Annotation. The article deals with the history of the Department of Labor Law and Social Security Law of the Moscow of the state of juridical of the University named after OE Kutafina and dedicated to the 8th 5th anniversary of the University

Resume: The article is devoted to the consideration of the membership of the Russian Federation in the Council of Europe, including the history of joining this international organization, as well as the assessment of the results of twenty years of membership. The article was prepared on the basis of personal conversations between the author and some of the participants in past events, as well as experts in the field of European and international law .

Annotation. The author examines the issues of the Council of Europe's influence on the sovereign rights and legal order of the member states through the institutional and legal mechanisms of the organization. The author states that the interaction of the Council of Europe with the member states is based on the observance of the principle of non-interference in the internal affairs of states and their sovereignty, taking into account modern international legal practice related to the narrowing of the exclusive internal competence of states, especially in the field of human rights. Particular attention is paid to the activities of the European Court of Human Rights, the application of the 1950 Convention for the Protection of Human Rights and Fundamental Freedoms, and their impact on the legal systems of the member states. It is emphasized that through the legal positions of the Court, the Council of Europe directly or indirectly influences the legal order of its member states, harmonizing their legal systems and law enforcement practices. The author notes that membership in the Council of Europe, in turn, contributes to the construction of a common vector of cooperation between the participating states, the development of their legal order.

Annotation. The article is devoted to the analysis of the problem of resolving conflicts between the norms of the Constitution of the Russian Federation and the decisions of the European Court of Human Rights. The conclusion is made about the unconditional need to execute the decisions of the European Court of Human Rights. Using specific examples, it is shown that a possible conflict between the norms of the Constitution of the Russian Federation and the Convention for the Protection of Human Rights and Fundamental Freedoms is illusory, since the norms enshrined in the Constitution of the Russian Federation do not contradict the provisions of the European Convention for the Protection of Human Rights and Fundamental Freedoms. A mechanism is proposed for resolving these contradictions by introducing the institution of revising the decisions of the Constitutional Court of the Russian Federation, in connection with the adoption by the European Court of Human Rights of the decision in the final form. The conclusion is made about the inadmissibility of consideration by the Constitutional Court of issues related to the consideration of cases on checking the constitutionality of the judgments of the European Court of Human Rights, since this contradicts the norms of international law.

Annotation. The article analyzes the relationship between the norm-setting activities of the Council of Europe and the Bologna process aimed at creating the European Higher Education Area (EHEA).

It is substantiated that the Council of Europe stood at the origins of the Bologna process and plays an active role in it at the present stage. The author analyzes the mechanism for the recognition of educational qualifications under the 1997 Lisbon Convention of the Council of Europe / UNESCO (Convention on the Recognition of Educational Qualifications Relating to Higher Education in the European Region).

The innovations of the Bologna Process in the higher education systems of European states are also analyzed and critically assessed and, on this basis, alternative approaches to the further development of the EHEA are proposed.

Resume: The article is devoted to the analysis of the interaction of international legal and Russian criminal procedural norms under the 1864 Charter of Criminal Procedure. and current legislation. The Charter laid the foundations for the implementation of international norms in the field of criminal proceedings. In the Russian Empire, the principle of priority of the norms of national law over the norms of international law operated. In the modern Code of Criminal Procedure of the Russian Federation, the opposite principle of the priority of international law norms over national law operates, which causes certain difficulties in law enforcement practice. First of all, this is due to the fact that, in contrast to the Charter of Criminal Procedure, where only international treaties with foreign powers were applied, in modern criminal procedure the list of international legal principles, norms and treaties that should be applied is quite wide. The article provides examples showing a significant, but controversial impact on the national legal system of international legal norms. The author concludes that it is necessary to create a certain mechanism to avoid and eliminate conflict situations, to create conditions for the implementation of international law in national legal relations. Research methods: · general methods of cognition (dialectical method); · General scientific means (comparative legal method, structural-functional method, systemic method, method of formal-logical research, method of theoretical analysis and synthesis of various sources of literature, method of generalization of information and materials obtained, conclusions); · Private - scientific means (method of comparative study, historical method) and special legal means (formal legal method, methods of comparative jurisprudence, interpretation of law, generalization of judicial practice). The article compares the 1864 Charter of Criminal Procedure. and the current legislation on the application of international legal norms in the field of criminal proceedings. To prevent and eliminate conflicts arising from the application of international norms in the Russian criminal process, a proposal is made on the need to develop a legal mechanism to avoid and eliminate conflict situations, to create conditions for the implementation of international law in national legal relations.

