

ABSTRACTS AND KEYWORDS

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MONITORING OF ENSURING THE QUALITY OF LAW-MAKING ACTIVITIES OF LOCAL SELF-GOVERNMENT BODIES AND THEIR STATE OF QUALITY

Keywords: municipal law-making, expert assessment, municipal normative legal instruments, legal assessment, anti-corruption assessment, law enforcement monitoring.

Abstract. The authors consider topical issues of ensuring the quality of municipal law-making in today's Russia. An assessment of the organisation and legal regulation of law-making activities of local self-government bodies is given based on expert polling results. The main drawbacks in the quality of published municipal normative legal instruments, corruption-generating factors that are most often encountered in normative legal instruments of subjects of the Russian Federation as well as the main problems in the organisation of carrying out legal and anti-corruption assessment of municipal normative legal instruments and their drafts are identified. Priority measures aimed at optimising the municipal law-making process and ensuring its qualitative development are put forth. Based on the results of the carried out study, five groups of common law-making errors in draft normative legal instruments are identified: conceptual and ideological errors, competence errors, content errors, linguistic errors, technical and execution errors. The main processes for determining drawbacks in the law-making activities of municipal formations are formulated.

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THE CONTROLLING FUNCTIONS OF REGIONAL BODIES FOR THE PREVENTION OF CORRUPTION AND OTHER OFFENCES

Keywords: corruption, control, combating corruption, government control, anti-corruption functions, controlling functions, anti-corruption control.

Abstract. The controlling functions of regional bodies for the prevention of corruption and other offences are examined in the paper. A definition of controlling functions is given, their systematisation and an analysis of their content is carried out, and proposals on improving the legal regulation of the activities of the said bodies in exercising regional government control in the area of combating corruption are worked out.

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ISSUES OF IMPROVING THE LAWS OF THE REPUBLIC OF AZERBAIJAN ON FAILURE TO REPORT AN OFFENCE AND CONCEALMENT OF AN OFFENCE

Keywords: criminal law, criminal liability, the Criminal Code of the Republic of Azerbaijan, serious crime, complicity in offence, failure to report an offence, concealment of offence, aiding and abetting an offence, limitation of criminal liability, decriminalisation.

Abstract. In the paper, some features of legal regulation of liability for failure to report and concealment of offence in prior and current laws of the Republic of Azerbaijan are considered and proposals aimed at their further improvement are put forth.

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AN ANALYSIS OF WORLD AND EURASIAN TRENDS IN THE DEVELOPMENT OF THE INTELLECTUAL PROPERTY MARKET

Keywords: world intellectual property market, monopolisation of the intellectual property market, scientific and technological potential, scientific discoveries, intellectual property strategy, inventors' activity, patents for inventions, high-technology export, technological pattern, Eurasian Economic Union, People's Republic of China, Silk Road Economic Belt.

Abstract. The world intellectual property market is developing at a high pace. The world trade turnover on the intellectual property market in 2015 reached almost 700 billion dollars (which is 4.7 times more than in 2000), in middle income countries it increased tenfold over the same period, and in some Eurasian Economic Union member states it showed a ten- to hundredfold increase. However, 99% of the income from intellectual property are appropriated by high income countries (the USA: 40%), which means an extremely high monopolisation of this market. At the same time, industrial intellectual property and its efficient use are a basis for the development of high technology production and raising the competitiveness of the economy, being a necessary link on the way from scientific research and development to new generations of equipment and technology of a new technological pattern. The world trends in the development of this market as well as the position of Russia and the Eurasian Economic Union there based on the statistical data of the World Bank and the World Intellectual Property Organisation are considered in the paper. A justification is presented for working out a single intellectual property market development strategy for the Eurasian Economic Union.

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MODERN TRENDS IN CRIMINAL PROCEDURAL PROVISION OF MEASURES FOR COMBATING EXTREMISM AND TERRORISM

Keywords: extremism offences, terrorism offences, measures for combating extremism, criminal procedural measures for combating extremism, pre-trial

investigation, court trial, prevention of extremism, preventive criminal procedural measures.

Abstract. The paper considers issues related to analysing the concept of combating extremism and terrorism and a system of measures for combating extremism and terrorism, the criminal procedural component of this analysis, as well as approaches of various legal scholars specialising in this field. In addition to that, a need for a special consideration of issues related to the existing trends in the regulation of pre-trial investigation and court trial in extremism- and terrorism-related criminal cases by criminal procedural law is emphasised. Also, a problem arising due to the well-foundedness of a intense and special attitude of the law-maker to just these types of criminal cases is mentioned. The author proposes to make more precise the definition of the concept of combating extremism and the system of criminal procedural measures for combating extremism including terrorism as its part.

