

## **ABSTRACTS AND KEYWORDS**

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#### **AN ACADEMIC AND PRACTICAL DIALOGUE ABOUT LAW AND ITS APPLICATION**

**Keywords:** law, law enforcement, legal cynicism, legal culture, law-making, statutory laws, municipal formations, legal education and jurisprudence, legal information systems, professional community of attorneys, research studies, blockchain.

**Abstract.** Reasonings, evaluations, forecasts concerning modern problems of jurisprudence and legal practice and their trends that have taken shape in the course of discussion between the authors of this paper are presented in the paper. This allowed to give the results of what initially was meant to be an interview the form of a dialogue whose contents has taken the shape of a research paper. It combines elements of informativeness, novelty, practical and theoretical importance of topics and issues discussed concerning topical spectra of the current state and development of domestic jurisprudence that seldom find their expression in academic research journals. The unanimity of the authors' opinions on the issues of ensuring the quality of municipal law-making, legal consciousness of law-makers and law enforcers, topicality and necessity of new provisions in law allowing to ensure the implementation of the principle of adversary proceedings, the needs of development of legal education and jurisprudence became an expression of the authors' being in tune as regards many provisions set forth in the paper.

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## **DECONSTRUCTION OF THE BALANCE OF PRIVATE AND PUBLIC INTERESTS**

**Keywords:** public law and private law principles, private and public interests, Derrida, evolutive interpretation, justice, legality, evolutiveness of the interpretation of the Constitutional Court of the Russian Federation.

**Abstract.** Constitutional elements of balance of public law and private law principles in the current laws are considered in the paper, methodological aspects of applying deconstruction in jurisprudence as an independent line of research put forward by Jacques Derrida are examined. It is pointed out that the deconstruction of the text of law does not resolve itself to its analysis, it is a necessary condition for identifying the contents of law of "today", a modern understanding of what shall be considered just and legal. The author analyses — as a form of application of deconstruction in law — the specific features of evolutive interpretation as exemplified by the court practice of the Constitutional Court of the Russian Federation. The conclusion is made that the deconstruction (re-construction) of current standards of law is an additional tool that allows to ensure a full protection of public and private interests.

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## **ON THE FEASIBILITY OF USING FOREIGN EXPERIENCE IN ENSURING THE QUALITY OF FREE LEGAL AID IN THE RUSSIAN FEDERATION**

**Keywords:** procedures for ensuring the quality of free legal aid in foreign countries, criteria for assessing the quality of free legal aid, quality standards, government and non-government free legal aid systems, complaints about the actions (failure of action) of lawyers, Ministry of Justice of the Russian Federation, lawyers' rules of professional conduct.

**Abstract.** Procedures for ensuring the quality of free legal aid in foreign countries are described by the author. Arguments on the need to adapt the experience of foreign countries to the specific features of the domestic legal system are brought forward. The author proposes to work out criteria for

assessing the quality of free legal aid for our country. Different variants of assessing the quality of the lawyer's work are put forward. In the author's opinion, indicators for each quality criterion should be established. Before working out the criteria for assessing the quality of free legal aid for our country we should first define what a legal service is, what it is needed for, and identify its components. It is necessary to develop and adopt the standards of work for participants of government and non-government free legal aid systems for different kinds of cases falling under free legal aid programmes. In order to assess the quality of the lawyer's work considering the results obtained by the customer, a comprehensive evaluation of the whole process of rendering free legal aid should be carried out. It is proposed to introduce additional information fields containing the number of complaints about the actions (failure of action) of lawyers participating in the government free legal aid system and their types, in the report forms developed by the Ministry of Justice of the Russian Federation. That will allow to determine the criteria according to which the services rendered by the lawyers do not satisfy the customers.

