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**PECULIARITIES OF RESTRICTING AN INDIVIDUAL'S RIGHT TO
MOVE
IN THE DIGITAL SOCIETY**

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Abstract: The article deals with the problems of restricting an individual's right to move from place to place.

Keywords: human rights, freedom, Constitution of RF, restriction, freedom of movement, territorial and administrative divisions, digital society

The right to freedom of movement, choice of place of residence and residence belongs to the group of personal rights and is characterized by all the features that are inherent in this group of human and civil rights and freedoms. The importance of the right to freedom of movement and choice of place of residence is quite obvious. Full-fledged human activity is possible only if there is a possibility of movement. In the modern digital world, changing a person's place of residence is sometimes one of the conditions for their full development. Thus, all the above rights were regulated in the highest act of the country - the Constitution of the Russian Federation. According to the legal positions of the constitutional Court of the Russian Federation under the normative content of the right of everyone to freedom of movement, choice of place of residence means: the freedom of movement on the territory of the Russian Federation, freedom of choice of place of residence, freedom of choice of residence.

However, restrictions on human and civil rights and freedoms pursue goals that are partially reflected in the Constitution of the Russian Federation, where part 3 of article 55 stipulates that "human and civil rights and freedoms may be restricted by Federal law only to the extent necessary to protect the foundations of

the constitutional order, morality, health, rights and legitimate interests of other persons, to ensure the country's defense and state security».

In accordance with the current legislation of the Russian Federation, the state on certain territories or specific citizens or groups of persons can impose an arrest on travel abroad, or restrict free movement within the country. According to the law of the Russian Federation No. 5242-1 of 25.06.1993, the list of territories where freedom of movement is restricted is exhaustive. You can not move freely: in closed administrative-territorial entities, in the border zone, in zones with a state of emergency or where an environmental disaster has been declared, in closed military towns, as well as in areas where special conditions and living conditions are imposed due to the threat of spreading diseases and poisoning. A locality that has the status of a territorial-administrative entity must have its own local government body. There are enterprises that deal with the disposal of weapons intended for mass destruction, the development and manufacture of strategically important weapons, the processing of dangerous jet materials, and military activities.

For such localities, there is a special regime of population living and infrastructure functioning. They set special security and control rules. Illegal entry into the territory of such localities is punishable by the criminal code of the Russian Federation. Registration of individuals is allowed within such entities, but there are restrictions on movement for people who have registration abroad in a strategically important locality. The consent to enter is provided by the head of the local municipality with the support of the Federal security service of this Association. Citizens who have signed an employment contract with an enterprise or municipality that is located on a closed territory can get to such cities; they perform services at internal objects of the administrative-territorial Association, work in the internal Affairs service and provide the necessary level of security at the object, work in the fire safety service, are family members of persons who are directly related to the activity of the object or have registration in the city that belongs to the closed territory. The presence of real estate allows citizens to cross

the border of the closed zone in the case of registration of a pass as part of the procedure for removing restrictions on freedom of movement.

In case of entry of a foreign citizen, the Ministry of defense of the Russian Federation deals with access issues. The Federal Security Service and representatives of the security service of the local municipality also participate in the registration procedure.

According to the Federal law "on protection of the population and territories from emergency situations of natural and technogenic character" of 21.12.1994 N 68-f restriction on entry and freedom of movement can be established on the basis of the decree of the President of the Russian Federation. A special provision can be introduced on objects that are subject to aggression and are closed zones.

According to international standards, aggression can be considered within actions directed against the population of the Russian Federation using weapons or special equipment. An attempt on the sovereign borders of a state is a significant reason for imposing a state of emergency on a certain territory. In regulating issues in this area, the United Nations Organization statutes play an important role, which clearly state situations that may indicate aggression or the risk of its occurrence.

Restrictions on leaving the country for certain categories of citizens are established by Federal law No. 114-FZ of 15.08.1996. They include persons who have not fulfilled the obligations established by the court, serving in the Federal security service, designed for service in the armed forces of the Russian Federation, or on alternative military service, a suspect or accused in a criminal case in which not sentenced, and persons who filed false information when registering documents for departure, having access to data of special importance or national secrets of the country. The restriction is removed when the relevant employment relationship is terminated, military service is completed, obligations are fulfilled, and the sentence is served. In order to protect the health, mental and moral condition of minors, and to prevent juvenile delinquency and neglect, many regions of the Russian Federation have a "curfew" for children. Such restrictions do not violate the Constitution of the Russian Federation. On the Federal level, the

issue of fixing the "curfew" in the administrative Code of the Russian Federation has been repeatedly raised.

During this time period (usually from 22.00/23.00 to 06.00 am), minors can not be on the street, in public places (parks, squares, playgrounds, train stations, public transport, cafes) without an adult escort. Punishment for adults who do not keep track of their child is provided in the form of an administrative fine according to article 5. 35 of the administrative Code of the Russian Federation (failure of parents to fulfill their duties for the upbringing and maintenance of children). The amount of the fine varies from one hundred to five thousand rubles. In repeated cases (especially within one year), the amount of the fine may be increased to three to five thousand rubles. In case of multiple offenses, parents and guardians may be deprived of their rights in relation to the child.

Summing up, it should be noted that the state does not give us rights as such, but is their guarantor and is obliged to ensure the observance and protection of basic human rights and freedoms [8, p. 5]. The need for restrictions is grounded, first, the growing threat of international terrorism, and secondly, the gap between the rights and freedoms enshrined in the Constitution and in actual social practices, it is therefore necessary to reiterate the importance of imposing constraints to maintain favorable living conditions of the population, the functioning of the state mechanism and establishing legal relations in General. The state, by imposing restrictions on the rights and freedoms of a person and a citizen, acts not only in the interests of the entire state, but also in the interests of each individual person and citizen.

Thus, the inalienable nature of human rights and freedoms, including the right to freedom of movement, choice of place of residence and residence, does not mean absolute freedom of their use, but clearly established by law permissible restrictions of the right.

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