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# INTERNATIONAL CONFERENCE ON SUSTAINABLE DEVELOPMENT IN SCIENCES, MANAGEMENT & TECHNOLOGY

SCIENTIFIC PUBLIC ORGANIZATION  
"PROFESSIONAL SCIENCE",

NORWAY, OSLO

UDC 330-399  
LBC 60

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International Conference on Sustainable Development in Sciences, Management & Technology,  
February 25th, 2023, Norway, Oslo. SPO “Professional science”, Lulu Inc., 2023, 44 p. /  
DOI 10.54092/9781447819080

ISBN 978-1-4478-1908-0

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ISBN 978-1-4478-1908-0



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Publisher: Lulu, Inc., USA

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## SECTION 1. BUSINESS STUDIES

UDC 338.22.021.1

### Nasonova D.V. Volgin S.I. Measures to increase the stability of the Russian economy in the face of international sanctions

Меры по повышению устойчивости Российской экономики в условиях международных санкций

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**Abstract.** The article considers the totality of the economic situation in the current situation in the Russian Federation. The role of the imposed sanctions against Russia and their impact on the economy are determined, the factors affecting the stability of the Russian economy are also studied, the draft scenario conditions for the forecast of socio-economic development are considered.

The necessity of finding solutions for deeper economic development in the country is substantiated.

**Keywords:** economic stability, sanctions, financial wars, forecast of economic development, market.

**Аннотация.** В статье рассматривается совокупность экономической ситуации при нынешней обстановке в Российской Федерации. Определена роль введенных санкций против России, их влияние на экономику, также изучены факторы, влияющие на устойчивость российской экономики, рассмотрен проект сценарных условий прогноза социально-экономического развития. Обосновывается необходимость поиска путей решения для более глубокого развития экономики в стране.

**Ключевые слова:** устойчивость экономики, санкции, финансовые войны, прогноз экономического развития, рынок.

DOI 10.54092/9781447819080\_4

«Россия уверенно справляется с внешними вызовами благодаря как ответственной макроэкономической политике последних лет, так и системным решениям по укреплению экономического суверенитета, технологической и продовольственной безопасности. Впрочем, на сегодняшний день ситуация в экономике постепенно стабилизируется, инфляция в стране уже начала замедляться, а рубль сумел заметно укрепиться и на данный момент демонстрирует лучшую динамику среди всех валют мира» - процитировал В. В. Путин [6].

Почти каждый день СМИ обновляет информацию о новых санкциях. Так, на сегодняшний день введено более 10 тысяч санкций США и Евросоюза против России. За период с 2020 – 2022 гг. в отношении России можно выделить 93 санкционных эпизода. Наиболее частый инициатор таких событий – США (47 эпизодов из 93). Далее идет Европейский Союз – 22 эпизода. Сюда же добавим действия отдельных стран-членов.

Среди них – Германия (шесть событий), Финляндия, Эстония, Латвия – по одному событию. Одно событие также связано с совместным действием Германии, Франции и Великобритании. Сюда же добавим четыре эпизода, когда партнеры ЕС (включая Грузию и Украину) присоединялись к санкциям Евросоюза.

Достаточно высокую активность проявляет Великобритания. Страна вышла из ЕС и перезапустила самостоятельную политику санкций. С действиями Лондона в рассматриваемый период связано 62 события. На Швейцарию и Канаду приходится по восемь событий, на Норвегию – одно.

Итого – 71 эпизод, инициированных ЕС, отдельными странами ЕС или партнерами ЕС в рамках режима санкций Евросоюза. На Великобританию приходится восемь эпизодов.

Что касается целей санкций, то здесь лидируют три страны. Против Ирана было направлено 123 события, против КНР – 94 события, против России – 93 события. На «тройку лидеров» в сумме приходится 310 событий. Среди остальных заметных стран-целей – Венесуэла – 44 события, Белоруссия – 33, Сирия – 35, КНДР – 32, Куба – 23, Ливия – 18, Никарагуа – 19, Турция – 17 событий (рис.1).

Санкции влияют на импорт товаров, в результате чего уменьшается уровень ВВП РФ на 4-18%, а экспорт на 1-25%. Несмотря на это российская экономика смогла выстоять, благодаря закрытости экономической системы и энергетики.

Сама трансформация современной социально-экономической системы является целым рядом переходных процессов, которые возникают по своей сущности, природе, ее реализации и многим другим характеристикам.

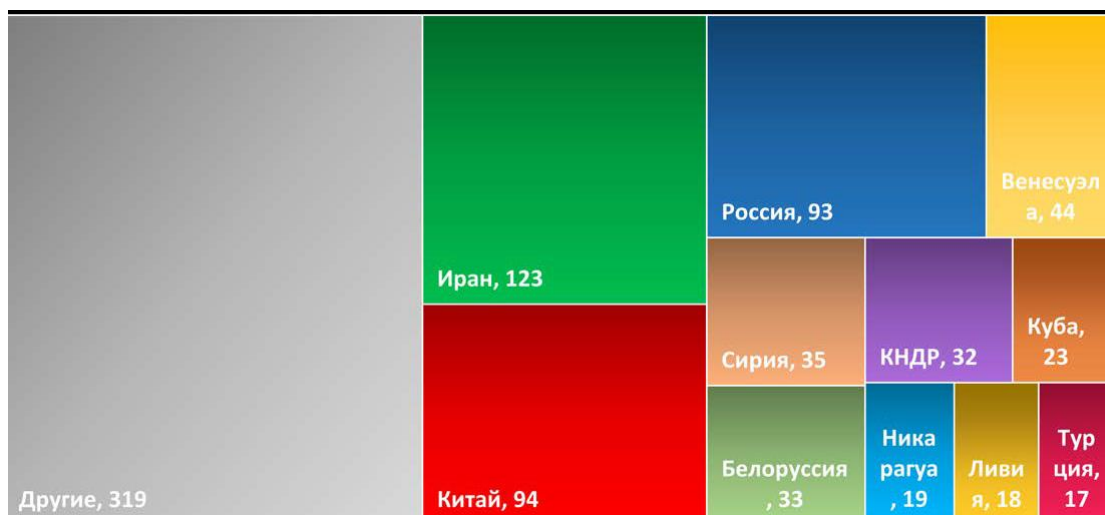


Рис.1 На тройку лидеров приходится более трети всех санкционных событий по данным за период с 5.01.2021 по 01.02.2023

Из 850 событий 514 (60,4%) являются негативными, то есть характеризуются введением новых санкций, продлением режима действующих ограничений, использованием принудительных мер за нарушение режима санкций и др. 205 событий (24,1%) – нейтральны и сводятся к декларациям, заявлениям, проектам законов или документов. Лишь 108 событий из 850 – положительные (12,7%). Они связаны с отменой санкций, приостановкой их деятельности, выдачей лицензий, гуманитарными исключениями и т.п. (остальные 23 события представляют собой действия отдельных лиц и стран, являющихся целями санкций).

Поэтому под трансформацией социально-экономической системы следует понимать ряд нескольких различных трансформаций.

В России правительство для устойчивого положения экономики вводит ряд мер для ее поддержания: замедление инфляции, укрепление рубля, наращивание торгового оборота с азиатскими партнерами, улучшение позиции внутреннего производства, отказ от расчетов с партнерами в долларовом эквиваленте (переход на расчеты с партнерами в национальной валюте).

Международный проект газопровода из России в Германию за прошедший год подвергся серьезному давлению со стороны США. Законодательная база для применения санкций против российских трубопроводных проектов начала складываться уже достаточно давно – в 2014–2017 гг. В 2019 г. Конгресс принял отдельный «Акт о защите энергетической безопасности Европы» (PEESA) в рамках Закона об оборонном бюджете на 2020 г.<sup>24</sup> Закон запрещал предоставлять суда для укладки труб. С учетом того, что американцы распространяют действие своего законодательства и на зарубежные компании, появление закона заставило ряд компаний выйти из проекта.

Из-за санкций в сельскохозяйственной отрасли правительство РФ принимает меры по выдвиганию постановления для смягчения условий получения грантов на реализацию научно-технических проектов в агропромышленном комплексе, следовательно упрощая привлечение ресурсов для производителей кормов и кормовых добавок.

Гранты можно будет расходовать на создание новых отечественных семян, сельскохозяйственных культур, создание средств защиты для растений, что позволит России развиваться в сельскохозяйственной области.

Из предоставленных финансовых средств может производиться оплата услуг по монтажу специализированной техники, приборов и специальных исследовательских агролабораторий, что сможет сформировать разнотипную базу в семеноводстве и селекции, а также обеспечит активное внедрение интенсивных технологий в агропромышленный комплекс.

Правительство уточнило порядок распределения межбюджетных трансфертов на производство и реализацию, это позволит аграриям получать финансирование не только по факту выполненных работ, а также авансом. На эти цели в текущем году в федеральном бюджете предусмотрели 10 млрд. рублей.

14 ноября 2022 года в совместном заявлении Великобритании, США и Евросоюза было принято решение о послаблении санкций против России в области сельскохозяйствования для облегчения процессов попадания продовольствия и удобрений с целью недопущения голода в мире. Отсюда можно сделать вывод, что без участия России на мировом продовольственном рынке возникнет нестабильность, преодолеть которую будет сложно.