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## **SPECIAL FEATURES OF COMPETITIVENESS OF UNIONS OF CONDOMINIUM OWNERS' ASSOCIATIONS**

**Keywords:** public utilities, apartment building management, competitive environment, competition in the field of apartment building management, licensing of management organisations, unions (associations, groups) of condominium owners' associations, non-profit organisation, subsidiary responsibility, information system for public utilities.

**Abstract.** The issue of expedience and lawfulness of apartment building management by unions (associations, groups) of condominium owners' associations is considered in the paper through the prism of competitiveness of these organisations and other ways of management laid down in the housing law. Developing a healthy competitive environment in the field of apartment building management is needed in order to grant the premises owners the right to choose the most advantageous management organisations of different business entity types provided for in the law. The development of market relations in any sphere of activity strongly depends on the state of competitiveness on the corresponding market. Analysing the apartment building management market, the author comes to the conclusion that the housing law in that field is imperfect, validly pointing out a need to prohibit the activity of apartment building management by unions of condominium owners' associations.

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## **COORDINATION OF ACTIVITIES OF LAW ENFORCEMENT AGENCIES IN COMBATING ENVIRONMENTAL CRIME BY ENVIRONMENTAL PROSECUTORS**

**Keywords:** state of legality, natural resources, incidence of environmental offences, specialised environmental prosecutor's offices, forms of coordination, agreements on cooperation.

### **Abstract.**

The purpose of this paper is to develop proposals for raising the efficiency of prosecution bodies' work for coordinating the activities of law enforcement agencies in combating environmental crime.

Environmental offences are widespread and pose a threat not only to the environment and population but to the national security of the country as well. Law enforcement agencies identify and solve mostly obvious encroachments on natural resources committed by marginalised singletons whereas organisers of criminal groups being part of international criminal networks setting up illegal harvesting, processing, and sale of fine wood, valuable fish, rare minerals, rare, threatened, and endangered animals and plants, their parts and derivatives, are very seldom brought to trial. In the opinion of the authors, these problems attest to major shortcomings in combating environmental crime. It is noted that the relative efficiency of specialised environmental prosecutor's offices is higher than that of territorial prosecutor's offices.

Based on the analysis of the current law enforcement practice the authors come to the conclusion that raising the status of prosecution bodies allows a more efficient coordination of the activities of law enforcement agencies in combating environmental crime by the said prosecution bodies. In conclusion, proposals are put forward to create a system of specialised environmental prosecutor's offices with the rights of prosecutor's offices of the subject of

the Russian Federation, including the Azov and Black Sea, Amur, Arctic environmental prosecutor's offices.

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## **A MODERN PICTURE OF PERSONALITY TRAITS OF CONVICTED MINORS: CRIMINOLOGICAL EVALUATIONS (part two)**

**Keywords:** family, juvenile offender's personality, crime, informal associations, criminogenic factor, victimisation.

**Abstract.** This paper presents a follow-up of the results of studying the traits of a convicted minor's personality illustrated in the previous work "A modern picture of personality traits of convicted minors: criminological evaluations (part one)". Here special attention is given to problems of family conflicts as a criminogenic factor influencing the formation of the juvenile offender's personality. An analysis and assessment of the ways to spend time by juveniles before the commission of offences for which they were convicted, is presented. Preferences of convicted minors as regards the selection of their future professional employment are described.

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## **ON THE QUESTION OF LEGAL REGULATION OF LOBBYING ACTIVITIES IN GERMANY**

**Keywords:** laws of Germany, regulation of lobbying activities, unacceptable ways of lobbying, corruption lobbying, prevention of corruption lobbying, political parties of Germany, German Bundestag deputy, parliamentary procedure of the German Bundestag, German Criminal Code.

