

ABSTRACTS, KEYWORDS AND REFERENCES

THEORY OF LAW AND STATE

MANDATORY REQUIREMENTS AND LEGAL MEANS FOR THEIR ASSESSMENT IN THE REGULATORY POLICY MECHANISM

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Keywords: *legal means, legal regulation, mandatory requirements, legal norm, regulatory impact assessment, actual impact assessment, regulatory policy.*

Abstract.

The purpose of this paper is analysing ways for assessing mandatory requirements in the system of legal means of regulatory policy. The study is based on the interpretation of the regulatory requirements laid down in the Federal Law "On Mandatory Requirements" and their impact on the implementation of the "regulatory guillotine" mechanism.

The methodology of the study is based on the combination of formal legal and comparative legal methods of cognition of legal phenomena with methods of social cognition, and adaptation of statistical information to studying legal processes.

The author comes to the conclusion that due to ongoing reforms of laws in the field of economy and implementation of the "regulatory guillotine" there appears a need for a scientific understanding of the principles and legal means of assessing mandatory requirements from the standpoint of rule-making practice. Mandatory requirements are a key parameter in designing legal regulations, and the economic and legal justification for the introduction of new types of mandatory requirements under new conditions is based on high-quality public consultations and dialogue with experts.

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TENDENCIES IN THE EVOLUTION OF LEGAL INSTITUTIONS UNDER THE IMPACT OF THE PANDEMIC: RUSSIAN AND FOREIGN EXPERIENCE

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Keywords: *new normal, data protection, biosecurity, biotechnology, bioeconomy, personal data.*

Abstract. *New factors impacting prospects for the evolution of legal institutions under the influence of the pandemic are identified in the paper based on comparative legal analysis of Russian and foreign laws and practical research. The pandemic opened up new challenges to be addressed by both the laws and law enforcement practice based on the principles of comprehensive protection of the rights and legitimate interests of the individual, maintaining a high level of readiness of public healthcare, efficient cyber protection of biometric and genetic data, and results of research in these fields.*

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LEGAL REGULATION OF CAREER GUIDANCE FOR YOUNG PEOPLE IN REGIONS OF THE ARCTIC ZONE OF THE RUSSIAN FEDERATION: ON THE WAY TO EVENING -OUT INTER-REGIONAL INEQUALITIES

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Keywords: *career guidance, young people, employers, Arctic Zone of the Russian Federation, legal support, regional laws, industry-specific regulation, strategic planning, government programs, human resource reproduction, staffing support, inter-regional inequality.*

Abstract.

Purpose of the work: putting forward recommendations for improving the efficiency of legal regulation of career guidance for young people based on the nomenclature and content of regional laws of the Arctic Zone of the Russian Federation (Russia's Arctic Zone) as well as law enforcement practice.

Methods used: system analysis of career guidance for young people as a subject of legal regulation, comparative and logical structure analysis of provisions of regional laws on career guidance for young people, analysis of practice of law enforcement of basic legal regulations.

Conclusions: the current features of legal support for career guidance for young people in regions of Russia's Arctic Zone are, on the one hand, its fragmentary nature and insufficiently worked-out legal provisions, and the diversity of approaches to solving career guidance problems, on the other. Legal support for career guidance includes regional laws on career guidance itself and youth policy in the first place, industry-specific laws as regards human resource reproduction as well as strategies, government programmes and plans of measures to be taken. Bringing together approaches implemented in different regions and working out the missing pieces using theoretical modelling and analysis of foreign experience can ensure the systematicity of legal regulation of career guidance which should consider a balance between the interests of young people and employers in behalf of sustainable development of the arctic territories.

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**INFORMATION AND LEGAL MECHANISMS OF ELECTRONIC INTERACTION
IN THE FIELD OF LEGAL INFORMATION UNDER THE CONDITIONS OF DIGITALISATION**

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Keywords: *information society, legal information, public authorities, information systems, platform solutions, digital technologies, information resource, cloud platforms, roadmaps, quantum technologies, artificial intelligence.*

Abstract. *The paper is devoted to the need for reforming the electronic interaction mechanisms in the field of legal information under the conditions of digitalisation of social relations by transforming the existing information infrastructure based on information systems into digital platforms and super services which is related to changes in the information technology law space and is caused by changes in the approach to electronic interaction within digital platforms.*

Methods of dialectics and system analysis of the information and legal sphere are used in the paper, which allows to study the processes of implementing information technology law provisions and prospects for their evolution in the legal regulation of the development of electronic interaction mechanisms based on digital platforms in a multifaceted and logically consistent way.

