

**Abstracts and keywords of articles,
published in the journal "Military law" in 2020**

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1. Batyukova V. E. On the correlation of the concepts of terrorism and extremism

Resume: In the article, the author considers the correlation of the concepts of extremism and terrorism. Defines the main features of these corpus delicti, which are mandatory and included in the subject of evidence in specific criminal cases. The examples of judicial investigative practice are analyzed.

Keywords: extremism, terrorism, motive of crime, purpose of a crime, convention, countering terrorism, countering extremism.

2. Kononov S. A. Legal and institutional framework of citizens' participation in ensuring border security

Annotation. The article is devoted to researching the legislation in regard to the citizens' participation in ensuring border security as the part of voluntary people's patrol and voluntary Cossacks squads. The author reveals forms of citizens' participation, points to a number of problems, arising in law enforcement practice of enforcement of administrative coercive measures, and in legal regulation of certain aspects of involvement citizens to the protection of the state border.

Key words: the state border, forms of citizens' participation in the protection of the state border, voluntary people's patrol, Cossacks communities, enforcement of administrative coercive measures, social and legal status of member's voluntary people's patrol and voluntary Cossacks squads.

3. Oleynik E. P., Institutional basis for the establishment of the legislative framework for countering terrorism by the troops of the national guard of the Russian Federation

Annotation. The author studies some aspects of the Federal service of the national guard of the Russian Federation's counteraction to international terrorism, as well as the terminological characteristics of this illegal phenomenon, and the peculiarities of the legislative consolidation of counter-terrorism activities at the present stage of society's development.

Keywords: international terrorism, counter-terrorism, ROS guard, national guard troops of the Russian Federation.

4. Panferova I. A. On the issue of determining the legal status of the state border of the Russian Federation

Annotation. In the article, the author considers the existing problems of defining the concept of the legal status of the state border of the Russian Federation. The analysis of existing approaches to the definition of this concept in legislation and scientific publications is carried out, the author's definition is formulated.

Keywords: state border, state border status, legal status of the state border, legal status, object of law, object of legal relations.

5. Zemlin A. I., Roshchin S. R. Actual issues of the legal status of the legal service of the national guard of the Russian Federation

Annotation. This article discusses theoretical and legal issues related to the legal status and areas of activity of the legal service of the national guard of the Russian Federation, explores the main aspects of its activities, their importance and role in the composition of the national guard of the Russian Federation. Based on the results of applying the methodology of the formal legal and systematic legal approach in the interests of analyzing the theoretical and legalized legal

framework of the legal position of the legal service of the national guard forces of the Russian Federation, contradictions and gaps in Russian legislation, organizational weaknesses were identified, directions for improving legal regulation were proposed.

Key words: legal units, legal work, troops of the national guard, internal troops, legal service.

6. Mintiagov S. A. Changes in the legislation on the military police of the Russian Federation Armed Forces

Abstract. The article discusses the main stages of the formation and development of the regulatory framework governing the activities of the military police of the Armed Forces of the Russian Federation, in particular the Charter of the military police of the Armed Forces of the Russian Federation aimed at improving the activities of the military police. The author identifies three main stages of improving the legislation on the military police associated with the publication of relevant regulations.

Keywords: military police, law, Charter of the military police, military police.

7. Tretyakov N. A. The competence of the regulatory legal acts Ministry of defense of the Russian Federation

Annotation. The article examines the theoretical and legal foundations of the norm-making activity of the Ministry of defense of the Russian Federation, analyzes the features and types of legal acts, as well as existing problems and inconsistencies in the legal regulation of the order of publication of legal acts of the Ministry of defense of the Russian Federation, offers options for their solution by appeal.

Key words: standard setting, rulemaking, legislation, the regulatory legal act of the Federal bodies of Executive power.

8. Shenshin V. M. Concept of administrative and jurisdictional activity of Rosguard: point of view

Abstract. The article substantiates the author's approach to the formation of the Concept of administrative and jurisdictional activity of Rosgvardiya, gives the concept and reveals the structure of this legal phenomenon.

Keywords: administrative and jurisdictional activities; national guard troops; concept; ROS guard.

9. Zaykov D. E., Differentiation of remuneration of employees of military units and organizations of the Federal bodies of Executive power, in which the law provides for military service

Annotation. The article provides a comparative analysis of the conditions of remuneration of employees of military organizations under the jurisdiction of various Federal Executive authorities, in which the law provides for military service.