**Abstract.** The paper is devoted to examining the German laws as regards the issues of regulating lobbying activities. The object of examination is social relations in the field of interaction between citizens and organisations, on the one hand, and public authorities, on the other hand, with a view to promoting and taking decisions favourable for interested groups. The subject of examination is the current German laws and bylaws. The author analyses

the definition of lobbying activities in Germany and emphasises its specific features. Separate attention is given to examining specialised legal instruments for regulating lobbying activities in Germany. Alongside with that drawbacks and debatable provisions of current German rules for regulating lobbying activities. Special attention is given to issues of prevention of unacceptable ways of lobbying, corruption lobbying in particular. In this regard, an analysis of mechanisms for preventing unacceptable ways of lobbying that exist in constitutional law, administrative law, and criminal law is presented in the paper.

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## **MONITORING THE ORGANISATIONAL AND LEGAL FOUNDATIONS FOR REGULATING THE COMPREHENSIVE SECURITY OF EDUCATIONAL INSTITUTIONS IN THE RUSSIAN FEDERATION**

**Keywords:** laws, comprehensive security, higher education institution, legal analysis of security, comprehensive integrative approach, education policy in the sphere of security, monitoring, efficiency assessment.

**Abstract.** The main task of the paper is studying and implementing the basic provisions of Russian laws on issues of security of educational organisations, development and implementation of legal, methodological, and other local instruments, instructions for creating conditions for secure educational activities. Priority types of security for educational organisations are identified: personal (including physical) security, psychological security of students, lecturers, and employees, occupational safety & health and social insurance, fire safety, anti-terrorism protection and extremism prevention, disease control and prevention security and healthcare maintenance, information security. Special attention is given to the creation of a security system for Russian higher education institutions based on the comprehensive integrative approach ensuring neutralisation of various threats, reduction of risks, minimisation of pecuniary and non-pecuniary damage. A model for monitoring the state of comprehensive security of a higher education institution is put forward as well as creating a system for assessing the efficiency of comprehensive security of higher education institutions based on indices and indicators for describing the implementation of normative requirements and the level of satisfaction with security, an assessment of the efficiency of measures being taken.

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## **THE LEGAL REGIME OF CROSS-BORDER FACILITIES (PROBLEM STATEMENT)**

**Keywords:** object of civil rights, real (immovable) thing, unification of standards, harmonisation of standards, private law, public law, international agreement, property right, legal regime, permissions, prohibitions.

**Abstract.** The paper presents a justification for the conclusion that at the theoretical level there exists an unsolved problem of the legal regime of cross-border facilities. In order to justify this conclusion, arguments based on the analysis of foreign law are presented which show different understanding of property rights in various legal systems, difficulties in establishing the right of ownership of cross-border facilities due to different approaches in evaluating things as an object of property law, and insufficient development of the construct of content of subjective property rights as applied to cross-border facilities part of which are located in territories free from the jurisdiction of the countries. It is shown that it is not possible to solve the problem of the legal regime of cross-border facilities by concluding international intergovernmental agreements. Ways for solving the problem of the legal regime of cross-border facilities are put forward, also considering the civil law component including a justification of the legal nature of cross-border facilities as objects of civil rights, the content of subjective property rights.

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## **ABSENTEEISM IN THE SYSTEM OF CITY SELF-GOVERNMENT IN RUSSIA: HISTORICAL AND LEGAL ASPECTS**

**Keywords:** absenteeism, city self-government, city Council, elections, electoral system, deputies of the Duma, political rights, monarchy, election category, the election campaign, election activity.

**Abstract:** The article is devoted to the study of the main factors for the low electoral activity of voters at town elections in the Russian Empire during the period of validity of City act of 1870. Absenteeism is considered by the author as a state and legal phenomenon, which is expressed not only in the form of electoral passivity, but in the form of evasion of the elected members of representative bodies from the execution of its powers. The study had provided relevant statistical data on the election turnout and attendance of meetings of the deputies of the Moscow city Duma in the period of validity of the Act of 1870. An attempt to identify the causes of the passivity of the deputies of city councils in the considered historical period was made. The author comes to the conclusion that an electoral passivity of citizens, and low activity of the deputies of city councils were determined by the complex social, economic, political and legal factors.

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