Annotation. *The article is devoted to investigation of current problems, communication n GOVERNMENTAL with the prospective introduction into the domestic legal system, and n tute family reunification of foreign nationals. Distinctive Th p you the phenomenon of family reunification are analyzed through the prism of the Internat as native and foreign experience in the field of MIGR and tion, as well as the current state of the domestic migration of legislation. Highlights the problem of unequal status of the sponsor and his family members, to the list of toryh proposed to determine on the basis of a family of Legislative regulations and stances about the alimony of obligated faces. In order to eliminate the existing terminological uncertainty and legal defects offers small and Gaeta new definition of the institution of family reunification. In conclusion, necessity of improving the normative and to the comrade on the Legal Status of Foreign grazh given to the Russian Federation in terms of refinement before e fishing and in the order of a connection: the requirements that must satisfy a ryat sponsor and guided them to the application for reunification; the list of types of documents, legalizing migrants living and chl e new families in the territory of receiving State; restrictions on repeated and chain - linking of families of foreign citizens.*

Annotation. *At the present stage, in the context of an aggravated geopolitical situation, the process of transformation of the institution of citizenship in the Russian Federation is taking place . In this regard, it seems necessary to overcome the negative tendencies in the sphere of legal regulation of this institution.*

In particular , it is proposed to separate the concepts of "dual citizenship" and "second citizenship" , which will make it possible to distinguish between the status of persons holding Russian citizenship and citizenship of a foreign state with which the Russian Federation has concluded or does not have an appropriate agreement.

The necessity of changing the approach to the definition of the notion of a native speaker of the Russian language used in the law on citizenship is substantiated .

Analysis of scientific views on the criteria for classifying an act as a crime and law enforcement practice allows us to conclude that it is inadmissible to introduce the institution of criminal liability for failure to notify a citizen of a state body about the presence of another citizenship or a document for the right of permanent residence in a foreign state, without taking into account his attitude to public or military service and specific features.

Annotation. The current Federal Law "On the State Civil Service of the Russian Federation", along with general rules on disciplinary liability of civil servants for committing disciplinary offenses, contains special rules governing the application of penalties for corruption offenses . In this regard, the literature provides various points of view on the nature of responsibility and for this kind of offense. It is well known that the nature of legal liability for certain offenses predetermines the nature of the underlying misconduct. When comparing the composition of elements d istsiplinarn th misconduct and corruption offense and can come to a conclusion about their considerable similarity in the presence, however, some specific features of individual constituent elements of corruption offenses . Thus, a corruption offense is a special kind of disciplinary offense and is expressed in non-compliance by civil servants with restrictions and prohibitions, requirements to prevent or resolve conflicts of interest and failure to fulfill obligations established by law in order to counter corruption. At the same time, there are no sufficient grounds for recognizing the responsibility of civil servants for committing corruption offenses as an independent type of legal responsibility . D c' This liability may be regarded as a disciplinary responsibility for corruption about mortar, established by law as a legal means to prevent and combat corruption in the civil service.

Annotation. The principles and terminology in electronic dokumentoobor plane of that the legislator does not pay enough attention. This area requires not a formal, but an essential approach. It is stated that in the current regulatory legal acts and standards there is a systemic lack of coherence of such terms and concepts as "original document", "copy of a document", "electronic image of a document"

and "electronic copy of a document". It is substantiated in detail that a uniquely defined concept can only be a copy of an electronic document on paper. The author states the absence of the concepts "original" and "copy" in relation to any digital document. In order to ensure an adequate level of information security and long-term preservation of electronic documents, it is proposed to introduce into legal circulation the definition of "backup copy of an electronic document" or "backup copy of an information carrier". In the context of the terminological vacuum in the field of circulation of documents in electronic form, the current principles are analyzed. In contrast to the European principle of equivalence of electronic and paper documents, the Russian legislation is dominated by the alternative priority of information contained on paper. In addition to certainty and proper unification of terminology and conceptual apparatus, the importance of establishing uniform principles for organizing electronic document management is emphasized .

Resume: The article examines the content and interconnection of the concepts: "the right to use natural resources", "the right to use forests", "the right to access natural resources . " The concept of "nature use right" is investigated as one of the main institutions in the theory of the science of environmental law, its characteristics and types. It also analyzes the content of the concept of "forest use right" - a special type of nature use right.

Resume *:* The article, in the light of the amendments to the legislation on the development of small and medium-sized businesses, examines the legal status of small and medium-sized businesses, the problems of legal support to support small and medium-sized businesses, as well as the legal status and functions of the joint-stock company "Development Corporation small and medium-sized businesses ".