The conclusion is justified that an important feature of the modern stage of development of electronic interaction mechanisms and public administration is the development of government digital platforms based on a single hard- and software platform which would secure a deeper integration between the digital platforms and possibly reduce the expenses for their setting up as well as improve the structure and functionality of digital platforms when compared with classic information systems.

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**THE CONDITIONS AND PROCEDURE FOR USING RIGHTS PROTECTION MEASURES
FOR PROTECTING CHILDREN FROM INFORMATION COMING FROM THE INTERNET
AND CAUSING HARM TO THEIR HEALTH AND/OR MENTAL DEVELOPMENT**

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Keywords: *rights protection measures, information, harm, Internet, children, judicial practice, law enforcement, oversight.*

Abstract.

The purpose of this work is determining the conditions and procedure for using rights protection measures when children's rights to access to information are violated. To this end, the published practice of general jurisdiction courts of the subjects of the Russian Federation over the period from 2014 to 2020 concerning the observance of children's rights to get information and the lawfulness of restricting them by the government was examined and summarised.

Methods of study: using the basic general scientific dialectical method of cognition as well as the modelling method, inductive and deductive logic, a definition for rights protection activity was worded and its characteristics were determined. Using the method of generalising the law enforcement experience, materials of general jurisdiction courts practice of the subjects of the Russian Federation concerning the protection of minors from harmful information coming from the Internet have been examined.

Results obtained: as a result of the study carried out, more than 400 cases considered by general jurisdiction courts of 44 subjects of the Russian Federation were studied. Categories of harmful information against which applications were lodged with courts by prosecution bodies and directorates of the Federal Service for Oversight of Communications, Information Technologies and Mass Media were identified. It was found that the judicial procedure for blocking websites containing information harmful to the mental and/or physical development of minors does not differ much from the extrajudicial (administrative) procedure. In both cases, the information is blocked almost unconditionally. Such a stance of the courts can lead to violations of rights of bona fide businessmen, the said procedure being at the same time not more efficient than the extrajudicial one.

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**PRACTICE OF THE CONSTITUTIONAL COURT OF THE RUSSIAN FEDERATION
IN CASES OF RELIGIOUS ORGANISATIONS AND ASSOCIATIONS: ANALYSIS
OF THE MAIN DECISIONS**

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Keywords: *religious rights, Constitutional Court of the Russian Federation, judicial practice, freedom of religion, rights of man and of the citizen, religious organisation, religious association, freedom of association, rights and freedoms of citizens, Constitution of the Russian Federation, freedom of conscience.*

Abstract. *The paper presents an analysis of cases that had the most impact on the practice of the Constitutional Court of the Russian Federation in the field of protecting the rights of citizens to freedom of association and religion, activities of religious associations and carrying out missionary activities. A direct impact of decisions of the Constitutional Court of the Russian Federation on law enforcement practice in the field of government regulation of activities of religious organisations and associations in the Russian Federation is emphasised. Standards for the protection of rights of citizens of the Russian Federation from religious organisations and associations such as sects established by the practice of the Constitutional Court of the Russian Federation are also analysed. A generalisation and analysis of the Constitutional Court's legal position regarding the existing legal mechanisms for realising the rights of citizens to freedom of religion in the national legal system of the Russian Federation are carried out.*

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TAX LAW

**TAX MONITORING AND OTHER FORMS OF TAX CONTROL IN THE REPUBLIC
OF TAJIKISTAN**

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Keywords: *tax monitoring, tax laws, form of tax control, tax payer, interaction, tax authorities, on-site tax audit, cash audit.*

Abstract. *The paper is devoted to tax monitoring issues and other forms of tax control in the Republic of Tajikistan. A classification of tax control by several grounds, in particular, by time of carrying out, scope of issues checked, nature of control measures, method of carrying out, place of carrying out, depending on the sources of information and periodicity of carrying out, is presented. A definition is also given for the concept of institution of tax monitoring, and a comparative description of foreign experience in using similar forms of tax control is set out. Practical experience of introducing this type of monitoring and prospects for its further functioning in Tajikistan's tax system are considered. A conclusion is made that at the present stage of development of tax law, issues related to legal regulation of tax monitoring as a new form of tax control so far remain poorly studied in Tajikistan. It appears that the reason for this is a lack of regulation of certain basic tax control provisions by tax laws. In this regard, measures for removing the identified drawbacks are proposed.*

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SOCIOLOGY

SOCIOLOGICAL SUPPORT FOR THE ACTIVITIES OF A MILITARY ORGANISATION UNDER COMBAT CONDITIONS

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Keywords: *military sociology, armed conflicts, extreme factors, sociological research program, qualitative and quantitative research methods, sociological monitoring, psychological state of the military personnel, prestige.*

Abstract.

