

On the contribution of the NKVD of the USSR to the achievement of victory in the Great Patriotic War of 1941–1945

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Abstract

The importance of in-depth scientific research of the results and lessons is revealed The Second World War, which makes it possible to resist the falsification of history, to form an objective historical memory of the true winners of Nazism and fascism in Europe and the Far East. It is noted that the 80th anniversary of the Victory over the Nazi invaders is an important occasion for the popularization of scientific knowledge about the participants of the Great Patriotic War, who made a significant contribution to the Victory. It is established that employees and military personnel of the organs and troops of the People's Commissariat of Internal Affairs of the USSR, who selflessly fulfilled their duty to the Motherland, are equated to the participants of the Great Patriotic War. The article considers the participation of the People's Commissariat of Internal Affairs of the USSR in the Great Patriotic War of 1941–1945. The role of the top leadership of the NKVD of the USSR in achieving Victory over the Nazi invaders has been studied. It has been established that in the Soviet state during the war, law enforcement agencies were assigned the function of protecting the rear of the army, as well as ensuring the production of weapons and ammunition for the needs of national defense. The bibliographic sources testifying to the positive role of the People's Commissariat of Internal Affairs of the USSR during the Great Patriotic War are studied. The features of the participation of the leadership of the NKVD of the USSR in the war against the Nazi invaders, awarded the highest state awards of the USSR, as well as military ranks, are shown. It is established that the organizational and legal foundations of the activities of the NKVD of the USSR in 1941–1945 are of applied value as the experience of organizing law enforcement agencies in emergency situations, which can be partially used by contemporaries, including for organizing moral and psychological work among law enforcement officers, as well as for the professional orientation of young people.

Keywords

Great Patriotic War, People's Commissariat of Internal Affairs, NKVD of the USSR, organizational bases of activity, law enforcement system, NKGB of the USSR, People's Commissariat of State Security, law enforcement function

The state language as a qualification for equal accessibility of public service in the Russian Federation

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Abstract

The article examines the issue of the state language as the most important factor of equal accessibility of public service from the point of view of legal regulation, problems of formalism and effectiveness of speech communication. It has been established that the principle of equal access of citizens who speak the state language of the Russian Federation to public service is implemented not only upon admission to the service, but also during its passage. Russian language is one of the foundations of the entire Russian culture, a national treasure protected by the state. Russian Federation has been established to be the official language of the Russian Federation, and the norms of the modern Russian literary language must be observed (rules for the use of language tools, as set out in normative dictionaries, reference books, and grammars). It is noted that the Russian state language is a language that promotes mutual understanding: to hear and understand another: a boss, a subordinate, the whole team, small and large groups is an important task for employees of different levels. The problem of formalism is highlighted, which is often encountered when responding to civil appeals from officials. It is noted that the general level of culture of

state and municipal employees is closely related to respect for the Russian language, its competent and effective use. It is concluded that taking into account all the components within the framework of equal accessibility contributes to the formation of an employee who respects the Russian language, traditional spiritual and moral values, culture and traditions of the peoples of Russia. It is recommended to amend Federal Law No. 53-FZ regarding the provision of complete and reliable information to citizens in Russian when contacting public authorities.

Keywords

state, civil servant, state language, Russian language, public service activities, formalism, accessibility, censorship

The experience of interaction of the state fire protection with non-state organizations in the fight against fires in the XIX century

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Abstract

The article analyzes the transition from an archaic fire safety system to the creation of a professional structure to ensure the safety of cities from fires. An explanation is given why this transition became possible only at the beginning of the XIX century. It shows the emergence of various non-governmental organizations interested in real assistance to a professional firefighting agency and taking on both the preventive aspects of firefighting and those directly involved in extinguishing fires. The socio-historical experience of state regulation of the fire safety process is shown through the formation of such state structures as the Ministry of Internal Affairs, the Department of the Ministry of Internal Affairs, legal involvement in the development of firefighting of private entrepreneurship, public selfgovernment bodies and a variety of both state and public organizations. A comprehensive historiographical and source review of the problem is given, which allows us to see the research procedure in each of the areas under consideration, as well as the contribution of adherents of this topic to its popularization and scientific vision.

