

ABSTRACTS AND KEYWORDS

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FREEDOM AS CONCRETENESS OF THE IDEA OF ABSOLUTE GOOD IN DOSTOEVSKY'S PHILOSOPHY OF LAW

Keywords: Hegel, Parmenides, Dostoevsky, philosophy, law, freedom, personality.

Abstract.

Purpose of the work: cognition of the beginnings of the Russian philosophy of law.

Methods used: dialectics and scientific methods of cognition developed based on it.

Results obtained: the understanding of being of Absolute Good as absolute freedom is the highest form of concrete comprehension of the general unity of the universe. Classic philosophy gives theoretical and methodological means for such an understanding. The philosophy of Dostoevsky reveals its meaning. The unity of classic philosophy and the philosophy of Dostoevsky forms the starting point for constructing the national sovereign philosophy of law: the development of the notion of law out of the idea of Absolute Good understood as a concrete, synthetic idea.

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**PROBLEMS OF DETERMINING THE NORMATIVE NATURE
OF MUNICIPAL REGULATIONS TO BE INCLUDED
IN THE FEDERAL REGISTER OF MUNICIPAL NORMATIVE REGULATIONS
(CONSIDERING COURT PRACTICE)**

Keywords: municipal law-making, local self-government, register of municipal normative regulations, legal assessment, determining of normativity attributes, law enforcement, court practice overview.

Abstract.

Purpose of the study: identification of problematic aspects in determining the normativity of municipal regulations to be included in the Federal Register of Municipal Normative Regulations.

Method of study: the authors used the method of comparative law analysis of municipal regulations as well as of law enforcement practice in order to identify the key problems in differentiating between normative and non-normative regulations.

Results obtained: considering that a study of materials of court practice in cases of contesting normative regulations was carried out, the key problematic issues in determining the normativity of municipal regulations are identified.

Conclusions: in the authors' opinion, the main causes of problems in determining the normativity of municipal regulations are (collectively) the following: 1) absence of a legal definition of the terms "normative regulation" and "municipal normative regulation" at the federal level, 2) single legislative requirements and methodological approaches to identifying the criteria for determining the normativity of a regulation, 3) considerable increase of law-making load on local self-government bodies, 4) a shortage of qualified lawyers at the municipal level.

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PROBLEMS OF LEGAL LIABILITY OF RELIGIOUS ASSOCIATIONS IN THE RUSSIAN FEDERATION

Keywords: laws, types of legal liability, suspension of activities, prohibition, liquidation, law enforcement, legal stance, the Constitutional Court of the Russian Federation.

Abstract.

Purpose of the work: investigating important aspects of legal liability of religious associations as special subjects of constitutionally significant relations.

Method used: systemic analysis of the legal grounds for holding religious associations liable, formal and logical analysis of the current laws.

Conclusion made: establishing legal liability of religious associations in a number of federal laws does not contribute to the systemic nature of this institution. The laws provide for several rather cumbersome and competing legislative constructions for the judicial application of public liability measures to religious associations. There is a need for a uniform regulation of the procedure of liquidating and prohibiting the activities of religious associations.

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**THE LEGAL AND ORGANISATIONAL FRAMEWORK
FOR THE PREVENTION OF MINOR NEGLECT AND DELINQUENCY
IN RUSSIA AND ABROAD: THE COMPARATIVE ASPECT**

Keywords: national legislation, foreign countries, individual preventive work, social prevention, prevention, legal definition, protection of children's rights, delinquent behaviour, social adaptation and rehabilitation.

Abstract.

Features of legal regulation of relations in the sphere of prevention of minor neglect and delinquency in modern Russia are considered in the paper. The comparative law method made it possible to study the federal legal framework for public prevention of minor delinquency and to determine the national specificity of the system of prevention bodies in this sphere in Russia as well as in foreign countries.

A comparative analysis of foreign experience in creating the necessary conditions for preventing minor delinquency and protecting their rights is given. Countries with an efficient minor delinquency prevention system are identified. Social and legal problems causing delinquent behaviour in minors are expounded.

A justification is given for the conclusion that the Russian laws on social prevention of minor neglect and delinquency need improvement. Attention is drawn to the need to improve the conceptual framework in the field of prevention of minor neglect and delinquency as well as protection of children's rights.

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THE CURRENT CODE OF CRIMINAL PROCEDURE HAMPERS THE PROGRESS OF THE JUDICIAL AND LEGAL REFORM

Keywords: criminal procedure, lay judges, openness of judicial proceedings, societal control over the administration of justice, shadow state and shadow justice, pre-trial agreement of cooperation under the Code of Criminal Procedure of the Russian Federation, prosecutorial oversight.