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ON THE CONTENT OF THE CRIMINOLOGICAL POLICY OF COMBATING JUVENILE DELINQUENCY

Keywords: crime, juvenile delinquency (offending), juvenile (minor), criminology, criminalisation of minors, criminological policy, combatting juvenile delinquency (offending).

Abstract. Key problems reflecting the current state of research approaches used by criminologists in studying juvenile delinquency (offending) are considered in this paper. It is noted that an assessment of criminal manifestations in the sphere of minors' life activity is substituted by an analysis of statistical data about it, however, this data cannot be reflected in the qualitative characteristics of changes and correlated with the need of combating it. Such an analysis does not constitute any assessment or knowledge and accordingly it does not ensure their unity which is extremely important for the organisation of combating juvenile crime due to special criminologically significant processes going on in juvenile crime. Statistical analysis is needed for an assessment of the type of crime under study only in relation to identifying the characteristics of social phenomena and processes permeating social connections, relationships, and life activity of minors. The content of such processes and phenomena should be studied not through the prism of the whole criminologically significant information but through that part of it which can and should be extracted and examined by the specialist in the field of combating crime.

The author's operational definition of criminological policy of combating juvenile delinquency is put forth in the paper.

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MEDIATION IN CRIMINAL CASES AND PROSPECTS FOR ITS DEVELOPMENT IN RUSSIA

Keywords: mediation, criminal procedure, restorative justice, conciliation, protection of rights of minors, juvenile justice.

Abstract. General questions of using criminal mediation as a mechanism that complements traditional approaches to criminal justice are discussed in the paper and the experience in using restorative justice technologies in European countries, including using mediation in the juvenile justice system, is analysed. The author points out appropriate provisions of the National Strategy of Actions in the Interests of Children for 2012-2017 concerning setting up a child-friendly justice system. The paper also considers prospects for a step-by-step introduction of mediation in the criminal procedure, issues of using restorative approach in the work of commissions for affairs of minors and protection of their rights, and identifies general lines of improving the laws in this area.

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THE LABOUR LAW OF ALIENS AND STATELESS PERSONS IN THE REPUBLIC OF AZERBAIJAN

Keywords: Constitution, Republic of Azerbaijan, citizens' rights, labour law, stateless persons, alien, law of aliens, conflict of laws, labour agreement.

Abstract. In the paper the author studies the basics of the labour law of aliens and stateless persons in the Republic of Azerbaijan. It is stated that determining the legal status and position of aliens and stateless persons plays an important role in the proper legal regulation of all their rights and freedoms, including their labour rights. The author carries out a comparison of shortcomings in the Labour Code of the Republic of Azerbaijan. Examples of violations of provisions of the labour law of the Republic of Azerbaijan are presented. It is noted that certain corporations and companies from some more economically developed countries which operate in the territory of the Republic of Azerbaijan disobey the provisions of Azerbaijan labour law, do not comply with the obligation to conclude labour agreements, to determine labour quotas, etc. The author puts forth concrete proposals and recommendations for improving the laws of the Republic of Azerbaijan.

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THE INFORMATION RESOURCES OF THE MINISTRY OF JUSTICE OF RUSSIA AND THEIR INFORMATION SECURITY

Keywords: information systems, information society, legal information, databases, electronic government registers, normative legal instrument.

Abstract. Issues of using modern information and communication technologies for improving access to information resources of the Ministry of Justice of Russia are considered in the paper. Also addressed are such topical issues as gaps in the information technology law, a lack of legal definition and legal regime for the concept of information resource. Today, the term "information resource" has no clear definition either in law or in legal literature. The paper contains an analytical overview of legal instruments and describes the present state of the central database of the normative legal instruments subsystem of the Single System of Information and Telecommunication Support of Ministry of Justice of the Russian Federation.

REPORT ON THE RESULTS OF MONITORING OF LAW ENFORCEMENT IN THE RUSSIAN FEDERATION FOR 2015

Keywords: Constitutional Court, European Court of Human Rights, vocational education and training, protection of mineral resources, ecology, water resources, public aid, tariff regulation.

This publication is to ensure the public policy based on the principle of openness and accessibility of legal information. The report presents a generalisation of information on the state of legislation and its practical use in various spheres of life and areas of activity.

Law enforcement monitoring is an important activity for today's Russia, which allows to see the development trends, to take into account the opinions of all participants in social relations and based on this to improve the legislation.
