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Kuzmin Igor Alexandrovich

Relationships, Interactions and Contradictions of Legal Liability and the Exercise of Law

Abstract

The problem of correlation of legal phenomena of legal liability and realization of law is investigated from the standpoint of interconnections, interactions and contradictions between them. The sphere of «contact» of legal liability and the realization of law, their main properties at different levels of legal reality, based on the pluralism of the established scientific approaches, has been determined. It is proposed to consider legal liability as a general theoretical and sectoral model at the macro and micro levels. The specificity of the correlation of these phenomena inof the study and possible methodological approaches to its conduct, based on existing legal knowledge, as well as taking into account the real needs of legal practice. It is concluded that it is necessary to form a general theoretical, and then a sectoral methodology for studying the processes of correlation between legal liability and the realization of law for the purposes of law-making and law enforcement.

Keywords

legal liability, realization of law, interaction, contradictions, research methodology

Samusevich Alexey Gennadievich

Fixing an Offense as a Stage of Investigation: a Theoretical Aspect

Abstract

The article examines the theoretical and legal construction of such a stage of the investigation of an offense as its fixation. It is noted that the investigation of an offense is a procedural component of the mechanism for the implementation of legal responsibility. Attention is paid to the theoretical understanding of the activity of investigating an offense and the step-by-step nature of such a process is justified. It is with the help of a procedural investigation that legal responsibility is further developed. The analysis of the procedural legislation and scientific theoretical and legal research in the field under consideration allowed us to determine the legal grounds for investigating an offense, which are: a) the commission of an offense (a legal fact); b) the receipt and recording of the offense in a legal manner. This approach allowed us to determine the role and place of fixing the offense in the process of its investigation. At the same time, it is noted that the significance of fixing an offense is that it is at this stage that the active cognitive activity of the competent person begins to investigate the offense. Not recorded information about the offense does not allow you to realize legal responsibility and punish the offender. The problem is that in the theory of law, this stage is given little attention, in the procedural legislation, the fixation of an offense has weak regulation or is not fixed at all. It is concluded that the fixation of an offense includes ways and forms of fixing information about the committed offense in order to further learn it legally. It is at this stage that the further perspective of the investigation of the offense is determined. Without proper recording, the procedural activity of the subject of the investigation will be chaotic and illegal, which reduces the effectiveness of such activities.

Keywords

offense, legal responsibility, law enforcement activity, investigation of offenses, fixation, detection, law enforcement act

Spirin Mikhail Yurievich

The Main Problems of Digitalization of Formal Sources of Law

Abstract

The status of formal sources of law is considered from the point of view of their definition and the possibility of creating a list of these sources, enshrined at the legislative level. The problem is posed of the need for the existence of an official list of formal sources of law in the national legal system. The phenomenon of digitalization of social life and legal means necessary for its effective regulation is investigated. The main trends in the digitalization of the legal system of society are determined on the basis of the digitalization of the system of formal sources of law, the necessary conclusions are drawn about the nature of this process, its direction, as well as about those positive and negative aspects that are associated with it. Particular attention is paid to the problem of compliance of “reference” texts of normative legal acts and other formal sources of law, enshrined in the official means of the content of legal information, and “digital” shells of these regulatory prescriptions that function within the framework of commercial legal reference systems. Based on the analysis performed, the main problems of modern digitalization of formal sources of law are determined. The issue of self-reproduction of law is touched upon, attention is drawn to the ethical problem of creating law to regulate social relations using digital technologies. Conclusions are made about the dual, objective and subjective nature of digitalization of formal sources of law and the role of the collective human mind in the creation and implementation of law.

