

**Abstracts and keywords of articles,  
published in the journal "Military law" in 2023**

**2023. № 1**

**1. Merkuriev V.V., Zakomoldin R.V. Criminal legal support of biological security as an element of national security**

**Annotation.** The article is devoted to the problem of ensuring biological security as a critical element of national security by criminal law means, its close relationship with military and public security. Both criminal legislation and special legislation and acts of international law on biological safety are analyzed. The conclusion is made about the need for systemic changes and additions to the Criminal Code of the Russian Federation, which are overdue in modern geopolitical conditions.

**Keywords:** national security, biological security, military security, criminal policy, weapons of mass destruction, sabotage, bioterrorism.

**2. Ovcharov A.V., Kozlov A.V. Protection of competition in the context of ensuring the military-economic component of national security**

**Abstract.** The article is devoted to the consideration of a number of issues related to the protection of free competition in the context of ensuring the national security of the Russian Federation. The author gives a general picture of the state of competition and pays special attention to the protection of competition in the field of procurement for state or municipal needs and in the field of implementation of the state defense order, as the most significant type of procurement activity. The article analyzes new criminal law norms, makes extensive use of official statistics and the practice of the Federal Antimonopoly Service on complaints and inspections.

**Keywords:** national security, economy, state and municipal procurement, state defense order, restriction of competition, criminal law protection, cartel conspiracy, antimonopoly legislation.

**3. Slivkov A.S., Shnyakina T.S. Order of the FSB of Russia dated November 4, 2022 No. 547 in the system of ensuring the national security of the Russian Federation**

**Abstract.** Based on the analysis of legislation in the field of information and national security of the Russian Federation, the article defines the subject and objectives of the legal regulation of the order of the FSB of Russia dated November 4, 2022 No. 547, its place and role in the system of measures to ensure national security to limit and prevent foreign interference in the internal affairs of the Russian Federation.

**Keywords:** order of the FSB of Russia No. 547, national security, foreign agent, state secret, official secret in the field of defense, information in the field of military activities, dissemination of information, administrative liability in the field of communications and information, espionage.

**4. Glukhov E.A. Methods and forms of legal regulation of military-managerial relations**

**Abstract.** The article analyzes the theoretical aspects of the means and methods of legal regulation used in the field of military administration, reveals their specificity in relation to the mechanism of legal regulation used in public administration. The specific manifestations of forms and methods of legal regulation in the military environment include such features as the focus on the use in emergency legal regimes (emergency and martial law, counter-terrorism and special military operations). In some cases, the orders of the military authorities are addressed to subjects not subordinate to them and are also mandatory, which indicates their authoritarianism.

**Keywords:** military administration, means and methods of management, legal regulation, military relations, military service.

## **5. Pankratov V.N., Synkov N.V., Grishaev S.S. Legal support of volunteerism as a form of expression by citizens of solidarity with the actions of the state in the protection of national interests: history and modernity**

**Annotation.** The idea of the article is determined by the needs of the state in finding motives for involving civil society in solving military tasks while protecting the national interests of the state. The process of denazification and demilitarization of Ukraine initiated by Russia met with fierce resistance from the leading NATO countries, expressed in the provision of comprehensive military assistance to Ukraine. In a situation of excessive risks, dangers and threats to national sovereignty, a citizen has the right to prove his loyalty to the Motherland, the highest form of which has historically been recognized as voluntary participation in hostilities. The article provides a brief analysis of the historical prerequisites of volunteerism and, from these positions, comments on the innovations of the Federal Law "On Defense" in the part concerning the creation of volunteer formations and their participation in the defense of the country.

**Keywords:** volunteering, volunteer, volunteerism, militia, mercenary, national interests, protection of the Fatherland, defense of the country, volunteer formations.

## **6. Shamarov V.M., Shamarov P.V., Sovereign statehood as a special type of statehood in the conditions of Russia's special military operation in Ukraine**

**Abstract.** The article examines the essential content of such important political and legal concepts as "statehood" and "sovereignty", as well as the existence of an objective relationship between them. The possibility of transforming statehood (during a certain period of functioning of a truly independent actor) into a special form of it - sovereign statehood, the author's definition of which is also proposed, is substantiated. The content of statehood highlights and reveals its key features, arguing the objectivity of formation and the need to develop the concept of sovereign statehood in the course of Russia's implementation of a special military operation in Ukraine.

**Key words:** principle of global trinity, sovereignty, national security, national interests, national idea, sovereign statehood, concept of sovereign statehood, special military operation

## **7. Alexandrova N.G. On ensuring the safety of the population, taking into account the conduct of a special military operation**

**Abstract.** Since February 24, 2022, the Russian Federation has been conducting a special military operation on the territories of Ukraine, the Donetsk People's Republic and the Luhansk People's Republic. Since that period, the armed forces of Ukraine have intensified their illegal activities in these territories, as well as in the territories of the subjects of the Russian Federation adjacent to the listed areas, exposing civilian infrastructure facilities and residential houses of citizens to shelling, among other things. These facts entail numerous casualties on the part of the civilian population. Taking into account these circumstances, the urgency of ensuring the protection of the population of our country is currently high, including through the organization of the functioning of protective structures.

**Keywords:** defense, civil defense, special military operation, defensive structures, military security.

## **8. Kirichenko N.S., Babaytseva E.S. Legal status of subjects of medical support of the National Guard troops of the Russian Federation**

**Abstract.** The establishment of the legal status of subjects of this type of legal relationship is of great importance in the system of medical support for military personnel. In turn, the legal status of these entities establishes their rights and obligations. In this article, the issues of the legal status of the subjects of medical support of the National Guard troops of the Russian Federation, which include medical organizations of the department, persons providing medical care, as well as to whom such assistance is provided, will be considered.

**Keywords:** military service, National Guard troops, medical care, subjects of medical support

## **9. Glukhov E.A. Territorial bodies of military administration Armed Forces of the**

## **Russian Federation**

**Abstract.** The article analyzes the legislation on the structure of the Armed Forces of the Russian Federation, identifies various types of military formations, establishes the nature of the links between them. The author comes to the conclusion that the administrative legal personality of the military command bodies of the military level is insufficiently developed in the military legal science. The author's definition of the territorial bodies of the military administration of the Armed Forces is proposed, proposals are made to build a general structure of the military organization and increase the effectiveness of its activities.

**Keywords:** military formation, military management body, headquarters, structure of the ministry, military unit, management apparatus, managerial relations.

### **10. Babaytseva E.S. About some problematic issues of legal regulation of medical support for military personnel (employees) of the National Guard troops of the Russian Federation and ways to improve it**

**Abstract.** Medical support of servicemen of the National Guard troops of the Russian Federation, as well as persons with a special police rank and serving in the specified department, is regulated by legislative and other regulatory legal acts of the Russian Federation, orders of the Rosgvardiya. It follows from this that the issues of legal regulation of medical care play an important role in the process of medical care. At the same time, the legal regulation of the provision of this type of services, as well as other areas, often requires improvement due to various problems. This article will discuss some of these problematic issues and ways to resolve them.

**Keywords:** military service, employees of the national guard troops, service, medical support of military personnel, legal regulation.

### **11. Votchenko I.A. Non-settlement of a conflict of interest as a basis for dismissal from service**

**Abstract.** Military service, as well as service in law enforcement agencies of the Russian Federation, is a type of federal public service. Passing through this type of service, citizens undertake to comply with legislative and other regulatory legal acts, including in the field of combating corruption. Violations of anti-corruption legislation can usually lead to dismissal from the service. One of such corruption violations, which are grounds for dismissal from military service (service), may be the non-regulation by a serviceman (other civil servant) of the conflict of interests that has arisen.

**Keywords:** dismissal from military service, dismissal from public service, anti-corruption, conflict of interests.

### **12. Zaikov D.E. Protection of the rights of mobilized citizens-entrepreneurs**

**Annotation.** The announcement and holding of a partial mobilization had a significant impact on public relations and required a prompt reaction from the legislator in terms of the legal regulation of their features due to this circumstance. Special attention was paid to the mobilized citizens – entrepreneurs, the specifics of whose legal status, as well as the impact on the state of the Russian economy required independent legal regulation, including in terms of providing them with the necessary support measures. The article analyzes the decisions taken, and also proposes changes to improve the legal regulation of these relations.

**Keywords:** partial mobilization, military service, entrepreneurs, legal entities, founders, rent.

### **13. Koryakin V.M., Toporkov Ya.A. The status of a service member called up for military service on mobilization: problematic issues**

**Annotation.** The problematic issues of the status of citizens called up for military service during the partial mobilization announced by Decree of the President of the Russian Federation No. 647 of September 21, 2022 are revealed. The decree declares that citizens of the Russian

Federation called up for military service on mobilization have the status of military personnel undergoing military service in the Armed Forces of the Russian Federation under a contract. However, as a result of comparing the norms of legislation on the status of military personnel, on military service and on mobilization, the authors come to the conclusion that the scope and content of the rights, duties and responsibilities of military personnel undergoing military service on mobilization has a number of significant differences both from the status of military personnel undergoing military service under contract and conscripted military personnel. On the basis of the conducted analysis, the conclusion is substantiated that it is necessary to introduce amendments and additions to the legislation on military service and on the status of military personnel, defining the features of the status of military personnel undergoing military service on mobilization.

**Keywords:** status of military personnel; mobilization; conscription; military service under contract; military service under conscription; special military operation.

#### **14. Tsybizova N.A. To the question of the need to develop the concept of the draft federal law "On the unknown absence of citizens"**

**Annotation.** The article argues for the need to create a concept of the draft federal law on the unknown absence of citizens and other categories of persons, demonstrating the need to bring into the system the norms on the unknown absence of citizens, including military personnel. The author substantiates that the concept as a doctrinal document should be of a scientific and research nature and constitute a set of scientifically based provisions and an analysis of the current state of legal regulation of public relations, as well as a proposal of legal means to improve the legal regulation of public relations that develop in the unknown absence of citizens.

**Keywords:** concept, draft federal law, unknown absence, missing persons, legislation, special military operation in Ukraine.

#### **15. Shchukina T.V., Spirin N.D. Actual issues of realization of housing rights of military personnel in modern conditions**

**Annotation.** The article presents the results of the analysis of regulatory regulation and law enforcement practice on the payment of military personnel (members of their families) who have realized the right to housing through participation in the accumulative mortgage system of housing provision, monetary compensation for the rental (subletting) of residential premises. During the investigations, changes in the legislation on housing provision for military personnel as of November 2022 were taken into account.

**Keywords:** the right to housing; the legal status of a serviceman; monetary compensation for the hiring (subletting) of residential premises by a serviceman; accumulative mortgage system.

#### **16. Makhyanova R.M. The influence of scientific knowledge on the process of developing and implementing the tactics of supervisory activities of the Prosecutor's Office**

**Annotation.** The article substantiates the use of logic, theoretical and empirical knowledge by prosecutors on an ongoing basis in order to develop appropriate tactics of supervisory activities of the prosecutor's office in relation to the conditions of the supervisory situation. The properties of tactical thinking are revealed, the signs of tactical techniques are determined.

**Keywords:** tactics of supervisory activity of the prosecutor's office; stages of supervisory activity of the prosecutor's office; supervisory situation; tactical techniques; tactical thinking; logic; scientific cognition.

#### **17. Mintyagov S.A. Some legal aspects of law enforcement in the activities of the Military Police of the Armed Forces Russian Federation in a special military operation**

**Abstract.** The article is a continuation of the author's research on the legal issues of law enforcement of the military police of the Armed Forces Russian Federation in a special military operation. The article discusses some problematic legal aspects of the use of military police in a special military operation, as well as the importance of law enforcement functions. In order to

improve the quality of the tasks performed by the military police in the zone of a special military operation, the author proposes a number of organizational and legal measures, including in the field of improving the mechanisms of personnel training for the military police.

**Keywords:** military police; special military operation; law enforcement functions; law and order; personnel training.

**18. Kharitonov S.S., Smirnov D.V. The practice of applying criminal law by military courts in sentencing**

**Annotation.** The article presents the latest judicial practice of district (naval) military courts in terms of imposing criminal penalties. The need to comply with the requirements of the law on a strictly individual approach to sentencing was noted.

**Keywords:** judicial practice of military courts, sentencing for crimes, criminal liability of military personnel

**19. Eermolovich Ya.N. Analysis of statistical indicators of the criminal record of servicemen of the Russian Federation for crimes against military service in 2021**

**Annotation.** The article identifies trends in the development of criminality and criminal records of military personnel for crimes against military service, and draws conclusions about the causes of the development of some of the identified trends in criminal records and criminality of military personnel of the Russian Federation.

**Key words:** criminal law, military criminal law, military law, military criminal law, criminal liability, servicemen, crimes against military service, judicial statistics.

**20. Kopylov M.M. On the issue of objective and subjective signs of the corpus delicti provided for in Article 280.2 of the Criminal Code of the Russian Federation «Violation of the territorial integrity of the Russian Federation»**

**Annotation.** Federal Law of December 8 , 2020 No. 425-FZ "On Amendments to the Criminal Code of the Russian Federation and Articles 30 and 31 of the Criminal Procedure Code of the Russian Federation" amendments were made to the Criminal Code of the Russian Federation, including in part of its addition to Article 280.2 "Violation of the Territorial Integrity of the Russian Federation", providing for criminal liability for alienation of part of the territory of the Russian Federation or other actions (except for the delimitation, demarcation, redemarkation of the State Border of the Russian Federation with neighboring states), aimed at violating the territorial integrity of the Russian Federation, in the absence of signs of crimes provided for in Articles 278, 279 and 280.1 of the Criminal Code of the Russian Federation. We can say that this norm is relatively young. This article presents the author's vision of objective and subjective signs of the corpus delicti provided for in Article 280.2 of the Criminal Code of the Russian Federation.

