

ABSTRACTS AND KEYWORDS
Monitoring of Law Enforcement Journal, Issue 1-2014

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**IMPLEMENTING ANTI-CORRUPTION LEGISLATION IN THE SPHERE
OF PRIVATE LAW IN TODAY'S RUSSIA**

Abstract: The paper is devoted to monitoring law novelties introduced in the Russian Federation in 2013 and directed at preventing corruption in the sphere of private law. Methods of comparative law are used for the analysis presented. The author's standpoint concerning issues of adequacy of implementation of provisions of the basic anti-corruption conventions is set forth. A brief evaluation of the prospects for applying the new anti-corruption legislation is presented.

Keywords: counteracting corruption, sphere of private law, legislative initiatives, implementation of convention provisions, comparative legislation.

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**THE PROBLEM OF THE SUBJECT OF LEGAL PHILOSOPHY:
REFLECTIONS AND PROPOSALS**

Abstract: The paper is devoted to a topical issue of philosophy and science of law: a definition of the subject of legal philosophy. Approaches to this problem taken by Soviet and later Russian lawyers are analysed in the paper. A conclusion is drawn that, despite differences in approaches taken, all lawyers include legal philosophy in the system of juridical science. Hence, the definition given by these scholars for the subject of legal philosophy is the same as for that for the science of law. Further, a justification is given that legal philosophy is not included in the general legal theory but identifies directions of cognition of law, legal methodology, lays down approaches and fundamental problems of law, and looks for way to solve them. Therefore, the subject of legal philosophy includes fundamental issues of legal being, nature of law, methods of cognition of law, values of law, perception of law, legal logic, place the man takes in legal relations. Legal philosophy serves as that very 'bridge' which is the connecting link between 'pure' philosophy and

the theory of state and law that constitutes a foundation for the whole juridical science. The position of the scholars trying to consider legal philosophy as two, in fact, separate disciplines: a philosophical and a juridical one, is examined and criticised. Finally, a conclusion is made that legal philosophy is a specialised branch of philosophy, whose subject of study includes fundamental problems of legal ontology, legal gnoseology, legal axiology, legal anthropology, legal logic, legal ethics, legal axiology, and legal consciousness.

Keywords: philosophy, law, specialised branch of philosophy, fundamental problems of law, values of law, legal being, methodology of law, nature of law, cognition of law.

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TYPES OF MULTIPLE OFFENCES AND THEIR LABELLING

Abstract: Types of multiple offences are identified and rules for labeling multiple offending and recidivism of offences are considered. The following types of multiple offences are recognized: commission of an offence by a person that had previously committed an offence; commission of an offence by a person previously convicted for some offences if at least one of those was a negligent one; commission of an intentional offence by a person previously convicted for an intentional petty offence; commission of an intentional offence by a person previously convicted for an intentional offence committed while being a juvenile; commission of an intentional offence by a person previously convicted for intentional offences if sentenced to probation or the sentence was suspended, provided that the sentence was not cancelled and the person was not sent to a detention facility for serving his/her punishment; multiple offending; commission of two offences such that one of these was established after the person had been convicted for another one; commission of several offences such that at least one of these was committed after the person had been convicted for a previous one; recidivism of offences; combination of more than one type of multiple offences; multiple offending the conviction for which did not result in imposing a final sentence. In order to be able to distinguish the said types of multiple offences, it is not enough to label each constituent action. It is also necessary to evaluate all these offences as a whole and identify the specific features of their combination for which an additional labeling of offences is needed. Since the criminal law directly regulates only multiple offences and

recidivism of offences, only the rules for their additional labeling are examined in the paper.

Keywords: types of multiple offences, labeling of offences, supplementary labeling of offences, multiple offences, recidivism of offences, criminal record, the Criminal Code, punishment.

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VICTIMOLOGICAL MONITORING OF STATISTICAL INDICATORS OF CORRUPTION OFFENCES IN THE REPUBLIC OF BELARUS

Abstract: For the first time in criminology, issues of victimological monitoring of corruption offences in the Republic of Belarus based on official statistical data are examined in the paper. As a result of this victimological monitoring of corruption offences in the Republic of Belarus, it was discovered that most victims of corruption offences fall to the share of such offences as corruptive theft, abuse of power or official capacity, a significant number of natural persons become victims of stretch of authority and bribery, whereas there are only single instances of those who have fallen victims of failure of authority to act. The victims of corruption offences are for the most part citizens of the Republic of Belarus, whereas the share of foreigners among the victims is insignificant.

Keywords: corruption, corruption offences, victims of corruption, the Republic of Belarus, statistical indicators, victimology of corruption, victimological monitoring, anti-corruption monitoring.

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EXCLUSIVE RIGHT – IMPETUS OR AN OBSTACLE TO INNOVATION?

Abstract: The article analyzes importance of the exclusive rights for the development of innovation in terms of its involvement in civil circulation. Discusses the concept of assessing the effectiveness of the exclusive right legal framework.

