Index, ESG

ADVANCED INDUSTRIAL PRODUCTION NEEDED POPULAR SPECIALISTS

Pavel A. Kokhno, Alina P. Kokhno

Abstract. The article shows that in modern conditions, human capital acquires a decisive role in achieving the competitive advantages of high-tech and high-tech industrial industries, including the military-industrial complex. The peculiarities of human capital management at enterprises were revealed. At the same time, the necessary skills of sought-after specialists are determined, since today the Russian industry requires highly qualified specialists with information and network competencies that meet the requirements of the digital industry and the digital economy as a whole. The main components of the dynamic part of intellectual capital, including the motivation of the personnel of the enterprise, are identified. Digital industry poses special requirements for executives and top managers, since their competencies in the field of digital technologies are considered as a key aspect of ensuring the effective operation of industrial enterprises. Improving the quality of human capital is ensured through the development of institutional forms of organizing vocational education in the digital economy.

Keywords: high-tech and science-intensive industry, human capital, extended reproduction, labor motivation, competitive advantages, effective management, top managers, continuing education

THE IMPACT OF DIGITALIZATION ON CHANGING TECHNOLOGIES AND THE INFORMATION MODEL OF THE MODERN MEDIABUSINESS

Elena I. Kuznetsova, Alevtina V. Rusavskaya

Abstract. The article determines that as the media business grows, so does the problem of data management, on which it relies in further development. This ability to manage information is often described as a model of information data maturity or a model of information evolution. Based on the analysis, the main stages of the evolution of the information model of the modern media business are highlighted. The factors that influence the formation of the digital environment of the media business are determined.

Keywords: digitalization of the economy, media business, information model, media environment

FEATURES OF CORPORATE GOVERNANCE IN BANKS

Daniela K. Sanakoeva, Victoria E. Abeeva

Abstract. The article outlines the theoretical foundations of the corporate governance system in banks. The research of scientists in the corporate governance system has been studied and scientific approaches to them have been made. Based on the results of research in banks, scientific conclusions on corporate governance have been formed.

Keywords: corporate governance in banks, commercial banks, corporate governance

CIVIL HUMAN RIGHTS: A MORAL CHOICE

Sofia D. Knyazeva

Abstract. The problems of a person's moral choice and his civic position are comprehended. Various approaches to the definition of this concept and mechanisms for the implementation of civil rights of interacting subjects are considered. The results of this interaction are analyzed.

Keywords: law, state, civil society, civic position, public safety, social processes, law and order, legal behavior, morality, patriotism

MOTIVATION AS A COMPONENT OF THE IMAGE OF A POLICE OFFICER'S PROFESSION. FOREIGN EXPERIENCE

Elena B. Kuzhevskaya, Svetlana R. Novoselskaya

Abstract. Various factors affecting the professional motivation of a law enforcement officer are considered. The foreign experience of studying these factors, namely, the influence of age, socio-economic status, age of entry into service on motivational components, is given. The obtained statistical data of the study and their subsequent analysis can be applied in the future to develop a scientific approach that contributes to the adequate formation of the image of the profession of the future policeman, and, as a result, the successful performance of his official activities.

Keywords: motivation, the image of profession, police officer, age, socio-economic status, economic stability, police work, benefits, employment

FEATURES OF MASCULINITY, FEMINISM, ANDROGYNY AMONG LAW ENFORCEMENT OFFICIALS

Yuliya A. Malyushina, Olga B. Fedorova

Abstract. The purpose of the work: to study the features of masculinity, femininity, androgyny and personality traits in law enforcement officers. Research methods: theoretical analysis of literature, psychodiagnostic techniques, methods of mathematical statistics.

The paper presents the results of a study of masculinity, femininity, androgyny in law enforcement officers. The data of comparative analysis of masculinity, femininity, androgyny in men and women, as well as the results of comparative analysis of

masculinity, femininity, androgyny in law enforcement officers and representatives of other professions are presented.

The results of the study can be applied in the practical activities of teachers, police officers, psychologists.

Keywords: aggressiveness, androgyny, military personnel, women, masculinity, men, anxiety, feminism, empathy

SOCIAL SECURITY: THEORETICAL AND PRACTICAL ASPECT

Anatoly N. Sukhov

Abstract. This article reveals the relevance of researching the problem of social security, as well as examines the essence of the socio-psychological approach to its understanding. At the same time, the difficulties that occur in defining the concept, structure and ensuring social security are analyzed. Reliability of this type of security is associated with their overcoming. Therefore, it is no coincidence that the most important task is the creation of a general theory of safety. At the same time, the theory of various types of security is an integral part of the general theory and practice of its provision. They complement each other. Without this, it is impossible to talk about effective practice of ensuring social security.

In general, social security consists of the security of its various structural subsystems and depends primarily on the state of the social structure of society. An analysis of practice shows that within the framework of the everyday competence of various social groups in the field of social security, there are many mistakes associated with perception, reflection, i.e. the adequacy of repulsing threats and behavior in a dangerous situation.

Professional competence in the field of social security is a structural model, which is based on the structure and features of the functioning of the system of professional competence and professional readiness, allowing for the diagnosis of potential threats, as well as their prevention and elimination. In this regard, it is necessary to increase the everyday socio-psychological and professional competence of various social groups in the field of social security as a basic condition for its provision. **Keywords:** social security, concept, essence, theory, threat, competence, welfare state, society, social structure

PSYCHOLOGY OF MOTIVATION OF WORK ACTIVITY

Evgeniya V. Chernega

Abstract. Considered psychological sources of work activity — its motives and personality qualities, which together act as motivators of work activity. It is concluded that motivation theories put human needs in the spotlight. Each of them classifies and structures these needs in its own way, finding out which ones, and how they can affect a person's labor behavior. In addition, these theories consider it necessary and sufficient to take into account the needs to explain or influence the behavior of a person in working life. They attribute a person to a more or less

constant set of needs and propose the creation of universal conditions for their satisfaction.

Keywords: motivation, labor activity, worker, labor, psychology of behavior, competition, success, power