Keywords

Ministry of Internal Affairs, Department of the Ministry of Internal Affairs, professional fire brigades, voluntary fire societies and squads, mutual fire insurance societies, private and departmental fire brigades

Certain aspects of the implementation of the passive electoral right of citizens of the Russian Federation when using a specialized software product

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Abstract

The legal framework and specific features of the application of the specialized software product developed by the Central Election Commission (CEC) of Russia for preparing documents required to notify and register candidates (lists of candidates) in elections in the Russian Federation are examined. It is established that only ten constituent entities of the Russian Federation have provided for the use of this software product in regional elections. The most consistent approach to legislative regulation of this possibility has been identified in Krasnodar Krai, Bryansk Oblast, and Kemerovo Oblast. It is proposed to amend the Federal Law "On the Basic Guarantees of Electoral Rights and the Right to Participate in a Referendum of Citizens of the Russian Federation" by mandating the use of this software in regional elections not only for generating a candidate's consent to run for office but also for other documents submitted to election commissions (e. g., information on the amount and sources of income, property owned by the candidate, real estate located outside the Russian Federation belonging to the candidate, their spouse, or minor

children, as well as their expenses, and lists of candidates for single-member and/or multi-member electoral districts). For municipal elections, the use of this software should remain a recommended practice. It is also recommended to amend Resolution No. 24 of June 27, 2023, issued by the Plenum of the Supreme Court of the Russian Federation, to clarify for courts the specifics of qualifying violations in the preparation of electoral documents that may arise when using this software.

Keywords

elections, passive electoral right, CEC of Russia, specialized software product

The history of the development of legal information systems in Russia

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Abstract

An analysis of the evolution of legal information systems in Russia was made, the key stages of their development from the pre-revolutionary period to modern digital realities were revealed. The relevance of the study is predetermined by the widespread use of legal information systems, as well as the digitalization of the legal sphere and the need for effective access to legal information. The influence of legal information systems on legal practice has been established. The study revealed the patterns of development of legal information systems, their adaptation to modern requirements, including the introduction of artificial intelligence technologies. The article outlines the problems of applying modern legal information systems in the public sphere. It was concluded that the development of legal information systems in Russia reflects global trends, remaining an important tool for modernizing legal culture.

Keywords

information, legal information systems, digitalization, digital technologies, artificial intelligence in jurisprudence, information security, database protection

Issues of legal technical support for the delimitation of related administrative offenses and crimes in the field of illicit drug trafficking

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Abstract

Qualification of offenses with a single specific object of encroachment occupy an important place in the law enforcement process. Their solution is associated with special difficulties. State anti-criminal legal policy should aim at formulating consistent norms. The use of various legal techniques for regulating legal liability allows you to achieve the goal of creating a consistent array of legal norms. The study of theoretical and practical aspects of legal regulation of liability for illicit trafficking in narcotic drugs, psychotropic substances and their analogues, as well as plants containing narcotic drugs or psychotropic substances, allows us to conclude that there are unresolved, controversial issues, which has a negative impact on both the quality of legal regulation and law enforcement practice.

Keywords

administrative offense, public policy, qualification, law enforcement, narcotic drug, illegal trafficking, crime, related composition

Classification of civil treaties in public-private partnerships in Russia

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Abstract

The author analyses major features of public-private partnerships (PPP) in the modern law. Using these features, the author justifies the classification of civil treaties in this sphere by dividing such treaties into two conditional groups: typical PPP treaties and civil investment treaties. It is stated that typical PPP treaties that possess attributes of all their characteristic features include such competing contractual forms as concession agreements and agreements of public-private (municipal-private) partnership. It is pointed out that civil investment treaties (quasi-PPP) include a number of agreements that possess single features of PPP (for example, investment contract, production sharing agreement, special investment contract and others). In the article, the author also touches on the questions of classification of the specific contractual forms that have PPP features (agreements on investment protection and encouragement, agreements on public services in the social sphere, life-cycle and offset contracts). Yet, it is reported that some of the agreements have dual nature and can be classified as belonging to another group. It is found out that proper systematization of PPP treaties and understanding of their features allow to form theoretical base on the delimitation of the legal constructions from one another, as well as to suggest amendments to the current legislation.