Кроме поддержки сельскохозяйственной отрасли следует предпринимать широкий комплекс мер для поддержки предприятий других областей (транспортной, промышленной, нефтехимической), чтобы создать дальнейшие условия благополучной экономики России.

Постепенно восстанавливается потребительский спрос, увеличивается оборот компаний и организаций, и, несмотря на уход с российского рынка многих компаний с иностранным участием, удалось сохранить занятость.

Благодаря последовательному снижению ключевой ставки и льготным программам, скоординированной работе правительства и Банка России растут объемы кредитования. Предприятия получили кредиты на общую сумму свыше 2 трлн рублей, четверть из них предоставлена малому и среднему бизнесу. В сложившихся условиях малый и средний бизнес являются более уязвимым звеном, поэтому им крайне необходима поддержка государства. Целью этой меры является то, что компании этого сектора смогут заменить выпавшие цепочки поставщиков из недружественных стран.

Для этого, в одну из программ, были внесены изменения льготного кредитования в рамках которой бизнес при текущем уровне ключевой ставки сможет получить займы на перестройку и развитие своего производства. Малые и микропредприятия под 4,5 %, а средние

под 3 %. Средства можно будет потратить на закупку оборудования, на капитальный ремонт помещений и запуск новой продукции.

Принят ряд законодательных мер, нацеленных на программу поддержки импорта. Это нулевые пошлины на «критический» импорт, на импорт инвестпроектов и сельхозтехники. Рассрочка и отсрочка уплаты пошлин, отсрочка и приостановление уплаты антидемпинговых пошлин. Льготные кредиты на импорт, страхование импортных кредитов.

Особенно важной мерой является легализация параллельного импорта, то есть для ввоза не нужно разрешение производителя или его согласие работать на рынке страны-импортера. Это должно защитить интересы отечественных потребителей и вернуть в страну оригинальные товары компаний, которые ушли с российского рынка из-за санкций.

До санкций западные страны были главными покупателями газа и нефти из России, однако теперь США не вывозят нефть из России с самой весны, также поставки газа в Европу почти прекратились из-за диверсий на «Северных потоках». Из-за ограничений российским экспортерам приходится обращаться к странам Азии.

Сейчас основными импортерами являются: Китай- за 2022 год Почти 70% объема экспорта пришлось на нефть, газ и уголь. Индия - за первую половину 2022 года объем торговли России с Индией почти втрое превысил прошлогодние показатели. Интенсивность торговли ускорилась за счет экспорта российской нефти, который по сравнению с 2021-м увеличился в 3,5 раза. Еще в марте РФ поставляла Индии только 264 тыс. тонн нефти, а уже в июне — больше 4 млн тонн. Турция - за первые восемь месяцев 2022 года Поставки российского газа в Турцию за текущий год увеличились более чем на 60%.

Российские энергоресурсы направляются и в другие страны Азии, так, РФ договорилась поставлять в Иран 15 млн куб. м. газа в день.

Таким образом, принятые и разрабатываемые меры позволяют стабилизировать российскую экономику в условиях санкций США и стран Запада российскую экономику при ведении специальной военной операции.

Политика санкций против России уже третий год подряд характеризуется стабилизацией. Значимой эскалации санкций пока не происходит. По крайней мере, текущие санкционные события значимо не влияют на макроэкономическую ситуацию в России и сами по себе не приводят к заметным колебаниям рынка. Новые поводы для санкций, такие как «дело Навального» или инциденты в цифровой среде, порождают политическое напряжение и сигнальные санкции США и ЕС против отдельных российских лиц. Однако такие меры не затрагивают экономику в целом. Атака против «Северного потока – 2» привела к отсрочке в реализации проекта, но не к его остановке.

Вместе с тем отношения между Россией и ее западными оппонентами остаются напряженными. Они характеризуются уязвимостью перед новыми кризисными ситуациями и

последующими санкциями. Без серьезного политического повода «драконовские санкции» против России вводиться не будут.

Судя по рассмотренным данным, российские компании и их зарубежные партнеры научились достаточно аккуратно работать с санкционным риском. Однако случаи административных и уголовных расследований против российских лиц или в связи с ними все же остаются. Требуется самый тщательный анализ законодательной и правоприменительной практики стран-инициаторов. Это особенно важно в случае работы в санкционных юрисдикциях. Необходимо учитывать расширение санкций против ряда стран и связанных с ними лиц: КНР, Турции, Белоруссии, а также Ирана, Сирии и др.

Продолжается тенденция избыточного соблюдения (*overcompliance*) санкционного законодательства США, ЕС, Великобритании и других инициаторов. Партнеры российских компаний могут уклоняться от сделок даже в Однако сбрасывать со счетов сценарий внезапной и обвальной эскалации отношений с качественным нарастанием санкционного давления все же нельзя. Этот сценарий не является базовым, однако с учетом сложившейся политической обстановки исключать его нельзя.

Финансовые войны приносят огромный ущерб, и они надолго могут вызывать кризисы и стагнацию. Риски всегда вредят инвестициям. Чтобы начать восстанавливать численность населения и резко, масштабно продвинуться в качестве жизни и технологической модернизации, нам очень нужны годы и годы спокойствия в России.

Грамотный подход и адаптивность к сложившимся условиям позволяют России быть независимой от иностранных решений.

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## SECTION 2. PEDAGOGY, LANGUAGE AND CULTURE IN EDUCATION

UDC 37

**Baimagambetova B.I. Learners' interaction in online education**

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**Abstract.** Online education has become extremely popular in recent years and has been seen as an alternative to face to face instruction. One of the reasons for its popularity is that it can reduce the problem of distance and time experienced by teachers and learners. Recent developments in online education show an increase in the use of synchronous communication tools that are similar to face to face interaction [1]. Widely available web-video conference tools like Zoom offer real-time communication through a combination of audio, video and chat. Synchronous online technology has numerous advantages including live interaction between the participants, immediate response time, reduced travelling time, and creating a somewhat authentic classroom environment. To develop online learning environments and to improve their effectiveness, it is essential to take learners' engagement into consideration. Learner engagement has been taken notice of, as it is known to promote learners' retention and success in areas such as test performance, attaining a diploma, acquisition of knowledge, or skills and prevent boredom, disinterest, absenteeism, and dropout. Researchers claim that facilitating interaction and online learner participation are crucial for the enhancement of learning [2]. Furthermore, the quality and frequency of interactions affects the value of an online learning platform. In other words, fostering a highly interactive online learning platform is necessary for a valuable learning experience. Social presence is "the ability of participants in a community of inquiry to project themselves socially and emotionally as real people through the medium of communication being used" [3, p. 94]. In other words, social presence is a popular construct used to understand how people socially interact in online learning environments [4].

**Keywords:** Online education, communication, teaching methods, online learning platforms, the effectiveness of education, higher education, improving learners' interaction

DOI 10.54092/9781447819080\_11

The innovative and emerging technologies have been taking up every aspect of our lives for the last decades. Even so, rapid changes can be hard to follow nowadays. However, living in an era that is dominated by technological devices, it is also hard to not see technological advantages benefitting language learning. Notably, adding that the influence of electronic devices on the recent generations' lives have become undeniable, it can be possible to say that technology use or electronic device use in language teaching and learning has become widespread. Being familiar with electronic devices or having the knowledge of electronic device use is the new normal for the recent generations.

The student engagement has started to attract attention of researchers, politicians and educators for developmental purposes is a crystal-clear fact. Since the popularity of student

engagement is getting higher and higher, the definition of engagement should be conceptualized in order for researchers to catch up this popularity. This is why, in this thesis, conceptualizing student engagement is seen as a prime of importance. It can also be thought of as a positive feeling about learning, homework, and class. Student engagement is known as “meaningful student involvement throughout the learning environment”. And, student engagement may be divided in two: social engagement and academic engagement. In the same study, social engagement refers to the behaviors of students which are performed to take participation in the life of school, and it covers interactions between students and their peers of teachers as well as sense of belonging and enjoyment of school. On the other hand, engagement has an essential role in the success of the students. It is generally defined as the overall energy and time that students spend for learning and courses as well as course materials and activities. In other definition, it refers to the time and resources spent by students for the activities supporting learning at universities. And, oral participation is seen as a good indicator of engagement in classroom. However, after Zhou [5] interviewed 104 students learning English and 4 teachers, he reached that oral participation was essential for both teachers and students although they did not participate much orally, and they believed in its importance for learning. He added that the underlying issues were different for them: teachers might care about academic achievement while students caring about language learning.

Although the quality of teaching and learning in a higher education institution can be understood through student engagement, the meaning of student engagement is not clear at all. They also state that its importance can be understood by discovering the focus and level of student engagement. In the way of understanding the focus and level of student engagement, they recommend us to find out what student engagement forms, which they categorize in three: individual understanding, curricula, and communities. Student engagement may increase learning outcomes of students as well as help them to form the course they study while shaping the institutions and societies in which they participate. This study claims student engagement to be a knowledge-centered experience, and says that student participation can only be “engagement” as long as it deals with disciplinary and professional knowledge.