Annotation. *The article is devoted to the role of the concept of decent work in the integration processes in the Eurasian Economic Union (EAEU), as well as the consideration of cooperation and analysis of acts of interaction between the International Labor Organization (ILO) and the EAEU member states in the implementation of the fundamental provisions of the ILO concept of decent work. The article provides a detailed analysis of national programs for decent work*

and cooperation programs of the EAEU countries, on the basis of which general and particular problems are identified for promoting the concept of decent work within the framework of regional integration. Special attention is paid to the existing and possible mechanisms of legal regulation of the EAEU in relation to labor and social security. There is a high degree of flexibilization of the concept of decent work , which allows transforming strategic objectives, taking into account the national characteristics of each individual EAEU country, putting it into various forms of interaction, taking into account the specifics of such a partnership . Based on the cumulative analysis of the national priorities of the EAEU member states, it is proposed to develop and adopt a program for decent work in the Eurasian Economic Union, aimed at effectively promoting the strategic objectives of decent work, both at the supranational level and within each individual country.

Annotation. The author of the study supports the position of scientists about the presence in the activities of an investigator of signs of covert proceedings and believes that in modern conditions, without covert criminal proceedings, effective investigation of crimes is simply impossible. In this case, covert proceedings are understood as all activities in a criminal case (operational- search and criminal-procedural), which have signs of secrecy and confidentiality. Taking into account the named signs of covert proceedings, the author proposes his own classification of the actions under consideration, discloses general signs of covert operational- search and investigative actions and decisions. The author divides the production of covert operational- search measures in a criminal case into relatively and completely covert, and the production of covert investigative actions and the adoption of covert decisions, depending on the degree and goals of covertness, is differentiated into completely covert, relatively covert and confidential. It is concluded that it is necessary to revise modern legal doctrines towards the integration of operational investigative and criminal procedural activities

Annotation. The article analyzes the approaches to determining the basis for classifying evidence into direct and indirect, set out in the domestic criminal procedural literature. The author of the article expresses critical judgments regarding the understanding shared by a number of procedural scholars as the basis for this classification of the relationship of evidence to the general subject of evidence, which is currently enshrined in article 73 of the Code of Criminal Procedure of the Russian Federation. At the same time, the author considers it more correct and consistent with the traditional understanding that has developed in domestic criminal procedural science, the consideration as the basis of this classification of the relationship of evidence to the main fact (i.e., the guilt of a certain person in committing a specific crime), as the most important element of the subject of evidence on a specific criminal case. Based on this approach, the author proposes, as a basis for classifying evidence into direct and indirect, to understand the place of the fact established by the evidence in the structure of the subject of evidence in a specific criminal case, referring to direct evidence that directly establishes the main fact by its content, and to indirect evidence, establishing also directly by their content only auxiliary (intermediate, evidentiary) facts, with the help of which in the future it is necessary to make inferences about the main fact.

Resume: The article analyzes the subject of such an investigative action as control and recording of telephone and other conversations. The relevance of this issue is due to the fact that the wording of Art. 186 of the Code of Criminal Procedure of the Russian Federation does not give an unambiguous answer to the question of which negotiations can be controlled during the investigative action under consideration. This issue has not been resolved at the theoretical level either, which significantly complicates law enforcement practice. Analyzing the legislative formulations, applying a systematic method of interpretation, the author comes to the conclusion that in the course of the investigative action under Art. 186 of the Code of Criminal Procedure of the Russian Federation, negotiations conducted exclusively by means of telecommunications can be controlled. It is argued that such negotiations should include not only voice, but also non-voice messages. Proposals

are formulated to change the legislative wording of the definition of the specified investigative action, bringing it into line with both the legislation in the field of communications and with modern realities.

Annotation. The article deals with certain problems of qualification of mediation in bribery and the imposition of punishment for it, taking into account the practice of applying Art. 291.1 of the Criminal Code of the Russian Federation and the provisions of the resolution of the Plenum of the Supreme Court of the Russian Federation dated 09.07.2013 No. 24 "On judicial practice in cases of bribery and other corruption crimes."

Attention is drawn to the contradictory approaches to the question of whether the amount of a bribe is obligatory for criminal prosecution under Art. 291.1 of the Criminal Code. Similar approaches are encountered when deciding on the possible retraining of complicity in receiving or giving a bribe to mediation in bribery, and vice versa. The higher courts allow such retraining in some decisions, but not in others.

The excessive severity of some sentences in terms of the amount of the fine for mediation in bribery is stated, which makes the sentences imposed initially impracticable.

The answers to these and other controversial issues arising in the practice of applying Art. 291.1 of the Criminal Code of the Russian Federation, to reflect in the new edition of the resolution of the Plenum of the Supreme Court of the Russian Federation "On judicial practice in cases of bribery and other corruption crimes."

