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ABSTRACTS AND KEYWORDS

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THE SANCTIONS REGIME: THE LEGAL ASPECT OF PUBLIC AND PRIVATE LAW REGULATION

Keywords: sanctions clause, public order, economic sanctions, sanction laws, force majeure, judicial defence.

Abstract.
Purpose of the work: analysing the legal landscape of economic sanctions as well as Russian and foreign laws concerning introducing and implementing sanction measures, identifying specific features, practice of application and tendencies of development of sanction restrictions under the modern conditions of global crisis.

The methodological base of the study consists of: the comparative legal method, the general dialectical method of cognition, general and special research methods based on it, the formal logic method together combined with an analysis of law enforcement in the research subject matter as well as an analysis of law enforcement and court practice.

The results of the study make it possible to identify a need for a structuring and systematisation of Russian laws as regards matters of protecting government interests and those of economic agents under the conditions of sanctions imposed by unfriendly countries as well for identifying the lines of counter-sanctions relating to the strategy of actions of unfriendly countries.

The scholarly novelty of the work lies in the assessment of domestic and foreign laws in the area of sanctions policy and a proposal to form a systemic legal regulation of measures aimed at protecting the interests of the Russian state and its economic agents under the conditions of sanctions. The author comes to a conclusion that a destruction of universally recognised legal institutions setting the models of behaviour and rules of co-operation accepted by the society can have utterly unforeseen consequences. Therefore, it is necessary to develop a strategy and system of 'counter-sanction' laws in the structure of Russian law which will be able to lay down the conceptual and legal foundations, principles and a system of measures for combating economic sanctions and other restrictions on the part of unfriendly countries.

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NOVELTIES IN THE LEGAL FORCE OF DECISIONS OF THE CONSTITUTIONAL COURT OF THE RUSSIAN FEDERATION AND THEIR IMPORTANCE FOR TAX LAW

Keywords: constitutional judicial review, constitutional law interpretation of challenged laws, law enforcement practice, judicial precedent, normativity, court rulings, taxation principles.

Abstract.
Purpose of the work: studying, based on the analysis of doctrinal views and practice of passing regulations on taxes and fees, the legal substance of the decisions of the Constitutional Court of the Russian Federation under the conditions of implementing new aspects of the status of the Constitutional Court of the Russian Federation and proving that the decisions of the Constitutional Court of the Russian Federation on taxation issues have a unique legal nature which allows to classify them as a special type of tax law sources.

Methods of study: the study is based on the methods of dialectics, formal legal and system analysis allowing a multi-faceted examination of the tendencies of impact of the legal stances of the Constitutional Court of the Russian Federation on the tax law sources system.

Results obtained. An analysis of scholarly views and normative features of the legal stances of the Constitutional Court of the Russian Federation on taxation issues is carried out in the paper, and the level of their integration into the tax law sources system is identified.

Based on critical reflections on the legal substance of the decisions of the Constitutional Court of the Russian Federation, the author came to a conclusion that the decisions of the Constitutional Court of the Russian Federation are by their nature an independent type of tax law sources. This special legal nature of the decisions of the Constitutional Court of the Russian Federation manifests itself in the first place in a combination of normative and doctrinal principles as well as in their extension to the most important relations being the subject of tax law.

Scholarly novelty: taking into account the novelties of legal regulation of the status of the Constitutional Court of the Russian Federation, in particular, updating of the legal force of its decisions, unique normative features of the decisions of the Constitutional Court of the Russian Federation caused by both immanent and modified powers of the Constitutional Court of the Russian Federation were identified. An attempt was made to justify the position on including the decisions of the Constitutional Court of the Russian Federation having a normative content in the tax law sources system.

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THE CONTENT OF NON-JUDICIAL HUMAN RIGHTS ACTIVITIES OF THE GOVERNMENT IN THE RUSSIAN EMPIRE FROM THE SECOND HALF OF THE 19th TO THE EARLY 20th CENTURY

Keywords: mechanism of human rights activities, protection of the rights of Russian subjects, non-judicial government protection, estates of the realm, corporate rights, rural communities, emperor, Commission for Petitions, Senate, Ministry of Justice of the Russian Empire.