**Keywords:** criminal liability, territorial integrity of the Russian Federation, violation of territorial integrity, territory, State border of the Russian Federation.

**21. Nekrasov A.A. Legal characteristics of forged and forged documents**

**Annotation.** The article examines some provisions defining the legal characteristics of a forged and forged document. The analysis of the legal qualification of two types of forgery: material and intellectual. The objective and subjective side of the crime, the responsibility for which is provided for in Article 257 of the Criminal Code of the Russian Federation, is investigated.

**Keywords:** border control, international communication routes, official and operational activities, forged document, forged document, objective and subjective side of the crime.

**22. Novikova O.V. The essence of the public dissemination of deliberately false information in relation to Article 207.3 of the Criminal Code of the Russian Federation**

**Annotation.** The article examines the history and prerequisites for the introduction of a new Article 207.3 into the Criminal Code of the Russian Federation, examines various positions of scientists on public dissemination under the guise of reliable reports of deliberately false information about the use of the Armed Forces of the Russian Federation in order to protect the interests of the Russian Federation and its citizens, maintaining international peace and security.

**Keywords:** public dissemination under the guise of reliable reports of deliberately false information about the use of the Armed Forces of the Russian Federation in order to protect the interests of the Russian Federation and its citizens, maintain international peace and security.

### **23. Prudnikova L.B., Shenshin V.M. Issues of updating the criminological assessment of military crimes and military criminality in modern military-political conditions**

**Annotation.** The article outlines the issue of including in the current political and legal agenda an update of the criminological assessment of military crimes and military crime, taking into account the current situation related to the conduct of a special military operation and partial mobilization, which revealed or provoked criminogenic phenomena in the sphere of military duty and performing military service. The array of determinants of military crimes and military criminality is proposed to be divided into several groups: political and legal, socio-economic, socio-demographic, service-personnel, organizational-administrative, cultural-educational and moral-psychological, ideological and spiritual-moral, national-political.

**Key words:** criminological characteristics, military crimes, military crime, causes and conditions of military crimes, qualitative and quantitative indicators of military crime.

### **24. Kharitonov S.S., Rakov A.V. On the issue of qualification of crimes: some aspects from the point of view of military courts**

**Annotation.** In the article, through examples from the judicial practice of military courts, some issues of the necessary correspondence between the signs of a committed socially dangerous act and the signs provided for in the norms of the criminal law are considered.

**Keywords:** qualification of crimes, military courts.

### **25. Chukin D.S. Constructive problems of the corpus delicti provided for in Article 337 of the Criminal Code of the Russian Federation.**

**Summary.** The author analyzes the constituent signs of unauthorized abandonment of a unit or place of service, responsibility for which is provided for in Article 337 of the Criminal Code of the Russian Federation. It is noted that after the amendments made to this article by Federal Law No. 365-FZ of September 24, 2022, there is a need for a legislative definition of the concept of "wartime" and "combat situation". The criminal-legal status of the mobilized citizens remains uncertain. In the doctrine of criminal law, there are disagreements regarding the qualification of the actions of a serviceman to leave a military unit with the permission of an unauthorized official, as well as unauthorized abandonment of a disciplinary military unit. There are questions about the need for a special type of exemption from criminal liability, specified in the note to Article 337 of the Criminal Code of the Russian Federation, due to the duplication of this norm of the provisions of Articles 75 and 76.2 of the Criminal Code of the Russian Federation. The necessity of making appropriate amendments to the criminal legislation is stated.

**Key words:** unauthorized abandonment of a unit, wartime, combat situation, the subject of the crime, mobilized citizens, cadets, detention in a disciplinary military unit, escape, exemption from criminal liability.

### **26. Musaelyan A.B. Current problems and possible prospects for the development of the CSTO as an international military-political bloc**

The article examines the current problems of the development of the Collective Security Treaty Organization (CSTO), highlights the violation of the principles of international law, and also reveals the attempts used by the member countries of the North Atlantic Treaty Organization

(NATO) to create a unipolar world. The role of Russia as a global guarantor of security and stability is emphasized. Particular attention is paid to the lack of a unified policy of the CSTO member states, as well as the security threats that have arisen. Recommendations are given to strengthen the position of this international organization on the world stage.

**Keywords:** international law, CSTO, military-political bloc, participating states, goals, NATO, security threats, problems, UN, Charter, Declaration, international principles, Kosovo precedent, development prospects, responsibility, collective mechanisms.

## 2023. № 2

### 1. Zemlin A.I., Ivanov G.V., Hanko V.V. Legal issues of ensuring the national security of the Russian Federation in the Arctic

**Annotation.** The urgency of the problems of ensuring national security in the Arctic region by legal means has recently acquired particular importance due to the fact that territorial claims against the Russian Federation have intensified on the part of foreign states. The purpose of the study is to critically comprehend the shortcomings of the legal provision of Russia's interests in the Arctic and to develop on this basis scientifically sound proposals for improving the system of legal measures to minimize threats to national security in the future. In the work, based on the results of the historical and legal analysis, the circumstances essential for the establishment of the legal regime for the use of the Arctic territories, established at various historical stages by acts of national law, are determined. The methods of comparative legal and formal dogmatic analysis are used to analyze the current legal consolidation of borders, modes of navigation and navigation in the waters of the Northern Sea Route, as well as the administrative division of the land territories of the Arctic zone of the Russian Federation. The results obtained made it possible to adequately assess the degree of sufficiency and quality of the legal basis for ensuring Russia's presence and protecting its national interests in the Arctic, to uncover conflicts and gaps in the legal provision of national security in the Arctic, and to formulate proposals for their elimination.

**Keywords:** legal support; national security; Arctic shelf; status of the Arctic.

### 2. Kudashkin A.V. The law of armed conflicts in the Russian legal system

**Abstract.** International humanitarian law (IHL) is a branch of public international law. At the same time, based on the concrete historical conditions of the development of the state, independent area of public relations can be formed in it, arising from the preparation and conduct of armed struggle, which is regulated by the norms of national law that are part of the internal legal system of this state. Russia is no exception, and it is quite obvious that in military law, which is an independent branch of the Russian legal system, a sub-branch of the law of armed conflicts has been formed under the influence of a number of conditions.

**Key words:** international humanitarian law, military law, law of armed conflicts, subject and method of legal regulation, sub-branch of law, sources of law of armed conflicts.

### 3. Sugaipova A.M. Formation and evolution in the Russian law of responsibility for acts that cause harm to human health

**Annotation.** In the Russian Federation, over the past years, the search for an optimal criminal legal system for the protection of human and citizen's health from criminal encroachments, concerning, in particular, intentional infliction of minor harm to health and beatings, continues. Therefore, we need to trace the peculiarities of the formation and development of responsibility for acts that infringe on bodily integrity, including causing minor harm to the health of the victim and committing beatings against him. The subject of the study is expressed in public legal relations, which are regulated by the norms of legislation related to the historical analysis of the development of countering crimes that harm human health. The purpose of the study is to consider the historical analysis of the development of countering crimes that

harm human health. Research methods: general scientific and concrete historical approaches to the consideration of problems using comparative legal, logical, formal legal, problem-theoretical and other methods of scientific cognition. The results of the study. Russian Russian-Byzantine Treaties of 911 and 944, and subsequently in Russkaya Pravda and other laws, reflected the acts currently reflected in the Criminal Code of the Russian Federation concerning the infliction of any degree of harm to the health of the victim, for the first time were reflected in the Russian-Byzantine Treaties of 911 and 944, and subsequently in Russkaya Pravda and other laws. It is particularly emphasized that the codified criminal laws of the Russian Empire (the Code of Penal and Correctional Punishments of 1845 and the Criminal Code of 1903) influenced the Criminal Code of the RSFSR of 1922, 1926 and 1960. The scope of the results. The provisions contained in this study can be used in law-making activities in improving the composition of crimes that protect the bodily integrity of persons from criminal encroachments (Articles 111-116.1 and 118 of the Criminal Code of the Russian Federation), as well as in teaching a course of criminal law.

**Keywords:** crime, injury to health, death by negligence, development of legislation

#### **4. Kharitonov V.S. On some general questions of the essence of vigilantism**

**Annotation.** In the article, on the examples of some states, the general issues of the emergence and existence of vigilantism in the context of the usurpation of the function of justice by unauthorized persons are considered.

**Key words:** vigilantism, vigilants, vigilant organizations.

#### **5. Glukhov E.A. The concept of administrative and legal reform of the activities of the military administration**

**Abstract.** The article analyzes the principles of building the structure of federal executive authorities, in which the law provides for the passage of military service. The author proposes to regulate the objectives of the activities, functions and tasks of military formations of various levels, the Concept of their development is proposed for discussion.

**Keywords:** military administration bodies, functions and tasks, Armed Forces, development prospects, structural elements, administrative reform, regulation of activities, territorial bodies.

#### **6. Zaikov D.E. The award system in the Armed Forces of the Russian Federation: problems of legal regulation**

**Annotation.** The article analyzes the features of the legal regulation of the departmental component of the structure of the award system of the Armed Forces of the Russian Federation. The author comes to the conclusion about the absence of its clear structure, the presence of a number of problems caused by the internally contradictory and fragmentary regulation of the relations under consideration, as well as the need to take measures to improve the relevant regulatory framework.

**Keywords:** the award system of the Armed Forces of the Russian Federation, departmental insignia, departmental awards, honorary titles, medals, incentives.

#### **7. Roganov S.A. Prevention of corruption manifestations in the troops of the National Guard through the prism of improving the legislation of the Russian Federation**

**Abstract.** The author examines certain provisions of the legislation of the Russian Federation devoted to public control over the subjects of the National Guard troops in order to prevent and suppress offenses. Issues related to the improvement of the legislative regulation of anti-corruption acts by the military personnel (employees) of the National Guard troops are considered.

**Keywords:** legislation, public control, offense, corruption, anti-corruption acts, national guard troops.



**8. Svininikh O.Y., Glukhov M.M. Certain aspects of administrative and tort jurisdiction border guard authorities with involvement of juridical persons**

**Annotation.** The article is devoted to researching legal provisions of the Code on Administrative Offences Russian Federation and law enforcement practice of border guard authorities on bringing to administrative responsibility juridical persons for offences under the jurisdiction of border guard authorities. The authors reveals a number of problems, arising in law enforcement practice of border authorities and offers the ways of solutions.

**Key words:** border guard authorities, administrative offences under the jurisdiction border guard authorities, administrative responsibility of juridical persons.

**9. Fedoseev A.A. A military unit as a debtor in enforcement proceedings**

**Annotation.** The article is devoted to the problems of execution by military units of judicial acts on property penalties arising from monetary obligations.

**Key words:** enforcement proceedings, recoverer, debtor, military organizations (military unit), military personnel, public institution, budgetary legal relations, judicial acts, executive document, chief manager of budgetary funds, bailiff, monetary obligations.

**10. Shankhaev S.V. Some aspects of the legal regime and law enforcement in the field of land use defense and security**

**Annotation.** The article analyzes the features of the legal regulation of lands intended for the needs of defense and security and the use of these lands. It is concluded that the legal regime of lands for the needs of defense and security has certain characteristic features. Legal regulation of the use of these lands is also carried out at the departmental level by issuing regulatory legal acts by ministries and departments.

**Key words:** defense and security lands, features of the legal regime and law enforcement of defense and security lands.

**11. Kirillov N.P. Socio-legal problems of military conflicts and ways to solve them**

**Annotation.** The article deals with theoretical issues of analysis of socio-legal problems of military conflicts (hereinafter referred to as the WCF) and ways to solve them in modern conditions. Today, in the world community, the problem of the emergence of the WCF is considered one of the urgent global problems of humankind. In the structure of these problems, issues of a socio-legal nature occupy a significant share. The authors attempt to analyze the analysis of their essence, content and ways of solving them in this article.

**Keywords:** problem, social, law, security, military conflict, vital activity, personality, person, ecology, factor.

**12. Feoktistova O.Yu. Pension provision for persons who participated in a special military operation and their families**

**Annotation.** The article deals with the issues of social guarantees and compensations for citizens performing tasks in a special military operation, the realization of the rights of these persons and their families to a disability pension, a survivor's pension, an insurance pension and problems related to pension provision.

**Keywords:** military service; contract servicemen; persons called up for mobilization; citizens staying in volunteer formations; state disability pension; state survivor's pension; insurance experience.

**13. Zakaznova A.N. Kharitonov S.S. On the issue of legal proceedings when applying disciplinary arrest to military personnel: the practice of military courts**

**Abstract.** The article presents an analysis of military judicial practice based on materials on gross disciplinary offenses when applying disciplinary arrest to military personnel.

**Keywords:** military court, military discipline, gross disciplinary offense, disciplinary arrest, guardhouse

**14. Koryakin V.M. Legal responsibility of military personnel under special regimes: problematic issues**

**Annotation.** The problematic issues of the legal responsibility of military employees in the conditions of special regimes - wartime, armed conflicts, mobilization, counter-terrorism operations, etc. are revealed. The conclusion is substantiated that measures of legal responsibility in the event of the introduction of these regimes should be fixed in military legislation in advance, even in peacetime. Using the example of a special military operation conducted by the Armed Forces of Russia since February 24, 2022, it is shown that the criminal liability of military personnel is adapted to the conditions of special regimes to the greatest extent. The most problematic issue remains the disciplinary responsibility of military personnel, both in terms of the types of responsibility and the powers of officials to apply them.

**Keywords:** legal responsibility of military personnel; special modes of activity of the Armed Forces; special military operation; criminal liability of military personnel; disciplinary responsibility of military personnel.

