

ABSTRACTS AND KEYWORDS
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**TODAY'S RUSSIAN SOCIETY NEEDS A RENEWAL OF ITS SOCIAL
CONTRACTS SYSTEM**

A well-known government politician, Chairman of Russia's State Duma Committee for Constitutional Legislation and Nation-Building gave a detailed interview to the Monitoring of Law Enforcement Journal in which he, in particular, called for a renewal of social contracts within today's Russian society.

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**MONITORING THE STATE OF AFFAIRS IN THE SPHERE OF FOREST
POACHING AND LEGISLATIVE SOLUTIONS FOR ITS PREVENTION**

Abstract: The editors began to publish the materials of Mikhail Starshinov, member of the Headquarters of All-Russia People's Front. Mikhail Evgenyevich Starshinov is a deputy of the State Duma and the First Deputy Chairman of the State Duma Committee for Nationalities' Affairs. In his first paper handed over to us Mikhail Evgenyevich professionally considers problems of normative regulation of forestry relationships and convincingly demonstrates that numerous amendments and modifications to the Forestry Code won't make away with unauthorised use of forests and, therefore, won't solve the problem of reducing the economic damage to the budget of the Russian Federation, since the object of control is not defined in the law and municipal forestry control regulations have not been adopted. The law enforcement practice is also affected: courts consider minor violations (like cutting down of wood to stock up firewood) whereas violations that cause damage amounting to billions of roubles remain out of sight of law enforcement bodies.

Keywords: illegal cutting down of wood, ecology, biological diversity of forest ecosystems, Forestry Code, Administrative Code, corruption in forest

management, international co-operation, Single Government Automated Information System (EGAIS).

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THE INSTITUTION OF 'DISMISSAL DUE TO LOSS OF TRUST AND CONFIDENCE': PROBLEMS AND PROSPECTS FOR LAYING DOWN IN LAW AND APPLICATION

Abstract: Issues of existence and functioning of the institution of dismissal due to loss of trust and confidence are examined in the paper, anti-corruption standards related to this institution are made specific, proposals are put forward on improving the rules of acceptance for employment in the public and municipal service for persons dismissed from service due to loss of trust and confidence or having earlier convictions for corruption offences. It is proposed to lay down in law a differentiated approach to dismissal due to loss of trust and confidence depending on the seriousness and nature of misconduct.

Keywords: criminal law, legislation, institution of dismissal, loss of trust and confidence, public and municipal service, corruption offences.

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ON THE ISSUE OF SUBJECT MATTER AND CONTENTS OF SHAREHOLDERS' AGREEMENTS

Abstract: The general and special issues in the notions of civil law contract and shareholders' agreement are considered in the paper. Proceeding from the civil law doctrine, the existing laws and their forthcoming modifications, an attempt is made to examine the relation between these notions, to give the authors' own definition of shareholders' agreement, and to discover the specific features of the subject matter and other essential terms and

conditions of shareholders' agreements. The authors note that the obligations of a party to a shareholders' agreement to vote in accordance with the instructions given by the governance bodies of the company in respect of whose shares the said agreement is concluded, cannot constitute the subject matter of a shareholders' agreement. A similar conclusion is also made by the authors in respect of agreements concluded by limited liability company members. The conditions relating to the organisational structure of a business entity: structure of the governance bodies, procedure of making decisions by them, competence, etc. cannot be the subject matter of a shareholders' agreement. The terms and conditions of a shareholders' agreement providing for creating parallel bodies and procedures of corporate governance (for instance, co-ordinating the agenda of the forthcoming shareholders' general meeting with the agreement members) are unacceptable.

Keywords: shareholders' company, shareholders' agreement, company members, member's agreement, civil law contract, equity rights, business entity, registered capital, board of directors, essential terms and conditions, voting.

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FINANCIAL SERVICES IN EUROPEAN AND INTERNATIONAL LAW

Abstract: The authors analyse the basic Directives of the European Union which expound the conceptual framework in the domain under consideration as well as the substance of social relations within credit institutions. The significance of legal interpretation and uniform application of the existing categorial framework reflecting the whole spectrum of services of financial nature, including in the banking sphere, is noted. In addition to that, emphasising that the European law is the supranational law of the countries being members of the European Union, the authors consider the existing financial mechanisms taking into account the existing standards of national law (France). Besides, the standards of international law are analysed whose provisions impact the formation of various institutions for consumer rights protection in the financial sphere in Europe as well as in the territory of the Russian Federation.

Keywords: economic crisis, financial service, financial service consumer, European laws, financial institution, credit institution, international treaty, legal relationships in the financial and banking field, cash resources, cash flows, credit, electronic funds transfer.