Students may engage or participate in different ways in classrooms based on the dimensions of the engagement. And the three dimensions of the engagement as it is mentioned - behavioral, emotional and cognitive - have an influence on the academic success and performance of the students. In literature, students` academic engagement is seen to carry an important role in determination of students` success level, which implies that there is a positive relationship between the engagement level and success level of the students. “Student engagement is critical for students` success”. It can be also said that the more a student is engaged, the more he or she is successful in academic environment. For this reason, it is essential that the process through the engagement of students should be understood and supported truly. Whether a student is engaged is not easy to be observed. Among the dimensions of engagement, behavioral engagement is the most

visible one since someone outside can easily observe the behaviors of the student and decide if he or she is engaged. Engaged students display many behaviors inside the classroom such as taking notes, orally participating and asking questions. And these behaviors may differ depending on students. Each student has his or her engagement style. As it is mentioned in the framework chapter, some students may engage through listening, taking notes and participating silently while some choose participating orally, asking questions and providing comments. By looking through the lecturers' lens, an engaged student is someone who shows more initiative, stays focused and asks questions. Among these engagement styles, silent participation is the most common one among students but oral participation is seen as the only predictor of academic achievement. Quiet students may be misunderstood and seen as unengaged in the classroom by their instructors who believe that engagement may happen only through oral participation, by ignoring that this silence can result from many reasons such as personality traits and situational factors. However, it cannot be said that being silent is not related with academic achievement. And also, silence cannot be always interpreted as disengagement of students. Martin and Torres [6] claim that student engagement can be clearly understood through its relationship with some elements such as school community, peers, and instruction as well as curriculum. They also provide information about student engagement change depending on time and courses. For example, student may be more or less engaged depending on the school term like spring or fall, or students may be more engaged in a course than a different course. They also add that student engagement is not merely related with in-class applications or practices; it is also correlated with extracurricular activities such as music and academic clubs. These extracurricular activities help students to acquire the sense of being engaged by reinforcing lessons, applying what they learn in class into real-life experiences, and taking responsibility as individual and as group. As a result, based on their study, it can be said that student engagement can be supported with offering extracurricular activities to students as instructors and institutions. Strudwick [7] conducts a project on active student participation in extra-curricular activities and student engagement beyond courses, and finds out that the importance of extra-curricular activities is all well understood by both, with her terms, more engaged and less engaged students while more engaged students see these activities as opportunities from the point of gaining new skills and abilities. In the project, students as participants defined themselves as engaged or disengaged so that a comparison between engaged or disengaged students could be possible. The project also makes a distinction between more engaged and less engaged students in terms of future career: more engaged students are surer about what they want in their future life compared to others. The study puts student engagement in three zones which are academic activities, sports and activities, and volunteering. However, both more and less engaged students are all aware of the importance of engagement based on the results of the interviews conducted for the project.

Student academic engagement is tried to be promoted by applying several ways as a result of its importance for students' academic achievement. When the importance of active participation

for student engagement is taken into consideration, it can be added that active participation offers more permanent and meaningful learning. Dunleavy and Milton [8] suggest that there are some factors contributing positively to student academic engagement such as creating supportive learning environment, encouraging for active participation, and providing meaningful course contents. Another scholar offers several ways to promote student academic engagement for teachers as follows [9,p24]:

- Teachers create opportunities for active rather than passive learning.
- Teachers encourage autonomy and nurture independence through choice.
- Teachers create relevance in assignments and topics.
- Teachers value and use collaborative learning methods.
- Teachers use technology as a tool to increase learning opportunities and depth of study.
- Teachers employ multiple teaching methods and texts.
- Teachers develop lessons and assignments that incorporate both challenge and success.
- Teachers differentiate and scaffold learning.
- Teachers create authentic assessments and offer timely and frequent feedback. Teachers develop a culture of inquiry within the classroom[10].

If the instructors pay attention to these items, the engagement level of all students will probably increase according to the relevant study. These items are not just valid for face-to-face education but also apply to online education since there are many similar things between these two types of education such as participation and assignments. However, the applicability of the aforementioned items is subject to discussion because it may not be possible to apply them in crowded classrooms. As it is stated above, students' academic engagement witnesses many underlying factors and different perspectives.

The article aimed to improve students' ability to adapt to study English in a blended learning environment, as well as the problems and difficulties they encountered during their studies. Despite their high level of readiness towards blended education, it was reported that students encountered some issues related to restricted access to online lessons due to technical failures, lack of interaction with their peers and teachers along with lack of expertise in digital tools. Furthermore, professors perceived their position in online courses as more important than students believe.

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UDC 37

## Yerkhankyzy A. Treatment of errors in oral communication

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**Abstract.** *Errors have always been inevitable in a language class regardless of the proficiency level of the learners. In terms of ELT, errors have still been one of the hot issues since 1950s and discussed within different contexts and point of views. Scholars have mainly focused on some basic issues about error correction such as whether to correct errors or not, how to correct these errors and when to correct them.*

*In oral performance, teachers may focus on accuracy or fluency. Depending on many variables, it is suggested that teachers have many ways of error correction as the learners' preferences may vary individually. Although there are a number of studies conducted about this issue, further research is required, and this study mainly focuses on the learners' preferences on the correction of their oral errors and the strategies they use in an ELT context.*

*Oral corrective feedback has been viewed by several researchers as a vital aspect of language pedagogy because it encourages learners to acquire additional knowledge of the target language form .*

*Nevertheless, other scholars have negatively regarded this technique, arguing that it should not take place in language-learning classrooms as it has no benefits for learners. Despite these differing opinions, oral corrective feedback continues to be widely utilized in language-learning classrooms. However, some teachers have wondered about the use of corrective feedback, inquiring why learners continue to make the same mistakes after receiving feedback several times. This questioning has led to further investigation by researchers of the corrective feedback process, including variables potentially impacting its effectiveness. The current study focuses on preference as an affective variable so as to understand the influence of corrective feedback from individual perspective.*

**Keywords:** *Methods of error correction, oral communication, teaching methods, freedom in communication ,grammatical structure, approaches, lack of formation of the corresponding speech skills and abilities.*

DOI 10.54092/9781447819080\_16

Teachers' perception of language will determine their practices including error correction. These questions will be discussed within the framework of approaches and methods. Throughout the application of linguistic and psychological theory to the study of language, errors were seen and treated differently. It can be inferred that correcting errors is a crucial factor in formal instruction. There was a shift in pedagogical focus from preventing errors to learning from errors. This shift was a result of the changing view of language and teaching. In 1950's, language was seen as a set of rules to be learnt. However, when the communicative aspect of language gained importance, errors were seen and treated differently. Zulfikar likewise pointed out that this shift necessitated less overt correction and relaxing error correction on the part of the teacher. Hence learners are encouraged to express themselves [1]. What's more, new methods and approaches made it possible to apply new ways of teaching and thinking in the classroom. Still many discussions are being carried out by researches. These arguments with reference to error correction could be summed in two different

opinions; the first one suggests error correction and teaching grammar enhances foreign language learning in adults whereas the other advocates that error correction does not play a significant role in the development of foreign language learning. The reason behind the idea of insignificance of error correction is that foreign language learning is likened to first language acquisition. "Perspectives on the efficacy of error-correction are distributed along a continuum which exhibits a range of positions from interventionist to non-interventionist". There were three main approaches to errors; the traditional view which is non-tolerant to errors; the second view was held by Corder and Selinker who believed errors are natural and inevitable and the last one by Krashen and Terrel who advocated a selective approach to errors. The traditional view which could be considered as interventionist is the behaviorist learning theory. In the sixties the word 'error' was associated with correction, at the end with learning. In the field of methodology two schools can be mentioned with respect to learner's errors: Psychologically behaviourist and linguistically taxonomic which was known as audiolingual method and cognitive approach which was based on mentalist theories such as Interlanguage and hypothesis testing . What's more, Krashen observed that all language teaching methods had two characteristics in common; discrete point presentation and feedback on error [2].

Communicative competence brought a new dimension to interlanguage and English language studies in that attention shifted to functional and pragmatic and social dimensions of language in addition to discourse features and use of speech acts such as turn taking, requests, apologies, openings and closings. Faerch and Kasper found that advanced learner discourse was limited in terms of speech act realization. Therefore, it is important to be able to distinguish errors from strategic and situational infelicity. In the 1980's the Focus Approach developed by Magnan and Valdman, aimed at bringing a middle way to error correction and its relation to communicative competence. The Focus Approach aimed at conveying a rudimentary communicative ability which attended both message and the medium. It does so by offering reduction of certain elements which are not to be learnt actively at given point. Thus it promotes maximum communication. In achieving communicative competence, input and output are equally important [6]. Input Hypothesis claimed that through listening and reading spoken fluency can be achieved. In addition, output has an indirect contribution to acquisition. Output affects the quantity and the quality of input. What's more, output helps learning by providing a domain for error correction because it was asserted that mental representation of a rule in a learner changes after correction. It is important to note that "it is in discourse and through discourse that the competencies are realized" . So, in order to have an understanding of role of error correction, it is necessary to take into consideration interactive nature of classroom which also entails analysis of teachers' error treatment behavior by focusing on the purpose of teacher whether the lesson is structure or meaning focused. In other words, error correction should be analyzed by taking teachers' behavior into consideration. Feedback can be evaluative or discorsal [7]. In the following excerpt: You say, "I enjoy to go to the movies," and I say, "I enjoy going to the movies." What is the difference? .