Keywords

formal source of law, digitalization of social life, digitalization of formal sources of law, artificial intelligence, digital shell of legal regulation, legal norm

Dashieva Ayuna Dugarzhapovna

Issues of Involvement in Administrative Responsibility in the Conditions of Higher Preparedness

Abstract
The article describes questions of administrative and legal regulation in the conditions of the high alert regime. The administrative measures taken to prevent the spread of the new coronavirus infection (COVID-19) came into force on April 1, 2020. The article introduces the procedure for establishing rules, requirements and prohibitions for citizens and organizations in the the high alert mode territory. Questions arise about the requirements, for violation of which they are held liable under Article 20.6.1 of the Code of Administrative Offenses of the Russian Federation, as the Code established administrative responsibility for non-compliance with the rules of behavior in an emergency or the threat of its occurrence. Part 2 of Art. 6.3 of the Code of Administrative Offenses of the Russian Federation has been amendened to regulate the administrative responsibility for violation of legislation in the field of ensuring the sanitary and epidemiological well-being of the population, if such an offence is committed during an emergency regime or in the event of a threat of the spread of a dangerous disease. The requirements for masks and personal protective equipment have been analyzed, as for the absence of masks the requirements can be brought to administrative responsibility. A big problem still is the disposal of personal protective equipment, since they belong to waste category B. The release of used personal protective equipment is the subject to the requirements of the disposal procedure and the requirement to prevent the emergence of a threat of the dangerous disease spread. The article considers the competition between the rules of the Code of Administrative Offenses of the Russian Federation in terms of bringing to responsibility for non-compliance with environmental protection requirements when handling production and consumption waste and the rules of law regulating violation of legislation in the field of ensuring sanitary and epidemiological well-being of the population.
Keywords
coronavirus, administrative responsibility, medical mask, hygienic mask, personal protective equipment, disposal of class B waste, article 20.6.1 of the Code of Administrative Offenses of the Russian Federation, article 6.3 of the Code of Administrative Offenses of the Russian Federation, Failure to comply with environmental protection requirements when handling production and consumption waste, violation of legislation on sanitary-epidemio-logical well-being of people

Lichichan Oleg Petrovich, Arzumanov Igor Ashotovich, Galenpolsky Fedor Stanislavovich

Methodological Problems of Interconnection of Strategic Planning Documents of the Federal Level, Developed within the Framework of the Target on Sectoral and Territorial Principles (Part 1)

Abstract
A study of methodological problems related to the relationship of strategic planning documents of the federal level, developed within the framework of the target plan on sectoral and territorial principles, was carried out. The norms of the body of regulatory legal acts of the federal level adopted within the framework of the goal in the process of strategic planning of socio-economic development of territories, including the annual message of the President of the Russian Federation to the Federal Assembly of theRussian Federation, the strategy of socio-economic development of the Russian Federation, the strategy of national security of the Russian Federation and the strategy of scientific and technological development of the Russian Federation, were considered. The specifics of the Messages of the President of the Russian Federation to the Federal Assembly of the Russian Federation as documents defining budget policy and requirements for it were revealed. The provisions of Federal Law No. 172 “On Strategic Planning” devoted to the “Strategy for the Socio-Economic Development of the Russian Federation” were analyzed. The consequences of the non-adoption of this document at the present stage have been analyzed. It is argued that methodological implications include the lack of a systematic link between strategic planning documents, the necessary statistical development of core resource indicators across the country and across regions, which affects the quality of strategic planning documents, and the effectiveness of their implementation. It is determined that spatial strategy, being an independent direction of strategic planning, should be “horizontally” consistent with strategic planning documents of an industry nature, and“vertically” with strategic spatial (territorial) planning documents formed at both the regional and municipal levels. A number of theoretical and methodological provisions have been identified and systematized, reflecting the systemic relationship of strategic planning documents adopted within the framework of the goal. It is argued that the factors influencing the formation and implementation of State policies for regional development and directly related to strategic planning include not only the characteristics of the federal structure, geopolitical, geodesic, socio-cultural factors, but also a significant difference in the levels of regional socio-economic development and territorial population.
Keywords
methodology, strategic planning, documents of strategic planning, federal level, goal-setting, forecasting, planning, programming, branch principle, territorial principle

Komkov Sergey Aleksandrovich

Statute of Limitations in Labor Law (Theory and Practice of Law Enforcement)