Keywords

public-private partnership, classification of the treaties in public-private partnerships, concession agreement, public-private agreement, offset contracts, agreements on public services in the social sphere

Coercion and coercion in civil law: problems of correlation

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Abstract

The problem of the correlation of the categories “coercion” and “coercion” in civil law is investigated. A critical review of various views is presented, which indicates the lack of consensus among civil scientists on the issue under study. It has been established that coercion is an integral element of protective relations. Using the example of the implementation of various powers of protective subjective law (the right to protection), it is concluded that in civil law there is direct coercion in the case of self-defense measures in non-contractual relations and indirect coercion in the mechanism of operational measures in contractual relations. Two forms of implementation of indirect coercive measures have been identified – jurisdictional (judicial) and non-jurisdictional (extrajudicial). The position is substantiated that the measures of operational impact, which have elements of indirect coercion, fully fit into the concept of private legal coercion.

Keywords

coercion, coercion, protective legal relationship, right to protection, form of protection, self-defense, measures of operational impact, private coercion

Significance of the debtor's financial and business analysis results in bankruptcy and pre-bankruptcy proceedings

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Abstract

The article presents individual issues of implementation of a significant stage both in insolvency (bankruptcy) procedures and for prevention of occurrence of the state of insolvency – analysis of financial and economic activity. Aspects of the analysis are investigated both by the arbitration manager in the

context of the implementation of a specific procedure, and by the head of the organization in the pre-bankruptcy period. The specifics of calculating individual indicators, both absolute and relative, are clarified, which together make it possible to draw reasonable conclusions about the further legal fate of the organization in terms of choosing a rehabilitation or rehabilitation procedure. The provisions of legislation and by-laws, in particular RF Government Resolution No. 367, and scientific sources are analyzed. It is concluded that there are controversial issues in the analysis of the financial and economic activities of the enterprise for various purposes, as well as legal issues related to the possibilities of applying digitalization in the processes under study are considered. The conclusion is made about the need for further improvement of legislation in this area.

Keywords

analysis of financial and economic activity, insolvency (bankruptcy), insolvency, crisis management, compliance

On the issue of non-material benefits of family members and their personal non-property rights

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Abstract

It has been determined that the family, characterizing the natural properties of human existence, can be perceived exclusively as an intangible asset belonging to a citizen from birth. In the context of legal protection, the family acts as an object of a subjective personal non-property right – “the right to a family”, which, depending on the owner of this personal asset, can be perceived, in particular, as “the right to preserve the family” or as “the right to live and be raised in a family.” It has been concluded that all subjective rights, the object of which are the personal assets of family members, constitute the content of the corresponding personal non-property legal relationship, which is absolute according to the criterion of intersubjective relations: the owner of the intangible asset is confronted by an indefinite circle of persons who are obliged to refrain from encroaching on this asset. Considering that personal benefits of family members are outside civil circulation due to their inalienability and non-transferability in any other way, but are subject to legal protection from any encroachment on them, it has been established that the personal non-property legal relations themselves, arising in connection with such personal benefits, are devoid of dynamics: the legal connection of a personal non-property right and the opposing passive obligation of an unlimited number of persons performs an exclusively law enforcement function, ensuring the possibility of protecting the owner of a personal benefit from any violation of his personal non-property right. It has been proven that the subject of family law includes only personal non-property relations that are not related to property relations. The need to include such relations in the subject of family law regulation is due to the need to ensure legal protection of a whole complex of personal non-property rights, the object of which are the intangible (personal) benefits of family members.