Abstract.
The purpose of the paper is to analyse the forms and ways of non-judicial government protection of the rights of Russian subjects belonging to different estates of the realm in the Russian Empire over the period from the second half of the 19th to the early 20th century.

Methods of study used: the dialectical method, methods of analysis, synthesis and generalisation.

Results obtained. An analysis of the ways available for the subjects of the Russian Empire from the second half of the 19th to the early 20th century to protect their rights makes it possible to reach a conclusion that such a mechanism of human rights activities was already fully formed in the Russian Empire in the period under consideration, however it was not widely used by persons coming from unprivileged estates of the realm due to a low level of their political and legal culture.

The scholarly novelty consists in that for the first time: the concept of non-judicial human rights government activities is introduced into research use, its substance and content in the context of history of the Russian Empire are expounded, and the object of human rights activities in the Russian Empire over the period from the second half of the 19th to the early 20th century is identified.

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DIGITAL NETWORK INTERACTIONS AS A FACTOR OF FORMING TRUST IN AUTHORITIES

Keywords: digital networks, digital community, informal communication channels, public opinion, information openness, public authorities, solidarity, communications.

Abstract.
Purpose of the study: assessing the level of trust in authorities, considering digital network interactions as a resource for raising the level of trust.

Method used. A questionnaire-based population survey (N = 587) was chosen as the leading method of study. The tools used in the study were prepared using Google Forms. The empirical base of the study includes 53 regions of the Russian Federation. The study belongs to the reconnaissance type.

Results obtained. It was found that the level of trust of the population in federal public authorities is centred in the medium and low range. The results of the study show that more than a half of the respondents participate in the digital communities of their city. The dominating factor of participation is the need for information on issues of development of one's area of settlement. Each third respondent indicates, as a reason for his/her presence in the digital communities of the city, a need to express his/her opinion (a wish to: share information, find like-minded persons, get through to the authorities). A conclusion is made that digital network interactions can facilitate forming the trust of the population in authorities under the condition that a number of principles are complied with: providing reliable and timely information, openness and transparency of actions of authorities, expanding the limits of participation of members of local communities in taking managerial decisions.

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MONITORING THE INVOLVEMENT OF CIVIL SOCIETY INSTITUTIONS IN THE WORK OF THE COMMISSIONS COORDINATING THE ACTIVITIES FOR COMBATING CORRUPTION IN THE SUBJECTS OF THE RUSSIAN FEDERATION

Keywords: monitoring of legal regulation, corruption, co-operation, civil society institutions.

Abstract.
Purpose of the study: assessing the actual involvement of civil society institutions in the in the work of the commissions coordinating the activities for combating corruption in the subjects of the Russian Federation (RF) included in the North Caucasus Federal District (NCFD) and working out recommendations for improving the system of co-operation between public authorities and civil society institutions of the subjects of the RF included in the NCFD on problems of combating corruption.

Method of study: the main method used is the comparative law method.

Results of the study. An assessment of the involvement of civil society institutions in the work of the commissions coordinating the activities for combating corruption in the subjects of the RF included in the NCFD was given. It was noted that engaging representatives of civil society institutions in the work of the commissions coordinating the activities for combating corruption in the subjects of the RF included in the NCFD does not meet the requirements of anti-corruption laws and the National Plan for Combating Corruption for 2021 to 2024. In order to remove this inconsistency, the author proposed to additionally introduce the following persons into the commissions coordinating the activities for combating corruption in the subjects of the RF included in the NCFD: representatives of nonprofit organisations whose statutory activities are related to combating corruption, representatives of the expert community, and independent experts authorised to carry out anti-corruption assessments of legal regulations and their drafts.

Scholarly novelty: monitoring the involvement of civil society institutions in the work of the commissions coordinating the activities for combating corruption in the subjects of the RF included in the NCFD is the first research study aimed at objectively assessing of the state of the structure of these commissions, its compliance with the federal and regional standards for the co-operation of regional public authorities with civil society institutions and bringing it in line with such requirements.

Practical significance: the mechanisms proposed by the author for bringing the commissions coordinating the activities for combating corruption in the subjects of the RF in compliance with the requirements of the federal anti-corruption legislation can be used not only in the North Caucasus Federal District but also beyond its borders.