Abstract
The terms of applying to the commission on labor disputes and to the court for the resolution of individual labor disputes are analyzed and the legal nature of these terms as the statute of limitations is noted. The conclusion is justified that it is unjustified to provide in the Labor Code of the Russian Federation an exhaustive list of valid reasons for missing the terms of treatment due to the variety of life situations. It is established that one of the valid reasons for the late filing of a claim against the employer may be the fear of the employee of the occurrence of negative consequences in the service. It is argued that while the employee is working, the legal relationship for unpaid wages is of a continuing nature, and does not fall under the term for applying to the court. The conclusion is made about the validity of the establishment of a special time limit for applying to the court in cases of compensation for non-pecuniary damage to an employee by the employer.
Keywords
terms of appeal to the court, the statute of limitations, valid reasons for missing deadlines, restoration of the term, compensation for moral damage

Pavlova Irina Yurievna, Smirnova Ulyana Sergeevna

Certain Issues of the Practice of Applying the Rules on Mortgages under the Contract

Abstract
Some aspects of the application of norms in the field of mortgages by virtue of the contract are considered: the interpretation of paragraph 1 of Article 78 of the Federal Law «On Mortgage (Pledge of Real Estate)», the problem of eviction of citizens living with the mortgagor, the legal meaning of the purpose of the loan during foreclosure on property. The article analyzes the possibility of securing the debtor's non-property obligations with a mortgage, the risks of the mortgagee when issuing a loan (credit) amount. It has been established that regulation of both targeted and non-targeted loans secured by the pledge of housing owned by citizens is of great importance. Thanks to the analysis of the current judicial practice, it was noted that at the moment the courts do not make the decision on the foreclosure of property dependent on the intended purpose of the loan (loan); however, exactly the purpose of the loan is taken into account by the court when deciding on the eviction of the mortgagor and the persons living with him. It has been established that at this stage in the development of civil law relations, the issue of protecting the rights of citizens, including minors, who risk losing their only habitable living quarters, arises.
Keywords
mortgage under contract, credit, purpose, mortgagor, mortgagee, bank, foreclosure, single home

Paryagina Olga Aleksandrovna

Transfer of an Employee to Another Job in Accordance with a Medical Report

Abstract
The position of the Constitutional Court of the Russian Federation on the constitutionality of article 73 of the Russian Labour Code on the transfer of an employee to another job in accordance with a medical report has been investigated. On the basis of an analysis of law enforcement and jurisprudence, the need for some improvement in the legal regulation of the transfer was made in order to ensure the health and employment of workers. In the case of the employer's absence from the relevant job, it is proposed to provide for payment of the period of removal of the employee from work for health reasons as downtime for reasons beyond the control of the employer and the employee. Measures to eliminate problems related to the determination, interpretation or disregard of medical opinions by employers on the transfer of an employee to another work for medical reasons have been identified. Taking into account the foreign experience of legal regulation of procedures for changing and terminating employment relations, the idea of establishing in article 73 of the Russian Labour Code is advocated the period during which the employer is obliged to resolve the issues arising from the obligatory transfer of a suspended employee to another job in accordance with the medical report. It is considered appropriate to regulate the conditions of the analyzed transfer of workers to work in another area, to provide with the assistance of the employment authorities additional guarantees when transferring to persons who have suffered as a result of work injury, occupational disease or other damage to health related to work. The conclusion is based on the urgency of the obligation in the courts to prove the legality of termination of the employment contract in the event of refusal of the employee to transfer to other work, necessary for him in accordance with the medical opinion, or the absence of the employer of the appropriate work.
Keywords
an employment contract, transfer to another job, medical report, suspension of an employee from work, termination of employment contract

Senotrusova Evgeniya Mikhailovna

Guilt as One of the Grounds for the Prohibition (Suspension) Activities on the Russian Civil Law