It is important that error correction and detection involve more discourse-level activities. Discourse-grounded correction should provide students with discourse and pragmatic considerations and with the opportunity to use bottom-up and top-down processing strategies. There are two discourse based approaches to error correction: interview analysis which includes recordings of conversation. Transcriptions of the recordings will supply material for correction. For written discourse, teacher is supposed to reformulate the piece of writing and hand it out to learner[10]. Then the learner compares the problematic areas which is called reformulation. According to Chaudron, using learners' errors is a good way of creating a student centered approach. If the objective of teaching is the development of communicative competence, errors are to be analyzed with respect to the effectiveness of communication, for instance its intelligibility[8]. The teaching cycle in the task-based methodology also provides us with information about the time of correction. In the planning and report sections, students may not be able to make correct utterances or sentences as they lack of knowledge of the rule. At this stage teacher helps them by providing the correct forms. At the language analysis stage, students will be able to make self-corrections as they were provided with the knowledge of the rule.

Learners could think that feedback from a peer whose English level is more or less the same as theirs may not be feasible. With careful planning and pre-training, teachers could overcome this problem. Peer feedback is important in classes where communication is important because peer correction fosters communicative behaviors as peers will inevitably interact for negotiation of meaning. It could be observed that since 1990s, the focus of error correction has shifted from teachers to learners. What's more, peer correction reduces student dependence on the teacher and increases the amount the students listen to each other[11]. Peer feedback was also supported by collaborative learning theory, Vygotsky's Zone of Proximal Development and Interactionist theories of second language acquisition [3]. Students should be informed that input is not provided only by the teacher but also by another learner. With the right kind of atmosphere, learner would not be humiliated. It is the teacher's duty to decide the most appropriate time, way and type of correction [4]. Whether through teacher correction or peer-correction, the main aim is to lead the learner to such a stage that eventually they correct themselves. This would eventually raise the awareness of the learner. Upon hearing an incorrect utterance, almost automatically teachers run the speech event through a number of nearly simultaneous screens: First identifying the error (lexical, phonological), then identifying its source, which will be useful in determining how you might treat the deviation [9]. Next, the complexity of the deviation (if a deviation required so much explanation, the teacher might decide to postpone the correction) then deciding whether the utterance is interpretable (local) or not (global). After that making a guess at whether it is a performance slip (mistake) or competence error (at this stage a teacher needs to develop intuition through experience and established theoretical foundations to make the decision). Learner's linguistic stage of development will help the teacher

decide how to treat the deviation. The scope of the lesson is also a crucial factor in correcting errors. Last but not the least; teacher's own style comes forth as the last step[5].

Giving an analysis of the typical errors of trainees, let us dwell on the specifics of generating errors. The main goal of training is the absence of communicative errors, i.e. those that violate understanding, and therefore communication. This does not mean that work is not being done on the correctness of speech, but at the same time it must be remembered that sometimes students are required to make much more perfect statements than in their native language.

In this article, it was revealed that language is a means of communication and the main task of the teacher is to familiarize students with the language being studied. In the process of teaching a foreign language, the situation of monolingualism is very acute, therefore, correcting students' mistakes is one of the most important in the methodology of teaching foreign languages.

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## SECTION 3. PROFESSIONAL EDUCATION

UDC 371.2

**Bashmakova N., Privalov N. Modern professional education of specialists for the judiciary: problems and perspectives**

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***Abstract.** This article is focused on the professional education of specialists for the judicial system. The basic problems associated with the professional training of personnel for the judicial corps are identified. The authors highlight the main problems and promising directions of the development of professional education.*

***Keywords:** professional education, specialists for the judiciary, problems, trends, perspectives.*

DOI 10.54092/9781447819080\_20

### 1. Introduction

Today, higher professional education is known to be directed at "training highly qualified professionals in all major fields of socially useful activities in accordance with the needs of society and the state [1], meeting the individual's needs for intellectual, cultural and moral development, deepening and expanding education, scientific and pedagogical education" - this requirement of the Law "On Education in the Russian Federation" determines the strategy and tactics of educational activities of universities [2].

The relevance of the stated topic is due to the enormous role played by legal education in Russia as a constitutional-legal component in the system of legal education.

It should be noted that at this stage of the country's development insufficient attention is paid to this component. Meanwhile, it is necessary to understand that the constitutional component of the professional training of specialists for the judicial system is more important than the usual approaches to teaching.

### 2. Material and methods

The normative-legal base regulating relations in the sphere of education in the Russian Federation includes hundreds of legal acts of varying legal force.

To improve the legal framework of education in Russia it is necessary to follow the following directions [1]:

- legislation in the field of education should comply with international legal norms of the Russian Federation;
- there should be no contradictions that arise between normative legal acts of educational legislation and normative legal acts of other branches of legislation (civil, labor, etc.)
- separation of powers between the Russian Federation, its subjects and local self-government bodies;
- legal technique of normative-legal regulation in the sphere of education should be improved.

Problems of reform, development of higher legal education due to the processes of internal development of the country, which has recently been exposed to intensive, but not always successful impact, as well as the need to educate the legal health of the nation. On this health largely depends the well-being and further development of the country.

The system of multilevel continuing legal education in the Russian Federation is distinguished by tendencies [3]:

- transition to high-quality professional education for all;
- development of partnership and cooperation in education;
- humanization and humanitarization of professional education;
- introduction of innovations in the process of professional education with preservation of traditions of national culture.

Today, law schools in Russia identify such problems related to:

1. The need to improve the continuous multilevel legal education.
2. The need for advanced training to meet the staffing needs of the country.
3. Formation in the process of professional education of socially active, spiritually developed and physically healthy personality, capable to carry out professional legal activity.
4. Improvement and updating of existing content, educational, methodological, research components of professional training of specialists for the judicial system.
5. Development of corporate culture of the faculty and student body of a law school.
6. Models to improve the quality of legal education are based on common algorithms to improve domestic higher education and do not always take into account the specifics of legal education as the most important institution of reproduction of the domestic legal consciousness.

The objective process of forming in Russia a new legal system and system of socio-political and economic management causes an acute need for training and retraining of managerial personnel on a fundamental legal basis, taking into account both traditional and innovative Russian and foreign experience. That is why one of the priority directions of modernization of Russian education should be the need to develop and improve legal education.

In addition, this need is dictated by the fact that the formation of a state governed by the rule of law, improvement of the state administration system, strengthening of the power vertical, as well as the accompanying processes of updating legislation, require filling the deficit of legal thinking, often manifested in us and at a very high state level, by training qualified legal personnel.

The problem of qualified legal protection of Russian citizens, as well as the problem of training highly professional personnel for the judicial system, legislative and executive authorities, local self-government bodies and improving the legal culture of the entire population, especially young people, remains urgent.

Moreover, prospective directions of development of legal education imply [4]:

1. Formation of management mechanism of Russian law school on the basis of values, corresponding to the goals and objectives of professional education in modern socio-economic conditions.
2. Expanding the practice of internships for students of different levels of education in the dyad "university-employer".
3. Quality assurance of monitoring the effectiveness of educational activities of a law school.
4. Optimization of the educational process of lawyers through the transition to a higher level of its information support.
5. Training qualified specialists with academic mobility based on the use of network information technologies.
6. Achieving the level of training, allowing for quick adaptation of the specialist to the current socio-economic situation and diversification of educational documents.
7. Creation of educational and methodological complexes of classical legal education based on information technology.

### **3.Results of the study and discussion**

In the course of the study:

- 1) the main problems associated with professional training for the judicial corps have been identified;
- 2) promising directions of development of professional legal education have been highlighted.

### **Conclusion**

This approach to the organization of legal education of specialists for the judicial system fits into the solution of the primary state problem of creating a system of high-tech, universally accessible and high-quality education, which will correspond to the development of innovative processes and the introduction of high technology in all areas of human activity - production, science, education.

This approach to the organization of legal education of specialists for the judicial system fits into the solution of the primary state problem of creating a system of high-tech, universally accessible and high-quality education, which will correspond to the development of innovative processes and the introduction of high technology in all areas of human activity - production, science, education.

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## SECTION 4. PSYCHOLOGY AND EDUCATION

UDC 159.9.07

### Persiyantseva S. Regional features of the formation of cognitive competencies of students

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***Abstract.** A generalized analysis of a number of studies of the influence of the educational environment on the development of cognitive characteristics of students is presented. Approaches in the education system are described. Examples of the influence of the teacher's personality on the development of the student's cognitive component are given. An assessment is given to new studies related to the study of the cognitive component of students. The problem of the influence of the regional component on the development of cognitive competencies of students has been updated.*

***Keywords:** cognitive component, educational environment, regional features*

DOI 10.54092/9781447819080\_24

In the cultural-historical theory, the age specificity of the “social situation of development” of the student is noted “... each age has its own, specially organized environment, ... which changes for the child with the transition from age to age” [1, p. 93; 2]. The social situation of the student's development is determined by the peculiarities of the educational environment.

The educational environment includes the state status of a particular educational institution the qualification characteristics of the teaching staff in this institution, the indicators of the quality of student learning, the complexity and volume of the training program, regional features, the “teacher-student”.