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THE THEORY OF MODERN SOCIETY

The paper presented to the reader was written by an unconventional author who published his scientific discovery of the third nature of the Universe in the Legal Informatics journal in 2016 and discovered the phenomenon of intellectual nature in 2012 to 2016. In his research, Boris Leontyev is a follower of our famous philosopher Aleksandr Zinovyev whose legacy is not yet fully studied and understood. The author of this preface met with A. Zinovyev in Munich in 2001, but I couldn't imagine then that he was one of the greatest philosophers of our time, although the extraordinary intellectual power of my interlocutor could be felt even in a short conversation. I get a similar feeling from Boris Leontyev's works, however this time I understand already that he is an outstanding scholar with works of a broadly interdisciplinary nature, thanks to which, phenomena of today's social life become clear. In the paper presented to the reader, Boris Leontyev develops the theory of modern society based on intellectology previously developed by him.

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ON THE QUESTION OF USING THE INSTITUTION OF CLOSING THE CRIMINAL CASE DUE TO RECONCILIATION OF THE PARTIES IN INVESTIGATING CASES OF EXTORTION

Keywords: criminal proceedings, preliminary investigation, public danger of extortion, real threat, reconciliation of the parties, compensation for damages in cases of extortion, procedural form, agreement with the victim, closing a criminal case.

Abstract.
The purpose the work consists in studying certain aspects of topicality of the practice of closing criminal cases opened under Part 1 of Article 163 of the Criminal Code of the Russian Federation (CC of the RF) due to reconciliation of the parties, as well as the procedural grounds, conditions, and advisability of implementing the legal provisions of the procedure for closing a criminal case opened under Part 1 of Article 163 of the CC of the RF due to reconciliation of the parties at the pre-trial stage of criminal proceedings.

The methods of study used were the dialectical method and the system analysis method. Such specific scientific methods of study as the formal legal and logical methods, the method of interpretation of law and others were also used in the study.

Results of the work. In the course of the study, it was found that in Russia, the procedure for closing criminal cases of extortion due to reconciliation of the parties is used extremely rarely and in exceptional cases. At the same time, we believe that the institution of closing a criminal case due to reconciliation of the parties at the pre-trial stage of criminal proceedings is an efficient means of optimising criminal proceedings as regards resolving criminal cases opened under Part 1 of Article 163 of the CC of the RF. It is assumed that using the provisions of Article 25 of the Criminal Procedure Code of the Russian Federation in investigating criminal cases of embezzlement in the form of extortion will reduce not only procedural costs but also the burden on the judicial system. The practice of using the proposed mechanism of legal regulation of social relations arising in the said area of criminal proceedings will allow to reduce the number of convicted persons. An analysis of the information data of the Judicial Department of the Supreme Court of the Russian Federation justifies the practical significance of the advisability of using the legal provisions of the institution of closing criminal cases due to reconciliation of the parties in the said category of criminal cases.

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MODERN YOUTH SUBCULTURES OF CRIMINAL AND EXTREMIST ORIENTATION: FEATURES AND TYPES

Keywords: social environment, information globalization, juvenile, youth, Internet space, informatization, scientific and technological progress, crime.

Abstract: the article examines the features of youth subcultures of criminal and extremist orientation. The concept of youth subcultures is considered. The role of extreme consciousness of juveniles and young people in choosing the implemented behavior model is noted.

Special attention is paid to such processes as: digitalization and information globalization. Their influence on the formation and development of youth subcultures of criminal and extremist orientation is indicated. It is emphasized that effective measures to prevent the formation and development of extremist youth subcultures should be based on the knowledge and analysis of the patterns of formation and development of the subject-participant of such subcultures.

Purpose of work is to analyze and study the youth subcultures existing today, in the activities of which criminal and extremist orientation can be traced. The author also suggests measures to prevent the emergence of criminal and extremist youth subcultures.

Methodological basis of this scientific article is the universal dialectical method of cognition of youth subcultures of criminal and extremist orientation. Based on what the author used general scientific and private scientific methods of cognition when writing this work.

