

ABSTRACTS AND KEYWORDS

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ON THE REALIA AND TASKS OF CORPORATE ANTI-CORRUPTION COMPLIANCE

Keywords: anti-corruption assessment, anti-corruption training, corruption, corruption risks map, statutory corporations, for-profit corporations, interaction conflicts, functional powers of units, prevention, ethical dilemmas.

Abstract. The author presents theses on the content, concept, organisation, and reserves of corporate anti-corruption compliance in its topical destination for statutory corporations and private-public organisations operating in Russia and foreign jurisdictions. The recommendations presented have novelty and correspond to the realia and practically justified needs for them on the part of for-profit corporations seeking to protect their business from the threats of corruption and fraud. Considering few research works on anti-corruption compliance and rare cases of borrowing anti-corruption compliance practices from abroad in today's Russia, key attention is drawn to institutional tasks and specific techniques of forming it for organisational, legal, methodological, educational support.

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**ORGANISATIONAL AND FUNCTIONAL INDEPENDENCE OF AGENCIES
FOR PREVENTION OF CORRUPTION AND OTHER OFFENCES OF
SUBJECTS OF THE RUSSIAN FEDERATION: CONCEPT, CONTENT,
MEANS OF ENFORCEMENT**

Keywords: corruption, combating corruption, prevention of corruption, anti-corruption policy, subject of combating corruption, functional independence, organisational independence, financial independence.

Abstract. Issues of enforcing and exercising the organisational and functional independence of agencies for prevention of corruption and other offences of subjects of the Russian Federation are considered in the paper based on the analysis of current federal and regional rules and regulations. A definition for the organisational and functional independence of agencies for prevention of corruption and other offences of subjects of the Russian Federation is given, their content is explicated. The main means used for enforcing the organisational and functional independence of agencies for prevention of corruption and other offences of subjects of the Russian Federation are mentioned: organisational structure, specifics of subordination and controllability, procedure of formation, special procedure for commending/rewarding and bringing to disciplinary liability, procedure of financing and financial provisions.

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MONITORING THE PRACTICE OF APPLYING PROVISIONS OF LAWS ON ROBBERY BY SUDDEN SNATCHING

Keywords: criminal law, sudden snatching, method, unexpected daring actions, violence, robbery, violent robbery, guilty person, theft, stolen property, coming into possession of property, criminal intent, openness.

Abstract. Provisions of the criminal law doctrine regarding the considered way of committing robbery are analysed in the paper. Additionally, the author places special emphasis on the analysis of court practice which is presented considering different understanding of this way to commit the offence by different courts which, of course, entailed different qualifications of the offence. This difference is caused by an ambiguous understanding of not as much sudden snatching as its relation to violence to which the author paid special attention. More often that not, the doctrine and courts regard sudden snatching as violence and thus consider it necessary to qualify it as a violent act. Examples are given of qualifications where sudden snatching was qualified not only as robbery but also as forcible robbery, aggravated robbery, theft. The author does not always agree with the position of courts thus expressing her critical attitude towards their assessments. The author states a lack of logic in the understanding and applying the letter of the law by courts and as a result makes her final judgment that sudden snatching and violence are not identical. The author draws conclusions for each court decision in particular and the paper as a whole with a view to a single and uniform understanding and application of criminal law.

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ORGANISATIONAL AND LEGAL TECHNOLOGIES FOR COMBATING CORRUPTION IN THE CIVIL SERVICE SYSTEM

Keywords: corruption in the civil service system, combating corruption, organisational and legal technologies, integrated system.

Abstract. The paper is devoted to a systemic analysis of the problem of enhancing the efficiency of using organisational and legal technologies for combating corruption in the civil service of our country. An analysis of topicality, importance, international experience, legal framework is carried out and the technology background of combating corruption in the civil service are examined.

The author emphasises that the development and implementation of a single system of technologies in this sphere in the civil service system should contribute to enhancing the efficiency of combating corruption. In addition to that, a justification is given for the need to use organisational and legal technologies for combating corruption in the civil service as well as an acute need for arming specialists with new organisational and legal technologies for combating corruption in the civil service system using the latest scientific and legal developments.

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CRIMINAL LIABILITY FOR FINANCING TERRORISM

Keywords: resolutions of the UN Security Council, 40 FATF recommendations, counteraction, criminalisation, crime, statistics, legal regulation, law enforcement, structure of the legal norm, qualification of offences, elements of the offence, law-making.