**15. Mintyagov S.A. Features of the use of physical force, firearms and special means by the military police of the Armed Forces of the Russian Federation and the police of the Ministry of Internal Affairs of the Russian Federation: comparative legal analysis**

**Abstract.** This article reveals the relevance of the issue of the rights and procedure for the use of physical force, special means and firearms, including non-lethal weapons, by the military police of the Armed Forces of the Russian Federation. Gaps in the legislation in this area are revealed, in particular concerning the conditions, procedure and limits of the use of firearms of limited destruction, which are in service with the military police of the Armed Forces of the Russian Federation. A comparative legal analysis of the legislative regulation of these provisions in the military police of the Armed Forces of the Russian Federation and the police of the Ministry of Internal Affairs of the Russian Federation is carried out. The final goal of the work is to solve this problem by making appropriate changes to the current legislation.

**Keywords:** police, military police, physical force, special means, firearms, weapons of limited destruction.

**16. Synkov N.V. Peculiarities of procedural rules on cases of violations of anti-corruption legislation in the Armed Forces of the Russian Federation.**

**Annotation.** The article deals with problematic issues of the application of procedural rules established by Russian law in the course of proceedings on corruption offenses by military personnel of the Armed Forces of the Russian Federation, taking into account the peculiarities associated with the individuals of disciplinary authority. The reasons for imposing legal liability on military personnel of the Armed Forces of the Russian Federation for corruption offenses were investigated. The concept and principles of proceedings on cases of violations of anti-corruption legislation in the Armed Forces of the Russian Federation are formulated. The responsibilities of commanders (superiors) to impose legal liability on servicemen of the Armed Forces of the Russian Federation for corruption offenses are reviewed. The general organizational and legal problems of bringing of military personnel of Armed Forces of the Russian Federation to legal responsibility are outlined and ways of their solution are proposed.

**Keywords:** disciplinary proceedings, procedural reasons, legal (criminal, administrative, disciplinary) liability, anti-corruption legislation, corruption offenses, legal regulation, application of penalties, procedural and substantive law.

**17. Shnyakina T.S., Kharchenko M.O. On the correlation of the administrative and legal statuses of the prosecutor and military prosecutor**

**Abstract.** Based on the analysis of the legal foundations of the organization and activities of the prosecutor's office of the Russian Federation, as well as the legislation on military service in the public service system of the Russian Federation, the article attempts to form a systematic

understanding of the features and specifics of the administrative and legal status of the prosecutor and the military prosecutor. Particular attention is paid to the execution of administrative procedures in relation to prosecutors and military prosecutors as officials performing state-significant functions.

**Keywords:** administrative-legal status, prosecutor, military prosecutor, military service, status of a serviceman, administrative responsibility, disciplinary responsibility, administrative offense, deed defaming the honor of a prosecutor.

#### **18. Abdrakhmanova D.A. Legal basic of criminal responsibility of ill-treatment of prisoners of war or civilians**

**Annotation.** The article is devoted to the problem of criminal liability for the use of prohibited means and methods of warfare, in particular for the characterization of acts deemed to be cruel treatment of prisoners of war and civilians. The criminal legislation of the Russian Federation, as well as special legislation, international conventions and acts of International humanitarian law on impermissible acts in wartime, are analyzed. The concept of ill-treatment of prisoners of war or civilians is revealed and a conclusion is made about the details of Article 356 of the Criminal Code of the Russian Federation for the possibility of unambiguous qualification of these actions.

**Keywords:** International humanitarian law, means and methods of warfare, crimes against peace and security, ill-treatment of prisoners of war and civilians, international treatments of the Russian Federation, Geneva Conventions, Rome Statute, International Criminal Court, hostage-taking.

#### **19. Borisov A.V. Problems, practice of application and possibilities of improving the provisions on responsibility for the commission of a crime under Article 207.3 of the Criminal Code of the Russian Federation**

**Annotation.** The article deals with problematic issues of qualification of criminal acts, criminal liability for which is established by Article 207.3 of the Criminal Code of the Russian Federation (public dissemination under the guise of reliable reports of deliberately false information about the use of the Armed Forces of the Russian Federation in order to protect the interests of the Russian Federation and its citizens, the maintenance of international peace and security), problematic issues of possible improvement of the criminal law norm establishing criminal liability for a criminal act provided for in Article 207.3 of the Criminal Code of the Russian Federation. The peculiarities of the practical application of this article are revealed and the problems of its application are revealed.

**Keywords:** criminal liability; knowingly false information; discrediting of the Armed Forces; public dissemination of false information.

#### **20. Bychkov V.V., Girko S.I., Kharchenko S.V., Shurukhnov V.A. Counteraction by Ukrainian servicemen to the investigation of war crimes committed by them**

The article deals with the types and methods of counteraction in the production of verbal investigative actions during the investigation of war crimes committed by Ukrainian servicemen during the Special military operation in the territories of Russia and Ukraine. Measures have been formulated to overcome the counteraction of the investigation of these socially dangerous acts by investigators.

**Key words:** Special military operation, Ukrainian servicemen, Ukrainian nationalists, war crimes, investigation, counteraction.

#### **21. Vlasov S.Yu., Kharitonov S.S. On some aspects of the practice of applying criminal punishment by military courts**

**Resume.** Using examples from the judicial practice of military courts, the article shows the importance of legal validity, effectiveness and fairness of criminal penalties.

**Key words:** criminal penalties; military personnel; military judicial practice.

**22. Kirichenko N. S., Alexandrova N.G. On criminal liability for acts related to subversive activities: a brief legal analysis taking into account the conditions of a special military operation**

**Abstract.** The article provides a brief overview of the amendments made to the Criminal Code of the Russian Federation, which consist in supplementing it with provisions providing for criminal liability for committing such criminal acts as facilitating sabotage activities (Article 281.1), undergoing training in order to carry out sabotage activities (Article 281.2), organizing a sabotage community and participating in it (Article 281.3). Such changes are caused by the intensification of sabotage activities of persons from among the armed forces of Ukraine and their supporters, as well as activities related to the preparation of such criminal activities. In the conditions of a special military operation, in our opinion, such have become most relevant.

**Keywords:** military service, criminal Code, special military operation, sabotage, defense, security

**23. Nazarov A.A. Patterns and criminogenic determination of fraud committed by military personnel when receiving payments**

**Annotation.** The article discusses the patterns and criminogenic determination of fraud committed by military personnel when receiving payments.

**Key words:** fraud, fraud in receiving payments, military personnel.

**24. Popov K.I. Lawful infliction of harm in countering crime**

**Annotation.** The article is devoted to the analysis of the institution of lawful infliction of harm by law enforcement officers in the fight against crime as a circumstance excluding the crime of an act, as well as consideration of the conditions for the legality of causing such harm.

**Keywords:** law enforcement; law enforcement officers; crime; a circumstance precluding the criminality of the act; legitimate harm.

**25. Sudenko V.E. Investigative situations arising in the investigation of organized crimes**

**Annotation.** Any act of a person is always realized and takes place in one or another situation that has developed at the time of the beginning of the act, its continuation and termination. The same applies to the investigation of crimes, including organized ones. Such situations are both objective in nature, that is, independent of the bodies of disclosure and investigation of crimes, and subjective, when certain elements of the current situation are formed by interested persons: an investigator, an operative, members of organized criminal groups or criminal communities. Investigative situations may relate to the general direction of the investigation or have a private character, that is, characterize certain stages of the investigation process. Investigative situations may have an artificial origin, be formed by the authorities.

**Keywords:** organized crime; investigative situations; controlled investigative situations; uncontrolled situations.

**26. Chukin D.S. About some features of the legal nature of circumstances that exclude the criminality of an act in the field of military-service relations**

**Summary.** The article examines certain theoretical and practical aspects of circumstances that cause ambiguous interpretation, excluding the criminality of an act in the conditions of military service. The analysis of regulatory and legal prescriptions allows us to state that in some cases the lawful infliction of harm by military personnel and law enforcement officers in the exercise of the rights assigned to them by federal legislation does not allow their actions to be correlated with the norms of Chapter 8 of the Criminal Code of the Russian Federation, which is reflected, in particular, in the explanations of the Supreme Court of the Russian Federation. There

is a need to supplement Chapter 8 of the Criminal Code of the Russian Federation with provisions excluding the criminality of an act in the performance of official duties. The article examines the criminal-legal nature of the destruction of persons who commit and have already committed a criminal act in order to prevent them from harming the life and health of citizens, including the targeted elimination of terrorists. It is stated that the provisions of the Charter of the garrison and guard services of the Armed Forces of the Russian Federation, which determine the procedure for the use of weapons by sentries, go beyond the legality of the necessary defense or causing harm when detaining a person who has committed a crime. Proposals are being put forward to adjust the legislation.

**Key words:** necessary defense, extreme necessity, causing harm during detention, military service, elimination of criminals, sentry, weapons, lawful harm.

#### **27. Antonov V.I. Evolution of the legal foundations of the peacekeeping potential of the Collective Security Treaty organization**

**Abstract.** The article analyzes the development of the scientific and legal foundations of peacekeeping in a historiographical context, a brief overview of scientific research in this area, as well as their role in the development of the concept of peacekeeping within the framework of the Collective Security Treaty Organization.

**Keywords:** the concept of peacekeeping, scientific and legal foundations of development, problems of peacekeeping, Collective Security Treaty Organization, regional armed conflicts, causes of crisis situations.

#### **28. Glebov I.N. Russia's peacekeeping mission in Nagorno-Karabakh: legal conditions and existing problems**

**Abstract.** The article examines the legal conditions for the participation of Russian peacekeepers in the settlement of the conflict in Nagorno-Karabakh and the existing problematic aspects. A brief analysis of the current military-political situation in Nagorno-Karabakh was carried out. Particular attention is drawn to the positions on the conflict resolution on the part of the leadership of Armenia and Azerbaijan, as well as to the influence of Turkey and Russia in the region. It is concluded that, based on the current socio-political situation, the Russian peacekeeping mission in Nagorno-Karabakh, expiring in 2025, can be extended. At the same time, the results of Russia's confrontation with NATO countries in the conflict in Ukraine will have a significant impact on the settlement of the situation.

**Key words:** Karabakh conflict, military-political situation, escalation, peacekeeping, Russia, Azerbaijan, Armenia, Turkey.

#### **29. Lagashkina Yu.V. Experience of realization of the right of citizens to replace military service with alternative civil service in foreign countries**

**Annotation.** The article examines the practice of implementing the right of citizens to replace military service with alternative service in foreign countries, the results of which justify conclusions about the possibility of using foreign experience in this area.

**Keywords:** refusal of military service, conscientious objection, alternative service, Republic of Finland, Swiss Confederation, Republic of Belarus.

#### **30. Rogatkov M.V. Military police in the Russian Federation and the United States: a comparative analysis of the legal status and powers in the field of crime investigation**

**Annotation.** The article is devoted to the analysis of the legal status of the US Military Police and the Military Police of the Armed Forces of the Russian Federation in the military justice systems of the respective states, comparison of the functions of these bodies, their powers in the field of crime investigation.

**Key words:** military police, military justice, criminal procedure, operational-search activity.

### **31. Kholikov I.V. Aprosimov A.V. The Crime of Genocide in Practice of International Justice Bodies**

**Abstract.** The article gives basic characteristics of the crime of genocide within the framework of international law, in particular of the Convention on the Prevention and Punishment of the Crime of Genocide 1948, its elements and qualifying categories. Basing on the analyses of practice of international justice bodies, such as ad hoc tribunals and the UN International Court of Justice, the problem issues of bringing of individuals to criminal responsibility and states to international responsibility for committing the crimes of genocide are studied. The conclusion is stipulated that, despite the absence of unity on classification of grounds for responsibility, differences in competence and applicable law, the activity of all elements of international justice system has the joint task of criminalization of such international crimes as genocide.

**Keywords:** genocide, Convention of 1948, ICTY and ICTR tribunals, criminal responsibility, UN International Court of Justice, international responsibility of states.

## **2023. № 3**

### **1. Akhaev A.K. On some measures to improve the public law mechanism for ensuring the security of the individual, society and the state**

**Annotation.** It is important in modern conditions to ensure security, law and order and to build an appropriate state policy. The activity of any state is based on a system of conditions that determine the stability of the development of society and the state, including by ensuring its security at various levels (personality, society, state). The current political conditions require increased attention to security issues. The purpose of the publication is to identify some measures to improve the public law mechanism for ensuring the security of the individual, society and the state. Based on the study of the legal framework and the positions of researchers, conclusions are formulated about the existing prospects for improving national security.

**Keywords:** security, national security, personality, society, state, public law mechanism, measures, improvement of the mechanism of ensuring security.

### **2. Dzheyranov S.S. The axiological significance of state sovereignty in the system of state security of the Russian Federation**

**Annotation.** The Russian Federation, united by a thousand-year history, allocates a special place to sovereignty as the main component of ensuring security. However, sovereignty, being a characteristic, does not remain in a static position, since it is subject to internal and external influences. The paper analyzes the historical and legal process of sovereignization on the basis of changes in legal regulation as a form of expression of public relations, which passed from the limitation of sovereignty to its defense. The National Security Strategy, designed not only to identify areas of state protection, but also to form a legal shield for all further constitutional and legal construction, in this regard occupies a special place.

**Keywords.** Sovereignty, security, National Security Strategy, Constitution of the Russian Federation, state, constitutional values, constitutional identity.

### **3. Malikov S.V., Prystavka A.F., Slivkov A.S. Experience of Military Prosecutor's Office during the Limited Contingent of Soviet Forces in Afghanistan (1979—1989)**

**Abstract.** The article analyses data on interaction of the USSR with the Democratic Republic of Afghanistan and legal basis of military procurator's offices activity during the period of presence of the limited contingent of the Soviet troops in Afghanistan (1979-1989). Based on this analysis the authors propose to consider the forms of organization of work and the basic directions of activity of military prosecutor's offices of that period.