Abstract

The article considers the essence of the category of guilt as one of the grounds for prohibiting (suspending) activities under Russian civil law. The article analyzes the shortcomings ofthe legal definition of guilt stipulated in article 401 of the civil code of the Russian Federation due to the mixing of objectivist and subjectivist concepts. Based on the analysis of the judicial practice of the application of Article 1065 of the Civil Code of the Russian Federation, a conclusion was made about the unsatisfactory state of law enforcement in establishing guilt in a person's behavior. Monuments of Roman law are studied for the purpose of revealing the category of guilt. A brief overview of approaches to the concept of guilt in the civil legislation of a number of foreign countries and in the Model rules of European Private Law is given. The positions of the Supreme Court of Austria and the countries of the Anglo-Saxon legal family are given on this issue. The article briefly covers the integral theory developed By E. A. Kramer for the objective assessment of individuals ' discretion in conducting any activity that may entail adverse consequences for third parties. In connection with the special functions and purpose of the Institute of responsibility in private law and institute for the prevention of harm, the conclusion is defended that it is unacceptable to directly borrow the category of guilt from criminal law to civil law. The article substantiates the need to apply the objectivist concept of guilt in civil law as a deviation from the standard of behavior of an ordinary reasonable participant in the turnover, taking into account individual characteristics of a person. Taking into account the provisions of the current civil legislation on liability, a conclusion was made about the possibility of applying a simplified scheme of forms and types of guilt, including when deciding on the establishment of an injunction. The question of the ratio of guilt, considered from the point of view of the objectivist approach, and wrongfulness is touched upon.
Keywords
prevention of harm, guilt, guilt in civil law, prohibition of activity, suspension of activity, injunction, civil liability

Georgievsky Eduard Viktorovich, Kravtsov Roman Vladimirovich

Crimes against Justice in Criminal Law Russian Legislation of the Absolute Era Monarchies

Abstract
The paper studies crimes against justice in the era of the absolute monarchy of Russia - from the beginning of the XIX century to 1917. The subject of the study is the legislative acts of the Russian state, both containing the norms of the criminal law character dedicated to the protection of the interests of justice, and the actual criminal laws and draft criminal laws that have an independent (autonomous) character. The research methodology was based on specific historical and comparative (comparative-legal) approaches to the legal nature of the institution of joint infliction of harm. The general inductive method is based on the formation of conclusions, which allows us to approach the general principles of the legislative formalization of the institution of joint commission of a crime from particular (casuistic) legislative fragments. In the course of the study, a number of theoretical propositions were identified and systematized. The era of absolute monarchy in Russia, associated with the name of Peter I, is characterized by the beginning of the processes of renewal in criminal legislation. Conceptual approaches to the consolidation of normative material are changing, and the methodology for building norms is being improved. In fact, general provisions are beginning to be formed to the extent necessary for the normal process of law enforcement, although there is still no structural separation. The criminal-legal terminology is changing. The influence of foreign legislation on Russian national criminal law is also undeniable. A serious impetus for changing the conceptual approach to the registration of crimes against justice is the emergence of new legislative acts in the field of criminal procedure regulation. Nevertheless, the criminal law reform carried out over two centuries did not achieve certain general and specific goals, including the full systematization of criminal encroachments on the interests of justice in the Russian Empire.
Keywords
crimes against justice, perjury, false searches, snitch, the Code of Criminal and Correctional Punishments of 1845

Zarubina Kristina Alexandrovna

AUE* Movement as a Criminal Phenomenon that Determines the Development of Professional Crime: the Essence and Methods of Struggle

Abstract
The article highlights the development and activities of such informal youth movement as «the criminal unity of Prisoners»,«the urkagan unity of Prisoners» or «the way of life of Prisoners is one» (hereinafter-AUE), which supports, promotes and develops the ideology of criminal «romance», criminal subculture. The main reasons for the formation of the informal youth movement in Russia and the version of the concept of AUE are considered. The main features of AUE associations are investigated: stability; stability of the composition (2 or more persons); common intent of members of associations aimed at preparing and committing crimes of extremist orientation (on the ideological component); coordination of actions of members of the Association; main-taining and promoting a criminal subculture; the presence of an organizer (leader) in the Association, connections with the criminal world, etc. The article studies the influence of this criminal phenomenon on the behavior of modern youth, as well as on the development of crime in modern Russia, including one of its most dangerous varieties - professional criminal activity. The main problems of bringing

persons belonging to the AUE movement to administrative and criminal responsibility are considered. The article analyzes the activities of members of AUE associations in terms of extremism, as well as the possibility of bringing persons belonging to AUE associations to criminal responsibility under article 282.1 of the criminal code of the Russian Federation. As a practical conclusion, a list of signs of AUE associations that a law enforcement officer can refer to when qualifying crimes under article 282.1 of the criminal code of the Russian Federation is presented.
Keywords
Arresting criminal unity, Arresting-urkagan unity, Arresting way of life is one, AUE, criminal subculture, extremism