Key words: employees, military organizations, remuneration, official salary, payments.

10. Ivanov V. Yu. To the question of the implementation of entrepreneurial or other paid activities by military personnel engaged in rental of residential premises purchased as part of the accumulative-mortgage system of housing provision for military personnel

Annotation. The article deals with the issue of entrepreneurial or other paid activities by military personnel engaged in the delivery of residential housing, acquired in the framework of NIS under a contract of employment (lease), indicates the legal obstacles to the implementation of this activity by military personnel. The analysis of the position of Supervisory bodies is made.

Keywords: accumulative-mortgage system of housing provision of military personnel, the right of military personnel to housing, the ban on entrepreneurial and other paid activities.

11. Kalashnikova A. N. Escrow for military personnel

Abstract. The subject Of this article is the problem related to the lack of opportunities for NIS participants to obtain housing using escrow accounts.

Key words: account escrow, agreement escrow account, savings and mortgage system of housing provision of military men of target housing loans.

12. Fomin A. V. Some problems in purpose of payments and grants to members of families of the died (dead) at fulfillment of duties of military service of the military personnel of the National Guard Troops of the Russian Federation

Abstract: Within the present article the list of the questions concerning granting social guarantees to children, spouses and parents of the military personnel is studied, the died (dead) at fulfillment of duties of military service. The current problems related to the provision of a number of payments and benefits to family members of dead (deceased) soldiers were also analysed, practical experience in the application of legislation in the field under consideration, as well as the most effective methods of resolving emerging problems.

Keywords: grants; Payments to family members of fallen soldiers; Death (death) related to the performance of military service duties, military medical commission, pension bodies of the Ministry of Internal Affairs.

13. Kalashnikov V. V. Problems of legal regulation of activity employees of the military training center

Abstract. The subject of this article is the changes in the legislation on the activities of military training centers in terms of the features of the legal status of the teaching staff of the military training center, military service not in a military position, the author presents his opinion on the issue of reforming the legislation.

Keywords: military training center, military training, teaching staff of the military training center.

14. Koryakin V. M. Compensation by military personnel of the Federal budget funds spent on their military and special training: problematic issues when dismissed in connection with the Commission of corruption offenses

Annotation. The article analyzes the problematic issues related to the dismissal of military officers from military service due to loss of trust, as well as for non-compliance with prohibitions and restrictions, non-performance of additional duties established in order to combat corruption. A significant gap in the legal regulation of these issues has been identified, which is related to the inability to recover from such military personnel funds spent on their military and special training. The author formulates proposals of a normative and law-enforcement nature to resolve this problem.

Key words: anti-corruption; restrictions and prohibitions related to military service; additional duties established in order to prevent corruption; loss of confidence; reimbursement of funds spent on military and special training of military personnel.

15. Lagashkina J. V. Improvement of legislation at institute of alternative civil service

Abstract. The article analyzes the legislation governing alternative civil service, identifies provisions that require refinement and clarification, and develops proposals to improve domestic legislation on alternative civil service, to ensure that citizens of the Russian Federation exercise their constitutional right to replace military service with alternative civilian service.

Key words: alternative civilian service, military service, Ministry of Defense, legislation, improvement.

16. Fattakhova K. A. The right of a student to draft deferment during vacation period after final state examination

Abstract. In the article author comes to the conclusion that at first sight neither law nor jurisprudence has an unambiguous answer to the question: does a student have a right to deferment during vacation period after final state examination in Bachelor's, Specialist's and Master's programs (so-called «postgraduate vacation»)? Nowadays Russian call-up age students when finishing their university education may face a particular problem: while they are on postgraduate vacation they can be called into military service. Courts which answer negatively to foregoing question generally assume that there is no need for draft deferment, which was granted to students to get their education, to remain in effect, because after they pass final state examination and receive diploma of higher education, they should be considered to have exercised their right to education and consequently no longer have the right to draft deferment. But does this approach establish a balance between the duty to defend the homeland provided for in the Russian Constitution and constitutional right to education? The author scrutinizes this question and comes to the conclusion that there can be only a negative answer to it. But the answer does not appear on the surface. Furthermore, it seems that divergence of courts' opinions on the question concerning the right of a student to draft deferment during the period of his postgraduate vacations has some root causes. In the author's view, these causes may lie in the fact that while Federal Education Act, in general, does not cover issues concerning the duration of draft deferment, some of its provisions may have the effect of prolonging draft deferment period. In view of the foregoing, the author believes that there is a need to amend the legislation. In the article he formulates necessary amendments to Federal Military Duty and Service Act. Adoption of proposed amendments could not only encourage uniformity of future jurisprudence in the area under consideration but also ensure its predictability.