Abstract.

Purpose of the paper: identifying the negative consequences of certain provisions of the current criminal procedure laws.

Method of study: comparative analysis.

Research results: the 2001 Code of Criminal Procedure of the Russian Federation contains certain provisions which had a negative impact on the state of justice in Russia. Three of these are under study in the paper: abolition of participation of lay judges in judicial proceedings, introduction of summary proceedings, and de facto renunciation of prosecutorial oversight of preliminary investigation. The two first are borrowed from the English legal system and mean a renunciation of the established system of a broad participation of the people in the administration of justice in Russia as well as a departure from the principle of searching for truth in criminal proceedings. Analysing the consequences of the decisions under study drives to the conclusion that in order to successfully achieve the goals of the judicial and legal reform, it is needed to reject the unsuccessful novelties and return to institutions that are traditional for the Russian legal system.

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**ON THE QUESTION OF POWERS
OF THE HEAD OF AN INVESTIGATION BODY
IN CUSTOMS AUTHORITIES OF RUSSIA
AS A PARTICIPANT OF CRIMINAL PROCEEDINGS**

Keywords: preliminary investigation, enquiry, head of enquiry department, criminal procedure, functions of criminal justice, special investigative activities.

Abstract.

The purpose of this paper is to study the problem of separation of powers of representatives of the administration of a customs body in carrying out the enquiry procedure in case of opening an administrative or criminal case falling within the competence of this customs body.

Applying the method of analysis facilitated in establishing the correlation between such terms as “authority”, “powers”, “tasks”, “obligations”, or “functions” used in legislative acts regulating the rights and obligations of customs bodies as participants of criminal proceedings.

The author analysed the criminal procedural powers of the head of an enquiry body and the scope of his responsibility in the course of enquiry and carrying out special investigative activities (hereinafter “SIA”), his/her overall management of activities of the customs body in the field of customs affairs, proceedings in cases of administrative violations, SIA, preliminary investigation of criminal cases in the form of enquiry as well as other criminal procedural activities.

The opinion is expressed that, although it is the enquiry officer who is the main person carrying out the enquiry, the head of the enquiry body and the head of the head of enquiry department, as well as the head of the investigation body also are participants of the criminal proceedings. What remains a debated question is the organisational distribution of powers and duties between the head of the enquiry body and his deputy.

In conclusion the author emphasises that customs bodies, in addition to their other functions, are bodies of preliminary investigation having procedural rights and obligations, they also are authorised to carry out other procedural actions needed to achieve the goals of criminal proceedings, and only a clear legislative differentiation of criminal procedural powers which the customs bodies participating in criminal proceedings have, as well as unambiguous law enforcement practice serve as a safeguard for an efficient functioning of these bodies.

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SYSTEMOLOGICAL FOUNDATIONS OF EFFICIENT LEGAL REGULATION OF INFORMATION RELATIONS IN THE INFOSPHERE

Keywords: information technology law, two-level legal regulation, law of necessary diversity, information conditions, systemological principles, systemology, legal information, information relations, legal ergasystem, organisational and legal technology, conceptual logical model, methodological principles.

Abstract.

Purpose of the paper: improving the scientific and methodological foundation of the theory of efficient legal regulation of information relations in the information sphere (infosphere).

Method used: systemic analysis and multi-level conceptual and logical modelling of legal ergasystems, logical classification of legal information and developing the theoretical and applied basics of the technology of two-level (normative and individual) legal regulation.

Results obtained: the conceptual and logical model of the legal ergasystem is specified considering the fundamental feedback principle. A justification is given for a productive classification of legal information in a two-level legal regulation system. William R. Ashby's law of requisite variety is expounded, a justification is given for appropriate conditions and a system of pragmatic principles for implementing an efficient two-level legal regulation technology. Methodological principles of an integrative approach to the analysis and optimisation of legal ergasystems considering their physical nature are identified. The general structure of modern systemology of legal regulation of information relations in the infosphere is determined. The subject of information technology law being a basic branch of legal regulation of information relations in infosphere is decomposed, pertinent complexes of legal rules are established, and the necessary condition for an efficient individual legal regulation is justified.

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ARTIFICIAL INTELLIGENCE AS A MANAGEMENT TOOL UNDER THE CONDITIONS OF GLOBAL RISKS

Keywords: subjects of law, digital technologies, digital rights, risks and threats, intellectual property, intellectual rights, risk management.

Abstract.

Purpose of the paper: justifying the need for an outstripping development of the legal framework for the practical application of artificial intelligence (AI) technologies and regulation of property circulation as regards objects equipped by AI technologies.