**Keywords:** military procurator's offices, procuratorial supervision, military prosecutors, prosecutors and investigators, crime, limited contingent of Soviet Forces in Afghanistan, introduction of Soviet troops, military service, combat operations.

**4. Kharitonov V.S. On the classification of vigilantism: some approaches within criminological research**

**Abstract.** The article attempts to classify vigilantism

**Keywords:** vigilantism, vigilants, classification.

**5. Glukhov E.A. On the legal regulation of the functions of the military formation and the powers of its officials**

**Abstract.** The article analyzes the legal status of military formations of the Armed Forces, other troops and bodies in the context of the specifics of the functions assigned to them. The author formulates conceptual approaches to the construction of a military command system and its legal regulation. In addition, the interrelation of the functions of the military formation itself and the duties of its employees in relation to the system of military service is revealed, the dysfunction of interference in the activities of military officials by higher commanders is analyzed.

**Keywords:** military administration, competence, structure of a public body, military officials, military formations, unity of command, military administration body, subordination.

**6. Zemlin A.I., Kholikov I.V. Some Problem Issues of Activity of Legal Service of the Russian Federation Armed Forces in Modern**

**Abstract.** The article offered to the interested reader is prepared by the authors on the basis of the results of the professional mastery contest “The best specialist of the legal service of the Russian Federation Armed Forces”. During the expert evaluation of essays and public presentations of the participants at the last stage of the contest the authors revealed the most interesting and simultaneously the difficult in theoretical aspect directions of the activity of units and specialists of the legal service of the Russian Federation Armed Forces in the conditions of special operation. In order to assist methodologically in the selection of directions and methods of solving of problem issues that occur in the practical work of military lawyers the elaboration of some of them was conducted using system-legal scientific method. As a result of the study the conclusions and considerations were made the usage of which can, according to the authors, contribute to optimization of efforts and increase of efficiency of military lawyers’ activity.

**Keywords:** legal support, legal service, legal culture, international humanitarian law.

**7. Kukushkin M.V. Official secret in the field of defense: Responsibility of servicemen for disclosure of service secrets in the field of defense**

**Annotation.** In the context of restricting the right to access information, such a specific legal institution as an official secret in the field of defense, introduced by the Federal Law of June 11, 2021 No. 172-FZ “On Amendments to the Federal Law “On Defense”, is being studied. The article reveals the content of the concept of "official secret in the field of defense"; its relationship with other types of secrets; responsibility for the disclosure of information classified as official secrets in the field of defense; some questions are raised about the specifics of the responsibility of military personnel for the disclosure of information constituting official secrets in the field of defense.

**Keywords:** professional secret, official secret, confidentiality of information, responsibility for disclosing official secrets.

**8. Roganov S.A. The functioning of the institution of public control in the field of combating corruption in the activities of military personnel of the Armed Forces and the Federal Security Service Russian Federation**

**Abstract.** The article deals with issues related to public control in the activities of the Armed Forces and the Federal Security Service of the Russian Federation, as one of the progressive forms of the fight against corruption. The features of the functioning of the institution of public control in the field of combating corruption in the power structures of the Russian Federation, as

well as the specifics of their activities are presented. A brief analysis of the legislative regulation of the above activities is considered and ways to improve legal norms in the framework of anti-corruption actions are shown.

**Keywords:** legality, public opinion, public control, corruption, soldier.

#### **9. Sidorchuk S.N., Karyakin S.S. Organizational and legal aspects of the functioning of the territorial system of medical support for troops (forces)**

**Annotation.** In order to successfully and actively develop the medical support system of the Armed Forces of the Russian Federation (hereinafter referred to as the Armed Forces of the Russian Federation), as well as an integrated approach to solving urgent problems, the formation of a legal framework for the functioning of the medical service continues as part of the implementation of federal laws.

At the present stage, medical support is considered as a complex system of measures of a medical, scientific, pedagogical, educational, administrative and managerial nature to preserve and improve the health of military personnel, prevent diseases and combat injuries of personnel, as well as successful treatment of the wounded (injured) and sick in order to restore combat capability (capacity for work). Structurally and functionally, the territorial system of medical support for troops is a set of zones (areas) of responsibility, united and coordinated by a single body - the military command and control body.

This article analyzes the regulatory and legal aspects of the functioning of the territorial system of medical support for troops (forces) and substantiates the feasibility of creating a standard draft order of the commander of the military district (Northern Navy) "On the territorial system of medical support on the territory of the military district (Northern Navy)".

**Key words:** organization of medical care, medical support, territorial system, military district, military hospital, military medical unit, medical organization.

#### **10. Synkov N.V. Problems of compliance with anti-corruption legislation by military personnel during a special military operation**

**Annotation.** The article discusses some problems of compliance with anti-corruption legislation, novelties in legislation related to the submission by military personnel, persons called up for military service on mobilization, information on income and expenses, property and property obligations during a special military operation.

**Keywords:** anti-corruption, anti-corruption legislation, mobilization, special military operation, property, restrictions and prohibitions

#### **11. Shenshin V.M. On the issue of legal regulation of diving operations in the Russian Guard**

**Abstract.** The presented study analyzes the legal regulation of diving operations carried out in Rosgvardiya. It is concluded that there is insufficient legal regulation of these works.

**Keywords:** diving operations; Rosgvardiya.

#### **12. Zaikov D.E. Features of social partnership in the field of labor in the Russian Guard, the Ministry of Emergency Situations of Russia and the Ministry of Internal Affairs of Russia**

**Annotation.** In the article, the author conducts a comparative legal analysis of the features of the legal regulation of social partnership relations with the participation of state civil servants and employees in the Rosgvardiya, the Ministry of Emergency Situations of Russia and the Ministry of Internal Affairs of Russia, identifies existing problems and suggests ways to resolve them. Comes to the conclusion about the importance of social partnership for the protection of the labor rights of state civil servants and employees and the need for further development of these relations.



**Keywords:** trade union, social partnership, labor rights, employees, civil servants, vacation.

### **13. Koryakin V.M. Simplified procedure for recognizing participants in a special military operation as missing and deceased**

**Annotation.** The article is a scientific and practical commentary on the federal laws of April 14, 2023. No. 118-FZ and No. 120-FZ, which introduced amendments and additions to civil and civil procedure legislation, as well as to certain legislative acts on social guarantees of servicemen and their family members, in terms of simplifying the procedure for recognizing participants in a special military operation as missing and deceased, as well as providing for the possibility of registering the fact the death of a participant in a special military operation without a medical certificate of death on the basis of a special certificate, the form of which will be established by the Government of the Russian Federation. The new regulation of these issues is aimed at strengthening legal guarantees of social protection of families of dead and missing servicemen and other citizens during a special military operation.

**Keywords:** recognition of a citizen as missing; recognition of a citizen as deceased; death certificate; death registration; special military operation; social protection of families of deceased servicemen.

### **14. Beda N.V. Some legal aspects of medical and psychological rehabilitation of military personnel**

**Abstract.** When performing certain service and combat tasks, for example, such as participation in hostilities, performing tasks in conditions of emergency or martial law, armed conflicts, as well as participation in activities to maintain or restore international peace and security or to suppress international terrorist activity outside the territory of the Russian Federation, participation with special during military operations, military personnel are subjected to severe psychological and emotional stress, which in the future may negatively affect the overall health of the serviceman, and also on the performance of the duties assigned. In this article, some legal aspects of medical and psychological rehabilitation of military personnel after performing the specified service and combat tasks will be considered.

**Keywords:** medical and psychological rehabilitation, military service, serviceman, insurance guarantees.

### **15. Grishchenko L.L. Legal aspects of medical support for military personnel**

**Annotation.** Medical support for military personnel is regulated by legislative and other regulatory legal acts of the Russian Federation, as well as regulatory legal acts of federal executive authorities, in some cases the law provides for military service. It follows from this that the issues of legal regulation of medical care play an important role in the process of performing the tasks assigned to them by military personnel. At the same time, the legal regulation of the provision of this type of services, as well as other areas, often requires improvement. This article will consider some issues and features arising from the legal regulation of medical support for military personnel.

**Keywords:** military service, medical support of military personnel, legal regulation.

### **16. Zorin O.L. Incentive payments to military personnel during military campaigns**

**Annotation.** The author of the scientific article conducted a study on the issues of incentive payments to military personnel during military campaigns. The formulated provisions can be used to improve military legislation.

**Keywords:** serviceman, monetary allowance, special military operation, incentive payments

**17. Kirichenko N.S., Bogdanov S.L. Search, collection and evacuation of servicemen killed in battle, as a type of social guarantees from the state**

**Abstract.** According to the legislation defining the status of a serviceman, guarantees of burial of dead (deceased) servicemen, citizens called up for military training are established by federal laws and other regulatory legal acts of the Russian Federation. Reimbursement of such expenses is carried out at the expense of the federal budget within the established limits. At the same time, an important and complex event, which may often be required in the event of the death (death) of a serviceman in the performance of military service duties (especially in combat conditions), is the search, collection and evacuation of the bodies of dead servicemen. This paper examines the legal issues of imposing such a duty on the state.

**Keywords:** military service, serviceman, burial of servicemen, obligations of the state, insurance guarantees of servicemen, perpetuation of the memory of the dead.

**18. Lagashkina Yu.V. On the issue of alternative civil service during periods of mobilization and martial law**

**Annotation.** The article considers the issue of the possibility of alternative civil service during the period of mobilization, during martial law, the results of which substantiate the conclusion about the need to improve legislation in the field under consideration.

**Keywords:** refusal of military service, conscientious objection, alternative civil service, mobilization, martial law.

**19. Norenko I.V. The use of digital technologies in the organization of military registration and conscription: a critical analysis of the new legislation**

**Annotation.** The article discusses the current problems of legal regulation of military registration and conscription using the latest digital technologies. According to the author, the use of such technologies entails not only a positive, but also a negative effect. The author identifies relevant gaps and inaccuracies in the legal regulation of this sphere of public relations, and formulates proposals for optimizing the current legislation of the Russian Federation.

**Keywords:** conscription, summons to the military enlistment office, military registration, responsibility for non-appearance on the agenda, digital technologies

**20. Fomin A.V. Problems of assigning lump-sum payments to children of dead (deceased) participants in a special military operation**

**Abstract.** The article considers the procedure for obtaining by military personnel (persons) participating in a special military operation and their families the measures of social support established by decrees of the President of the Russian Federation. Actual problems concerning the appointment of lump-sum payments to adult children of dead (deceased) servicemen (persons) are analyzed, practical experience in applying legislation in this area is explored, and options for resolving emerging problems are proposed.

**Keywords:** special military operation, social support, lump sum payment, payments to family members of deceased servicemen

**21. Tsutsiev S.A. Troops' living environment medical supervision as an indicator of military service security system's applicability**

**Abstract.** There was made an attempt in the article to reveal the inherent contradiction between the authorized priority of compliance with the military service security requirements' control with troops and the actual state of things as exemplified by the organization of servicemen's living environment medical supervision. The purpose is to search for proof of the military service security system's applicability in the modern Russian Army and Navy. In this regard, the guideline documents for the troops' medical support and military service security in the Russian Armed Forces have been analyzed. The significant priority of catering and water services control was established over the priority of professional military activity's control. As a

natural consequence, the Ministry of Defense of the Russian Federation currently lacks the resources to solve the main task of military service security, i.e. the military service health and safety hazards' identification with troops. This fact gives strong reasons to doubt the full-scale identification and registration of all hazards and the corresponding occupational health risks, and the implementation of preventive measures on their mitigation (minimization). Thus, the rights of servicemen to safe work, to in-service life and health protection, are infringed. It is necessary to shift the emphasis in prioritization of the troops' daily activities medical supervision over the conditions of daily activities of the troops, giving preference to the military workplace labor conditions' sanitary audit at each workplace. This would enable increasing both the relevance and effectiveness of the military service security system in the Armed Forces of the Russian Federation.

**Key words:** medical supervision, security, military service, occupational hazards, sanitary audit, life and health protection.

**22. Zakaznova A.N., Kharitonov S.S. On the consideration by the military court of complaints in accordance with Art. 125 Code of Criminal Procedure (on materials of judicial practice)**

**Annotation.** The article presents examples from military judicial practice related to the filing and acceptance by a military court for consideration of complaints in accordance with Art. 125 of the Code of Criminal Procedure of the Russian Federation on the actions and decisions of officials and bodies carrying out criminal prosecution in the course of pre-trial proceedings.

**Key words:** judicial procedure for consideration of complaints; soldier, military courts

**23. Makhyanova R.M. Forms of implementation of tactics of supervisory activity of the Prosecutor's Office**

**Annotation.** The article substantiates the expediency of using various forms of tactical influence by prosecutors in their practical activities in order to achieve the quality of the inspections carried out. The procedure for the development and implementation of these forms is carried out in accordance with the system of formation of tactical techniques of the prosecutor, the functioning of which meets the requirements of current legislation and is aimed at obtaining the final product of tactics. The classification of supervisory situations of an atypical type is given, in which certain groups are identified, in accordance with the content of which, among other things, it is recommended to develop various forms of implementing the tactics of supervisory activity, subject to strict compliance with the principles of organization and activity of the prosecutor's office established by law.

**Keywords:** supervisory activity of the prosecutor's office; tactics of supervisory activity; tactical impact; forms of implementation of tactics of supervisory activity; tactical techniques; tactical experience; tactical thinking; tactical validity.

**24. Tishkin O.O. Prosecutor's supervision in the Armed Forces: the history of education and development, individual problems**

**Abstract.** Within the framework of this article, the author, based on the analysis of the norms of previously existing legislation, the works of scientists, examines certain aspects related to the history of education and the formation of the military prosecutor's office in Russia. Based on the results of the study, the author concludes about the main periods associated with the formation and formation of the military prosecutor's office. Certain problematic aspects of prosecutorial supervision in the Armed Forces of the Russian Federation are investigated and identified, and proposals are made to eliminate them.