General scientific methods of cognition are represented by such methods as: historical and legal, formalization, analogy, generalization, differentiation, modeling, comparison, abstraction, system-structural analysis. Private scientific methods of cognition are reflected in sociological research, analytical survey, observation.

Results of the work. Persons of juvenile and young age, as a very specific group of the population, react quite actively to all the processes taking place in society. The current decline in the quality of life, the crisis of moral values, psychological tension, have a significant impact on the persons of the age groups under consideration.

The author revealed that today one of the most dangerous criminal realities is extremism, in particular extremism among juveniles and young people, as well as the emergence of youth subcultures of criminal and extremist orientation. The danger of such extremism manifests itself not only in threats to the interests of the individual, society and the state as a whole. Also, the danger of this type of extremism is due to the fact that the main driving force are persons of juvenile and young age. Proceeding from this, the theoretical basis for building a system to counter the emergence of youth subcultures of criminal and extremist orientation is the study of the relationship between modern criminologically significant social problems of this category of citizens and such a socially negative phenomenon as extremism in general. Extremism among juveniles and young people should be interpreted as one of the manifestations of the extreme consciousness of juveniles, as well as their chosen behavior model. Also in this aspect, it is necessary to consider the emergence of youth subcultures of criminal and subsequently extremist orientation. A significant catalyst for the realization of extreme consciousness in the behavior of juveniles and young people (the formation of youth subcultures of extremist orientation) is the dynamic development of information and communication technologies, the emergence of online Internet space, online social networks.

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INCORPORATING THE LEGAL REGULATIONS OF THE USSR AND THE RSFSR INTO THE LAWS OF THE RUSSIAN FEDERATION WITHIN THE FRAMEWORK OF IMPLEMENTING THE CONTROL AND OVERSIGHT ACTIVITIES REFORM

Keywords: registration of legal regulations, incorporation, "regulatory guillotine", law-making, Ministry of Justice of the Russian Federation, Scientific Centre for Legal Information (SCLI), Repository of Legal Regulations, information technologies, legal information resource, machine-readable resource.

Abstract.
Purpose of the work: expounding the difficulties of systematisation emerging in incorporating the legal regulations of the Soviet period into the Russian laws using the example of the "regulatory guillotine" and considering ways for increasing the efficiency of systematisation of the laws of the Russian Federation.

Method of study: the authors used general scientific methods of study (analysis, synthesis, description, comparing), the dialectical method of cognition being the base of the study.

Results obtained. Problems are considered which emerged in the process of systematisation of laws as regards the incorporation of legal regulations of the Soviet period within the framework of implementing the control and oversight activities reform based on the "regulatory guillotine". Issues of the work of the Ministry of Justice of the Russian Federation on incorporating the legal regulations of the USSR and the RSFSR as well as using the Repository of Legal Regulations of the Scientific Centre for Legal Information in law-making are expounded. An overview of changes in the legal regulation in the area of control and oversight activities is carried out. A conclusion is made that it is needed to introduce a total registration of all legal regulations of the Russian Federation and to set up a single machine-readable registration resource based on government registration legal systems, that is, registers of legal regulations of the Ministry of Justice of the Russian Federation, because it is already impossible to carry out the systematisation of the whole body of legal regulations of the Russian Federation without the use of modern information technologies which would allow to achieve a new level of incorporation, consolidation, and codification of laws.

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‘EASTERN’ VALUES AND THE RIGHTS OF THE INDIVIDUAL

Keywords: human rights, individual and the state, Eastern and Western values, Singaporean and Chinese values, traditional values.

Abstract.
The paper is devoted to the problem of correlation of human rights and interests of the state and society. The author questions the fact of universality of the Western idea of human rights and its accordance with the national and cultural traditions of non-Western peoples and countries.

Purpose of the study: analysing the traditional values of South and East Asian countries and the influence of religious and moral principles dating back thousands of years on the economic development of these countries, their culture, domestic policy and public order as well as to demonstrate, using the examples of legal regulations and speeches of the leaders of these countries, the unacceptability of the idea of priority of interests of the individual over those of the society and state for this cultural and political area.

Methods of study: the work is based on the civilisational approach to studying political legal, religious and moral ideals and values.

