

## **ABSTRACTS AND KEYWORDS**

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#### **INTELLECTOLOGY OF LAW. PRELIMINARY RESULTS OF MATHEMATICAL MODELLING OF LAW**

**Keywords:** crime, system, mathematics, geometry, law, law-making, interpretation of law, application of law, law enforcement, formation of law, criminal code.

**Abstract.** A certain methodological crisis is observed in theoretical jurisprudence whose essence consists in that today's research works almost don't enrich the methodology of legal science with new approaches, whereas the existing ones are variations of already known stereotypes, and by far not always effective at that. This situation impacts the objectivity of the results of studying legal problems, their reliability and scientificity. At the same time, studying social processes related, in particular, with the operation of legal regulations, formation and necessary change of the legal system can be presented in a new light, considering the analysis of dynamics of implementation of legal provisions, establishing non-linear patterns, studying various multi-vector manifestations of legal relations in the societal coordinate system as well as other social phenomena, based on system approach and mathematical calculation.

The following mathematical methods are highlighted in the paper, with reference to jurisprudence, for modelling social and legal phenomena: (1) law-making, (2) interpretation of law, (3) application of law, (4) law enforcement, (5) formation of law.

A special, concretised form of mathematical logic is used to explain the criminal behaviour of a person, to find the criminal and to expose him in case of attempts to escape responsibility for his actions.

Probability theory made it possible to develop forensic portrait examination, and later, dactyloscopic examination. Mathematical patterns allowed to establish the objective nature of conclusions of graphological examinations. Today, the application of mathematical methods resulted in the formation of a separate complex field of science — forensic science.

Concurrently, legal statistics made it possible to identify stable patterns in crime as a socially negative mass phenomenon.

The geometric idea had a significant impact on the structure of scientific knowledge in the legal world and on that of laws: the presence of general parts in criminal, civil, etc. codes as well as placing the provisions concerning the principles of law at the beginning of some laws undoubtedly represent a tradition of planar geometric jurisprudence.

The paper comes to the conclusion that the criminal law system cannot be ideal and set once and for all time.

We are living in the Euclidean criminal law system, although another, more complex, geometric system has been known for a long time already — Lobachevsky's imaginary geometry or spatial geometry.

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## **MONITORING LEGAL MODELS OF MULTI-PARTY SYSTEMS IN THE CIS MEMBER STATES**

**Keywords:** democracy, political party, elections, electoral system, dominant party, Constitution, post-Soviet states, president, financing of parties, legal mentality.

### **Abstract.**

The purpose of the paper is to identify features of legal regulation of the status of political parties and their activities in the Commonwealth of Independent States (CIS) member states.

The research methods include: general scientific methods of cognition (the dialectical one, analysis and synthesis, modelling, etc.) as well as the sociological, historical, comparative law, formal legal ones, etc.

The author comes to the conclusion that the formation of multi-party systems took place under identical political and legal conditions, which determined that the status of political parties was laid down in the laws of the CIS member states in similar ways. The general and the special in the legal regulation of activities of political parties in the laws of the CIS are highlighted. The concept of "legal model of multi-party system" is introduced into scientific use. Based on the analysis of laws and law enforcement practice in the field of party building in the CIS member states, the author's classification of currently used legal models of political parties is proposed. The 'Eastern' model of activities of political parties which is used, in the opinion of the author, in Azerbaijan, Belarus, Kazakhstan, Russia, Tajikistan, Turkmenistan and Uzbekistan, is characterised by the dominance of the 'pro-presidential' political party in the parliament. A feature of the 'Western' model of political parties (used in Armenia, Moldova, Kyrgyzstan and Ukraine) is the leading role of parties in the electoral system and the significant role of the institution of parliamentarism itself. The conclusions developed by the author can be used to improve the Russian legislation.

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## **DIGITAL TRANSFORMATION OF LAW**

**Keywords:** digitalisation of law, objects of civil law, principles of law, intellectual rights, protection of intellectual rights, digital technologies of law.

### **Abstract.**

Modern digital technologies create the technological base of the "digital economy", new social and societal relations. Different usage of modern digital technologies has given rise to processes of revolutionary changes in the modern society, the so-called "digital revolution", "digital" transformation which consists in using modern digital technologies in various spheres of human activity, including law. The development of transformation processes brings to light an objective need of adapting legal mechanisms of regulation, including that of implementation and protection of rights to intellectual property results. In this paper, the author analyses various forms of using digital technologies and their capabilities to protect intellectual property rights.

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## **IMPROVING THE SYSTEM OF ASSESSMENT OF LEGAL REGULATIONS OF THE RUSSIAN FEDERATION**

**Keywords:** law drafting activities, legal assessment, anti-corruption assessment, regulatory impact evaluation, law enforcement monitoring, legal monitoring.

### **Abstract.**

At present in the Russian Federation there exist several separate instruments for assessing legal regulations at different stages of their preparation, adoption and implementation. The application of each of these instruments is regulated by a separate regulatory framework. However, the said mechanisms are not coordinated, which often results in duplicate work. Besides, most of them require optimisation. As a result, the efficiency of the existing assessment mechanisms is reduced.

The purpose of this research is to identify possible ways of improving the existing mechanisms for assessing legal regulations, which will contribute to raising the quality of law-drafting.

The subject of consideration in this paper is the existing institutions for assessing legal regulations and their drafts at the federal level.