**Keywords:** Military Prosecutor's Office, prosecutor's supervision in the Armed Forces of the Russian Federation, military prosecutor's office.

**25. Eermolovich Ya.N. Crimes against justice in the structure of crime in the Russian Federation**

**Annotation.** The article identifies current trends in the development of crime and convictions for crimes against justice, and draws conclusions about the causes of the development of some of the identified trends in this type of crime.

**Key words:** criminal law, criminal legislation, crimes against state power, crimes against justice, crime, judicial statistics.

**26. Manteev M.B. Military crimes against the procedure for military service (arts. 337 and 338 of the Criminal Code of the Russian Federation): issues of theory and practice**

**Abstract.** The purpose of the article is to consider the problematic issues of the qualification of individual crimes directed against the order of military service. Various categories of military personnel and persons equated to them are considered, which must be attributed to special subjects of the analyzed elements of crimes. The ways of solving the existing uncertainties of law enforcement practice with regard to the qualification of these acts are proposed. A distinction was made between the composition of unauthorized abandonment of a unit or place of service and desertion.

**Keywords:** Unauthorized abandonment of a unit or place of service, desertion, status of a serviceman, criminal liability, subject of a crime, criminal qualification, crime, military service.

**27. Morgulenko E.A. The issue of criminal liability of persons participating in a special military operation on a voluntary basis**

**Abstract.** The article examines the grounds for bringing persons participating in a special military operation on a voluntary basis to criminal responsibility for crimes against military service, and formulates proposals for improving the wording of Article 331 of the Criminal Code of the Russian Federation.

**Keywords:** Special military operation to protect the DPR and LPR, criminal liability of military personnel, volunteer formations, the legal status of military personnel, the subject of crimes against military service, new edition of Article 331 of the Criminal Code of the Russian Federation.

**28. Smirnov D.V., Sotnikova V.V. On the peculiarities of the criminal-legal qualification of crimes provided for in Article 283.2 of the Criminal Code of the Russian Federation**

**Annotation.** The article deals with the criminal law norms of article 283.2 of the Criminal Code of the Russian Federation from the point of view of the relationship between the constitutional rights of a citizen of the Russian Federation and the obligation to preserve state secrets. The authors analyze the composition of the crimes under Art. 283.2 of the Criminal Code of the Russian Federation. Pay attention to controversial issues of qualification of acts.

**Keywords:** State secret, constitutional rights of citizens, departure from the Russian Federation, illegal transfer or transfer of media containing information constituting a state secret, official position, organized group, criminal liability.

**29. Kharitonov S.S., Sharapov S.N. Civil lawsuit in criminal proceedings: appeal to military judicial practice**

**Annotation:** This article presents and analyzes examples of the practice of military courts in considering a civil lawsuit in a criminal case by courts.

**Key words:** military courts, serviceman, civil action in criminal proceedings.

**30. Chukin D.S. Some aspects of exemption from criminal liability in connection with reconciliation with the victim when committing crimes against military service**

**Summary.** The article examines the features of exemption from criminal liability in

connection with the reconciliation of participants in a criminal conflict when committing crimes against military service. The study of the normative foundations of this institution allows us to state the absence of a fundamental prohibition on the termination of criminal cases on this basis. Along with this, the theory of criminal law and the practice of applying criminal law is characterized by a lack of uniformity in assessing the possibility of exemption from criminal liability for crimes provided for in Chapter 33 of the Criminal Code due to their multiple subjects, which inevitably generates judicial discretion and may hinder the implementation of the principle of justice. It is summarized that this type of exemption from criminal liability is possible only in those crimes against military service where there is a person recognized as a victim in a criminal case, as well as the fulfillment of the requirements specified in Article 76 of the Criminal Code of the Russian Federation, provided that the damage to the main direct object, which is the established procedure for military service, is eliminated first of all services.

**Key words:** exemption from criminal liability, reconciliation with the victim, crimes against military service, multi-object crimes, judicial discretion, the principle of justice.

### **31. Shevchuk A.N. Criminal procedural guarantees of individual rights in the application of measures of criminal procedural coercion**

**Annotation.** The article examines certain issues of ensuring the rights of the individual, including in the conditions of the Armed Forces of the Russian Federation, in the election and application of measures of criminal procedural coercion. Considerable attention is paid to the strictest of the preventive measures – detention. There is an insufficient level of guaranteeing the rights of the individual when applying measures of criminal procedural coercion, in connection with which measures are proposed to improve the procedural guarantees of the rights of suspects accused in criminal proceedings.

**Keywords:** procedural guarantees; measures of criminal procedural coercion: detention; courts of general jurisdiction; military courts.

### **32. Davtyan S.S. Conceptual and legislative bases of interaction between the headquarters of the armed forces associations and the territorial administration bodies of the Republic of Armenia**

**Annotation.** The article offers a general overview of conceptual, doctrinal and legislative documents, the scope and content of which contribute to the implementation of interaction between the headquarters of associations and the territorial administration bodies of the Republic of Armenia in full.

**Keywords:** Interaction, Military Doctrine, association, territorial administration body, Military Security System, National Security Strategy, powers, legal regime of martial law.

## **2023. № 4**

### **1. Koryakin V.M. Technical cover of communication routes as a function of the Ministry of Defense of the Russian Federation**

**Annotation.** The article considers the function of the Russian Ministry of Defense to participate in the technical cover of communication routes, which is a set of measures carried out in peacetime and wartime in order to promptly restore traffic on destroyed and damaged communications due to the impact of damaging factors of armed conflict. The approaches available in legislation and literature to the definition of this concept are analyzed, the author's definition is formulated. Using the example of a special military operation, the activation of sabotage activities on the communication routes is analyzed, it is shown that technical cover should be carried out not only in the territories adjacent to the combat zone, but also in all the territories of the country.

**Keywords:** technical cover of communication routes; special military operation; survivability of communication routes; transport support; Ministry of Defense of the Russian

Federation.

**2. Kirichenko N.S., Alexandrova N.G. Historical and legal aspect of the emergence of concession Agreements**

**Abstract.** Public-private partnership is one of the ways to develop the military-industrial complex, which can be implemented through the use of a mechanism in the form of concession agreements. In the context of the emergence and development of legislation on concession agreements in our state, the question of studying our own historical experience of attracting private capital is particularly relevant. The study of the retrospective of the issue considered by scientists of different periods will reveal various trends and patterns in the development of concession agreements at the present stage.

**Keywords:** concession agreement, concession, military-industrial complex, public-private partnership.

**3. Kudashkin A.V., Kudashkin V.V. The law of military conflicts or the law of armed conflicts: the relationship of concepts, place in the legal system and the system of law of Russia.**

**Abstract.** The article continues the topic devoted to the study of the legal system and the system of law of Russia, the terminology used when considering issues of legal regulation of armed conflicts, analyzes the legal system of Russia and the place of the law of armed conflicts in it. Special attention in the article is paid to military conflict as a phenomenon of objective reality, which is reflected in legal reality as the law of military conflicts.

**Keywords:** law of military conflicts, law of armed conflicts, international humanitarian law, law of war, laws and customs of war, military law, sources of law, legal regulation of armed conflicts, legal system, system of law.

**4. Tuganov Yu.N., Aulov V.K. The conceptual range of the dominant term "innovation": an overview of the problems of legal understanding in military law and judicial legislation**

**Abstract.** For various reasons, the essences of some legal phenomena do not correspond to the forms of detection of their constitutive certainty. In the case of the linguistic unit "innovation", the problems of legal understanding of the entire conceptual range of this dominant term are complicated by the use of legal and technical definition techniques far from perfection in legislation and strategic planning acts. As a result, the characteristics of "innovativeness" in the Armed Forces receive either quite ordinary things and phenomena: (electronic textbooks, video problem books, other multimedia constructions), or difficult to formalize substances ("innovative research algorithms", "innovative educational trajectories", "innovative culture", "innovative vector in psychopractics"). The authors come to the conclusion that the legal structure of innovative legal relations has problems that are not obvious to military authorities and organizations of the Armed Forces due to the legal uncertainty of the conceptual apparatus. At the same time, there is a lack of "innovative" rhetoric in the governing documents defining the status of the judiciary and the judicial community – structures that, like the Armed Forces, act only out of public interests, and which, like the Armed Forces, carry out qualitative modernization of their material and technical base on the basis of the latest achievements science and technology.

**Keywords:** military law, innovation, innovative activity, subjects of innovative activity, scientific research, scientific and technical activity, Armed Forces, judiciary.

**5. Aulov V.K., Tuganov Yu.N. Modernization of the general military Regulations of the Armed Forces of the Russian Federation – a new stage in the development of military law**

**Abstract.** One of the ways to increase the qualitative potential of the army and navy is to improve the legal support for the activities of the military organization, including the

modernization of both combat and general military charters of the Armed Forces of the Russian Federation. The memory of ancestors and the memory of defenders of the Fatherland, ideals and faith in God, succession in the development of the Russian state from the USSR – all these constitutional provisions are subject to objectification in the general military statutes. If the listed moral and political and legal guidelines are synchronized in the texts of the updated general military regulations, then the historical milestone of the "most dangerous and unpredictable decade" may become a new milestone in the legal support of the Armed Forces of the Russian Federation and the next stage in the development of military law. The article also suggests some areas of revision of the general military regulations of the Armed Forces of the Russian Federation. The result of these changes should be the improvement of legal technologies used in the Charters, and, as a result, the improvement of the quality of legal support for maintaining the Armed Forces and other troops in a given degree of readiness for combat use.

**Keywords:** military law, Armed Forces, military personnel, general military regulations, internal service regulations, disciplinary regulations.

#### **6. Bobrova O.G. Doctrinal approaches to improving the mechanism of interaction in the field of protection of the State Border of the Russian Federation in modern conditions**

**Annotation.** The article presents the doctrinal foundations for improving the mechanism of interaction in the field of protection of the State border of the Russian Federation in the conditions of a special military operation. The author formulated proposals to improve the legal framework for ensuring the security of the State border of the Russian Federation.

**Keywords:** Armed Forces; border authorities; border troops; military security; state border; sabotage and reconnaissance groups; National Guard troops; special military operation.

#### **7. Glukhov E.A. On the need to determine the criteria for evaluating the managerial activities of military leaders**

**Abstract.** The article reveals the lack of legal regulation of the assessment of the managerial activities of commanders (chiefs) existing in military departments. The assessment of managerial activity and the assessment of a serviceman in the subjects of training, certification parameters are compared. The author suggests the developed criteria for evaluating the managerial activities of military chiefs.

**Keywords:** performance indicators, military management, evaluation of a serviceman, quality of management, military leaders, legal regulation, inspections of military units.

#### **8. Zemlin A.I. On the legal basis of the system of criteria for evaluating the effectiveness of the activities of teaching staff in the context of the implementation of the development program of the Military University**

**Annotation.** The purpose of the article is a systematic analysis of the legal framework and the development on this basis of proposals for optimizing conceptual approaches to the construction of a system of criteria for evaluating the effectiveness of teaching staff, determining the methods of their application in the interests of increasing the motivation of teachers to solve problems arising in the implementation of the Development Program of the Military University. A critical understanding of methodological approaches to the formation of a system of criteria for evaluating the effectiveness of teaching staff in the context of the implementation of the Development Program of the Military University allowed the author to formulate and justify the expediency of clarifying the criteria for evaluating the effectiveness of teaching staff of the Military University in connection with new approaches to state regulation of educational activities. The introduction into practice of the proposals formulated by the author can contribute to improving the quality of the educational process at the Military University and other educational organizations of higher military education.

**Keywords:** military education, legal foundations, evaluation of the effectiveness of the teacher's activity, a system of criteria.

**9. Ovcharov O.A. The goals and objectives of the military clergy: the problems of their legal regulation**

**Annotation.** The article briefly discusses and analyzes certain issues of legal regulation of the goals and objectives of the military clergy in terms of improving legal work in the field of state-church relations when commanders, deputies for military-political work, personnel and military clergy exercise their powers in the religious sphere, taking into account the changes in legislation, briefly discusses some shortcomings and possible ways of their solution are proposed.

**Key words:** legal work, the right of military personnel to freedom of religion, military clergy, military service, spiritual and moral values, spiritual and educational work.

**10. Techov D.A., Shankhaev S.V. On some problems of the practice of applying administrative liability of legal entities under Article 19.28 of the Administrative Code of the Russian Federation (financial and legal aspect)**

**Annotation.** The article discusses the features of administrative liability of legal entities under Article 19.28 of the Administrative Code of the Russian Federation (illegal remuneration on behalf of a legal entity). Attention is drawn to the inefficiency from the financial and legal point of view of bringing institutions to administrative responsibility (on the example of state-owned institutions). It is proposed to exclude legal entities created in the form of institutions from the subjects of administrative responsibility under Article 19.28 of the Administrative Code of the Russian Federation.

**Keywords:** administrative responsibility, illegal remuneration on behalf of a legal entity, budget, budget legislation, financial legislation, responsibility of institutions.

**11. Lomakina T.V. Topical issues of regulation of the labor activity of civilian personnel of the Armed Forces of the Russian Federation on the territory of a special military operation**

**Annotation.** Within the framework of this article, issues related to the work of civilian personnel of the Armed Forces of the Russian Federation during a special military operation, emerging risks to life and health, guarantees to ensure safe working conditions, compensation for deviations from normal working conditions are studied and analyzed.

**Keywords:** civilian personnel of the Armed Forces of the Russian Federation, the right to healthy and safe working conditions, grounds for sending civilian personnel to the zone of a special military operation, ensuring labor protection during the employment of civilian personnel, warranty and compensation payments for deviations from normal working conditions, compensation in case of death of civilian personnel, injuries.