Abstract. In the paper, the author presents a general chronological overview of criminalisation and development of criminal liability for financing terrorism in the Russian legal system; the chronology of the development of legal regulation of combating the financing of terrorism is presented through the prism of not only the national legislation but also the international law. The author carried out a statistical analysis of registered offences related to financing terrorism in the Russian Federation, outlined problems of practical application of relevant provisions of the Criminal Code of the Russian Federation, and named the causes of these problems. As a legal solution to the current situation, the author proposed a wording for a new article of the Criminal Code of the Russian Federation that qualifies financing terrorism as a distinct offence. The proposed version of the new article of the Criminal Code of the Russian Federation is aimed at an efficient implementation of provisions of criminal law ensuring liability for offences related to financing terrorism.

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**ON THE QUESTION OF STRUCTURE
OF THE INSTRUMENT OF LEGISLATION
(THE BELARUSIAN EXPERIENCE)**

Keywords: elements of the legal regulation, balancedness of the regulation, preamble of the regulation, structure of the code, general and special part of the code, sanctions.

Abstract. Issues of structure of legal regulations are given consideration in the paper. Mandatory attributes (type, name, and others) as well as structural elements (preamble, sections, chapters, items, sub-items, parts, paragraphs) of the regulation are mentioned. Attention is called to some problem aspects of structuring instruments of legislation. Special features of the structure of codified regulations are noted, consideration being focused on the Code of Administrative Offences of the Republic of Belarus. It is noted that, although the Code of Administrative Offences is specified as the single law on administrative offences, it contains many blanket provisions referring to other instruments of legislation. Thus, in fact, the Code of Administrative Offences does not fulfil its role as the 'single regulation'. The situation with the Criminal Code is similar. All this is also characteristic of Russian codified regulations. Looking forward, it would be reasonable to restrict the number of instruments of legislation making up the cluster of administrative & delictual laws or criminal laws, excluding the adoption of bylaws defining the offences, and to bring in balance the administrative and penal sanctions provided accordingly in the Code of Administrative Offences and the Criminal Code. In our opinion, some offences against constitutional rights and freedoms should be decriminalised, whereas appropriate chapters of the Code of Administrative Offences should be completed with new articles. It is also important to balance the time periods for bringing to criminal and administrative liability. A need to enhance the role of the preamble in regulations is emphasised. Bylaws should contain not only references to regulations of greater legal force on which they are based but also a brief analysis of the state of already regulated social relations and include the expected results from enacting the regulation. It will allow to improve the quality of drafts of regulations and strengthen the responsibility of their drafters for their preparation.

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MONITORING THE STATE OF QUALITY OF MUNICIPAL LAW-MAKING

Keywords: municipal law-making, quality of the municipal regulation, juridical technique, monitoring, regional register of municipal rules and regulations, expert poll.

Abstract. Issues of the current state of municipal law-making in the Russian Federation are considered in the paper. An expert evaluation of the efficiency of municipal law-making is given based on sociological research, typical errors in the preparation and adoption of municipal regulations as well as the main problems in maintaining the registers of municipal regulations of subjects of the Russian Federation are identified. In conclusion, some lines of improvement of the municipal law-making process based on expert poll data are presented.

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FORMATION OF THE REGIME OF OPENNESS AND ACCESSIBILITY OF MUNICIPAL REGULATIONS CONSIDERING THEIR LEGAL NATURE

Keywords: local self-government, municipal authority, municipal legal regulation, legal regulation, municipal law-making, legal nature of local self-government, nature of municipal law-making, open municipality, legal information.

Abstract. The main approaches that have developed in the Russian doctrine as regards the legal nature of municipal law-making are analysed in the paper. The author points out essential flaws in the concept of authorised (delegated) municipal law-making. Based on the nature of local self-government it is concluded that municipal formations have an inalienable right to adopt regulations of legal nature. Municipal legal regulations are considered as an instrument for exercising public powers since it is presumed that a lack of right of the subject to adopt legal regulations correlates with its lack of public powers as such. The author emphasises that the principle of territorial jurisdiction of municipal legal regulations is a basic legal quality that fundamentally distinguishes them from local legal regulations issued by private non-governmental subjects.

The existing mechanism for ensuring openness and accessibility of municipal legal regulations is considered in the paper, the advantages and drawbacks of certain ways of disseminating legal information by local self-government bodies are mentioned. It is argued that the regime of transparency of municipal authorities, including publishing (promulgation) of regulations, should be comprehensive and include diversified ways of disseminating the content of municipal legal regulations and their drafts. The guarantees of the legal regime of openness and accessibility of municipal legal regulations should allow receiving information about them, including by subjects that have no permanent residence (location) in the territory of the municipal formation. Proposals with a view to improve the laws establishing the procedure for the official publication (promulgation) of municipal legal regulations and maintenance of official websites of local self-government bodies to the extent of posting legal information are put forward. The author also considers it necessary to specify more precisely the composition and grouping of legal information to be electronically disseminated.

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**ON THE DISCOVERY OF A SYSTEM OF PATTERNS
OF INTELLECTUAL NATURE
AND
A JUSTIFICATION OF THE PHENOMENON
OF INTELLECTUAL NATURE**

Keywords: nature, inanimate, biological, intellectual, intellectual activity results, discovery, phenomenon, evolution, priority, development, ideosphere, integration, innovations, investigations.