The educational environment is a set of pedagogical conditions aimed at creating an optimal background for the successful development of students.

Depending on the goals and objectives of education, there are approaches:

- Traditional education. Transfer of knowledge from teacher to student. The student is able to reproduce this knowledge in the future. The task of learning within the framework of the approach: to form techniques and methods of educational work [3, 4].

- Individually oriented education. The transfer of knowledge, taking into account the existing personal characteristics of the student. Individualization of learning in the conditions of the educational process [5].

- Developing education. The approach is focused on the formation of new forms of cognitive activity of students. That is, not the assimilation of ready-made knowledge, but the ability to construct concepts, master the system of actions necessary to solve educational problems. To control and evaluate these actions, to form the ability to draw up and express one's own judgment. Developing education is a system of didactic tools and methodological techniques: 1) "problem learning" [6]; 2) "formation of educational activity" (Scientific school of D.B. Elkonin, V.V. Davydov) [7, 8].

Educational programs based on developmental learning contribute to a more successful development cognitive competencies of students than traditional education [9, 10].

Cognitive competencies as part of the cognitive component in the structure of the subject of the educational process are a combination of indicative and operational components of the student's work with educational material. This is the ability to build a holistic image of the object under study in specific subject areas, the ability to analyze the content and structure of educational texts of various types, transform the subject task into a new task, and compose one's own original task [11, 12].

Studies of the influence of the educational process on indicators of cognitive competence can be considered in two directions.

The first direction of research can be associated with a longitudinal (follow up) study of the cognitive component of the subject of the educational process. The second direction is the study of cause-and-effect relationships between cognitive indicators and the characteristics of the educational environment in which the student is studying.

In a study performed on a sample of 244,316 subjects from 45 countries, it was found that the average duration of schooling is a significant predictor of the success in the formation of productive and reproductive abilities: the ability to think clearly and analyze complex structures, the ability to store and reproduce information; highlight essential and non-essential features of the object under study, ensuring the integrity of the image and the possibility of simultaneous selection of the object from a number of other objects that are similar in essential features [13]. It is noted that increasing the duration of schooling leads to long-term effects in measures of cognitive abilities, such as memory and mental operations [14].

When studying the effects of the educational environment on the cognitive functioning of students, a wide range of indicators are taken into account that reflect the specifics of the educational institution in which the child is studying. As a rule, in a school with high financial opportunities, education is based on high-tech educational technologies, highly qualified teachers are invited, more educational additional events are held, etc. All these measures provide opportunities for the cognitive development of students to a greater extent than in a situation of low economic status of an educational institution [15, 16].

One of the factors influencing the development of the cognitive component of the subject of the educational process is the personality of the teacher and his methods of interpersonal interaction

with students. Thus, in a study on a Finnish sample [17], a positive relationship was obtained between the authoritarian style of the teacher and the success of students in learning to read. A number of studies have shown that success in learning and the cognitive competence of students depend on the length of service of the teacher in the university [18], his qualification characteristics [19], the severity of the academic optimism of the teacher - faith in the abilities of their students [20].

The teacher has knowledge, a complex of integral personal characteristics (orientation, competence, flexibility), a high level of self-awareness. He is capable of dialogue with students in order to activate his motivation for the accumulation of cognitive competencies, spiritual mutual enrichment and harmonization of the value system.

In the article "Spatially gifted, academically inconvenienced: Spatially talented students experience less academic engagement and more behavioral issues than other talented students", published in the British Journal of Educational Psychology, presents the results of a study of 56.6 million students in the American K-12 system, of which 4-6 % of students are spatially gifted students (this is more than 2 million students) [21]. J. Lakin and J. Wai note that spatially gifted students have a capacity for success that too often goes unnoticed by educational services. Scientists have proven that these students experience great learning difficulties, including reading difficulties, behavioral problems, and lack of academic activity. Because these students may lack the appropriate challenge.

A number of studies indicate that the educational environment contributes to the equalization of the cognitive characteristics of students. Thus, teaching by traditional methods leads to the fact that students with a higher intelligence find themselves in an unsaturated educational environment and they have a slowdown in the development of intelligence. Students who show a lower level of intellectual development may fall into the zone when they are learning at a high level of difficulty and they are developing their intellectual abilities to the maximum. The tendency to equalize the cognitive characteristics of students in the process of learning activity is a rather alarming indicator.

In the article "Cognitive Competence as a Subject of Pedagogical Analysis" Kublitskaya Yu.G. describes the content analysis of the composition of cognitive competence. This category includes: motivational-value component; operational-activity component, reflective-evaluative component, cognitive component. The cognitive component involves the purposeful formation of a student's knowledge system. The presence of a competence carrier of tools for analysis, synthesis, comparison and generalization of information obtained as a result of cognition. To study the indicators included in the cognitive component, several subscales of the Adult Mental Development Test methodology were used: "Awareness", "Dictionary", "Inference", "Classifications", "Analogies", "Generalizations". The following are the results of a 15-year study [22, p. 7].

The study involved students (N=297) - of the Russian State University for the Humanities (RGGU, Moscow) n=128, Kaluga State University K.E. Tsiolkovsky (KSU, Kaluga) n=92 and the State

Humanitarian and Technological University (Orehovo-Zuevo)  $n=77$ . Range = 18–27 years ( $M=19,59$ ;  $SD = 1.34$ ).

Table 1

The significance of differences in indicators of the cognitive component in regional educational groups

	M-K	M-O	K-O
Dictionary	3779.0***	1879.5***	505.0***
Awareness	5526.0	3432.0***	2317.5***
Inference	5385.5	4691.0	3407.0
Classifications	5543.5	3627.5***	2364.5***
Analogies	5418.5	3148.0***	1962.0***
Generalizations	4170.5***	1425.5***	290.5***

\*\*\*  $p<0,001$  M – Moscow, K – Kaluga, O – Orehovo-Zuevo

The achieved level of students' cognitive competencies is evidenced by the skills formed in them: to give definitions to scientific and cultural concepts. Be able to distinguish between essential and secondary features. Understand the patterns expressed by iconic symbolism, and operate with it, draw conclusions.

An analysis of the average group scores shows that students in Moscow showed better results than students from other cities, with the exception of two subscales. Kaluga students are better than Moscow students 1) are able to formulate scientific and cultural concepts in a complete and concise form ( $M = 9.09$ ;  $SD = 4.02$ ) and 2) find common and special in concepts, highlight those essential features ( $M = 14, 97$ ;  $SD=7.02$ ). For schoolchildren in Moscow, these indicators are lower (Dictionary -  $M=6.55$ ;  $SD=4.21$ ; Generalization -  $M=11.83$ ;  $SD=8.44$ ). Students from the city of Orehovo-Zuevo had the lowest scores on all subscales of the cognitive component. Interestingly, all three groups did not reveal significant differences in the ability to quickly process incoming information. Make the right conclusion based on the information. These figures for the three groups are very low. It can be concluded that the ability to inference was the most difficult to master for all students, regardless of where they live.

The fact that Moscow students have a more developed cognitive component is quite predictable. Moscow is the center of attraction. Muscovites are distinguished from residents of other regions by activity and a high level of education.

In sociological studies, for example, it is noted that Moscow differs from other regions not only in the level, but also in the quality of socio-economic development, due to the active involvement of the capital in globalization processes, population renewal through interregional exchange. The capital attracts creative, gifted, socially active and ambitious people.

Studies have shown that students from Moscow and the regional city of Kaluga practically do not differ in terms of the level of development of cognitive competencies. However, high scores on two indicators of the cognitive component can be explained by the fact that during the COVID-19

period, the majority of intellectually successful graduates of Kaluga schools refused to enter Moscow universities and preferred to study at local universities.

The regional city of Orekhovo-Zuevo, despite its geographical proximity to Moscow (200 km), has a limited cultural and educational space. This leads to a decrease in the development of cognitive competencies.

In conclusion, we note that the development of cognitive competencies of students in the educational environment is associated with regional characteristics and the diversity/limitation of the cultural space. At the same time, the globalism of modern life, the involvement of young people in social networks that push the boundaries between cities and countries, the commonality of socio-demographic and socio-psychological characteristics of students as a special educational group indicates that the norms of interaction characteristic of the province are losing their relevance. The degree of freedom in enriching knowledge and developing new competencies is increasing.

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UDC 37

**Yuryeva A.V., Zhdanovskiy S.L. Glances modern domestic scientist on essence, categorization and functions negotiations when arising conflict**

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***Abstract.** In given to article, we have in detail considered the determinations international negotiations. Have Analyzed the literature on given to problem. Have In detail considered and have analyzed the functions and their role in structure of conduct international negotiations at conflict. Tried to do the findings, revealing particularities to technologies of the undertaking negotiations peace way of the permit international conflict.*

***Keywords:** negotiations, conflict, functions, compromise, discords*

DOI 10.54092/9781447819080\_30

Studying scientific literature, we see that amongst domestic scientist, either as amongst their foreign colleagues does not exist united understanding a negotiations. So, too example, in dictionary S.I. Ozhegova is spoken that negotiations mean «exchange by opinions with business purpose» [4, 22-24].