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RETURNING TO THE DISCUSSION ON DIALECTICS AS THE METHODOLOGICAL FOUNDATION FOR THE COGNITION OF LAW

Abstract: The paper examines the dialectical method of cognition and analyses its role in the cognition of law. The positions of scholars who successfully applied this method before but are now unfoundedly denying its significance are criticised. The unacceptability of changing methodological principles due to political reforms and other conditions is emphasized. The efficiency of dialectical laws these days is shown. It is proposed to newly recognize dialectics as the methodological foundation for the cognition of law.

Keywords: philosophy of law, philosophy, general theory of law, dialectics, dialectical method.

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PUBLIC SECURITY AS THE KEY ELEMENT OF THE NATIONAL SECURITY STRATEGY OF THE RUSSIAN FEDERATION

Abstract: The paper is devoted to the genesis of the main domestic threats: organised crime, corruption, terrorism, legal nihilism, and others. Issues concerning the paradigm and step-by-step scenario of ensuring the national security of the Russian Federation are examined. Consideration is given to the increase in the role of the prosecution service of the Russian Federation and improvement of the structure of law enforcement bodies with a view to strengthen the national security of the Russian Federation.

Keywords: public security, national security, organised crime, corruption, terrorism, prosecution service, financial police.

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**CRIME PREVENTION IN GERMANY (OVERVIEW OF THE 19TH
GERMAN CRIME PREVENTION DAY (12-13th OF MAY 2014,
KARLSRUHE))**

PART 2

Editorial note: Our journal continues to publish the materials of Ms. Olga A. Lyapina, a post-doctoral student at the Russian Law Academy and a participant of the hearings on law (conference) held in Karlsruhe in May 2014. The development of Russian jurisprudence before the 1917 revolution as well as Soviet and today's Russian jurisprudence is strongly influenced by European, especially German jurisprudence. So the more interesting these materials will be for Russian scholars; we shall spread them over multiple issues of the journal due to their large size (beginning in: issue #4, 2014, pp.14-25). The editors hope that Ms. Olga A. Lyapina's publications will have a deep impact on correcting the views of scholars and lawyers raising the legal awareness of our society and engaged in juvenile crime prevention as well as of law-makers.

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**MONITORING THE REASONS FOR MANIFESTATIONS OF EXTREMISM
AMONG THE YOUTH**

Abstract: Approaches used by scholars for determining the causal complex of extremism as well as extremism among the youth are set forth in the paper. Special consideration is given to negative trends and consequences of illegal migration that is, unfortunately, dynamically developing in the Russian Federation these days. The author notes that young people are a large social group that have specific social and psychological traits caused by their age as well as by that their socio-economic, socio-political positions and inner world are in the making. Due to this, the problem of aggressive and extremist behaviour of young people becomes ever more topical under the conditions of Russian reality. Elements of extremist behaviour of young people are formed against a backdrop of deformations of social and cultural life of the society. In examining groups of determinants of extremist criminal activities of young people, one can identify:

— political determinants, to wit: insufficiently efficient application of laws of the Russian Federation in the field of counteracting extremism;

— socio-economic determinants, including: desorganisation of the society, socio-economic crises leading to a drop in the living standards of a considerable part of the population, dissatisfaction by one's social position and, as a consequence, taking extreme measures for changing the existing situation, activation of migration processes in the absence of their sufficient legal regulation and ideological support on the part of the government, mobility of the urban population and increased variability of the circle of contacts of urban youth;

— socio-psychological determinants, namely: high adaptivity of juveniles and young people to the perception of new trends of fashion which results from the possibility of obtaining larger and frequently changing amounts of information, a negative role of mass media in forming a certain 'shape' of subculture which creates an artificial interest to the supporters of extremist ideology, dehumanisation and demoralisation of the contents of information sources;

— cultural and educational determinants: crisis of the family and education as the basic socialisation institutions, social infantilism, unadaptedness in the society, all of which encourages manifestations of extremist nature.

Keywords: extremism, youth extremism, youth, juvenile, reasons for youth extremism, migration, national security, social group, subculture, Wahhabism, violence, ideology.

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RAISING LEGAL AWARENESS: PROBLEMS AND WAYS TO SOLVE THEM

Abstract: Problems of organizational and methodological support for raising the legal awareness of Russia's citizens are addressed in the paper. The basic normative legal acts on the problem under consideration are considered and

analysed. Proposals for raising the efficiency of development of legal awareness are presented.

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**ON THE RESULTS OF LAW ENFORCEMENT MONITORING IN THE
RUSSIAN FEDERATION FOR 2013**

Report by the Ministry of Justice of the Russian Federation