Keywords

family legal relations, absolute relations, intangible assets, personal assets, personal non-property rights, family, motherhood, childhood, family members, protection of personal rights

Problems of sentencing for bribery of a contract service employee, a contract manager, a member of the procurement commission

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Abstract

The analysis of the problems of legislative and practical penalization is carried out using the example of the construction of sanctions for the main and qualified elements of a crime provided for in Article 200.5 of the Criminal Code of the Russian Federation, as well as a comparative analysis of sanctions for related elements of crimes provided for in Articles 204 and 290, Articles 291 of the Criminal Code of the Russian Federation. It is concluded that the practical penalization of bribery of special subjects provided for in Article 200.5 of the Criminal Code of the Russian Federation indicates that the courts sometimes impose unjustifiably lenient punishments. There is a discrepancy between the sanctions of the main, qualified corpus delicti, as well as the sanctions of related crimes. The article substantiates the need to establish in all sanctions the parts of Article 200.5 of the Criminal Code of the Russian Federation additional punishment in the form of deprivation of the right to hold certain positions or engage in certain activities. The author's project of constructing the sanction of art. 200.5 of the Criminal Code of the Russian Federation is proposed.

Keywords

punishment, bribery, procurement for state and municipal needs, the principle of justice of punishment, penalization, types of punishment

Features of juvenile crime in modern conditions and problems of its prevention

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Abstract

The article analyzes some criminological features of juvenile delinquency in modern Russia. The article discusses controversial criminological issues of studying the identity of juvenile offenders, trends in their change, and the growing number of cybercriminals among people aged 14 to 18. The problems of juvenile delinquency prevention in modern conditions, the need to intensify preventive measures aimed at combating juvenile gang crimes. Currently, the expansion of the boundaries of effective counteraction to juvenile delinquency is a necessary condition for the full development of society, ensuring stability and reducing the overall level of criminalization in the future, and changing the negative dynamics of the rejuvenation of crime in general. Juvenile delinquency remains a rather acute and dangerous problem in modern society, posing a threat not only to criminological security, but also to a broader level.

Keywords

juvenile delinquency, crime prevention, cybercrime of minors, the identity of the criminal

The influence of martial law on criminal punishment in Russia (18th – early 20th century): a historical and legal perspective

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Abstract

The study focuses on the practice of applying criminal punishments in Russia from the 18th to the early 20th century, highlighting differences between peacetime and wartime. Special emphasis is placed on the legislative acts of Peter I, which established a system of punishments aimed at maintaining discipline and strengthening defense. The evolution of criminal legislation in the post-Petrine period, particularly the Penal and Correctional Code of 1845 and the Military Punishment Statute of 1869, which significantly altered sentencing approaches, is analyzed. The importance of considering historical and sociocultural factors in modern criminal law practices for effectively responding to current challenges is highlighted. The work helps to gain a deeper understanding of the evolution of Russian criminal legislation, its dependency on external threats and internal political changes, and identifies the continuity of principles established in previous historical epochs.

Keywords

criminal punishments, military conditions, differentiation of punishments, peacetime, wartime, Peter I, army, navy, military criminal law, death penalty, corporal punishment, deprivation of ranks and titles

Legal regulation of relations in the field of preservation, use and strengthening of the social memory of the people of Russia

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Abstract

In modern conditions, the issue of criminal law protection of the social (cultural and historical) memory of the people of Russia is becoming more and more urgent. However, the substantiation of social memory as an object of criminal law protection is not possible without an analysis of the norms of the regulatory legislation in force in this area. The article examines the content of the relevant legal acts and, based on the results of the study, draws conclusions about the relationship between regulatory and protective legal norms in the preservation, use and strengthening of social memory.

Keywords

social memory; historical memory; cultural memory; cultural and historical values; regulatory legislation

Qualification of hooliganism in the light of new clarifications of the Supreme Court of the Russian Federation

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Abstract

The article presents an analysis of current issues of qualification of criminally punishable hooliganism, liability for the commission of which is provided for by Article 213 of the Criminal Code of the Russian Federation, taking into account the provisions of the Plenum of the Supreme Court updated on November 26, 2024, set out in the resolution of November 15, 2007 No. 45 "On judicial practice in criminal cases of hooliganism and other crimes committed out of hooligan motives". The authors focus on issues related to the mandatory features of the objective side of the main composition of hooliganism, the qualification of hooliganism committed with the use of violence against citizens or the threat of its use, as well as committed with the use of weapons or objects used as weapons. The issue of decriminalization of paragraph "b" of Part 1 of Article 213 of the Criminal Code of the Russian Federation is proposed for consideration due to the impossibility of finding two different motives in the composition of hooliganism.

