

**Abstracts and keywords of articles,
published in the journal "Military law" in 2021**

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1. Evseev T. E., Morar O. S. Threats affecting border security in the Central Asian region and coordination of activities of border agencies of the CIS member States in modern conditions

Annotation. The article is devoted to the analysis of the most predictable probability of crisis situations on the external borders of the CIS member States. In this article, the authors consistently reveal a number of problems in the short and medium term in which it seems appropriate to concentrate the forces and resources of border agencies on the border with Afghanistan.

Keywords: border authorities, member States of the Commonwealth of Independent States, crisis manag

2. Malaev B. R. The issue of cooperation between the border authorities of the Federal security with the customs authorities

Abstract: the relevance of this topic is due to the presence of gaps in the legal regulation of issues of interaction between the border authorities of the federal security service and customs authorities.

The purpose of the article is to characterize the legal problems of interaction between the border authorities of the federal security service and customs authorities and to develop recommendations for overcoming them.

The study showed no unified normative legal act regulating the issues of cooperation between border authorities of the Federal security service and customs bodies, as well as the weaknesses identified in joint practical activities, in particular, the rapid exchange between the bodies of relevant information.

The proposed recommendations for solving the legal problems mentioned in the article can be used for further scientific development of the topic, as well as in law-making activities.

Keywords: border authorities, customs authorities, interaction, priority areas of interaction, joint operational search activities

3. Simakov A. A., Luchak E. A. Basic concepts of legal regulation of the activities of border agencies of the Federal Security Service to ensure compliance with the State border of the Russian Federation in the aggravation of the military-political situation on the territory of a neighboring state

Annotation. The article examines the process of the collapse of the USSR and the consequences that have a negative impact on the activities of border authorities to ensure compliance with the state border regime of the Russian federation, and also clarifies the concept of legal regulation of the activities of border authorities to ensure compliance with the state border regime in special conditions.

Keywords: activities, legal regulation, the regime of the state border.

4. German E. S., Tsybizova N. A. "Patriotism" as a novel of the Constitution of the Russian Federation and a moral guideline for the development of the younger generation of Russian citizens

Annotation. The article analyzes the novelties of the Constitution of the Russian Federation on patriotism as one of the traditional values of the state, and provides a comparative analysis of various forms of expression of patriotism of the Soviet people during the great Patriotic war. The conclusion is made about the need for further development of Patriotic education as a means of consolidating Russian society.

Keywords: patriotism, love for the Motherland, citizenship, moral guidelines, spiritual and moral education, Fatherland, the Great Patriotic war.

5. Damaskin O. V., Yasnitskaya M. I. Actualization of moral and legal consciousness and behavior of citizens and counteraction to criminal subculture and extremism in modern society

Annotation. Based on the review and analysis of the transformation of modern society, state and law, the crisis of moral and legal culture, the state of crime, extremism and corruption, the needs and opportunities of scientific criminal and legal support for countering criminal subculture and extremism in methodology and socio-legal practice are considered.

Keywords: legal culture, legal consciousness, crime, extremism, corruption.

6. Tuganov Yu. N., Aulov V. K., Stafeev G. M. Genesis of development of the judicial system of Russia: history of creation Justice of the Peace in the border areas of Siberia Russian Empire in the documents of the State Archive Trans-Baikal Territory

Abstract. Based on the Review of the materials of the State Archive of the Trans-Baikal Territory, the article analyzes the Judicial statutes adopted in the regions of Siberia and their impact on the formation of the Institute of World Justice in the border territories of the Trans-Baikal region.

Keywords: judicial system, world justice, border territories, judicial statutes.

7. Chepiga I. V. Introduction of a moratorium on the death penalty by the Constitutional Court of the Russian Federation

Annotation. The purpose of this article is to review and analyze provisions of the Russian Constitution, the European Convention for the protection of human rights and fundamental freedoms, decisions of the constitutional Court of the Russian Federation and other normative legal acts on the subject of the ban on the death penalty in the Russian Federation.

Keywords: Constitution of the Russian Federation, constitutional Court of the Russian Federation, international law, European Convention for the protection of human rights and fundamental freedoms, ratification of an international Treaty.

8. Zaikov D. E. Departmental control of the Ministry of Defense Of the Russian Federation in the field of procurement in relation to military organizations

Annotation. The article discusses the regulatory framework of control over the procurement of goods, works and services, and conducted comparative legal analysis of the regulation of organization and implementation by the Ministry of defence of the Russian Federation departmental control over procurement of military organizations with the features of its legal regulation of various regulatory legal acts in the sphere of procurement of goods, works and services. Problematic issues are analyzed and ways to resolve them are suggested.