**12. Lomakina T.V. Actual issues of calculation of labor (insurance) the length of service of civilian personnel when working in military units (military organizations) The Armed Forces of the Russian Federation abroad**

**Annotation.** Within the framework of this article, the issues concerning the calculation (calculation) of the insurance experience of civilian personnel of military units (military organizations) who carried out their work abroad have been studied. The judicial practice on the issues of pension provision of civilian personnel is analyzed. The most causes of the most effective spouse methods were investigated to resolve the military problems of the serviceman arising.

**Keywords:** civilian personnel of the Armed Forces of the Russian Federation, work experience, insurance experience, and rules for calculating insurance experience when performing a work function in military units stationed abroad. Current issues of the organization of labor protection of civil personnel of the Armed Forces of the Russian Federation.

**13. Sedunov R.A. Prospects of blockchain technology usage in defense sphere by example of “smart-agreements”**



**Abstract.** The paper describes a blockchain technology and opportunities of its applying including usage by way of “smart-agreements”. Beneficial and negative aspects of their usage in military sphere are also under review here.

**Keywords:** blockchain, blockchain-platforms, Internet of things, digital technologies, defense, transactions, "smart- agreements", security.

#### **14. Grishchenko L.L Medical support as a type of support for a military unit (military legal analysis) legal regulation**

**Annotation.** One of the types of support for military units, military organizations (units), is medical support for military personnel. This direction is regulated by legislative and other regulatory legal acts of the Russian Federation, as well as regulatory legal acts of federal executive authorities, in some cases military service is provided for by law. It follows from this that the issues of legal regulation of medical care are important in the process of military personnel performing their assigned tasks. This article will consider some issues arising from the legal regulation of medical support for military personnel as an element of maintaining the combat capability of military units (organizations).

**Keywords:** military service, medical support of military personnel, legal regulation.

#### **15. Spirin N.D. Features of receiving additional payments by military personnel (members of their families) in the conditions of a special military operation**

**Annotation.** The article presents the results of an analysis of the regulatory and law enforcement practice of providing additional payments to military personnel (members of their families) when they exercise their rights under the accumulative mortgage system. The concept of "family member of a serviceman" has been clarified in the context of the legal status of persons entitled to receive this payment in case of recognition of a serviceman in a special military operation as missing (taking into account the new legislation of 2022—2023).

**Keywords:** accumulative mortgage system; right to housing; additional payment; special military operation; legal status of a serviceman; family member of a military serviceman.

#### **16. Kravtsov V.V. Types and content of legal liability of military personnel of the Armed Forces of the Russian Federation for violations of legislation in the field of protection of state secrets**

**Annotation.** The article, based on the application of the methodology of formal dogmatic analysis of Russian legislation, systematic research and critical understanding of scientific sources, identifies the types and discloses the content of the legal responsibility of military personnel of the Armed Forces of the Russian Federation for violations of legislation in the field of protection of state secrets. Based on the results of solving the set research tasks, proposals have been developed to determine the content of the concept of legal responsibility of servicemen of the Armed Forces of the Russian Federation for violations of legislation in the field of protection of state secrets, the legalization of which in Russian legislation can help eliminate collisions noted by the author in legal acts, systematization of approaches to determining significant for military legal science and law enforcement practicedefinitions of concepts.

**Keywords:** legal responsibility, disciplinary responsibility, criminal liability, offenses, military personnel, Armed Forces of the Russian Federation, protection of state secrets, information constituting a state secret, secrecy regime.

#### **17. Nasyrov D.V., Zotov R.A. To discuss draft No. 289614-8 of the Federal Law "On some features of the application of disciplinary sanctions — disciplinary arrest during mobilization, during the period of martial law, in wartime"**

**Abstract.** The article is devoted to the study of proposals for improving the legal regulation

of the application of disciplinary sanctions — disciplinary arrest during the mobilization period, during the period of martial law, in wartime.

**Keywords:** federal law, disciplinary arrest, mobilization, special military operation, military service, military courts (tribunals), legality, law and order, military legal relations, military administration, national security.

#### **18. Belashova O.V., Goryacheva E.V., Kulieva A.M., Fedorova N.I. Trends in the development of professionalization of judicial representation in courts of general**

**Annotation.** The article deals with the issues of professional representation in the judicial process, substantiates the need to establish special qualification requirements for persons engaged in representation in civil proceedings, as well as a special approach to determining the qualification requirements for representation in military courts. Professionalization of judicial representation in civil proceedings is actively discussed in the legal literature, and the recent legislative initiative of the Supreme Court of the Russian Federation indicates trends in expanding the scope of professional representation. In addition, as part of the study of the problem of professionalization in the civil process, the proposals of the Ministry of Justice of the Russian Federation, set out in 2017 in the draft, were considered Concepts of regulation of the professional legal aid market. As part of the definition of ways to develop a quality control system for the provision of professional legal assistance, the possibility of introducing the institution of self-regulation for entities that do not have the status of a lawyer, or the unification of all participants in the professional market of legal services on the basis of a slightly modified advocacy was considered. In this regard, a detailed understanding of the features of the status of a professional representation is necessary, and representatives in military courts deserve special attention due to the specifics of their activities. The article examines the Russian legislation regulating representation in civil proceedings, the peculiarities of legal regulation of representation in military courts, examines foreign experience in regulating these relations and the practice of its application, and draws conclusions about possible prospects for changes in Russian legislation to enhance the effectiveness of the institution of representation.

**Keywords:** civil procedure, professional representative, self-regulating organizations, qualification requirements, military courts.

#### **19. Borisov A.V. Improving the provisions on causing harm when detaining a person who has committed a crime**

**Annotation.** The article presents the criminal-legal characteristics of causing harm during the detention of a person who has committed a crime, considers the conditions for the legality of causing harm during the detention of a person who has committed a crime, and also makes suggestions for improving this criminal-legal norm.

**Keywords:** circumstances excluding criminality of the act; causing harm during the detention of a person who committed a crime.

#### **20. Eermolovich Ya.N. Qualification of the use of means and methods prohibited by an international treaty of the Russian Federation in an armed conflict**

**Annotation.** The article analyzes the Russian criminal legislation on the use of prohibited means and methods of warfare in conjunction with international law governing the conduct of war (hostilities). As a result of the conducted research, the author formulates the rules for the qualification of crimes provided for in Article 356 of the Criminal Code of the Russian Federation.

**Keywords:** international law, international humanitarian law, law of armed conflicts, military criminal law, crimes against the peace and security of mankind, the use of prohibited means and methods of warfare, war, armed conflict, means of warfare, methods of warfare.

#### **21. Zagubny D.Y. Criminal-legal characteristics of crimes related to inciting to non-medical consumption of narcotic drugs, psychotropic substances or their analogues**

**Annotation.** The article presents the criminal-legal characteristics of a crime that establishes criminal liability for inducing non-medical consumption of narcotic drugs, psychotropic substances or their analogues. The article reveals the elements of this corpus delicti, presents judicial practice in criminal cases on this corpus delicti.

**Keywords:** criminal liability, inducement to non-medical use of narcotic drugs, psychotropic substances or their analogues.

**22. Lobov Ya.V. On the specifics of exemption from criminal liability-news of persons involved in a special military operation**

**Annotation.** In connection with the adoption of the federal law on the specifics of criminal liability of persons involved in a special military operation, the article analyzes new types of exemption from criminal liability of this category of persons.

**Keywords:** special military operation; criminal liability; exemption from criminal liability.

**23. Morgulenko E.A., Kharitonov S.S. Issues of implementation of criminal procedure legislation by military courts: some court decisions**

**Annotation.** Appellate decisions are shown, which make it possible to identify some problems and determine trends in the application of legal norms in terms of resolving the requirements of the criminal procedure law.

**Key words:** judicial practice of military courts, criminal procedural legislation, military man.

**24. Nazarov A.A., Kharitonov S.S. Justification for imposing criminal penalties by military courts: judicial practice materials**

**Annotation.** The article provides illustrative and recent examples from the judicial practice of district (naval) military courts in terms of imposing a criminal sentence, including those related to the imposition of a milder type of punishment than provided for by some articles of the Special Part of the Criminal Code of the Russian Federation, indications in the verdict of the motives for the decisions taken on all issues related to the imposition of a criminal sentence, release from it or its serving, etc.

**Keywords:** judicial practice of military courts, sentencing, criminal liability of military personnel

**25. Khalikov I.A. Protection of the military memorial heritage in the context of the criminal law policy of the State**

**Annotation.** In the presented article, the conditions of criminalization of a criminal act provided for in art. 243<sup>4</sup> of the Criminal code of the Russian Federation are studied. Attention is drawn to the legislative decisions preceding this process, which were evaluated in the ongoing study through the prism of their sufficiency and ability to ensure the protection of the military memorial heritage. The conditions of differentiation of privileged features of the corpus delicti have been studied. It is noted that even in the absence of established law enforcement practice, there is a need to maintain criminal liability for the destruction, damage to military memorial structures that are epistemologically unrelated to the events of the Great Patriotic War. The author of the publication concludes that art. 243<sup>4</sup> of the Criminal code of the Russian Federation is a reaction of the state to external challenges (threats) exposed to the norm of criminal law.

**Keywords:** criminal law policy, military memorial heritage, historical and cultural monuments, cultural heritage objects, identified.

**26. Shaikhutdinov F.F. Some features of criminal prosecution and the organisation of investigations into the misrepresentation of information by an official in the unified state registers**

**Abstract.** The article analyses the specifics of an investigator's actions taken to detect and investigate the facts of an intentional misrepresentation submitted to the unified state registries by an official. The authors show possible options to improve the criminal investigation of the cases under study.

**Key words:** investigation, crime detection, unified state registries, an official, malfeasance,

misrepresentation, criminalistics.

**27. Bobrov R.N., Gavrilovsky A.C. International legal status of a prisoner of war**

**Annotation.** International humanitarian law prescribes that prisoners of war should always be treated humanely. Any illegal act or omission on the part of the captive State that leads to the death of a prisoner of war or puts his health at serious risk is prohibited. This article examines the problems of the situation of a prisoner of war in the modern world and analyzes historical approaches to the essence of the issue.

**Keywords:** prisoner of war; convention; captivity.

**28. Rodionov A.E. Development of legal norms regulating nuclear weapons non-proliferation regime**

**Abstract.** The article discusses the role and function of the nuclear non-proliferation regime in international law. A brief description of the main features of a regime and the role of international law in maintaining the nuclear nonproliferation regime is shown. The genesis of the relevant international norms is analyzed, a brief historical description of legal documents is given. In this regard, the authors draw attention to the modern problems of the nuclear non-proliferation regime and further ways of developing of this institute.

**Keywords:** international law, nuclear non-proliferation regime, the NPT, IAEA, nuclear terrorism, nuclear crises, armed conflicts, the PSI.

**29. Bagreeva E.G. Issues of implementation of the state policy in the field of combating corruption and the formation of anti-corruption legal awareness of a serviceman of the Armed Forces of the Russian Federation**

**Annotation.** The article is a review of the textbook "Organizational and Legal foundations of anti-corruption", prepared by the staff of the 25th Department (Military Administration, Administrative and Financial Law) of the Federal State Budgetary Educational Institution "Prince Alexander Nevsky Military University" of the Ministry of Defense of the Russian Federation under the general editorship of the Honored Scientist of the Russian Federation, Doctor of Law, Professor A.I. Zemlin, designed for cadets of the Military University studying under the specialty program 40.05.01 Legal support of national security (specialization: Military-legal; military specialty: Prosecutorial work). The relevance of the topics included in the content of the textbook, the breadth of their coverage, which allows for the full and comprehensive development of didactic material, the depth of the scientific approach demonstrated by the authors in the process of working on the publication, the practical significance and potential relevance of the textbook, is noted. The sufficiency of the material presented in the textbook for the formation of professional competencies necessary for the successful performance of their duties in the military prosecutor's office and military investigative bodies in modern conditions is emphasized. Based on the results of the system-legal analysis, it was concluded that the publication can be successfully used as the main or additional literature in the process of teaching students and cadets studying in the areas of "State and Municipal Administration", "Economics", "Finance and Credit" and "Jurisprudence" (of all levels and forms education) in educational institutions of higher education, specialties "Legal support of national security", "Law enforcement". It is also obvious that due to the high degree of practical orientation, the publication will find the widest application in the system of additional professional education.

**Keywords:** legal foundations, state policy, anti-corruption, legal awareness, military personnel.

**1. Sinyaeva N.A., Lomakina T.V. Legal basis for the development of the military policy of the Russian Federation in the Arctic**

**Abstract.** The article discusses the main legal approaches to the expansion of the military presence of the Armed Forces of the Russian Federation in the Arctic and the further development of the Arctic group of troops. The analysis was carried out and the approaches set forth in the current regulatory documents on the development of the Arctic region were systematized, including from the standpoint of ensuring military security. It is concluded that the current military-political situation poses new challenges for the Armed Forces of the Russian Federation to counteract the implementation of NATO strategic plans in the Arctic region, which requires clarification of the adopted strategic documents from the position of the military component.

**Key words:** Arctic region, Russia, NATO, fundamentals of state policy, strategy, military-political situation, counteraction.

**2. Kaghktsyan A.S. Military law during the period of hostilities and during armed conflict**

**Abstract.** The paper describes the issues of military law during the period of hostilities and during the armed conflict. Particular attention is paid to the fact that the beginning and end of the war (armed conflict) are important from the point of view of legal regulation. Armed conflict is not limited only to individual battles or military actions, it is a long period of time during which there is a clear will to fight through battle.

**Keywords:** international humanitarian law, military law, law of armed conflicts, subject and method of legal regulation, sub-branch of law, sources of law of armed conflicts.