Results of the study. The author comes to the conclusion that, despite serious differences in the culture and religions of non-Western countries, they all have a number of common features and principles underlying the organisation of society and the mentality of these peoples. Among these values are collectivism, traditional family, religion, moral values, respect for order and stability. Western ideas should not be imposed on the civilisations of Asia, where the ideas of priority of interests of society over the rights of a particular person traditionally dominate.

Scholarly novelty: despite the presence of common or intersecting values in the conventional West and conventional East, still, the absence of universal human values common for all cultural areas of today’s world is posited, as well as of a single “pan-human” civilisation as such.

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REQUIREMENTS FOR THE ORIGINALITY OF RESEARCH WORKS AND RESEARCH WORKS CARRIED OUT "TO ORDER": QUESTIONS OF THEORY AND PRACTICE

Keywords: research works, copyright, level of originality, unlawful borrowing, plagiarism and compilation, illegal transfer of copyright.

Abstract.
The Antiplagiat [Anti-Plagiarism] system introduced in 2007 became an efficient tool making it possible for dissertation boards to automatically check the level of originality of presented theses. The purpose of introducing such checking was excluding or at least considerably reducing unlawful borrowing of the results of intellectual labour of others in research activities. In a short time, such checking of research works became widespread practically in all spheres of research.

The purpose of the paper is identifying and analysing the results of introducing this procedure and problems arising in checking the originality of research works in the field of legal science, while the task of the paper is to characterise the concept and substance of copyright violations using plagiarism and compilation. However, there also is a quite different field where current laws are violated, that is, when research works are carried out under agreement with interested persons, all copyright being subsequently transferred to them, so yet another task is carrying out a comparative analysis of the said phenomena, describing their distinctive features as well as means and ways for identifying them, reducing their number, and suppressing them.

Methods of materialistic dialectics, scientific analysis, synthesis, deduction and system analysis were used in solving the said problems.

Based on the study carried out, conclusions are made that the obligation to check the level of originality of research works presented for publication or defence made their preparation considerably more complicated because the representatives of different research areas had to secure far better indicators in their creative work, the result being a considerably enhanced novelty and quality of the majority of research works carried out by Russian researchers. That said, a paradoxical situation can be observed in modern research: on the one hand, rather exacting requirements to the level of creative originality aimed at suppressing unlawful borrowing of the results of intellectual labour of others are in place everywhere, on the other hand, research works appear that are carried out under agreement with interested persons and transfer all copyright to them which phenomenon is as unlawful as plagiarism but it is much more difficult to identify and eradicate.

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INFORMATION UNRELIABILITY AS A THREAT TO INFORMATION SECURITY

Keywords: reliable information, fake information, responsibility, information society, digital transformation, breakthrough technologies, information and telecommunication technologies, public administration, artificial intelligence, threats.

Abstract.
Purpose of the paper: identifying features and problems related to the definition of the concept of information reliability, the principle of information reliability in information technology law as well as tendencies in the development of the right of access to reliable information in the Russian Federation based on digital technologies. In this regard, a search for mechanisms of securing information reliability is needed.

Methods of study. The system analysis method plays a significant role in the study: it makes it possible to identify attributes of reliability, to systematise a number of patterns and features of development of the information reliability principle. General scientific and special methods of cognition were used in the study.

Results obtained. The study made it possible to make a number of well-grounded conclusions: under the conditions of information society, reliable information becomes an important information resource and should become official, open, and accessible. In the course of the study, it was found that the spread of fake information created the need to double-check almost any information circulating in the media. These circumstances determine comprehending legal problems of information reliability already at a qualitatively different level.

Scholarly novelty. It is proposed to introduce in law a definition of the concept of reliable information. It is important to develop and introduce in law a system of legal means, including subjective rights, guarantees, legal liability, which ensure information reliability. It is also important to provide, at the law-making level, mechanisms for securing the presumption of information reliability in a number of social relations in order to secure stable information interchange and co-operation. It is necessary to consider the implementation and protection of the right to reliable information as a threat and factor for ensuring information security which should be clearly observable both at the level of strategic documents and legislative and other legal regulations of the Russian Federation.