Key words: military organizations, departmental control, inspections, purchases.

9. Zemlin A. I., Shibanova A. A. Topical issues of ensuring the effectiveness of public procurement for defense needs

Annotation. The article is based on the application of the methodology of systemic-functional approach investigated problematic issues of ensuring efficient procurement of goods and military products in terms of application of the legislation on contract system of public procurement, formulated proposals for improving the legal and institutional framework of procurement for the needs of defense, the implementation of which may contribute to optimization of budget expenditures, increase of the level of defense of the Russian Federation in the modern geopolitical situation

Key words: the needs of defence, the contract system, government procurement, goods, and military products

10. Ivanov R. V. Organizational and legal issues of implementation anti-corruption expertise of documentation on procurement of goods, works and services for the needs of the Armed Forces Of the Russian Federation

Annotation. The article deals with the organization of work on the implementation of anti-corruption expertise of documentation on the procurement of goods, works and services for the needs of military organizations. The subjects of this activity are identified, proposals for making changes and additions to the current legislation in order to form the regulatory framework for anti-corruption expertise are substantiated. It is shown that giving the anti-corruption expertise of procurement documentation a mandatory character will be an important preventive measure to prevent corruption in this area.

Keywords: documentation on procurement of goods, works and services for the needs of defense and military security; anti-corruption expertise of procurement documentation; contract system in the field of procurement of goods, works and services for state needs.

11. Koryakin V. M., Rybakova M. A. On the rule-making function of the Russian Defense Ministry and its subordinate federal executive bodies

Annotation. The administrative reform carried out in the system of executive power of the Russian Federation in recent decades, which also affected the so-called "power" bloc, has significantly changed the system and structure of state power in our country. Administrative transformations carried out in the period from 1991 to the present time are conventionally divided into three periods: 1) the political motive of the reforms of 1991-1999 was the need for a radical transformation of the Soviet system of state administration, including the military sphere; 2) The second stage, held in 2003-2005, was aimed at strengthening State and military power; 3) the third stage, which began in 2006, is politically focused on building an effective state and building military power in the country on the basis of a specially developed Concept of military reform. Today we are witnessing the fourth stage, which, after the introduction of significant changes to the Russian Constitution last summer, affects not only the executive, but also the legislative and presidential authorities

One of the main results of these stages was the formation of a fundamentally new structure of state power, first of all, the executive, when we formed federal agencies and federal services along with ministries. It is this issue – the relationship between the Ministry and federal services and agencies (within the framework of rule-making) that our article is devoted to (in relation to the Ministry of Defense of Russia).

Keywords: administrative reform; federal services, federal agencies; federal ministries; rule-making; executive power, legislative power, presidential power, military power; military administration

12. Petrov I. V. Administrative responsibility of individuals for migration offenses (legal analysis)

Abstract. Based on the scientific analysis of norms in the migration sphere, the article reveals the features of responsibility of individuals for administrative offenses in this area.

Keyword: administrative responsibility, individuals, foreign individuals, migration offenses.

13. Plegancki D. O. Modern state regulation of the involvement of military personnel to liability

Annotation. In a situation where the misconduct of a military officer has led not only to material losses, but also to the creation of increased danger to others and even to the death of one or more persons, criminal and material liability of military personnel is applied. Transferring a situation to the category of criminal does not provide an exemption from monetary compensation.

In addition to reimbursement of damage to property of the military also attracted to a disciplinary responsibility up to dismissal from military service, but under the above conditions

the penalty is illegal as well as the fact of damages and in this case it is necessary to prepare a claim for reinstatement in military service to protect their rights and interests in court.

Keyword: Material liability, military personnel, law, military law.

14. Redkous V. M., Duvanov N. Yu. Foreign experience of legal regulation of bringing legal entities to administrative responsibility for committing administrative offenses by border authorities (on the example of the CIS countries)

Abstract. Based on comparative analysis, the article shows the special features of the legal framework for bringing the border authorities of the CIS States to administrative responsibility of legal entities, identified a number of areas for using positive foreign experience in order to improve Russian legislation on administrative responsibility.

Keywords: national security; State security; legal framework; legal regulation; comparative law; border authorities; administrative responsibility; an administrative offence; Administrative Offences Proceedings

15. Babaytseva E. S. System of normative legal acts in the field of medical support for military personnel and employees of the National Guard of the Russian Federation

Abstract. One of the important elements of social security for military personnel and employees of various law enforcement agencies is medical support. This article will be devoted to the system of normative legal acts of the Russian Federation that regulate legal relations related to medical support for military personnel and employees of the national guard of the Russian Federation.