Keywords

hooliganism, art. 213 of the Criminal Code of the Russian Federation, use of violence, extremist motive, use of weapons

The subject of proof in pre-contractual liability cases

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Abstract

The relevance of the present study is determined due to the insufficient legal regulation of the issues of the subject of proof in disputes related to unfair behavior of the parties in the process of negotiation aimed at the conclusion of civil law contracts. The relevance of the work is also due to the small amount of judicial

practice and its inconsistency. They require further study as law enforcement practice accumulates. The aim and objectives of the research are established, which consist in the formation of reasoned, scientifically substantiated conclusions on each of the facts to be proved in cases of pre-contractual liability. In the course of the study general scientific and special methods of research - systemic, logical, analysis and synthesis, interpretation and others were used. The subject of the research is determined by normative legal acts, scientific publications of legal nature of national lawyers, Resolutions of the Plenum of the Supreme Court of the Russian Federation and the Supreme Arbitration Court of the Russian Federation, materials of arbitration court practice. As a result of the research the necessity of generalization of available judicial practice and formation of a unified position of the Supreme Court of the Russian Federation on the problems of the subject of proof in cases of pre-contractual liability is grounded. It is concluded that the circumstances of the subject of proof in cases of pre-contractual liability for different compositions of unfair acts are complex and diverse, have their own distinctive features.

Keywords

subject of proof, pre-contractual liability, negotiations

Using transactional analysis for establishing and maintaining psychological contact during interrogation. Part

2

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Abstract

The second part of the study examines the practical aspects of applying transactional analysis (TA) in criminalistic tactics, focusing on establishing and maintaining psychological contact during interrogation. It is noted that TA is not a universal tool, but its conscious use contributes to improving the quality of preliminary investigation. The author demonstrates how the fixation of the interrogated individuals in the "Child" (adaptive or rebellious) or "Parent" ego states can provoke conflicts and hinder cooperation. Based on examples from investigative practice, strategies for interacting with the interrogated individuals in various ego states are proposed, including the tactic of transitioning from crossed transactions to parallel ones. It is emphasized that the conscious application of TA allows the investigator to flexibly manage transactions, minimize emotional costs, and increase the reliability of the information obtained. The article supplements the theoretical foundation of the first part with specific recommendations, supported by an analysis of professional, personal, and situational factors influencing the ego states of the participants in the process.

Keywords

transactional analysis, ego states, psychological contact, interrogation, criminalistic tactics, communication strategies, resistance to investigation, professional reflection

International assistance in the system of world heritage protection

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Abstract

The important role of the Convention concerning the Protection of the World Cultural and Natural Heritage in the protection of unique natural complexes is stated. The article reveals the existence of misconceptions in public opinion about the amount of financial assistance provided through the World Heritage Fund. The article analyzes the normative grounds for the provision of international assistance within the framework of the procedures enshrined in the Convention concerning the Protection of the World Cultural and Natural Heritage, and states the obligation to preserve the natural heritage on the States where the properties in question are located. The institutional system of granting international assistance within the framework of

the World Heritage protection system is characterized. The procedure of formation of the World Heritage Fund is analyzed, the problems of sufficiency of its resources for international assistance are revealed. The article shows the increasing complexity of works on evaluation of nomination materials for properties on the World Heritage List and monitoring missions financed by the World Heritage Fund. Problems of efficiency of spending of the Fund's resources are identified, related to the lack of competition for the provision of advisory services to the World Heritage Committee and non-transparent pricing of sub-executors contracted by the Advisory Bodies. It is concluded that the size of the World Heritage Fund is insufficient to finance major projects on World Heritage properties. Statistical data on the amount of international assistance provided to individual World Heritage properties is presented. The important ideological significance of the Convention is stated, demonstrating the commitment to the common cause of all mankind to preserve the unique works of man and nature and to transfer them to future generations.