Keywords: exclusive rights, intellectual property, civil circulation rights of exclusive rights

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AN OUTLINE OF THE STRATEGY ON INTELLECTUAL PROPERTY OF THE CUSTOMS UNION OF BELARUS, KAZAKHSTAN, AND RUSSIA

Abstract: The economic integration of Russia, the Republic of Belarus, and Kazakhstan within the framework of the Customs Union of Belarus, Kazakhstan, and Russia (CU) should rest on a unified legislative foundation in the field of intellectual property. To enable the creation of a legislative foundation acceptable for the member countries of the CU and its adoption by the governments of these countries, it is necessary to develop a strategy on intellectual property. The paper expounds the contents of the strategy proposed by the Federal Institute of Certification and Evaluation of Intellectual Property and Business (SOIS) for its adoption by the Eurasian Economic Commission.

Keywords: intellectual property, Customs Union, systemicity, legislative foundation, law making, government, business, innovations, management, economy.

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CORRUPTION CRIMINALITY IN COMPANIES AS THE OBJECT OF CRIMINOLOGY RESEARCHING

Abstract: The study established the relationship between different types of criminality: corruption, economic, whitecollar and corporate -, collecting properties which form a separate subspecies of criminality - corruption criminality in companies.

Keywords: corruption in private sector, object of criminology researching, company, public and private sector, economy criminality, white-collar criminality, corporate criminality, corruption criminality.

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THE CONDITION FOR SELF-ORGANISATION OF THE INNOVATION PROCESS

Abstract: The notion and contents of the innovation process are defined in the laws in force of the Russian Federation and are a subject of theoretical and methodological development. The author of this paper considers the innovation process as a system and examines an object of innovative activity — namely, a novelty within the framework of the category 'result of intellectual activity' (RoID). The author proposes an approach for developing RoID contents, with a view to generate, on its base, a condition for self-organisation of the innovation process of creating a novelty and implementing an innovation.

Keywords: innovation process, novelty, innovation, result of intellectual activity, author, right holder, intellectual rights.

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LEGAL NIHILISM PROBLEMS: ANALYSIS ON THE BASIS OF CONFLICT RESOLUTION TECHNIQUES

Abstract: In this article questions of the legal culture level in Russia are discussed, the analysis of the society in the nihilistic relation to the law conditions, which is based on conflict resolution techniques, is carried out.

Keywords: legal nihilism, legal culture, Analysis on the Basis of Conflict Resolution Techniques, state, civil society institutes.

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LEGAL FOUNDATIONS OF CO-OPERATION BETWEEN PUBLIC AUTHORITIES, CITIZENS, AND PUBLIC ASSOCIATIONS IN CARRYING OUT ENVIRONMENTAL CONTROL (OVERSIGHT)

Abstract: The paper examines legal foundations of the organisation of co-operation between public authorities carrying out governmental environmental control (oversight) and citizens and public associations carrying out public environmental control. The conclusions drawn are that if such co-operation is present the efficiency of the former as well as of the latter is significantly increased. The unity of fundamental environmental interests of society, business, and government, as well as the existence of general legal principles of the participation of the society in public administration and environmental protection allows to solve the issue of using the results of public environmental control even in cases where such an obligation is not directly laid down for public authorities.

Keywords: society, government, environmental control and oversight, co-operation, societal interests, application of legal principles.

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DETERMINING FACTORS FOR COMMITTING OFFENCES THAT ENTAIL LIABILITY FOR EVADING PAYMENT OF TAXES AND/OR DUES

Abstract: The authors have considered determining factors for committing offences that entail liability for evading payment of taxes and/or dues as well as ways for improving the legislative system in the taxation sphere.

Keywords: determining factors for committing offences, taxation, tax payer, taxes, dues, illegal trade, resources provision, cashing, financial and economic activities, tax offences.

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CO-OPERATION BETWEEN THE RUSSIAN ORTHODOX CHURCH AND INSTITUTIONS OF RUSSIA'S PENAL SYSTEM

Abstract: Issues of co-operation between the Russian Orthodox Church and institutions of Russia's penal system are considered in the paper. The history of these relations begins from the time of origin of the institute of punishment as a means to support the power of the ruling class. As the state developed and the ideas of humanism and democracy were shaped, both the system of punishment and the Church underwent changes. Punishment evolved in the direction from being a punitive measure to recognition of the need for humanisation by the society and the advancement of the idea of 'preservation and development of the personality', whereas the Church which follows the canonical commandments is oriented towards moral and spiritual education of the society. A comparative analysis of statistical indicators for the number of prison inmates as a proportion of the total population of the country for different periods has been carried out. The authors have considered modern possibilities for reviving co-operation of religious organisations with correctional institutions as well as problems existing in this field.

Keywords: clergyman, chaplain, moral and spiritual education, penal system, punishment, tradition.