Keywords: the right to health protection, medical support, national guard troops of the Russian Federation, military personnel, employees.

16. Demchuk S. D. Some problematic issues of assigning pensions for the loss of a breadwinner-military pensioner

Abstract. The state has assumed social obligations to ensure the right of family members of a deceased pensioner to receive a survivor's pension. However in practice, due to shortcomings in the regulation of pension legal relations, there are difficulties in deciding on the assignment of this type of pension. Especially often they are faced by widows of military pensioners. In this regard, we suggest ways to solve this problem.

Keywords: dependency; source of livelihood; the total income of the spouses; needs.

17. Colleget E. S., Fedak E. I. Legal aspects and implementation of the training potential of mentoring in the system of professional and official training of officers of military missions of the Ministry of Defense of the Russian Federation

Annotation. The article deals with problematic issues of legal regulation of the Institute of mentoring in the Ministry of defense of the Russian Federation. A detailed analysis of the regulatory documentation is carried out, various problems and contradictions that require clarification and systematization of the process as a whole are considered and identified. The author's pedagogical model of introducing the basics of the mentoring Institute in the system of professional and official training of military missions of the Ministry of defense of the Russian Federation is formed. The role and significance of the mentoring concept for the formation of highly professional potential and guarantee of quality control over the implementation of the State defense order is shown.

Key words: mentoring Institute, professional and job training, military missions, state defense order, training of military personnel.

18. Lychev D. I. Some issues of compulsory personal insurance of military personnel and law enforcement officers

Annotation. The article deals with the issues of insurance of military personnel and law enforcement officers. the legal and financial aspects of this topic are discussed. The features of underwriting in these legal relations are highlighted. Some suggestions are made to improve the legal regulation in this topic

Keywords: compulsory personal insurance, military law, disability, insurance payment, insurance organization, soldier, injury, trauma, contusion.

19. Borisov A.V. On some aspects of the goals of criminal punishment in the Russian Federation

Annotation. The article deals with such a criminal-legal problem as the purpose of punishment. The characteristic of the goals of punishment is given, their content and features are revealed. The points of view of various scientists on this problem are given. The article gives a certain assessment of the punitive policy of the Russian Federation at the present stage.

Keywords: punishment, goals of punishment, punitive policy, prevention of crime, restoration of social justice, means of correction of the convicted person.

20. Girko S. I., Kharchenko S. V. Some features of interaction of investigative bodies of the IC of Russia with operational divisions of the Federal Penitentiary Service of Russia

Annotation. The article considers the reasons that indicate the need for interaction between the investigative bodies of the IC of Russia and the operational units of the Federal penitentiary service of Russia. The concept of coordinated activity of investigators of the IC of Russia and employees of operational units in the detection and investigation of crimes committed in places of forced detention is given. Attention is focused on the role of the heads of the IC of Russia and the operational units of the Federal penitentiary service of Russia in organizing the investigation of the crimes under consideration. In addition, the main organizational-managerial and organizational-tactical forms of interaction are described in detail

Keywords: investigative bodies, Investigative Committee, operational divisions, Federal penitentiary service of Russia, interaction, investigative and operational groups, organizational and managerial and organizational and tactical forms, coordinated activities.

21. Журавлев Д. С. Актуальные проблемы процессуального положения начальника органа дознания и дознавателя Вооруженных Сил Российской Федерации, других войск, воинских формирований и органов

Annotation. The article examines the issues of uncertainty of the training and appointment of investigators in military units, bodies of inquiry and investigators, the lack of procedural autonomy of the investigator and the inquiry body, the relevance of the examination as a means of verification the uncertainty for the investigation and the measures of procedural coercion and measures to be taken to effectively address the challenges faced by body of inquiry.

Keywords: the body of inquiry, investigator, process, crime, law.

22. Kovalenko O. O., Shulgin I. V. Forensic examination of human odor traces (legal, organizational, tactical and methodological aspects)

An abstract. The order, legal grounds for the appointment and production of examination of human odor traces are considered. The features and stages of its production are highlighted. Recommendations have been made to investigators (interrogators) to assess the expert's opinion, which carried out an examination of the person's odor traces and its implementation during the investigation of crimes.

