

LAW ISSUES

UDC 325

RIGHTS OF MIGRANT WORKERS IN RUSSIA: STATUS AND PROSPECTS

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In the article the two tendencies of labor migration are observed: first of all, it is a high rate of labor migrants rights violation, their involvement and exploitation in the shade economy and, secondly, there is an increase of criminal activity of the migrants. It is stated in the article that there are no common approaches to evaluation and account of this mass effect and absence of sufficient legislature to prevent criminal exploitation of labor migrants.

Keywords: *migrant, illegal migration, shade economy, underaged, migration policy.*

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STATE REGISTRATION OF MORTGAGE EXCLUSIVE TRADE-MARK RIGHTS IN THE MODERN RUSSIAN LEGISLATION

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The article is devoted to the analysis of Russian legislation on public registration of security interests over intellectual property rights. The main general trends and specific features of contemporary national law are considered; their importance for interpretation of laws is shown. The author's conclusions can be used in law-making activity and the judgment. The main aim of the article is to explore the peculiarities and specific traits of public registration of security interest over trademarks in Russian law. Achieving this goal, such methods as axiomatic, deductive, logico-juridical, comparative and historical analysis are applied.

Keywords: *public registration, security interests over intellectual property rights, intellectual property, intellectual property rights, pledge, trademark.*

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THE CUSTOM IN THE ROMAN-GERMANIC LEGAL FAMILY

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The value of the custom in the legal systems of modern developed countries is very ambiguous. First of all, it depends on the legal family; in this case we consider the largest modern legal family - the family of Roman and Germanic law. The article examines the importance of custom as a form of Roman-German legal family. Particular attention is paid to the emergence and development of custom as a form of law in the Roman-Germanic legal family; its actual role in the legal regulation and particularly in the context of different legal systems relating to this legal family. In support of this argument the author gives illustrative examples of legal theory and practice of foreign countries.

Keywords: *custom, custom law, a form of law, the norm of law, legal system, legal family, Roman-German legal family.*

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EMERGENCE AND DEVELOPMENT OF RURAL COMMUNITIES IN SALATAVIYA

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In this article, we consider the ways of sequence formation and establishment of a territorial community as a unified political entity – an alliance of rural communities, as a social institution, that organized joint livelihoods of peasantry. The author also attempted to examine a number of causes of political independence to a certain extent of the community. Some moments of toponymy in the mountainous Dagestan XVI–XIX are observed.

Keywords: *Salataviya, lords, community, The Russian Empire, settlement, Dagestan, Princes.*

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CONTROVERSIAL ISSUES OF QUALIFICATION OF A NEWBORN CHILD MURDER COMMITTED BY ITS MOTHER

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The share of serious crimes against the lives of children, in particular, such as the murder of a newborn baby committed by its mother has grown in recent years. Legislative definition of infanticide in practice caused a lot of problems related to the qualification of the offense. It is necessary to pay attention to the gaps and conflicts that hinder application of the criminal law in order to determine the bound where the intentional deprivation of life a baby which was born (as privileged composition) turns into an ordinary (simple or qualified) murder. This period includes a newborn baby, the embryo (over 22 weeks) as a subject of rights, reducing the age limit to 14 years for this crime, and others.

Keywords: *murder, newborn, vitality, crime.*

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FEATURES OF CRIMINAL LIABILITY OF PERSONS COMMITTED A CRIME WHILE INTOXICATED

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This article considers the issues related to the legal regulation of intoxication as aggravating circumstance. The author presents his own position on the option of improving the criminal law. Thus the author proposes to consolidate the state of forced intoxication as a circumstance mitigating criminal penalties. Interesting experience of Germany, where in the classification of such an act, the offender is criminally responsible not for the crime he committed, but for putting himself in this state, as he himself has created the conditions for the act is provided in the article.

Keywords: *intoxication; circumstances aggravating punishment; fault; crime committing; criminal responsibility.*

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COMPUTER CRIME OR CRIMINAL INTERNET: FEATURES OF CRIMINAL LIABILITY

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The article presents the author's vision of contracting crime in the sphere of ensuring security of computer information systems through the improvement of the criminal legislation of the Russian Federation. The author conducts a comparative analysis with foreign legislation on the issue under discussion and analysis basic international regulations. The author concludes that criminal legislation does not fully conform to the latest information sector, leaving many debatable questions.

Keywords: *computer crime, computer fraud, information security, threats in the information space, illegal access to computer information, informational war.*

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researchers put forward the question on the status of information that is transmitted through the communication channels. The information in these channels is transmitted via signals which are also material transmitters of information. For example, electrical signals in the telephone lines may be transmitters of information in computer networks. Precisely such an understanding of computer information transmitter will help identify as the destruction of computer information or distortion not only the case of exposure to computer devices, but also to signals transmitted between computers].

8. Chto ponimat' pod kopirovaniem? Jeto mozhet byt' ne tol'ko perenos s odnogo mashinnogo nositelja na drugoj, no i raspechatyvanie, fotografirovanie i t. p. [What is meant by copying? It can not only be transfer from one carrier to another machine, but printing, photography and so on].

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