Wanted point to the fact, in turn Russian psychologists A.YA. Ancupov and A.I. Shapiro in textbook «Konfliktologiya» write that negotiations - a way of the warning and arrangements of a conflict, which «is concluded in use the peace facilities and acceptance for decision of the problem» [3, 45-47].

We shall pay attention to the other domestic psychologist, N.YU. Belousova, he defines the negotiations as situation of the contact and interactions individual or groups. We consider, more exact determination negotiations was given by V.I. Kurbatovym. On his (its) opinion, the negotiations represent itself complex form of the human interaction, which purpose serves the longing to agree on than-or. We completely agree with his (its) determination, since, consequently, depending on that, about than agree the people, and from that, as they this does, differ the varied types a negotiation [1, 56-58] (Drawing.1).



Drawing.1 photo, reflecting specifics of the undertaking negotiations at conflict situation

In negotiations obviously stands out that can be named their subject or object side. Thereby so negotiations, what considers V.I. Kurbatov, can be qualified as financial and economic, business and political, military and diplomatic.

However, we know, about neither than nor were winnowed negotiations, their participant emerge the people. In accordance with this negotiations can be individual, when two persons agree on realization their own general plan and intentions, thoughts and integer. They also can try to settle the differences' or conflict, which between them to appeared.

The Participant negotiations can be also collective subjects. In this case negotiations run in several other forms, than the individual. In they appear the effect of the competition of the commands. The Command principle of conduct negotiations implies that each command has its firm structure, leader, expert and analyst. The Plot such negotiations, we think, is based on reasonable division of labor, and they, naturally, vastly more complex on multiform plot, than the individual [5, 66-68].

For back as the individual, so and group negotiations can be aiming organization, alliance, party, state, nation, nationality. Then plots of the fight and agreements, compromise and alliance, concessions else more complex. To he are connected the public interest, political conjuncture and social priorities (Drawing.2).



Drawing 2 photo, reflecting characteristic in command conduct a negotiations

We certain that follows to note - a problem negotiations becomes at present one of the most actual. The Domestic scientist, and in the first place politologists, psychologists and sociologists, have proceed with her (its) active development. Amongst scientific work, denoted specified problem, special place, on our glance, occupy the works A.YA. Ancupova, N.YU. Belousovoy, V.M. Barynikina, M.G. Vlasovoy, K.S. Gadzhieva, A.V. Gluhovoy, E.V. Egorovoy, A.G. Zdravomyslova, V.L. Israelyana, V.I. Kurbatova, M.M. Lebedevoy, V.F. Neha, A.YU. Panasyuka, V.V. Serebryannikova, V.A. Sosnina, D.M. Felidmana, A.I. SHipilova and others.

In their work are put(deliver) end and solved such problems, as determination to essence and categorization negotiations, is chosen phases process negotiations and is described his(its) track record, reveal; open condition of the positive influence negotiations on permit conflict[4, 156-188].

The Analysis of the domestic scientific literature on problem negotiations shows us that exists the ensemble of the reasons for their categorizations. Herewith most general reason for undertaking the categorizations, as a rule, identical that that are chosen foreign scientist. Either as their foreign colleagues, Russian scientist depending on spheres of the touched relations subdivide the negotiations on international and internal.

Other general base to categorizations, we consider, emerges the variety a subject process negotiations. Coming thereof, us is made conclusion that on base negotiations subdivide on interpersonal and between group [3, 15-18].

The Following general base to categorizations negotiations emerge the condition of their undertaking and nature of the relations of the sides. On this base possible to select the negotiations in condition of the conflict (the conflict of the relations), in condition «plays» or in condition cooperation sides.

We, resting in presented to categorizations, the main attention in our article we shall spare the international negotiations in condition conflict relations of the sides. The Choice this us is not mated, that as, we studying scientific literature see that in domestic scientific literature categorization international negotiations is presented it is enough broadly. In ditto time essence and categorization negotiations inwardly state practically not reveal; open.

The motivated and the most fundamental, on our glance, are categorizations international negotiations, designed by M.M. Lebedevoy and M.G. Vlasovoy. They spoke, about that those categorization international negotiations can be conducted on different bases. The most traditional from these bases, in the opinion of professor M.M. Lebedevoy, is an area, in which are held between-public talks. In accordance with her, international negotiations subdivide on political, diplomatic, trade etc. Often for categorization international negotiations are used and the other basis, for instance V.S. Ivanenko selects 13 reasons for categorization international negotiations, including: on geographical sign (regional and etc), on subject (between state, between international organization) and others[6, 116-128].

Considering international negotiations as process, we see that M.M. Lebedeva uses as central to categorization exactly parameters, bound by process of the right. Such parameter can be several. The First group these parameter is, probably, the most wide-spread. In her (its) frame international negotiations differ on:

- a level of their conduct (expert, chapters state etc.);
- an amount of the sides, involved in process negotiations (double-sided, many-sided);
- a nature of the interaction participant (direct, goes with help of the outside parties);
- a frequency of the meeting participant (disposable, renewing);
- a nature (official or unofficial) [7, 77-83].

Analyzing aforesaid, can speak that obviously, enumerated above parameters independent. That is to say negotiations can be simultaneously, for instance, many-sided, renewing and direct. As a whole it is important, on our glance, emphasize that possibility of the change parameter itself does the mechanism a negotiations more flexible, allows easier to find the decisions in process negotiations.

Thereby, in connection with problem of flexibility mechanism negotiations, emphases follow to turn on nature international negotiations: are they on official or unofficial level. Coming from foregoing, in development of the process negotiations in recent years promoted shaping unofficial negotiations as the most important factor of the international relations, capable to reduce the tense situation, where official meeting turned out to be futile. This statement to the full, can confirm pertains and to negotiations inwardly state, on problem of the warning and permits political conflict particularly [1, 67-70].

In the opinion of M.G. Vlasovoy, reason for categorization international negotiations possible to divide into formal and profound.

The factors pertain to formal bases of the categorizations negotiations, conditioned structured external feature negotiations, in particular:

- a number and geography participant;
- a degree регулярности undertaking;
- a level of conduct.

The Formal criteria define the procedural particularities a negotiations and influence on contents of the under discussion need questions.

On amount participant international negotiations are double-sided or many-sided. In double-sided negotiations participants address the issues, referring to joint competency. The Many-sided negotiations are conducted with participation three and concerned party that requires the more clear procedure and principle decision making, than in the event of double-sided negotiations [6, 45-50].

On geographies participant international negotiations can be local (with participation two or several countries of the region), regional (with participation majority or all countries of the region) or global (with participation of the countries from miscellaneous region world).

On often international negotiations are single or renewed.

The international negotiations distinguish on level of conduct on important level, negotiations at a rate of representatives and negotiations at a rate of expert, differing on problem, level authority, circle matter in question and way decision making.

Categorizations international negotiations are offered also on base several criterions, including:

- a geography (regional);
- a nature subject (the state, international organizations);
- a form to organizations (the visits, meeting);
- a form of the conduct negotiations (acceptance, meetings).

Take image, Specified by us formal criteria of the categorizations, certainly, reflect the important line different international negotiations, but are insufficient; since they do not reflect the profound sign a situation negotiations[2, 47-54].

To profound bases (the критериям) to categorizations negotiations pertain the factors, conditioned internal feature and relationship of the under investigation object. The Researchers have developed variety of profound criterion of the typologies international negotiations.

The most traditional, we seem, is a typology on base of the application domain negotiations. In this connection select the negotiations military-political, diplomatic, economic, trade, humanitarian, social, organizing [3, 79-84].

Alongside with determination of essence and categorizations negotiations, not smaller exploratory interest, beside us caused the problem of the discovery their function. Depending on that, what purposes pursue the participants; select the different functions a negotiation. The Main function negotiation is directivity on joint decision of the problem. We agree this statement, since - that main, for the sake of what negotiations are.

Nearly on all negotiations on adjusting the conflict alongside with the main function are present and the other functions. In the opinion of professor M.M. Lebedevoy and we agree her, the most essential and often realized function negotiations, except, the main, are following:

- information (the sides are interested in exchange glance, but not ready on some reason on joint actions);
- communication (the adjustment of the new relationships, relations);
- regulation (the regulation and co-ordination action sides);
- function of the checking (for instance, on cause of the performing the agreements);
- propagandistic (allows one of the sides to show itself in profitable light in eye of the public);
- function of the checking (for instance, on cause of the performing the agreements) [7, 88-93].

As main of the conclusion, us wanted give its determination a negotiations.

The **Negotiations** - a way of the warning and permits (adjusting) of the conflict, which is concluded in use ненасильственных (peace) of the facilities and acceptance for joint decision of the problem (the discord) (Drawing.3).



Drawing.3 photo, reflecting notion and functions of conduct of the process negotiations

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## SECTION 5. SUSTAINABLE URBAN DEVELOPMENT

UDC 338.24

### Khalikova S. Regulatory Impact Assessment in the Khabarovsk Territory: Status and Prospects

Оценка регулирующего воздействия в Хабаровском крае: состояние и перспективы

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**Abstract.** The article presents an analysis of the implementation of the regulatory impact assessment in the Khabarovsk Territory. The grounds and frequency of application of various models for conducting the RIA procedure are considered, the activity of regulatory bodies in the preparation of draft legal acts of the region, affecting the implementation of entrepreneurial and other economic activities, is analyzed; as well as the structure of prepared expert opinions for the analyzed period. The reasons for the negative conclusions on draft legal acts in the Khabarovsk Territory and the use of the "blocking function" are analyzed.