Petryakova Lyudmila Alexandrovna

Legal Analysis of Fraud in the Banking Sphere

Abstract
Based on the analysis of the more frequent cases of committing fraud in the banking sector, the features of the criminal-legal characteristics of the offenses provided for by Art. 159.1 and 159.3 of the Criminal Code of the Russian Federation. It was established that Articles 159.1 and 159.3 of the Criminal Code of the Russian Federation by virtue of Part 3 of Art. 17 of the Criminal Code of the Russian Federation are special in relation to the general rule providing for liability for fraud in general, and therefore they most fully disclose by the legislator the specific and characteristic features of social relations in the banking sector, which are subject to criminal law protection. Attention is focused on those signs, the definition of which is more difficult in law enforcement. Particular attention is paid to the analysis of the direct object of fraud in the banking sector, the disclosure of the content of its objective side, including the method of committing the crime. The subjective signs of fraud in the banking sector are considered. Practical examples of bringing the perpetrators to justice for banking fraud are demonstrated. Based on the results of the study, the author of the work comes to the conclusion that it is necessary to improve legislation in this area, to strengthen the explanatory and law enforcement activities of the relevant subjects of legal relations. In addition, the analysis of judicial practice given by the author in the study emphasizes its controversial nature. In other words, the author supports the theoretical calculations with an analysis of practical features.
Keywords
fraud, banking fraud, credit fraud, electronic payment fraud

Khristinina Elena Viktorovna

On the Subject of Bribery in Education: Criminal Law and Criminalistic Aspects

Abstract
The article analyzes the criminal-legal aspects of the subject of bribery, the problems of legal regulation of responsibility for receiving bribes and petty bribery committed in the field of education. The article considers scientific points of view regarding certain features of the qualification of receiving bribes and small-scale bribery committed in the field of education. The practice of determining the minimum amount of a pre-determined bribe is subject to critical reflection. The concept of a gift is distinguished from the criminally punishable receipt of a bribe. The article sub-stantiates the relationship of the subject of the bribe with the situation and method of committing the crime and the identity of the criminal.
Keywords
receiving a bribe, minimum amount of a bribe, gift, petty bribery, subject of bribery, criminal law

Smirnov Victor Alexandrovich, Peryakina Marina Pavlovna

Institute of Defense at the Present Stage of Development of Criminal Justice in Russia

Abstract
The article examines some procedural issues of the participation of the defender in the criminal proceedings, the problems of compliance with the principle of adversarial parties at all stages of criminal proceedings. A clear discrepancy between the rights of the parties to the prosecution and the defense at the pretrial stages of the criminal process was established. Since all key decisions on the movement of a criminal case (suspension of a criminal case, bringing a person as an accused, termination of a criminal case, issuing an indictment, an indictment or an indictment, etc.) are made by the investigator, the inquirer, who belong to the prosecution, and the defense lawyer can practically have no influence on these decisions. In addition, in Russian criminal proceedings, the defender still does not have the right to collect evidence along with the investigator, the inquirer. In addition, the authors of the article consider the actual issue of providing legal assistance to persons who do not have the financial capacity to pay for a lawyer. The article notes that the intervention of the competent authorities in the case of inadequate assistance of the defender is required only when the free-appointed defender has shown a clear inability to provide effective assistance. Special attention is paid to such a concept as “attorney-client privilege”. It has been determined that advocate secrecy in criminal proceedings is absolute, which is currently unacceptable for Russian reality. It is proposed to introduce certain amendments to the current legislation of Russia, which will help to increase guarantees for the implementation of the institution of protection in criminal proceedings.
Keywords

adversarial nature of the parties, preliminary investigation, defense lawyer, lawyer, evidence collection, effective legal assistance, attorney-client privilege

Smirnova Irina Georgievna, Nagaev Alexey Mikhaylovich

From Introduction to the Regulation of State Laws to the Criminal Procedure Code of the Russian Federation: Main Ideas M. M. Speransky