**3. Taradonov S.V. War as a kind of military conflict: modern theoretical and legal approaches to its essence, content and varieties**

**Annotation.** The article continues the topic devoted to the study of terminology used when considering issues of legal regulation of military conflicts, analyzes such a socio-political phenomenon as "war"; an attempt is made to determine the place of "war" in the system of modern military confrontations.

**Key words:** military conflict, war, armed conflict, law of armed conflict, law of war, laws and customs of war, military law.

**4. Zaikov D.E. Positions of teaching staff and researchers: are corruption risks justified?**

**Annotation.** Determining the list of corruption-dangerous positions is an important area of anti-corruption activities and should be carried out in ways that ensure both the inclusion of positions with high corruption risks in it and the prevention of attribution of positions to corruption-dangerous solely on formal grounds. In the article, the author examines the problems of qualification of positions of the teaching staff and researchers of the Armed Forces of the Russian Federation as corruption-dangerous and suggests ways to resolve them.

**Key words:** anti-corruption, positions, employees, military personnel, teaching staff, researchers.

**5. Kainov V.I., Shenshin V.M. Driving a vehicle while intoxicated by a military personnel: an aggravated offense**

**Abstract.** The presented study analyzes the administrative legislation regulating the issues of "medicinal" intoxication.

**Key words:** military man; administrative offense; "medicinal" intoxication.

**6. Mufazdalov S.I., Chukin D.S. Some problems of legislative regulation of**

## **mandatory fingerprint registration in the troops of the National Guard of the Russian Federation**

**Summary.** The normative legal prescriptions regulating the features of mandatory fingerprint registration in the troops of the National Guard of the Russian Federation are analyzed. It is stated that there are some problematic aspects concerning the subjects of this procedure, the forms of its implementation, as well as responsibility for providing false data. It is proposed to eliminate legal uncertainty by making additions to regulatory legal acts.

**Key words:** mandatory fingerprint registration, biometric personal data, military personnel, troops of the National Guard of the Russian Federation, papillary patterns, identification of a person, fingerprint card, fingerprints.

## **7. Ovcharov O.A. The goals and objectives of the military clergy: the problems of their legal regulation**

**Annotation.** The article is a continuation of the conversation started in the previous article (see: Military Law, 2023, No. 4, pp. 86-92). The article briefly discusses and analyzes certain issues of legal regulation of the goals and objectives of the military clergy in terms of improving legal work in the field of state-church relations when commanders, deputies for military-political work, personnel and military clergy exercise their powers in the religious sphere, taking into account the changes in legislation, briefly discusses some shortcomings and possible ways of their solution are proposed.

**Key words:** legal work, the right of military personnel to freedom of religion, military clergy, military service, spiritual and moral values, spiritual and educational work.

## **8. Zaikov D.E. Reduction of the amount (deprivation) of incentive payments to employees of military units: new regulatory rules**

**Annotation.** The article discusses the importance of incentive payments as part of the salaries of employees of military units, the problems of the lack of legal regulation of reducing their size or derivation in the case of bringing such employees to disciplinary responsibility, their decision by the Constitutional Court of the Russian Federation and its on the organization of work in military units.

**Key words:** incentive payments, remuneration, employees of military units, disciplinary action, compensation payments.

## **9. Fedorov P.E. Prospects for improving regulatory legal acts in the field of protection and disposal of the results of intellectual activity obtained during the execution of the state defense order**

**Abstract.** In the article, the author analyzes the legal basis for the disposal of the results of intellectual activity obtained during the execution of the state defense order. A brief reference is given on the development of relations on accounting for the results of intellectual activity arising from the implementation of development work in the field of state defense order. Specific changes to the regulatory legal act in the area under consideration are proposed.

**Keywords:** state defense order, results of intellectual activity, research and development work and technological work.

## **10. Barannikov M.M., Kharitonov S.S. Ensuring legality in the sphere of military service under contract: military judicial practice**

**Abstract.** The article presents court decisions showing law enforcement practice on the part of commanders (chiefs) in the field of service and dismissal from military service in relation to military personnel serving under contract.

**Key words:** military service, serviceman, military service under a contract, dismissal from military service.

**11. Grishchenko L.L., Alexandrova N.G. On the implementation by military departments of the powers provided for by the Federal Law "On Defense" in the field of legal regulation of medical support**

**Annotation.** Medical support for military personnel as one of the types of support for military units, military organizations (units) is of great importance for maintaining the defense capability of our state. This direction is regulated by legislative and other regulatory legal acts of the Russian Federation, some of which empower federal executive authorities, in which military service is provided by law, with the authority to issue departmental regulatory legal acts regulating issues of medical support for military personnel. The article discusses issues related to the implementation by military departments of the powers granted to them to issue such regulatory legal acts.

**Keywords:** military service, medical support of military personnel, legal regulation.

**12. Kirichenko N.S., Lysyansky V.L. Legal basis of medical support for military**

**Annotation.** The right to receive qualified medical care is enshrined in the Constitution of the Russian Federation, and its implementation directly affects the life and health of the population of the country. At the same time, the exercise of this right in relation to certain categories of citizens who have a certain professional affiliation, for example, military personnel, also affects the defense capability of the state and ensuring its security in general. Medical support of a serviceman, as an object of legal regulation, has its own specific features. This article is devoted to this issue.

**Keywords:** legal regulation, medical support of military personnel, military service.

**13. Koryakin V.M. Reform of military registration of citizens of the Russian Federation: legal aspect**

**Annotation.** The article analyzes the innovations of military legislation in terms of changing the order of military registration of citizens of the Russian Federation. The legislative basis of the updated procedure for military registration of citizens is federal Laws No. 127-FZ of April 4, 2023 and No. 437-FZ of August 4, 2023. In order for the new system of military registration to work in full, these laws provide for a number of amendments to subordinate regulatory legal acts. By now, the subordinate regulatory framework of the new military accounting system is in the process of formation. Some of the by-laws have already been adopted and entered into force, others are under development and approval. This publication provides a commentary on these by-laws, makes certain generalizations and conclusions, formulates some proposals for further improvement of legislation on military duty.

**Keywords:** military duty; military registration; military commissariats; digitalization of military registration; unified electronic register of military registration; register of summonses; notification of the military commissariat; appearance on call of the military commissariat.

**14. Tsutsiev S.A. Social guarantees of military seamen: relevance at the present stage of construction of the Navy of the Armed Forces of the Russian Federation**

**Abstract.** The military service of Russian Navy sailors commonly proceeds under the influence of numerous and different hazards and occupational health risks, which in itself is logical and natural. However, not all adverse factors of the warrior's trade of naval mariners can be neutralized or minimized due to preventive (hygienic) measures, at present time. For such situations, the legislation provides social protection in the form of benefits and compensations. In the author's opinion, the indications for naval mariners' social protection are too cumbersome and have no strong scientific rationale. All this taken together allows considering the sailors' military service in a broad context, thus the true hygienic assessment of the Russian Navy sailors' military service conditions. Scale of social payments often does not exactly conform to a health risk degree for naval mariners. Pre-developed special lists of military posts (activity types, etc.) whose execution involves the indications for social protection, are irrelevant at the present stage of

Russian Navy development, prevent a quick executive decision-making at the naval mariners' deployment sites. This infringes on the rights of the Navy servicemen to receive social protection.

**Keywords:** military service, security, social guarantees, conditions of military labor, sailors, Navy.

#### **15. Chukin D.S., Bibik A.Yu. Problematic aspects of the realization of the right to additional financial assistance by servicemen of the National Guard of the Russian Federation**

**Summary:** the article examines the legal norms regulating the right of servicemen of the National Guard troops to receive additional financial assistance. The analysis of federal legislation and departmental regulatory legal acts is carried out, in particular, the order of the Federal State Radio of November 28, 2020 No. 472. It is noted that the provisions of the Procedure for providing monetary allowances to servicemen of the Rosgvardiya, regulating the grounds for receiving additional material assistance, are dispositive, giving the commander, as a law enforcement officer, freedom of choice when deciding on the payment of additional material assistance to subordinates. The authors state that leaving this right to the discretion of the commander may hinder the implementation of the principle of justice, while at the same time acting as a corruption factor. It is recommended to make changes to the Procedure for providing monetary allowances to servicemen of the Rosgvardiya and to make the right to receive additional financial assistance without

**Key words:** status of a serviceman, monetary allowance, financial assistance, additional financial assistance, unity of command, discretion of the commander, corruption factor, law enforcement, justice

#### **16. Anisimov V.S. Topical issues of participation of lawyers in the implementation of legal protection of freedoms, rights and interests of participants in a special military operation**

**Annotation.** This article sets out the historical background and features of the implementation of advocacy in the zone of armed conflict, the legal basis for the establishment and operation of advocacy bodies in the zone of a special military operation, the circle of persons entitled to free legal assistance. The main regulatory sources are analyzed and the characteristic features associated with the organization and implementation of advocacy in the territory of the new regions of the Russian Federation are revealed.

**Key words:** special military operation, participation of a lawyer, advocacy, protection of rights and freedoms, war crimes, military personnel, free legal assistance.

#### **17. Shenshin V.M. On the right of persons who filed complaints against decisions of draft commissions to use the services of lawyers and consultants**

**Abstract.** The article discusses legal problems regarding persons who filed complaints against decisions of draft commissions using the services of lawyers and consultants. It is noted that conscripts are deprived of the opportunity to act through lawyers or other representatives of the professional community. The need to strengthen independent public control in this area is substantiated.

**Key words:** complaint; legal representative; authorized representative; Military Commissariat; Commissioner for Human Rights in a constituent entity of the Russian Federation; Political Party; non-profit human rights organization.

#### **18. Borisov A.V. The concept and system of crimes encroaching on the order of military service**

**Annotation.** The article presents an analysis of the concept of crimes encroaching on the order of military service, identifies the positions of legal scholars on the system of crimes encroaching on the order of military service and suggests the author's vision of this system.

**Keywords:** the concept of crimes encroaching on the order of military service, the system of crimes encroaching on the order of military service.



19. **Zyubanov Yu.A., Kharitonov S.S. Classification of crimes: familiarization with the Abstract.** Judicial practice is presented in criminal cases considered by military courts in relation to the qualification of criminal acts.

**Key words:** qualification of crimes, military courts, military judicial practice.

20. **Novikova O.V. On the question of the criminal-legal characteristics of desertion**

**Annotation.** The article presents the criminal-legal characteristics of such a crime as desertion. The criminal law characteristic is accompanied by examples from judicial practice under Article 338 of the Criminal Code of the Russian Federation.

**Keywords:** crimes against military service, desertion.

21. **Sinyaeva N.A., Samodurov D.I., Strategic approaches to the development of the Arctic region in NATO documents**

**Abstract.** The article deals with topical issues of confrontation between NATO and Russia in the Arctic region. An assessment is given of the military-political situation, its trends, the main challenges facing our country in the field of ensuring national security in the Arctic. Particular attention is paid to the analysis of the approaches of the Strategic Development Concept of NATO, updated in 2022, in relation to the actions of the alliance in the Arctic. It is concluded that the military policy of the NATO countries in the Arctic region clearly shows an attempt to redistribute the traditional maritime state borders in their favor at the expense of Russia, building up military potential, as well as including the Arctic territories in the zone of major geopolitical significance by NATO leadership. In the conditions of the sanctions economy, NATO countries should be expected to block the efforts of our country aimed at developing the natural resources of the region and operating the Northern Sea Route.

**Key words:** Arctic, military-political situation, NATO, Russia, strategy, rivalry, confrontation.

22. **Shakovets O.V., Lomakina T.V. Legal status of the Arctic according to UN approaches and other international organizations**

**Annotation.** The article discusses the legal conditions for the development of the Arctic region and the existing problematic aspects. A brief analysis of the regulatory requirements of international documents on the status of the Arctic has been carried out. The author considers the activities of the UN and a number of regional international organizations on cooperation and development of the Arctic, identifies the problems of interaction that arose after the start of a special military operation in Ukraine. Particular attention is drawn to the established positions on the development of the Arctic in the doctrinal documents of the UN and a number of other international organizations, as well as the results of scientific discoveries that contribute to the revision of previously adopted norms and approaches. It is concluded that, despite the adoption of a number of international documents, the legal status of the Arctic still remains unsettled with constantly transforming approaches, which is complicated by political opposition from NATO countries and limited cooperation in the region. Based on the emerging military-political situation, this leads to confrontation between the leading world states not only for influence in the region, but also for the mastery of its territories and natural resources, which does not exclude military rivalry, both latent and open.

**Key words:** Arctic region; UN; international organization; interaction; cooperation; military-political situation.

23. **Shakovets O.V., Samodurov D.I. Legal basis for the implementation of the US military potential in the Arctic**

**Abstract.** The article discusses the main approaches to the implementation of the US military dominance strategy in the Arctic region. It is concluded that the new Strategy of the US

Army in the Arctic, adopted in 2021, is the necessary legal basis for expanding its presence in the region and shows a further vector for the development of military potential. The main task of the United States is to counteract the expansion of the influence of Russia and China in the Arctic, to obtain a military-technical advantage and gain political dominance with the possibility of influencing regional processes. All this sets new tasks for the Armed Forces of the Russian Federation to counteract the implementation of US strategic plans in the Arctic region.

**Key words:** Arctic, USA, Russia, China, rivalry, strategy, military-political situation.

**24. Shamarov P.V. On the need to develop a Concept of international humanitarian activities of the Russian Federation for the period up to 2030**

**Abstract.** The article, based on the content analysis of domestic political and legal documents in the field of international humanitarian activity, substantiates and reveals promising approaches to the organization and implementation of such federal practice, taking into account the latest international realities and the current national needs of Russia in the period after the start of a special military operation in Ukraine in the interests of building up world significance and influence of our country, protection of its national interests, increase of international opportunities, rating and image. The political and legal need for the division of federal humanitarian activities into two independent sections is argued: extremely operational, including issues of emergency humanitarian response abroad, and cultural and public - soft power.