Keywords: military draft, military duty, the right to education, draft deferment, postgraduate vacation.

17. Korchagin V. V. Psychological prevention of suicidal risk in the Armed Forces of the Russian Federation: legal aspect.

Abstract. The article reveals the current state of regulatory and legal regulation of preventive measures aimed at reducing the level of suicidal risk of servicemen in the Armed Forces of the Russian Federation. The significant issues of prevention of suicidal incidents, namely their essence and content, are considered. The analysis is given and the main directions of preventive measures concerning suicidal behavior at the military personnel are proved.

Key words: suicide, suicidal factors, suicidal behavior, prevention of suicidal behavior, directions for the prevention of suicidal behavior.

18. Korchagin V. V., Makarenkov A. A. Legal regulation of informational and psychological impact on military personnel in order to reduce their suicidal risk

Annotation. The article discusses the features and prospects of conducting remote psychological counseling of military personnel in order to prevent suicidal risk. The features and principles of information-psychological impact during such counseling, which determine its effectiveness, are noted. The stages of conducting psychological counseling through Internet communication are described. The authors concluded that it is necessary to make separate changes to the existing legal acts that determine the duties of military psychologists.

Key words: information and psychological impact, psychological prevention of suicidal risk of military personnel, remote psychological counseling of military personnel, information and psychological impact on military personnel through telecommunication technologies.

19. Makarenkov A. A. Legal problems of informational and psychological impact on military personnel

Annotation. The article reveals the current state of legal regulation of the use by specialists of the military-political work of the information-psychological impact on the military personnel of the Armed Forces of the Russian Federation. For the first time, specific practical

recommendations are given to employees of structures involved in military-political work, in particular military-political propaganda and agitation in the Armed Forces of the Russian Federation.

The article substantiates the relevance of improving the regulatory and methodological support of military-political activities through information and psychological impact, both directly and through telecommunication technologies. Examples of the implementation of the information-psychological impact through Internet communication are given.

The conclusion is drawn about the importance of interagency cooperation on these issues to generalize the existing situations of negative IPV to military personnel in order to effectively neutralize them.

Key words: information-psychological impact, military-political propaganda and agitation, information-psychological impact, information-psychological impact through telecommunication technologies.

20. Shcherbak S. I., Volodin V. R. Legal culture of military personnel and the main trends of its development

Abstract: The article presents the results of the analysis of certain trends that determine the development and increase of the legal culture of military personnel in the Russian Federation, in the implementation of their military service activities.

Key words: armed forces; military culture; friendly people; the legal culture of the servicemen.

21. Azovtsev A. A. Procedural problems of disciplinary proceedings in the Armed Forces of the Russian Federation

Annotation. The article investigates the theoretical and practical aspects of disciplinary proceedings against military personnel carried out by military authorities and military officials. The definition of this concept is given, the content of the mandatory stage of production — proceedings on disciplinary offenses is disclosed. Gaps and contradictions in the legal regulation of the proceedings were identified, and ways to overcome them were proposed. The proposal to unify the terminology in the field of administrative and procedural activity of commanders (chiefs) by replacing the terms "administrative investigation" and "proceedings" with a single concept of "internal investigation" is substantiated.

Keywords: military discipline; disciplinary responsibility; investigation; administrative investigation; service investigation; service inspection.

22. Glushachenko S. B. Military disciplinary offense: historical and legal analysis

Annotation. The paper examines the legal categories associated with the maintenance of military discipline. The historical and legal analysis of concepts and essence of legal concepts "military discipline", "disciplinary offense" is carried out. The problems of legal regulation of the substitut of disciplinary responsibility are revealed. Conclusions are formulated about the need to correct the modern legal definition of military disciplinary offense in the form of detailing the object of the offense.