Method of study: comparative analysis of the present state and legal regulation of AI technologies, a conceptual assessment of their impact and description of legal risks of using them.

Results obtained: an analysis of features of AI from the viewpoint of law and legal risks of using AI technologies under the conditions of a new technological environment is carried out in the paper, and a new field of civil property circulation using AI technologies, digital assets, and other modern digital technologies (cryptocurrency, tokens, virtual property, robotic devices, digital twins, big data, cloud services, etc.) is considered. Legal risks of using AI and its importance are assessed, including a systematisation of the grounds, forms and limits of liability of AI, the scope of legal capacity and competence of objects using AI technologies, and a possibility of forming special rules of law aimed at creating and using AI within the framework of the institution of intellectual property law and civil property circulation is analysed. The author gives a justification for the need to expand the legal framework for practical use and application of AI technologies, the importance of creating an integrative model of legal regulation, including the formation of universal standards and rules for using AI in property circulation.

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ISSUES OF USING NEW TECHNOLOGIES IN COMBATING CYBERTERRORISM

Keywords: cyber threats, blockchain technologies, prevention system, use of computers, computer information, international level, legal regulations.

Abstract. New technologies for combating cyberterrorism which aims at destabilising public order, large-scale disruption of functioning of communication systems, intimidation by imposing the terrorists' will, on authorities as well, and poses, in general, an increased threat to the national and information security of the state, are considered in the paper. Special attention is paid to blockchain technology, which allows hiding funds intended for financing terrorist activities, in the information space as well.

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LEGAL ASPECTS OF ENSURING FLIGHT SAFETY UNDER CYBER THREATS: THE CASE OF CIVIL AVIATION

Keywords: digital technologies, cyber attacks, air transport, aircraft, airport, national security, passenger, necessity, devices, vulnerability, recommendations, experts, malefactors, terrorist organisations, hacker, risks, costs.

Abstract.

The paper is devoted to an analysis of the modern problem of legal support for cybersecurity in the field of aviation considering the increasing development of information technologies and the entertainment industry in cyberspace. The author considers the existing recommendations of international level on the need to implement an integrative approach to the use of the latest developments on board the aircraft and in the infrastructure of modern airports. In addition, experts' opinions on identifying potential vulnerabilities and a vision for solving these problems are presented. The author considers it necessary to maintain a balance between the modern equipment and security requirements, on the one hand, and providing a comfortable environment for passengers, including access to gadgets, on the other one. An analysis of the compliance of national laws in the field of flight safety under the conditions of cyberthreats with international requirements and recommendations is carried out in the paper.

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**SMALL CITIES OF RUSSIA:
AN INTEGRATIVE MONITORING OF DEVELOPMENT.
PART 2**

Keywords: small city, city development index, small city development strategies, economic development, human capital, urban environment, social infrastructure, population migration, education, healthcare, culture and sport infrastructure, population housing conditions.

Abstract.

Purpose of the paper (in two parts): studying the development problems of small cities of Russia, harmonisation of the urban space and the functioning of the social and economic system of the small city, implementation of small city development strategies considering the views of different actors: unions, associations, trade unions, NGOs, educational institutions, political groups and individual citizens, as well as continual scientific support for the strategies at all implementation stages and continuous monitoring of the effectiveness of the measures carried out.

Method of study: sociological surveys and statistical analysis. The information background of the paper is based on sociological survey data and statistical data for 16 small cities of 8 regions of Russia.

The obtained results are formulated as proposals for defining the small city development strategies laying down the development priorities worked out jointly by all stakeholders for this given small city, ensuring its competitiveness in the short, medium and long term in the following areas: securing economic development, human capital development, investment climate improvement, urban infrastructure development, improving the efficiency of municipal administration, and agglomeration integration.

This paper is the final publication of the study.

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**REVIEW OF A MONOGRAPH BY A. SHUMILOV ENTITLED
“THE SCIENCE OF SPECIAL INVESTIGATIVE ACTIVITIES
IN THE RUSSIAN FEDERATION”**

Keywords: science of special investigative activities, tracking and finding criminals, fundamentality.

Abstract. A three-volume monograph by A. Shumilov (consisting of five books) entitled “The Science of Special Investigative Activities in the Russian Federation” is reviewed. The reviewer comes to the conclusion that the book is important for the science of special investigative activities, significant for its theory and practice, a wide scope of problems is raised in the book. Condolences on the passing of A. Shumilov are expressed. Differences in the views of A. Shumilov and the reviewer on certain provisions of the science of special investigative activities are shown, which was by no means an obstacle for their warm, friendly relationship.