Abstract

The analysis of some provisions of the current Criminal Procedure Code of the Russian Federation through the prism of a number of provisions of the Code of State Laws, prepared in 1809 by M. M. Speransky. An assessment of the moral principles of the current law is given, noting that moral regulators at this stage of the development of legislation are very weak, which entails the need for detailed criminal procedure regulation. Parallels are drawn with the ideas of M. M. Speransky on the separation of powers and the modern independence of the judiciary. The article reveals the features of law enforcement practice in terms of the application of the provisions of Article 61 of the Criminal Procedure Code of the Russian Federation and the provisions of the law on conflict of interest and its interpretation in the established judicial practice. Based on the Introduction to the Code of State Laws in terms of the need to take into account the "importance of crimes" and "the quality of persons who have committed crimes", the author reveals modern trends in the development of differentiated principles of criminal justice. It has been proved that, in fact, an independent special proceedings for entrepreneurs are being formed, which is critically assessed as a trend that does not correspond to the Presidential Decree "On national goals and strategic objectives for the development of the Russian Federation for the period up to 2024."

Keywords

criminal proceedings, history, Speransky, individual rights, special proceedings

Trofimik Alexander Gennadievich

The Doctrine of Erroneous Judgment and the Modern Theory of Miscarriages of Justice in Germany: General Characteristics and Their Significance for Establishing the Truth in German Criminal Proceedings

Abstract

The research of the German criminal process reveals the main theoretical characteristics of theory of miscarriages of justice in German criminal procedure. The essential aspects of the doctrine of erroneous judgment are established. The conclusion about the significance of the doctrine of erroneous judgment for the modern theory of miscarriages of justice in Germany is formulated. Based on a comprehensive research of original German sources, the main provisions of the doctrine of erroneous judgment and the modern theory of miscarriages of justice in Germany are enunciated. The influence of discursive philosophy on theoretical ideas about criminal proceedings is established. The immediate practical applicability of these theories is rather low. In the author's opinion, their importance, among other things, is that the problematics of miscarriages of justice in Germany are closely related to the concept of truth in criminal proceedings, which is uncharacteristically of Russian research in the designated area. Based on the analysis of German doctrine, the significance of theoretical provisions for establishing the truth in a criminal procedure is determined. A pragmatic, utilitarian German approach to the legislative formulation of truth in criminal proceedings is represented. The legislative recognition and interpretation of the truth in criminal proceedings are expressed. The correlation between the theoretical provisions on material truth and the theory of miscarriages of justice is confirmed. As the result of the research the functional meaning of truth for the theory and practice of criminal proceedings in Germany is enunciated. In addition, the German theoretic definition of the concept of «miscarriage of justice» is given. Characteristic of this concept are identified. The significance of the scientific conclusions of this article consists in determining the fundamental suitability of German dogma and theory for a comparative legal research of miscarriages of justice in Russia and Germany.

Keywords

miscarriages of justice, material truth, criminal procedure of Germany, erroneous judgment, effectiveness of justice

Fomina Inna Anatolyevna

Modus Operandi in the Investigation of Crimes

Abstract

The article studies such a concept as modus operandi in the practice of crime investigation as a unique and integral behavior for the criminal. It is determined by the modus operandi through a correlation with personal landmarks, mental and physical state, level of intelligence and other individual characteristics of the criminal's personality. The use of this concept along with the method of committing a crime is justified. The issues of modernization and improvement of the modus operandi as a necessary given of the development of criminal activity of each individual are discussed. The autograph is considered as an additional characteristic element of the modus operandi, which allows you to see the "criminal message" that characterizes the personal qualities of the criminal. The author substantiates the need to pay attention to

repetitive, albeit modernized, details in the sequence and the actions of the criminal themselves, since in similar situations the behavior is stereotypical. Having worked out the ideal modus operandi for himself, which leads to the satisfaction of needs, the criminal is afraid of its rejection, as this may lead to capture. Accordingly, the study of modus operandi helps in identifying the perpetrator, combining crimes into a series through the characteristics of personal stability and predictability. This makes it possible to solve not only the crimes committed, but also to prevent the criminal acts that are being prepared.
Keywords
modus operandi, method of crime, mechanism of crime, investigation of crimes