Key words: Military discipline, disciplinary misconduct, disciplinary legislation, legal mechanism, military-service relations.

23. Kirichenko N. S. Material responsibility of military personnel: its goals and functions

Annotation. The article considers the purposes and functions performed by the legal Institute of material responsibility of military personnel. Regulatory, protective, punitive, restorative, educational and other functions of material responsibility are identified and justified.

Keywords: material liability of servicemen, material damage, purpose of material liability, function of material liability.

24. Likhovidov K. S. Characteristic of main legal positions on public servants (military personnel) containing in the judgements of European Court of Human Rights

Abstract. The article deals with basic legal positions of European Court of Human Rights on public servants (military personnel) and problem issues of their consideration in the Russian legislation and law-enforcement practice.

Key words: European Court of Human Rights, military service, serviceman, functional criteria of eligibility (acceptance) of claims.

25. Loginov A. V. Military court of the Republic of Abkhazia: formation, development and problems of functioning

Annotation. The article briefly discusses the main stages of formation and development of military justice bodies on the territory of the Republic of Abkhazia. Special attention is paid to the current state and development of the Military court of the Republic of Abkhazia. The author studies the criticism of specialized military justice bodies (military courts) related to their special order of financing and material and personnel support. The problem of double subordination of judges to the military oath and the judicial oath is noted.

Keywords: Republic of Abkhazia, judicial power, Military court of the Republic of Abkhazia, judicial reform, double subordination, judges of the Military court of the Republic of Abkhazia.

26. Malikov S. V., Mahanova R. M. Factors influencing the development of tactics of Supervisory activities of the military Prosecutor

Annotation. The article reveals the content of prosecutorial tactics on the basis of practical experience and identifies the main factors that influence the development and use of tactical techniques in order to improve the effectiveness of Supervisory activities of military Prosecutor's offices.

Keywords: military Prosecutor's office bodies; Supervisory activity; tactics of military Prosecutor's Supervisory activity; tactical techniques; Supervisory situation; tactical decision.

27. Abdulmejidova D. Kh., Sudenko V. E. Ethical violations in criminal proceedings

Annotation. The article analyzes ethical violations that occur both at the stage of criminal proceedings and in the process of its investigation. Such violations have been examined in relation to all stages of the criminal process - from the receipt of information about a crime, to the implementation of a statement or report of a crime in the form of a criminal case or refusal to initiate. Not only violations of ethical standards are considered, but also measures to eliminate them are proposed. The results of a survey on the facts of the violations under consideration are presented.

Key words: ethical violations; criminal proceedings; declarant; investigator; the prosecutor; proposals to the Code of Criminal Procedure of the Russian Federation.

28. Grigoryev V. N. About some features of production inspecting the place of the accident in cases on voluntary delivery to military pows

Annotation. The article discusses the features of the inspection of the scene of cases of voluntary surrender of military personnel, the production tactics of which have their own specifics, due to the fighting situation in areas of armed conflict.

Keywords: inspection of the scene of the accident, voluntary surrender, tactics of the inspection of the scene of the incident, the combat situation, the area of armed conflict, prisoners of war, unmanned aerial vehicles.

29. Eermolovich Ya. N. Actual issues of qualification of insulting a serviceman (Article 336 of the Criminal Code of the Russian Federation)

Abstract. The article discusses the problematic issues of qualification of insulting a serviceman, suggests ways to resolve the revealed contradictions of the current legislation and practice of its application.

Keywords: criminal liability, military criminal law, crimes against military service, military personnel, criminal law, military law, insulting a military serviceman.

30. Nikitin A. N., Amonuloev Sh. P. Corruption crime in the performance of state defense order in the interests of the Ministry of Defense of the Russian Federation (the statement of the problem)

Resume. The article deals with corruption crime in the field of state defense order, its causes and specific manifestations, corruption data on crimes committed in this area are given.

Key words: law, state defense order, corruption, causes and essence of corruption crimes.

31. Petrov I. V., Makarov E. A. Operational-search event obtaining computer information as a way to counter extremism and terrorism in cyberspace (legal analysis)

Annotation. This article will focus on such a phenomenon as extremism and terrorism in cyberspace, as well as on possible ways to identify, prevent and suppress this activity in the framework of the new operational search activity «obtaining computer information».