Keywords. Examination of human odor traces, odorous samples, objects-carriers of odor traces, comparative samples of odorous substance, categorically negative conclusion about the identity, categorically positive about the identity

23. Mahanova R. M. The relationship between the concepts of strategy and tactics in the theory of prosecutorial supervision

Annotation. The article reveals the concepts of "strategy" and "tactics" of prosecutor's supervision, reveals their role in improving the effectiveness of prosecutor's supervision and prosecutor's activity in general. The author's definitions of the concepts "strategy of prosecutor's supervision" and "tactical thinking" are formulated. The author's scheme of development of tactics, the application of which is possible in the activities of prosecutors and representatives of other professions, is proposed.

Keywords: strategy of prosecutor's supervision, tactics of prosecutor's supervision, tactical thinking, bodies of Prosecutor's office of the Russian Federation.

24. Ovcharov A.V. On criminal law approaches to the assessment of "friendly fire"

Abstract. The article is devoted to the consideration of the phenomenon of «friendly fire» in modern military conflicts and the development of general criminal-legal approaches to its assessment. The article analyzes the causes of «friendly fire», discusses its types and provides the most famous cases of «fire on their own» in military history. The article contains recommendations for determining the guilt of persons who committed cases of «friendly fire» and compares the phenomenon under consideration with the criminal-legal category of extreme necessity.

Keywords: Military conflict, «friendly fire», guilt, forms of guilt, security, objective imputation, criminal responsibility, crime, extreme necessity.

25. Parshakov A. S. Some aspects of the study of latent criminality of military personnel in the field of corruption manifestations

Annotation. The article considers modern approaches to the study of latent criminality of military personnel in the field of corruption. The study and analysis of military corruption allows us to determine the levels of its penetration into the army environment, including its latent nature. At the same time, the values and levels of corruption indices are determined based on the results of a sociological survey of military personnel. It is emphasized that the assessment of the corruption index is based on a comprehensive study of special criteria. The article summarizes the results of this study and draws conclusions about the nature and degree of latency of this type of crime in military units.

Keywords: latent crime of military personnel, corruption manifestations, corruption index, sociological survey.

26. Popov A. A. Some issues of criminal liability of servicemen of the National Guard for violation of the rules of service special types of military service

Annotation. The article examines certain types of special services that are performed by the military personnel of the National Guard troops, analyzes the peculiarities of bringing to criminal responsibility the military personnel of the National Guard troops for violating certain types of special services, and also suggests ways of solving them by making changes to Art. 343 of the Criminal Code of the Russian Federation.

Key words: troops of the national guard, special types of service, criminal liability of military personnel.

27. Sudenko V. E. Problematic issues of qualification of socially dangerous acts

Annotation. The article discusses certain problematic issues that arise among law enforcement officers when qualifying certain socially dangerous acts. The main reason for inappropriate qualifications is the lack of legislative practice, ignorance of the discussion of laws by practitioners and the general scientific community. In fact, the one who develops the draft law is the one who promotes his options, sometimes poorly understanding the purpose of the proposed changes and whether they will work in favor of combating crimes.

Key words: socially dangerous act; crimes; qualification; criminal law; gaps in legislation

28. **Tuganov Yu. N., Yakovets E. N.** Crimes in the field of border activity and their operational and search characteristics

Abstract. In the article, the authors investigate crimes in the field of border activities and their operational-search characteristics. The main factor in the growth of the number of crimes in the border sphere is the predominance in the minds of a significant part of those involved in them of a state of frustration, feelings of envy, manifestations of criminogenic properties against the background of maintaining a fairly high level of legal nihilism and a clear awareness of impunity, which is very characteristic of the Russian mentality.

Keywords: operational-search activity, border activity, crimes in the border sphere, border authorities.

29. **Chukin D. S., Fartukov D. N.** Features of the qualification of violence as a method of committing crimes against military service

Summary. The article examines violence as the most dangerous method and at the same time a constructive feature of the objective side of individual military crimes. The authors come to the conclusion that socially dangerous acts that infringe on subordination relations and military statutory relations are subject to different legal criminal-legal assessment, based on the violence used by the perpetrators. It is proposed to balance the dispositions of articles 333 and 334 of the criminal code of the character used in them violence, by the inclusion of the term threat as a means of committing a crime. In addition, in order to avoid an expanded or narrowed interpretation of criminal law, it seems appropriate to Supplement the General part of the criminal code with a separate article "Basic concepts used in the Criminal code", which includes the definitions of "physical violence" and "mental violence".

Key words: military crimes, method of committing a crime, violence, threat of violence, physical violence, mental violence.

30. **Vetoshkin P. A.** Experience of foreign states in the sphere of legal regulation use of weapons and special means on international routes

Annotation. This article proposes to consider the results of the analysis of the legal assets of the United States of America, the State of Qatar, the Italian Republic, the Federal Republic of Germany, regulating the use of weapons and special means by military personnel of border agencies.