**Keywords:** regulatory impact assessment, Khabarovsk Territory, RIA, blocking function, assessment of NLA drafts, public consultations

**Аннотация.** В статье представлен анализ реализации оценки регулирующего воздействия в Хабаровском крае. Рассмотрены основания и частота применения различных моделей проведения процедуры ОРВ, проанализирована активность регулирующих органов по подготовке проектов НПА края, затрагивающих вопросы осуществления предпринимательской и иной экономической деятельности; а также структура подготовленных экспертных заключений за анализируемый период. Проанализированы причины отрицательных заключений по проектам нормативно-правовых актов в Хабаровском крае и применение «блокирующей функции»

**Ключевые слова:** оценка регулирующего воздействия, Хабаровский край, ОРВ, блокирующая функция, оценка проектов НПА, публичные консультации

DOI 10.54092/9781447819080\_36

Институт оценки регулирующего воздействия в настоящее время является одним из важнейших инструментов диалога власти и бизнеса для разработки и реализации эффективной государственной политики.

Причины популярности института ОРВ определяются особым правовым механизмом обсуждения проектов нормативных правовых актов, затрагивающих интересы бизнеса и инвесторов, до момента их вступления в силу. ОРВ позволяет делать нормы законодательства более экономически обоснованными и эффективными. В процедуре оценки регулирующего воздействия предусмотрены обязательные публичные консультации, во время которых

предприниматели могут высказать свое мнение по поводу принятия данного регулирования и повлиять на разработку более эффективного решения. Таким образом, ОРВ рассматривается как эффективный механизм отсеивания заведомо «неудачных» инициатив регулирования. Важным аспектом совершенствования этого механизма является повышение ответственности регулятора перед обществом.

Институт оценки регулирующего воздействия реализуется в Хабаровском крае с 2014 г., в г. Хабаровске с 2015 года, а в остальных муниципальных образованиях края с 2016 года, и представляет собой совокупность механизмов по выявлению, анализу и оценке основных проблем, связанных с разработкой и реализацией нормативных правовых актов, затрагивающих вопросы осуществления предпринимательской и иной экономической деятельности.

Министерство экономического развития Хабаровского края является уполномоченным органом, ответственным за внедрение процедуры оценки регулирующего воздействия, осуществляющим нормативное правовое и информационно-методическое обеспечение процедуры ОРВ, а также иные функции в соответствии с Порядком проведения 16.06.2014 183-пр процедуры ОРВ, Порядком проведения экспертизы НПА [1].

Оценка регулирующего воздействия проводится в целях выявления положений, вводящих избыточные обязанности, запреты и ограничения для субъектов предпринимательской и иной экономической деятельности или способствующих их введению, а также положений, способствующих возникновению необоснованных расходов субъектов предпринимательской и иной экономической деятельности, и бюджетов субъектов РФ. Неотъемлемый аспект института ОРВ – публичность и открытость нормотворческого процесса, вовлечение широкого круга экспертов в обсуждение проектов и действующих НПА.

Эффективность реализации института ОРВ является одним из показателей национального рейтинга состояния инвестиционного климата в субъектах Российской Федерации. В 2021 г. Хабаровский край вошел в группу А, набрав 88 баллов. Показатель Б1.2 «Эффективность института ОРВ» отражает результаты рейтинга качества осуществления ОРВ и экспертизы в субъектах Российской Федерации, ежегодно подводимого Минэкономразвития России. По итогам рейтинга качества ОРВ в регионах в 2022 г. Хабаровский край вновь подтвердил «высший уровень» организации и реализации института ОРВ, и отмечен как лидер по прозрачности процессов нормотворчества [2].

Данная оценка достигнута за счет эффективно выстроенной работы. В крае обеспечено проведение процедуры ОРВ в отношении 100 % проектов актов, разрабатываемых в рамках установленной предметной области, сформирована система взаимодействия с экспертным сообществом как посредством заочного рассмотрения проектов актов, публикуемых на региональном портале, так и очного обсуждения проектов актов и перспектив развития института ОРВ на заседаниях коллегиальных органов, таких как Совет по предпринимательству

и улучшению инвестиционного климата, общественных советов при органах власти края. В крае с 2013 года действует экспертный совет по ОРВ при министерстве экономического развития края, который определяет целесообразность проведения процедур ОФВ и экспертизы, а также утверждает итоги данных процедур, определяет направления совершенствования института ОРВ.

В целях оптимизации сроков подготовки проектов НПА края реализуется дифференцированный подход, а именно: применяются различные модели процедуры ОРВ ("общая" и "упрощенная"). Необходимость применения той или иной модели определяется видом проекта НПА края, характером вносимых изменений и степенью регулирующего воздействия предлагаемого регулирования (таблица 1).

Таблица 1

Количество подготовленных заключений по двум моделям проведения процедур ОРВ за 2019-2021 гг. [3]

	2019		2020		2021	
	<i>Общая модель</i>	<i>Упрощенная модель</i>	<i>Общая модель</i>	<i>Упрощенная модель</i>	<i>Общая модель</i>	<i>Упрощенная модель</i>
Положительные	56	64	-	-	70	16
Отрицательные	22	18	-	-	59	1
Итого	78	82	85	32	129	17
Всего	160		117		146	

Источник: Доклады о развитии и результатах реализации института оценки регулирующего воздействия в Хабаровском крае за период 2019-2021 гг. URL. <https://regulation.khv.gov.ru/>

Общей модели проведения процедуры ОРВ, включающей обязательные публичные обсуждения с экспертным сообществом, в 2021 г. подлежали 129 проектов НПА края, в то время как в 2019 г. было всего 78, то есть, виден очевидный рост подготовленных заключений по общей модели. Однако, если брать совокупный объем, то в 2020 г. заключений было проведено намного меньше, чем в 2019 г., но затем в 2021 г. количество снова увеличилось, но не стало превышать достигнутое количество в 2019 г. Большой объем подготовленных заключений в 2019 г. связан с ситуацией пандемии как регионе, стране, так и в мире в целом. В связи с этим, многие НПА были подвержены изменениям, которые необходимо было анализировать, чтобы найти оптимальный вариант решения задачи, лежащей в основе разработки акта, исключить избыточные административные нагрузки на бизнес в возникших сложных для них условиях и предотвратить возникновение необоснованных расходов как для бизнеса, так и для государства.

Рассмотрим активность субъектов по подготовке проектов НПА края, затрагивающих вопросы осуществления предпринимательской и иной экономической деятельности. Отметим разработчиков, которые проявили наибольшую активность (таблица 2).

Таблица 2

Нормотворческая деятельность за 2019-2021 гг. [3]

	2019	2020	2021
Министерство сельского хозяйства и продовольствия края	14	17	25
Министерство инвестиционного развития и предпринимательства края	8	15	12
Главное управление регионального государственного контроля и лицензирования Правительства края	18	10	8
Министерство природных ресурсов края	7	7	7
Министерство транспорта и дорожного хозяйства	-	7	10
Министерство социальной защиты населения края	6	6	12
Управление ветеринарии Правительства края	9	5	-

Источник: Доклады о развитии и результатах реализации института оценки регулирующего воздействия в Хабаровском крае за период 2019-2021 гг. URL: <https://regulation.khv.gov.ru/>

Заметим, что вопросы осуществления предпринимательской и иной экономической деятельности затрагивают очень многие сферы и тем самым органы власти, даже те, чья специфика не направлена напрямую на данную деятельность. Несмотря на это, они активно принимают участие в процессе оценки регулирующего воздействия. Отметим, что реализация оценки регулирующего развития имеет важное значение для всех отраслей.

Структура подготовленных в год экспертных заключений показывает, что в большей степени регулирование предпринимательской и иной экономической деятельности в крае осуществляется посредством принятия постановлений Губернатора и Правительства края (таблица 3).

Таблица 3

Структура экспертных заключений по видам проектов НПА Хабаровского края [3]

	2019	2020	2021
Проекты постановлений Правительства и Губернатора края	117 (73%) (из них 27% отрицательных)	78 (67%)	119 (81,5%)
Проекты законов и поправок к ним	32 (20%) (из них 29% отрицательных)	26 (22%)	25 (17,1%)
Ведомственные проекты акта	11 (7%) (из них 0 отрицательных)	13 (67%)	2 (1,4%)

Источник: Доклады о развитии и результатах реализации института оценки регулирующего воздействия в Хабаровском крае за период 2019-2021 гг. URL: <https://regulation.khv.gov.ru/>

При этом в наибольшей степени доработке в 2019 г. подлежали проекты ведомственных НПА края (29 %), скорее всего, это связано со спецификой проектов и их взаимозависимостью от других законов, учесть положения которых удастся не сразу.

Проанализируем причины отрицательных заключений (таблица 4) на протяжении трех лет.