Annotation. The article is devoted to a comprehensive study of the legal framework for combating corruption in China. The article considers the provisions of the current acts of lawmaking in the area under study: the Constitution of the PRC, the Criminal Code of the PRC, current laws and by-laws, party and departmental documents. Conclusions are drawn about the possible use of the experience of the Chinese state in the fight against corruption, in particular with regard to the return to the criminal law of the Russian Federation of the institutions of confiscation of

property and criminal liability of legal entities for corruption crimes. It is noted that the Russian society is not ready to use capital punishment for corruption (following the example of the PRC), a serious increase in the material salaries of civil servants (following the example of Singapore). The negative side of the Chinese experience is the comprehensive overregulation of the activities of an official in terms of his expenses, which leads to an increase in the level of bureaucracy in the system of government bodies. Much attention in the study is paid to the role of the ruling Communist Party in the eradication of corruption in Chinese society. The necessity of studying the PRC's legislative experience in the field of combating corruption for its application by the Russian legislator, taking into account the national specifics of the domestic legal culture and law enforcement practice, is stated.

Abstract: in Dunn to Article conducted an analysis of the legislator approach to the construction of the sanctions of criminal - legal norms of the criminal legislation of the Russian Federation , providing for liability for sexual crimes against sexual inviolability of minors .

Annotation . Crimes committed by medical professionals are among the most difficult crimes to disclose and investigate. Crimes in this category usually cause a great public response, which requires a high level of training from law enforcement agencies in order to investigate them. In the event that a crime was nevertheless identified, the preliminary investigation bodies may face a high degree of opposition from the interested parties. Unlawful placement of a person in a psychiatric hospital is no exception. The importance of effective investigation of this category of crimes is associated with the vulnerability of the human psyche and the observance of the constitutional rights of citizens. Due to the gaps in forensic support for the disclosure and investigation of the investigated group of crimes, problems arise both at the stage of initiation of criminal cases and at the initial stage of investigation.

It is the algorithmicization of the activities of authorized subjects of the criminal process that will make the preliminary investigation as effective as possible, which means it will contribute to the implementation of the principles imposed by

the criminal procedure legislation on the preliminary investigation bodies and, ultimately, will contribute to ensuring the proper level of constitutional rights of persons who protect a person from unlawful restriction of freedom, his right to receive medical care, as well as the right to refuse to receive it.

Annotation. This article examines the essential properties of the legal system of the Kyrgyz Republic during the transition period. The study of the essential properties of the system of law is based on the application of the methodology of general systems theory, namely reductionism and integrativism . The article analyzes such basic properties of the legal system as integrity, hierarchy, objectivity and dynamism, reflecting the changes taking place in the Kyrgyz Republic during the transition period. As a result of the theoretical and legal analysis of normative legal acts regulating the law-making process in the Kyrgyz Republic, the author substantiates the position that the law-making process often does not take into account such essential properties of the legal system as synergy, multiplicativity and non-additivity , which are important in the scientific examination of projects. regulatory legal acts. On the basis of the study, the author proposes to include in the regulatory legal acts regulating lawmaking in the Kyrgyz Republic the principle of compulsory consideration of the results of scientific expertise when adopting draft regulatory legal acts, in order to improve the legislative system.

Resume : the article examines the possibility of implementing the implied competence of one of the main UN bodies - the Security Council on the example of the creation of international tribunals - the International Tribunal for the Former Yugoslavia and the International Tribunal for Rwanda, as well as the legality of the creation of the tribunal in connection with the crash of Boeing MH17 Malaysian airlines over the territory of Donbass ...

Annotation . Large-scale events of global significance that took place after the end of World War II and the victory of mankind over fascism, radically changed the existing world order. These changes have affected not only the political map of the world, but also the general climate of the planet, due to the creation and subsequent development of a new universal platform for international cooperation of states - the United Nations Nations, which not only knitting - maet central place in the system of inter-state op - -organization, but also plays a crucial role in modern international political development.

In the light of the latest X events - exacerbation of existing and creation of new international conflicts, the threat of international terrorism in the name of "Al-Qaeda" and "Islamic State," the massive and flagrant violations of human rights as a result of past activity - more than ever pressing issue of improvement of the UN and its adaptation to a serious change in the international political landscape. The Organization faces additional tasks, for the solution of which it is necessary to improve the existing ones, moreover, to create new functioning mechanisms. The issue of reforming the organization is ripe.

The conversation about the urgent need for changes in the Organization has been going on for a long time, but at the beginning of the new millennium this topic has become especially relevant. Obviously, in the current highly complex international situation, the main focus of attention in this process should be focused on reforming the UN Security Council, as the main body responsible for maintaining international peace and security.

The article discusses possible models for improving the activities of the body, namely, the expansion of its membership, the problem of working methods, including the use of the institution of the veto, and also analyzes the positions of the Organization's member states on the reform of the UN Security Council. In the conclusion, it is especially noted that there is no alternative to solving existing problems with the help of multilateral diplomacy and the special role of the UN in this process as a unique international platform for cooperation between the states of the world community.