Keywords

World Heritage; World Heritage Committee; World Heritage Fund; International Assistance; International Union for Conservation of Nature

Normative acts of international organizations as a source of private international law

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Abstract

The article examines various legal acts adopted by international organizations in the system of regulating private law relations with a foreign element. The purpose of the article is to identify the features of such normative acts and to substantiate their recognition as an independent source of private international law. Under performing the research, both general scientific methods of cognition (induction and deduction, abstraction, analysis, synthesis, etc.) and special legal methods (formal legal, historical legal, etc.) have been used. It is concluded that for the purpose of making normative acts of international organizations binding and applying to private law relations, they should be included into the Russian legal system in accordance with the domestic order to be adopted by the federal legislator on the basis of the state sovereignty and the supremacy of the Constitution of the Russian Federation, including the establishment of grounds for refusal to apply particular rules of international law as an exception. The priority of normative acts of international organizations over Russian laws is argued to happen in case of the ratification or adoption of another federal law introducing them into the domestic legal system, including when it is performed in relation to the international treaty providing for the mandatory application of legal acts (decisions) of the appropriate international organization.

Keywords

normative act, international treaty, source of law, soft law, international organization, private international law, implementation and enforcement of law, Russian legal system

Friendshoring as a challenge to international investment and economic law: from treaties to geopolitical discrimination

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Abstract

It has been established that friendshoring generates legal risks stemming from the conflict between geopolitically motivated restrictions and state obligations under bilateral investment treaties (BITs). The study reveals that the lack of a unified approach to dispute resolution exacerbates investor vulnerability, particularly in cases of indirect expropriation and discriminatory measures justified by national security concerns. The research concludes that friendshoring contradicts the principle of non-discrimination in

international economic law, thereby undermining investment climate stability. Through case analyses (Rosneft v. Germany, EU sanctions against Russian assets, restrictions on Huawei in Australia, Tatneft v. Ukraine), the paper demonstrates a growing trend of expansive interpretations of “national security” and “public interest” as tools to circumvent BIT obligations. The study recommends enhancing precautionary measures for both investors and states to mitigate these risks.

Keywords

friendshoring, international investment law, geopolitical discrimination, bilateral investment treaties, indirect expropriation, national security, public interest, investment arbitration

Mongolian law and its reflection in Russian legal monuments

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Abstract

The article is devoted to the analysis of the influence of Mongolian law on Russian legal monuments during the XIII– XVI centuries, when Russia was under the rule of the Golden Horde. It examines how the norms of Genghis Khan’s Yasa were reflected in such documents as the Russian Truth, the Judicial Codes of 1497 and 1550, in the areas of punishment, administrative management, terminology, centralization of power and regulation of trade. The study is based on a comparative analysis of texts, archaeological data from 2020–2024 (for example, finds in Kazan and Ryazan) and statistics showing that 15–20% of norms and terms in Russian monuments are of Mongolian origin. It was found that the Mongolian influence manifested itself in tougher punishments (an increase in corporal punishment from 5 to 18 %), the introduction of censuses and tributes, the borrowing of terms (“tamga”, “yam”), the strengthening of centralization (up to 22% of norms in Judicial Records) and the development of trade rules. However, borrowings have adapted to Slavic traditions, which is confirmed by the preservation of local institutions.

Keywords

Mongolian law, Golden Horde, Russkaya Pravda, Sudebniki, punishments, centralization, administrative management, trade, legal synthesis

The problem of preventing environmental and environmental-legal risks of rule-making on lake Baikal

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Abstract

The article is devoted to the problems of legal regulation of environmental protection and nature management in the Baikal natural territory. Controversial issues related to environmental and environmental-legal risks arising from anthropogenic activities, including rulemaking and enforcement, are considered. The author analyzes the results of expert and analytical studies, including the concept of modernization of the Federal Law “On the Protection of Lake Baikal,” noting that many proposals remain unrealized, but relevant. The article paid the particular attention to the concept of “environmental risk” and its minimization. The author supports the idea of highlighting environmental and legal risks as a separate category associated with violation of environmental legal rules. Risk mitigation measures are proposed, including an expansion of regulatory impact assessment (RIA) and environmental assessment during the rulemaking phase. In conclusion, the author proposes to conduct a legal experiment on the introduction of environmental assessment for bills related to Lake Baikal, which will help reduce social tension and preserve the unique ecosystem of the lake.

Keywords

Lake Baikal, Environmental Risks, Environmental and Legal Risks, Legal Protection of Nature,
Environmental Assessment