Golikova Olga Alexandrovna

Reforming the National System of Law as a Response to Pilot Rulings

Abstract
The article deals with the problem of implementation by the Russian Federation of the provisions of the European Convention on human rights of 1950. the article Deals with systematic violations of article 3 of the Convention in the framework of the criminal Executive system. The article analyzes the judicial practice of the European court of human rights in the light of violations of this article. The practice of making pilot judgments by the Court is noted as a measure of improving the mechanism of legal protection, namely, improving the conditions of transportation of persons deprived of liberty.
Keywords
European Court of Human Rights, European Convention on Human Rights, penal system, torture, inhuman treatment

Kolobov Roman Yurievich, Ditsevich Yaroslava Borisovna

The Activity of International Non-governmental Organizations as a Premise for the Development of Lake Baikal Legal Protection

Abstract
The reported study aims to analyze the instruments adopted by international environmental non-governmental organizations in the sphere of protection and sustainable use of water resources. The structure of the World Water Council and its principal outcomes are reviewed. The practice of holding the World Water Forum is analyzed due to its rare coverage in Russian legal literature. Primary attention is paid to the outcomes of the Forum in the form of declarations. The activities of the International Water Resources Association are reviewed, particularly the outcomes of the 16th World Water Congress. The above mentioned international experience is extrapolated to the problems of Baikal's legal protection. The documents adopted by the mentioned forums are proposed to be used as an inspiration and model for the legislative improvements in Baikal's legal regime. For instance, the Ministerial Declaration "An urgent call for decisive action on water", adopted at the 8th World Water Forum stresses the public attention on the issues of climate change and encourages the states to take into account this global problem in national water strategies. However, due to various reasons, the climate change issues are completely out of the legal discourse of Baikal protection. The Sustainability Declaration of the Forum has a significant potential for legislative and political improvements. Its 8th recommendation calls for business to value and mainstream water into its strategies, materiality and decision making process and share good practices in water management. Baikal's business community's commitment to the goals of sustainable development (in the form of Declaration) would be a useful politico-legal instrument within the lake's legal regime. The outcomes of the 16th World Water Council in Cancun hosted by International Water Resources Association may also be a premise for the improvement of environmental policy and legislation in Baikal region. Among the most fruitful ideas of the forum is the acknowledgment of the pivotal role of scientific expertise in the environmental policy-making. The management system of Lake Baikal clearly needs an expert council, exercising advisory powers in respect to all the regulatory instruments concerning the ecosystem of the lake.
Keywords
soft law, World Water Forum, World Water Congress, International Environmental Law, International Water Resources Association, World Water Council

Kolosov Alexander Viktorovich

Confidence-building Measures in the Field of Information Security as a Basis for International Cooperation

Abstract
The features of confidence-building measures in the field of information security are studied. It is noted that international peace and security are of global importance in modern conditions and one of the ways to ensure the stability of international relations is an equal partnership of states on the basis of generally recognized principles and norms of international law. The article analyzes the current issue of international law - the creation of confidence-building measures in the field of information security. Special attention is paid to the analysis of the international legal framework for cooperation in information relations. The work of the Open-ended Working Group on Developments in the Field of Information and Telecommunications in the context of international security was studied, and one of the most important achievements of the Working

Group was the Final Report of March 12, 2021. It is established that the capabilities of modern technical devices are constantly expanding and evolving, such technologies can be used by attackers to make society more vulnerable and create large-scale negative consequences for most countries, because no state is protected from possible threats. It is argued that in order to solve such problems, it is necessary to make common efforts on the part of all countries to strengthen mutual cooperation and achieve large-scale results in the field of creating a secure information environment. It is concluded that one of the forms of cooperation between states is confidence-building measures in the field of information security. The classification of measures is proposed and a conclusion is made about the fundamental importance of measures for the successful cooperation of states in order to ensure the international information security of each state.
Keywords
confidence-building measures, information security, Open-ended Working Group on Developments in the field of Information and Telecommunications in the context of international security, Cyber policy, cybersecurity

*** The organization is banned in the Russian Federation**