Abstract. A report made by the author at the session of the Presidium of the Russian Academy of Natural Sciences on the 21st of February 2017 is presented in the paper. A systemic scientific justification is set forth in the report which allows to recognise the "intellectual nature" (term proposed by the author) as an independent natural phenomenon having its own specific laws, patterns, principles and effects of evolutionary development. Recognition of the phenomenon of intellectual nature as the third one after the inanimate and biological ones will eventually allow to integrate the entire system of social and technical knowledge on the common interdisciplinary basis of human abilities and intellectual activity results, will give the opportunity to carry out fundamental research, register scientific discoveries, intensify innovative activities, and ensure a greater safety and comfort of the activities of subjects of intellectual nature.

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**MONITORING THE ACTIVITY
OF SUBJECTS OF THE RUSSIAN FEDERATION
IN THE SPHERE OF RAISING LEGAL AWARENESS
OF THE POPULATION IN 2016**

Keywords: public legal education, legal consciousness, government programme, free legal aid, day of legal aid to children, education, children's trust line, awareness-raising events, informing, less protected population groups.

Abstract. Ways to exercise the powers of subjects of the Russian Federation to raise legal awareness and conduct public legal education of the population in 2016 are considered in the paper. The formation of legal culture of the population and legal consciousness of citizens are tasks which are to be solved by various social institutions, public authorities, authorities of subjects, public associations and non-profit organisations. Implementation of raising legal awareness measures depends in large part on due and timely law-making activities of public authorities of the Russian Federation and its subjects. Monitoring of events in the sphere of legal awareness-raising in 2016 organised for population groups of different social status and age is carried out in the paper. A need for disseminating legal awareness-raising information in printed media as well as through the Internet is considered.

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PRIORITIES OF INFORMATION SOCIETY DEVELOPMENT IN RUSSIA: LEGAL SUPPORT

Keywords: legal regulation, national interests, information security, information society, knowledge society, development strategy.

Abstract. Issues of legal support of strategic national priorities of information society development in Russia are examined in the paper. The topicality of the subject is justified, the priorities are studied in their relation to the national interests, the main principles of information society development in Russia, and the formation of knowledge society which is the goal of implementation of the "Strategy of information society development in the Russian Federation for 2017-2030". The study of priorities is carried out using strategic documents and regulations allowing to provide legal support for information society development. The principles of information society development are analysed as the basic condition, together with the strategic goal of implementing the priorities. The conclusion is justified that further law monitoring is needed with a view to preserve the strategic reference points in the field of information and information relationships which implies enhancing the role of law and legal mechanisms for this process. It is shown that the purpose, priorities based on national interests, and principles collectively contribute to the formation of the national model of information society, knowledge society.

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THE MODERN APPROACH AND PROSPECTS OF DEVELOPMENT OF LEGAL LITERACY AND LEGAL CONSCIOUSNESS OF CITIZENS

Keywords: legal awareness-raising, legal culture, law, population, free legal aid, events, public order, public legal education, level of awareness of citizens, sociological poll, personality formation.

Abstract. Issues of organisational and methodological support of raising legal culture and legal consciousness of citizens are considered in the paper, illustrations are given of a positive experience of holding events aimed at raising legal literacy and public legal education in some regions of the Russian Federation. The results of a sociological poll carried out at a social poll service, the poll questions being: level of awareness of citizens about their rights and sources for obtaining legal information by citizens, are presented. Data on citizens in the regions of the Russian Federation who received free legal aid, on holding the All-Russian day of legal aid to children and mass legal awareness-raising events held in the regions of the Russian Federation in 2016 are presented, also presented is an express analysis of those events carried out in the course of their monitoring. The paper presents a coverage of successful projects carried out in a number of educational institutions in the field of legal and civic education and related to the formation of legal space in school, and contains an extensive overview of federal and regional-level regulations in this field.

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LAW ENFORCEMENT OF OPEN DATA CONSIDERING INFORMATION SECURITY REQUIREMENTS

Keywords: publicly available information, open government data, open government, Digital Russia, open technologies, public information systems, integrity, accessibility, confidentiality, information security, web application security.

Abstract. The issue of existence of a contradiction between information security requirements and requirements for government data openness is considered in the paper. A classification of public (open access) data and open government data is given. Publicly available data sources which can be used in information security management are cited. The completeness and sufficiency of measures taken for the protection of open resources in public information systems in Russia are shown. A conclusion is made on the sufficiency and completeness of taxonomies in the field of web resource security. A comparative analysis of some open data Internet portals is given. Problem issues of using open data in the field of information security are noted and some ways to solve them are pointed out.