The solution of the problem consists in developing a single approach to the preparation and assessment of legal regulations at the federal level as well as coordinating the existing mechanisms. The authors put forward the idea of combining the existing institutions for assessing legal regulations and their drafts at the federal level into a single interconnected system.

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**IMPORTANT ASPECTS OF SAFEGUARDING THE RIGHT  
TO INFORMATION PROTECTION IN THE LIGHT  
OF THE LEGAL POSITION OF THE CONSTITUTIONAL COURT  
OF THE RUSSIAN FEDERATION**

**Keywords:** information protection, information security, human rights, information holder, constitutional right to protection, constitutional control, judicial protection, constitutional justice.

**Abstract.**

Purpose of the work: studying important aspects of legal safeguarding of human rights and freedoms in the Russian Federation by means of constitutional justice.

Method used: systemic legal analysis of the mechanism for safeguarding human rights and freedoms in the Russian Federation by means of constitutional justice.

Results obtained: the legal mechanism for the judicial protection of human rights in the form of constitutional justice is expounded. A specific case dealing with checking the constitutionality of paragraph 5 of Article 2 of the Federal Law "On Information, Information Technologies and Information Protection" which was considered by means of constitutional justice, is presented; as a result of this case a judgment was passed that the law enforcement decisions in the case lodged by the claimant be reconsidered taking into account the elicited meaning of the contested provision under constitutional law. The legal validity of decisions taken as a result of such judicial protection is determined.

Conclusion made: the author comes to the conclusion that the constitutional legal stances of the Constitutional Court of the Russian Federation are aimed at the constitutional regulation of social relations in the Russian Federation as well as at the justification for and deepening of constitutional principles. At present, constitutional justice ensures the most complete and effective protection of the rights and freedoms of man and of the citizen.

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**REGIONAL ANTI-CORRUPTION MONITORING:  
PROBLEMS OF THE EMERGENCE OF PERSONAL INTEREST  
OF PUBLIC AGENCIES' HEADS  
WHILE PERFORMING THEIR (EMPLOYMENT) DUTIES**

**Keywords:** corruption, combating corruption, prevention of corruption, conflict of interest, agency head, public body, legal regulation, subjects of the Russian Federation.

**Abstract.** This paper presents, for the first time in Russian legal science, the results of monitoring the legal regulation of organisation of activities aimed at informing the employer by heads of public bodies of the emergence of their personal interest in performing their professional duties, which leads or can lead to a conflict of interest in subjects of the Russian Federation. The content of the procedural aspects of organisation of these activities is expounded in detail, procedural stages are highlighted, as well as forms of implementation of obligations to inform and features of legal regulation in different regions. The main shortcomings of legal regulation of this field of anti-corruption activities are identified and measures for their neutralisation are put forward.

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## **FEATURES OF MODERN ORGANISED CRIMINAL GROUPS**

**Keywords:** gang of armed bandits, banditry, criminal association, organised group, crime, cybercrime.

### **Abstract.**

The purpose of this work: analysing the features of modern organised criminal groups and criminal associations (criminal organisations) active in the field of computer information and ways of their formation using networks. Developing proposals aimed at supplementing the current criminal laws which regulate the liability for creating and directing organised criminal groups and criminal associations (criminal organisations).

Method of study: systemic analysis of content and structure for identifying and generalising the main characteristic features of organised criminal groups and criminal associations (criminal organisations) created according to different principles: the hierarchical as well as the network one.

The formal juridical method served as the basis for proposals on supplementing the concept of criminal association (criminal organisation) considering not only the hierarchical way of creating a criminal group but also the network one.

Results obtained: hierarchical as well as network ways of formation of modern organised criminal groups and criminal associations (criminal organisations) are analysed in the paper. For the first time in criminal law science, proposals are put forward on making amendments to the concept of criminal association with a view to include in it the network way of its formation, in addition to the existing hierarchical way. Specific measures are proposed for supplementing the criminal laws with provisions on the liability for creating and directing organised criminal groups and criminal associations (criminal organisations) whose purpose is committing offences in the field of computer information. Proposals are developed for introducing provisions on the liability for creating and directing organised criminal groups and criminal associations (criminal organisations) whose purpose is committing offences in the field of computer information, into Chapter 28 of the Criminal Code of the Russian Federation.

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## **IMPLEMENTATION OF PROVISIONS OF MODEL LAWS ON COMBATING TERRORISM IN NATIONAL CRIMINAL CODES**

**Keywords:** Collective Security Treaty Organisation (CSTO) member states, Commonwealth of Independent States (CIS) member states, CIS Model Criminal Code, combating crime, act of terrorism, elements of an offence, sovereignty, territorial integrity, legal qualification of actions, period of prescription.

### **Abstract.**

Purpose of this paper: developing proposals with a view to improve the Model Criminal Code of the CIS member states.

Method of study: comparative analysis of provisions concerning combating terrorism contained in the criminal codes of the CSTO and CIS member states as well as in model laws.

Results obtained. The paper demonstrates differences in approaches to laying down criminal liability for carrying out terrorism activities. Detailed consideration was given to elements of the offence called "act of terrorism" ("terrorist act", "terrorism"). Features of criminalising manifestations of terrorism (which involve encroachment on highly dangerous objects or using highly dangerous materials) in national criminal codes are noted. Approaches to determining the period of prescription for offences are presented.

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