The purpose of the paper is describing the methodological, organisational and procedural aspects of sociological support for the activities of a military organisation under the conditions of combat operations.

The main method of research is analysing the professional practices of Russian military sociologists who carried out combat and special tasks. Also proposed is a typology of lines for carrying out sociological research under the conditions of wars and armed conflicts.

An analysis of the experience of organising sociological support for the activities of the Armed Forces of the Russian Federation under the conditions of conducting combat operations outside the country is presented in the paper. The main methods and techniques for carrying out sociological research in the troops taking part in modern wars and armed conflicts are identified and described. Special emphasis is placed on the specific features of using the methods and procedures of sociological support under the conditions of combat operations as well as in carrying out special missions by military personnel.

Topics of specific applied monitoring studies in military sociology carried out in the Russian Armed Forces are identified. A conclusion is made concerning the significance of sociological information for making efficient managerial decisions in combat environment as well as the possibilities of using the results of research in military patriotic and information work with military personnel.

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DISCUSSION FORUM

THE ADVISABILITY OF REINTRODUCING CAPITAL PUNISHMENT AS A PENALTY FOR MURDER IN THE RUSSIAN FEDERATION

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Keywords: *criminal law, murder, criminal liability, capital punishment.*

Abstract.

The history of imposing capital punishment for committing crimes against life in Russia is studied in the paper. A justification is given for the need to reintroduce capital punishment as a penalty for murder. It is demonstrated that reintroducing death penalty serves the purposes of punishment in criminal law, that is, restoration of social justice and preventing the commission of a new offence this person and others. The experience of foreign countries where death penalty is retained, is cited.

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DISCUSSION FORUM

BUREAUCRACY IN CONSIDERING APPLICATIONS SUBMITTED TO THE PROSECUTION AUTHORITIES

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Keywords: *petition, prosecution bodies, application, bureaucracy, administrative liability, discretion, restoration of violated rights, authority and society.*

Abstract.

Purpose of the paper: identifying typical bureaucratic deficiencies in considering applications by prosecution bodies of the Russian Federation, describing their impact on the relations between the individual and the state as well as wording proposals for removing the causes of the deficiencies and minimising their negative impact.

Method of study. The system structure method provided the knowledge of the mechanism of emergence of bureaucratic relations in the sphere of considering applications of the citizens by public authorities and made it possible to identify its main causes as well as to demonstrate a high degree of impunity of officials in their formal performance of duties in considering applications. Methods of formal logic: comparison, description, classification, analysis, synthesis, &c., allowed to assess the existing legal framework concerning petitions of the citizens from the standpoint of its specific regulatory content.

Results obtained. The author tries to identify criteria allowing to forward applications from prosecution bodies to other public authorities and to officials for making decisions concerning the applications. A conclusion is made that there exist corruption-generating factors in making such decisions whereby the rights of applicants are violated. Judicial practice on challenging the forwarding of applications and the possibility of bringing offenders to administrative liability upon the initiative of the prosecutor is analysed. Proposals to introduce transparent and clear criteria for the possibility of redirecting applications and improving the quality of prosecutorial oversight are put forward.

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REVIEWS

SPECULATIVE METAPHYSICS OF LAW AND THE CREATIVE HERITAGE OF DOSTOEVSKY

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Keywords: *philosophy, freedom, methodology, law, Hegel, Dostoevsky.*

Abstract. *A review of the monograph "The Logos of Law: Parmenides — Hegel — Dostoevsky. On the question of speculative and logical foundations of the metaphysics of law" by S. Zakhartsev, D. Maslennikov and V. Sa'nikov published in 2019 by the Yurlitinform publishing house, Moscow, is presented in the paper. The topicality and novelty of the study, a broad coverage of theoretically important problems of the theory of law, and a detailed development of the methodological basis of the philosophical and legal theory implementing the humanistic potential of F. Dostoevsky's philosophy are shown.*

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