Key words: operational-investigative activities, SPOIA, getting computer information, extremism, terrorism.

32. Zykov M. S. Analysis of the system and powers of the military courts of the U.S. of America. Comparison with the model of the Russian Federation

Abstract. The scientific article is devoted to the study of the system of military courts of two states the United States of America and the Russian Federation. The US model is considered and a comparative analysis is carried out with the Russian system.

Keywords: military courts, judicial system, disciplinary court, criminal court.

33. Korolkova E. E. Legal protection of the employees of private military and security companies participating in armed conflicts: a comparative legal analysis

Annotation. The article studies the various approaches of states to regulating the activities of private military and security companies (PMSCs) and protecting the rights of their employees. The author notes that PMSCs play a significant role in modern armed conflicts. Often their activities are accompanied by gross violations of human rights, which was repeatedly indicated in the reports of the UN Working Group on the use of mercenaries as a means of violating human rights and impeding the exercise of the right of peoples to self-determination. At the same time, the rights of PMSC employees themselves are also poorly protected. By participating in armed conflict, they put their lives at high danger. The article analyzes the national legislation and judicial practice of the USA, Great Britain and other states. The author has examined the prospects for regulating the activities of PMSCs at the international level.

Keywords: private military and security companies, armed conflict, international law, state, human rights.

34. Ovcharov A. V., Criminological aspects of activity International Committee Of The Red Cross

Abstract. the Article is devoted to the consideration and analysis of the status of the International Committee of the red cross on the basis of its Charter and other legal documents. The article examines the role of this organization and its functioning, both in armed conflicts and in other situations of violence, analyzes the priority beginnings and types of its activities. In addition, the article, based on the analysis of publications in the Russian media, concludes about a number of emerging negative trends in the activities of the organization.

Keywords: International Committee of the red cross, humanitarian law, military conflict, terrorism, victims of armed conflict, crime, situations of violence, usurpation of international law, state.

35. Rylskaya, M. A. Cyberwar: a new look at the problem of semantic and legal identification

Abstract. The Article is devoted to a critical analysis of the possibilities of legal examination of the use of cyber potential in armed conflict. The author develops the hypothesis that cyberspace is a new sphere of warfare, different from other, natural-but-familiar spheres. as a result, the attempt to regulate the potential use of cyberattacks in the conflict zone is associated with a number of problems of semantic and legal identification.

Keywords: quasi-wars, cyber operations, semantic identification, international humanitarian law of armed conflicts, prohibition of attacks on civilian objects.

36. Grigoriev A. G., Tuganov Yu. N. The subject of the legitimate interests of states in the border area

Abstract. The article explores the possibility of extrapolating approaches to the legal category of the sovereignty of a state to the sovereign rights and jurisdiction of the state outside the state territory in order to establish the legal event of aggression against the state. An analysis of the doctrinal approaches to the legal content of the sovereignty of the state allowed to establish its relationship with the sovereign rights and jurisdiction of the state in relation to the legitimate interests in the economic use of spaces outside the state territory.

Key words: the sovereignty of the state, the sovereign rights of the state, the jurisdiction of the state, the legitimate interests of the state, the border area.

37. Chernyavsky A. G. Emergence and evolution of international law: multiculturalism, particularism, universalism — classification and terminology

Annotation. The purpose of this article is to analyze and summarize the development of international law that has taken place in recent years and relating to multiculturalism and dialogue among civilizations, integrating this development into the broader context of universalist and particularist trends in the formation of international law. Ultimately, the author sought to show that all this development is a modern expression of the primordial confrontation between the two above-mentioned trends.

The article begins with the analysis of intensive inter-civilizational relations, which played a great historical role in the formation of various norms of international law in its present form; then the author dwells on the particularist approach, initially practiced in European-style international law, traces the gradual expansion of its horizons — and culminates in the form of a universalist trend, expressed primarily in the Foundation Of the United Nations, the processes of decolonization and the relevant provisions of international law.

In addition, the article examines examples and specific legal procedures demonstrating how particularist tendencies were reconciled with the fundamental universalist approach, as well as analyzes the dialectical interaction between universalism and particularism, which underlies some of the institutions of international law known to us.

Keywords: multiculturalism, international law, universalism, particularism, tendency, historical epochs, extra-legal tendencies, international organizations.