**Key words:** national interests, international influence, international humanitarian cooperation; humanitarian aid, soft power, cultural diplomacy, public diplomacy.

**25. Zemlin A.I., Bagreeva E.G., Balchugov S.G. Actual directions of development of domestic legal ideas: Notes on the margins of the monograph «The idea of goodness in creativity F.M. Dostoevsky and its influence on the development of the philosophy of law (to the 200th anniversary of F.M. Dostoevsky)»**

**Annotation.** The paper provides a theoretical understanding and practical review of the second edition of the monograph «The idea of goodness in the works of F.M. Dostoevsky and its influence on the development of the philosophy of law (to the 200th anniversary of F.M. Dostoevsky)», published in 2023. The book is assessed as a deep, multi-layered and modern study of the philosophical, theoretical-legal, value-semantic and socio-psychological ideas of the writer. The authors of the monograph (A.I. Bastrykin, R.F. Ismagilov, V.P. Salnikov) lay down new trends in the knowledge of the structure and content of legal norms already established and accepted in society from the point of view of their value-semantic certainty based on the subject-biographical approach. The monograph is useful for studying by students in the specialty «Legal support of national security», graduate students (adjunct students) and applicants conducting military legal research in the field of philosophical and methodological problems of military law, as well as researchers and teaching staff.

**Keywords:** legal policy; structure of law; conceptual provisions; consistency; tradition; theoretical knowledge; triumph of justice; humanism.

**26. Ivanov V.Yu. Anti-corruption as an academic discipline (review of the textbook "Organizational and legal foundations of anti-corruption")**

**Annotation.** The article is a review of the textbook "Organizational and legal foundations of anti-corruption", prepared by the author's team of scientists of the Military University. The publication contains systematic didactic material on topics of particular importance for the formation of students' competencies that allow them to make informed decisions and carry out actions based on the law, independently search, select and scientifically analyze normative legal acts and literature for the performance of duties with an understanding of the essence, legal and organizational foundations of anti-corruption. according to the upcoming official purpose, thereby ensuring the formation of a general cultural, and professional competencies of anti-corruption orientation of specialists.

**Keywords:** corruption; anti-corruption; anti-corruption policy; prevention of corruption; anti-corruption professional competencies.

## 2023. № 6

### 1. Norenko I.V., Private military companies: prospects for creation in Russia and possible threats to state sovereignty

**Annotation.** The article deals with topical issues related to the possible creation and functioning of private military companies in the Russian Federation. According to the author, private military companies pose a real threat to state sovereignty, and their creation contradicts the Constitution of the Russian Federation.

**Keywords:** private military companies (PMCs), Military doctrine of the Russian Federation, state sovereignty, mercenary, mercenary

### 2. © Polunin S.V., Aseev A.G. On the reasons for the non-application of the norms of international law to Soviet prisoners of war during the Second World War

**Annotation.** The article is devoted to the problems of the regime of military captivity during the Second World War, which are quite controversial in science. Some statistical data on the number of Soviet prisoners of war who were in German captivity and their mortality were analyzed. As part of the counteraction to the falsification of history, a number of scientific works were critically analyzed, explaining the reason for the inhumane attitude towards Soviet prisoners of war. On a scientific basis, the reasons for the non-application of the norms of international law to Soviet citizens in German captivity have been established.

**Key words:** World War II, Germany, Nazism, Geneva Convention, military captivity, Soviet prisoners of war, crime, International Military Tribunal.

### 3. Kainov V.I., Shenshin V.M. To the question of driving a vehicle by a clerical driver who is in a state of intoxication

**Annotation.** In continuation of the discussion started earlier, the authors consider some decisions of the Constitutional Court of the Russian Federation and the Supreme Court of the Russian Federation from the point of view of their application to military personnel operating vehicles and being intoxicated. The situation is being considered when, when canceling the decision on an administrative offense provided for in Article 12.8 of the Code of Administrative Violations of the Russian Federation, due to procedural violations, it will not be possible to remove information about intoxication from databases. The question of the abolition of administrative punishment for "phenazipamous" driving of a vehicle is investigated.

**Keywords:** serviceman; administrative offense; "medicinal" intoxication; Constitutional Court of the Russian Federation; Supreme Court of the Russian Federation.

### 4. Naumov P.Y., Utyuganov A.A., Kononov A.N. Some features of the organization and activities of legal divisions of medical organizations of the National Guard troops of the Russian Federation

**Annotation.** By studying the specifics of activities, the requirements of regulatory legal acts and the practice of organizing legal support, the article reveals some features of the activities of legal (legal) divisions of medical organizations of the National Guard troops of the Russian Federation. To solve this problem, the types of medical organizations in which legal divisions have been created are given, and the purpose of these organizations is revealed. The main tasks and functions of the legal departments of medical organizations are studied, the main directions of their official activities are analyzed, as well as aspects that are subject to legal support. The results obtained in the study can be used in further knowledge of problematic aspects of military law, as well as in training lawyers in military legal specialization.

**Key words:** legal divisions; legal work; established areas of activity; legal support; medical activities; health care; protecting the health of citizens.

#### **5. Nekrasov A.A. Administrative and legal regulation of the rules of crossing the state border of the Russian Federation by persons and vehicles**

**Annotation.** The article examines the problematic issues of administrative and legal regulation of the rules of crossing the state border of the Russian Federation by persons and vehicles. The paper analyzes the legal definitions of "international communication routes", "international transport corridors", "air corridors", "sea corridors with traffic separation schemes", as well as their correlation and use in law-making activities.

**Keywords:** administrative and legal regulation, state border, international communication routes, international transport corridors, air corridors, sea corridors with traffic separation schemes.

#### **6. Ovcharov O.A. The goals and objectives of the military clergy: the problems of their legal regulation**

**Annotation.** The article is a continuation of the conversation started in the previous article (see: Military Law, 2023, No. 4, pp. 86-92; No. 5, pp. 49-56). The article briefly discusses and analyzes certain issues of legal regulation of the goals and objectives of the military clergy in terms of improving legal work in the field of state-church relations when commanders, deputies for military-political work, personnel and military clergy exercise their powers in the religious sphere, taking into account the changes in legislation, briefly discusses some shortcomings and possible ways of their solution are proposed.

**Key words:** legal work, the right of military personnel to freedom of religion, military clergy, military service, spiritual and moral values, spiritual and educational work.

#### **7. Tsutsiev S.A. Conceptual proposals on enhancement of monitoring (supervising) activity in the Russian Armed Forces' Medical Service**

**Abstract.** The article covers an analysis of monitoring (supervising) activity in the Russian Armed Forces' Medical Service in terms of the military service security management system. The Russian Defense Ministry's guidance documents defining the standard operating procedures in the Army and Navy were examined. Particularly, it has been established that the medical service's monitoring (supervising) function was still performed autonomously, at large in identification and control of health legislation breaches in all the types of troops' vital activity (catering, accommodating, water service, etc.). An exception to this is the personnel professional military education, which is neglected. However, it emerged that monitoring (supervising) was exercising outside the format of military service security system, and ultimately had a negative effect on the Army-Navy's operational commitment. When using system and process approaches, it's necessary to transform critically the medical service monitoring (supervising) activity, by making it part of a single military service security process at military bases. This will allow boosting of security management system's efficiency by providing it with a preemptive (prophylactic) property.

**Key words:** Armed Forces of the Russian Federation, naval medicine, medical service, monitoring, supervising, security, military service.

#### **8. Barannikov M.M., Kharitonov S.S. On the implementation of housing rights of military personnel in the context of legal regulations based on materials from military judicial practice**

**Abstract.** The article, using examples from court decisions, examines the issues of legal regulation of the implementation of the rights of military personnel to living space.

**Key words:** housing provision for military personnel, military personnel, military courts, military judicial practice.

**9. Vetoshkina A.A., Vetoshkin P.A. About some features and modern trends of the realization of the right to work of service members**

**Annotation.** The article reveals the peculiarities of the realization of the right to work of military personnel, including during the mobilization period, some prohibitions and restrictions related to military service are considered, proposals are made to improve the legal regulation of the exercise of the right to work of service members, the conditions for combining military service with other paid activities are considered.

**Keywords:** the right to work of service members, restrictions and prohibitions related to military service, other paid activities, conditions for combining other paid activities with military service, grounds for dismissal from military service, features of the spread of anti-corruption prohibitions and restrictions on service members called up for military service on mobilization, dismissal of service members due to loss of confidence in the conditions of mobilization.

**10. Koryakin V.M. The system and powers of the bodies implementing military-social policy in relation to participants of a special military operation and their family members**

**Annotation.** The article analyzes the current system of bodies and organizations whose powers include the implementation of legislation on social guarantees of participants in a special military operation. The role and place of the President of the Russian Federation, the Federal Assembly of the Russian Federation, and the Government of the Russian Federation in this system are shown. The powers of the Ministry of Defense of the Russian Federation in the field of social protection of military personnel, citizens discharged from military service, and their family members are disclosed in detail, the system of central military administration bodies authorized in the field of the implementation of the rights and social guarantees of these categories of citizens is shown. The necessity of coordinating the activities of bodies and organizations in the implementation of social guarantees of participants in a special military operation and their family members is substantiated.

**Keywords:** military-social policy; special military operation; social guarantees; social protection of servicemen and their families; powers of the President of the Russian Federation; powers of the Ministry of Defense of Russia; military commissariats.

**11. Borisov A.V. Criminal-legal characteristics of evasion from the performance of military service duties by simulating illness or by other means**

**Annotation.** The article presents the criminal-legal characteristics of evasion from performing the duties of military service by simulating illness or by other means. Objective and subjective signs of this corpus delicti are revealed, which are illustrated by examples from judicial practice.

**Keywords:** crimes against military service, evasion of military service duties by simulating illness or by other means.

**12. Votchenko I.A. On the composition of the crime under Article 352.1 of the Criminal Code of the Russian Federation "Voluntary surrender"**

**Abstract.** Federal Law No. 365-FZ of September 24, 2022 "On Amendments to the Criminal Code of the Russian Federation and Article 151 of the Criminal Procedure Code of the Russian Federation" amended the Criminal Code of the Russian Federation, including the addition of its Article 352.1 "Voluntary surrender". This norm is relatively young. This article will present a military-legal analysis of the corpus delicti established by this Article of the Criminal Code of the Russian Federation, including taking into account the position of the Supreme Court of the Russian Federation, as well as the author's opinion on the issue under consideration.

**Keywords:** voluntary surrender, criminal liability, military service.

**13. Zagubny D.Y. The main stages of the development of Russian legislation regulating responsibility for crimes against military service**

**Annotation.** The article presents the main stages of the development of Russian legislation regulating responsibility for crimes against military service. The entire period of development of criminal legislation establishing criminal liability for crimes against military service can be divided into three stages: pre-revolutionary, Soviet and modern. The article presents illustrative examples of the transformation and development of specific criminal law norms that establish responsibility for crimes against military service.

**Keywords:** criminal legislation, genesis of criminal legislation, criminal liability for crimes against military service.

**14. Zakomoldin R.V. On the convergence and harmonization of norms and provisions of the military-criminal legislation of the CSTO member states**

**Annotation.** The article is devoted to the analysis of the need to bring together and harmonize the general and special provisions of the military criminal legislation of the CSTO member states regulating the criminal liability of military personnel and persons equated to them, including for crimes against military service. A critical analysis of the draft relevant recommendations prepared by the Expert Advisory Council under the Council of the CSTO Parliamentary Assembly within the framework of the Program for the Approximation and Harmonization of National Legislation of the CSTO member states for 2021—2025 is presented. Relevant comments and suggestions have been formulated.

**Keywords:** CSTO, military-political situation, collective security, military-criminal legislation, criminal liability of military personnel, crimes against military service.

**15. Zyubanov Yu.A., Kharitonov S.S. Criminal procedural costs based (on materials from military judicial practice)**

**Abstract.** The article presents examples from materials of military judicial practice on the order of distribution of procedural costs in criminal proceedings.

**Key words:** procedural costs, criminal proceedings, military courts.

**16. Ivanov A.L. Crimes related to suicide: the evolution of legal views and practical issues of qualification**

**Annotation.** The article shows the development of public views in Russia and some other states on suicide and driving to suicide, substantiates the solution of some issues discussed in theory and in practice of their legal assessment, provides the results of the study of investigative and judicial practice.

**Keywords:** periodization, suicide, driving to suicide, attempted suicide, helpless state.

**17. Azizov A.G. NATO expansion in the Arctic region**

**Annotation.** The article assesses the increase in NATO's military potential. The focus is on the strengthening of the NATO military bloc by the countries of Finland and Sweden, as an element of geostrategic rivalry with the Russian Federation. The potential composition and direction of military exercises are analyzed. It is concluded that the militarization of the Arctic region and the open hostile actions of the North Atlantic Bloc, taking into account current trends, can escalate into a global conflict with catastrophic consequences.

**Keywords:** strengthening of NATO, Arctic, conflict, military potential, military exercises, USA, Finland, Sweden, Russia, China, militarization.

**18. Kholikov I.V., Thammavongsa S. Characteristics of modern legal provision of military security and military policy of the USA and China**

**Abstract.** This article identifies the main trends in the development of legal support for military security and military policy among the leading world powers (the United States and China) in the context of geopolitical transformations. The first part analyzes the main aspects of military policy and legal provision of military security in the United States, especially the US national strategy in the Indo-Pacific region. The second part sets out the relevant doctrinal innovations in the military security of the People's Republic of China, its position on the strategy of the Indo-Pacific region of the United States. The article examines the specifics of their policy and establishes legal regulation of this area and draws conclusions about the importance of legal provision of military security.

**Keywords:** politics, legal support, military security, USA, China, economy.