Key words: grounds, prohibitions, the right of discretion, the principle of proportionality, the order to use weapons, military personnel of the border authorities.

31. **Lychev D. I., Shabaev V. V.** Law on Maritime Discipline 1957. Characteristics and history of creation

Annotation. The article analyzes the legal regulation of the Royal Navy of Great Britain and the structure of the Law on Naval Discipline of 1957. The history of the creation of laws governing the Royal Navy of Great Britain is considered.

Keywords: Great Britain, Royal Navy of Great Britain, Naval Discipline Act 1957, Oliver Cromwell, Charles II Stewart, Jacob II Stewart.

32. **Trishkin D. I.** Organized crime in the states of the Korean Peninsula

Annotation. The choice of the topic of this article is due to the need to disclose the problem of organized crime on the Korean Peninsula due to the lack of sufficiently complete information about this social phenomenon, especially in the Democratic People's Republic of Korea. The

author made an attempt to collect information available on the Internet and other places about the state of organized crime in the states of the Korean Peninsula, to generalize them and try to give an objective, in his opinion, an idea of the state of this type of crime in these countries, affecting some other states located in the East Asian region. A brief analysis of the types of organized crime, the main directions of its criminal activity and the main sources of criminal income of organized criminal groups and criminal communities is carried out. An attempt is made to trace the possible connection of organized crime with the state bodies of a particular country. The role of organized crime in the DPRK in poaching in the territorial waters of Russia with the provision of armed resistance to border authorities that suppress such acts is revealed.

Key words: Republic of Korea; DPRK; crime; organized crime; attacks on border guards; types of criminal activity.

33. Chernyavsky A. G. Positions of Western scientists as a justification for violating the sovereignty of individual states when interfering in its internal affairs under the pretext of establishing " minimum democratic standards»

Annotation. The article presents the author's view on the legality of international law from the point of view of the theory of law as the norms of coordination of interests. The author evaluates the views of Western scholars in the field of international law, in their assessment of state and national sovereignty. The author analyzes what is the driving principle of international law: the sovereignty of individual States or the idea of " minimum democratic standards " that should be established by interfering in their internal affairs. the author believes that any attempts to assign a monopoly value to these standards are condemned, of course, in advance to failure, since to reduce the whole essence of international law to the idea of a single or " established " value approach, to see in this idea a predestination of a kind of fatal necessity for individual states, while there is no logical need to believe that a state outside the framework of the so-called "developed western democracy" can not be thought of — hardly seems scientifically correct.

Keywords: sovereignty, international law, democracy, minimum democratic standards, coordination of interests, human rights.

34. Shoev Sh. R., Jabborov F. N. Some aspects of the implementation of the norms of the Statute of the International Criminal Court in the criminal legislation of the Republic of Tajikistan

Annotation. The article discusses some aspects of the implementation of the Statute of the International Criminal Court (ICC) in the Criminal Code of the Republic of Tajikistan. Defining the jurisdiction of the ICC, the authors disclose the content of the principle of additional jurisdiction. By comparing the norms of the ICC Statute and the norms of the Criminal Code of the Republic of Tajikistan, the authors came to the conclusion that the norms of this international legal act are not fully implemented in the national criminal law. In this regard, some recommendations are proposed for improving the last chapter of the Criminal Code of the Republic of Tajikistan, which establishes criminal liability for international crimes.

Keywords: Statute of the International Criminal Court, Criminal Code of the Republic of Tajikistan, genocide, aggression, armed forces, CSTO member states, statutory crimes, criminal liability.

35. Glukhov E. A. Methodology of military-legal research

Conclusion. Well-known specialists and teachers in the field of Military-Legal Sciences. Zemlin and V. M. It is a commentary to the textbook and seminars "methodology of military-legal research", prepared by Koryakin. In the textbook, the content of the training course on the discipline of the same name, which is taught in the attachments of military educational institutions in the specialty "military law", is systematically described. The book is also intended for applicants of scientific degrees in this specialty.

Keywords: military-legal science; military law; military-legal science methodology; appendix; applicant.

36. Kholikov I. V. Modern trends in countering criminal subculture and extremist manifestations

Abstract. The article gives a review on the collection of the conference papers “Criminality in the XXI Century: Resistance to Criminal Subculture and Extremism Manifestation” under the general edition of the Corresponding Member of the Russian Academy of Sciences A.N.Savenkov.

Keywords: security, globalization, national interests of the Russian Federation, criminal subculture, criminality, extremism manifestation.