Таблица 4

Причины отрицательных заключений [3]

2019	2020	2021
<ul style="list-style-type: none"> <li>- требование органами власти края избыточных документов, сведений</li> <li>- введение необоснованных ограничений для субъектов предпринимательской и инвестиционной деятельности</li> <li>- наличие признаков непрозрачности административных процедур</li> </ul>	<ul style="list-style-type: none"> <li>- наличие признаков непрозрачности административных процедур</li> <li>- введение необоснованных ограничений для субъектов предпринимательской и инвестиционной деятельности</li> <li>- требование органами власти края избыточных документов, сведений</li> <li>- наличие в проекте неопределенной, двусмысленной терминологии</li> <li>- необоснованные состав, форма или сроки исполнения административных процедур</li> </ul>	<ul style="list-style-type: none"> <li>- требование органами власти края избыточных документов, сведений</li> <li>- введение необоснованных ограничений для субъектов предпринимательской и инвестиционной деятельности</li> <li>- наличие признаков непрозрачности административных процедур</li> </ul>

Источник: Доклады о развитии и результатах реализации института оценки регулирующего воздействия в Хабаровском крае за период 2019-2021 гг. URL. <https://regulation.khv.gov.ru/>

Таким образом, прослеживаются одни и те же проблемы в течение всего исследуемого периода: избыточная документация, необоснованные ограничения для субъектов предпринимательской и иной экономической деятельности и недостаточный уровень прозрачности административных процедур. По итогам проведенной работы уполномоченным органом на основе информации, поступившей от регулирующих органов, а также экспертов в ходе публичных консультаций были сделаны выводы о том, что действующие НПА способствуют достижению целей правового регулирования и имеют определенные положительные последствия их принятия. Вместе с тем установлена необходимость уточнения отдельных положений, требующих корректировки, в связи с их неопределенностью и непрозрачностью.

Министерством экономического развития края на постоянной основе осуществляется взаимодействие с экспертным сообществом в различных форматах. В 2021 г. на 2 заседаниях экспертного совета рассмотрены предложения о проведении экспертизы/ОФВ на очередной год, итоги проведения ОФВ, иные вопросы, связанные с контролем реализации принятых на заседаниях совета решений.

Действует единый информационный ресурс проведения публичных консультаций на региональном и муниципальном уровнях – Региональный портал. На данной площадке также размещены необходимые материалы, как для органов власти, так и для экспертов. В целях повышения прозрачности нормотворческого процесса, расширения круга участников публичных консультаций информация о проводимых обсуждениях в обязательном порядке направляется разработчиками в: совет по предпринимательству и улучшению инвестиционного климата Хабаровского края для рассмотрения проекта акта на профильном комитете Совета и подготовки протокола; в общественный совет при регулирующем органе для рассмотрения проекта акта.

Хабаровский край – один из немногих субъектов, в котором установлена «блокирующая функция» ОРВ. Оценка регулирующего воздействия стимулирует органы-разработчики тщательно продумывать последствия введения новых решений для бюджета, учитывать мнения деловых ассоциаций и улучшать работу с потенциальными инвесторами. На федеральном и региональном уровне проводится оценка регулирующего воздействия и оценка фактического воздействия. Процедуры законодательно закреплены и по необходимости в новую редакцию документа вносятся обновления.

Институт ОРВ в соответствии со статьями 7 и 46 Федерального закона от 6 октября 2003 г. № 131-ФЗ "Об общих принципах организации местного самоуправления в Российской Федерации" [4], Законом Хабаровского края от 25 июня 2014 г. № 368 «Об отдельных вопросах правового регулирования экспертизы муниципальных нормативных правовых актов и оценки регулирующего воздействия проектов муниципальных нормативных правовых актов» [5] реализуется в городском округе "Город Хабаровск" с 1 января 2015 г., в городском округе "Город Комсомольск-на-Амуре" и 17 муниципальных районах края с 1 января 2016 г. Методическое обеспечение деятельности по проведению ОРВ проектов муниципальных НПА и экспертизы действующих МНПА осуществляется министерством экономического развития края.

В целях совершенствования института ОРВ в крае и обеспечения комплексной и качественной его реализации на региональном уровне уполномоченным органом планируется внести изменения в Методические рекомендации по проведению процедуры оценки регулирующего воздействия проектов НПА, затрагивающих вопросы осуществления предпринимательской и иной экономической деятельности; а также проводить обучающие мероприятия для сотрудников органов исполнительной власти края, впервые поступивших на государственную гражданскую службу.

В рамках популяризации института ОРВ и привлечения экспертного сообщества к обсуждению проектов и действующих НПА уполномоченным органом ведется работа по оказанию методологической, консультационно-технической поддержки, в том числе в части работы с Региональным порталом по ОРВ; развитие информационного сопровождения института ОРВ в социальных сетях.

В целях реализации процедуры ОРВ проектов НПА и экспертизы НПА муниципальных образований уполномоченным органом проводятся работы по оказанию методической, нормативно-правовой поддержки; проведению обучающих мероприятий; формированию ежеквартальных мониторингов и Рейтинга качества осуществления оценки регулирующего воздействия и экспертизы в городских округах и муниципальных районах края.

Реализация института ОРВ в Хабаровском крае проходит успешно благодаря эффективно выстроенным и налаженным механизмам взаимодействия органов власти в регионе и других участников процедуры, структурированного нормативного и методического

обеспечения проведения оценки регулирующего воздействия и наличии «блокирующей функции».

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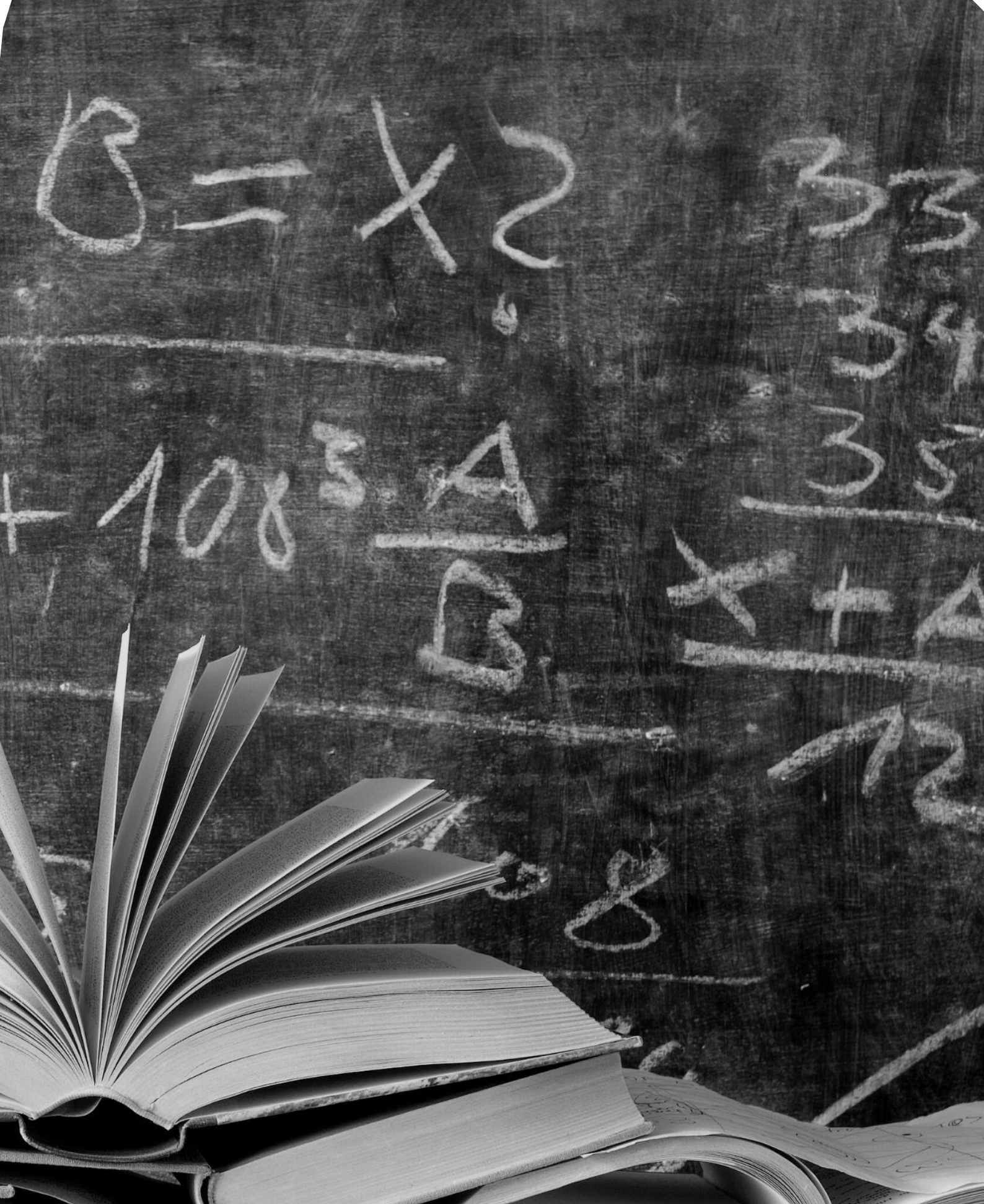
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Усл. печ. л. 2.5  
Оформление электронного издания: НОО  
Профессиональная наука, [mail@scipro.ru](mailto:mail@scipro.ru)

Lulu Press, Inc.  
627 Davis Drive  
Suite 300  
Morrisville, NC 27560