

humanoid robots appeared. According to scientists' forecasts, in the near future these robots will appear in many spheres of society, replacing humans (functions performed). However, today there are questions about the legal status of robots. We agree with the opinion of researcher Safonova T.V., who considers it inappropriate to consolidate at the legislative level the rights and obligations of robots themselves as subjects of legal relations [1, p. 276].

Conclusion. The relationship between humans, a robot and its manufacturer, artificial intelligence should become legal. We believe that such norms can be included in the Civil Code of the Republic of Belarus before the adoption of special (sectoral) legislation. The terms "robot", "humanoid robot", "artificial intelligence" should be fixed in the legislation of the Republic of Belarus.

The legislation currently does not define the norms and subjects of responsibility in the field of artificial intelligence and robotics (manufacturer, developer or programmer). The relevant norms should be included in the administrative and criminal legislation.

1. Safonova, T.V. On the issue of defining the concept of "robot" and the expediency of securing its legal status / T.V. Safonova [Electronic resource] / Access mode: <https://rep.vsu.by/handle/123456789/15022> (date of access): 01.11.2022.

BEIJING RULES AS AN INTERNATIONAL STANDARD FOR THE TREATMENT OF JUVENILE DELINQUENTS

Alina Kuten

VSU named after P.M. Masherov, Vitebsk, Belarus

Keywords: justice, offender, juvenile, delinquency, trial, Beijing Rules.

Humanity's global problems are not just about global warming. These include the problem of crime. The problem of juvenile delinquency, as well as crime in general, requires a specific situation of social, economic and political, against which criminogenic processes develop and form [3]. Many states have a problem with juvenile crime and justice. In the Republic of Belarus: «According to court statistics, in the first half of 2022 478 minors were convicted of various crimes, which is 29,5% more than in the first half of 2021» [2]. The UN has developed the Beijing Rules for such situations.

This paper will examine in detail the United Nations Standard Minimum Rules for the Administration of Juvenile Justice, the purpose for which they were created, and will highlight key norms of international importance.

Material and methods. The material is the Beijing Rules. To achieve this goal, the analysis of legal documents was used as the main method.

Findings and their discussion. In September 1980, the United Nations held its Sixth United Nations Congress on the Prevention of Crime and the Treatment of Offenders in Caracas, Venezuela. The UN had previously declared 1980 the «Year of the Child». Dan Batchelor, participant Congress, presented a paper about the need for a bill of rights for young offenders, the original name of the Beijing Rules. Much of the drafting of the rules took place at a conference in Beijing, China. The draft was then discussed at the Seventh UN Congress on the Prevention of Crime and the Treatment of

Offenders in Milan, Italy, in September 1985. It was adopted on 29 November 1985 by the United Nations General Assembly.

The Beijing Rules were based on the principles of the Universal Declaration of Human Rights (1948), the 1966 International Covenants on Civil and Political Rights and on Economic, Social and Cultural Rights, and thus reflect general principles of human rights protection.

The Beijing Rules have identified as their main objectives the aspirations of the participating States, in accordance with their common interests: to promote the well-being of minors and their families; to create conditions that make it possible to ensure a meaningful life of adolescents in society at a time when they are most prone to improper behavior; to promote the process of personal development and education, as free as possible from the possibility of committing crimes.

There are six parts in the Beijing Rules. Part One «General Principles» here we can distinguish the following basic rules of international importance:

1) The Beijing Rules in Article 2.2 contain the following definitions:

1. A juvenile is a child or young person who, under the respective legal systems, may be dealt with for an offence in a manner which is different from an adult [1];

2. An offence is any behaviour (act or omission) that is punishable by law under the respective legal systems [1];

3. A juvenile offender is a child or young person who is alleged to have committed or who has been found to have committed an offence [1].

2) The Standard Minimum Rules do not set an age limit for the concept of a «juvenile offender». Article 4.1 states that «the beginning of that age shall not be fixed at too low an age level, bearing in mind the facts of emotional, mental and intellectual maturity» [1].

3) Ensuring confidentiality in juvenile cases is assessed in the Beijing Rules as a safeguard «to avoid harm to the juvenile through unnecessary publicity or because of harm to reputation» [1].

4) Objectives of juvenile justice as set out in article 5.1, «The juvenile justice system shall emphasize the well-being of the juvenile and shall ensure that any reaction to juvenile offenders shall always be in proportion to the circumstances of both the offenders and the offence» [1].

The second part of the Beijing Rules deals with the investigation and trial of juvenile cases. It addresses:

1) Detention of minors and all other contacts of the judge and other competent persons with juvenile.

2) Termination of the minor's case at the pre-trial stage. The Beijing Rules (Art. 11.1) recommend that «when considering cases of juvenile offenders, if possible, not to resort to a formal hearing by the competent authority» [1].

Part three of the Beijing Rules deals with the adjudication and choice of measures. The following can be highlighted:

– Competent authority to adjudicate

Article 14.1 states that «Where the case of a juvenile offender has not been diverted (under rule 11), she or he shall be dealt with by the competent authority (court, tribunal, board, council, etc.) according to the principles of a fair and just trial» [1].

– Guidelines for adjudication and the choice of measures

Article 17.1 highlights the following: «The reaction taken shall always be in proportion not only to the circumstances and the gravity of the offence but also to the circumstances and the needs of the juvenile as well as to the needs of the society» [1].

No sentence of death shall be imposed for any crime committed by a minor (Art. 17.2). Restriction of the personal liberty of a juvenile offender to a minimum (Art. 17.1).

Let us pay attention to Art. 18.1, which gives a list of measures of influence. The Beijing Rules propose 8 groups of measures, defined by their overall objectives: care, guidance and supervision orders; probation; community service orders; financial penalties, compensation and restitution; intermediate treatment and other treatment orders; orders to participate in group counseling and similar activities; orders concerning foster care, living communities or other educational settings; other relevant orders.

The application of the Beijing Rules became part of the so-called Milan Plan of Action, adopted by the VII UN Congress on the Prevention of Crime and the Treatment of Offenders. The UN General Assembly approved the Plan by resolutions 40/33 of November 29, 1985, containing the Beijing Rules themselves; 40/35 of December 29, 1985, on the development of standards to prevent juvenile delinquency; 40/36 of November 29, 1985, on domestic violence.

The Beijing Rules initiated the adoption of a number of international legal instruments related to juveniles. For Examples: the UN Guidelines for the Prevention of Juvenile Delinquency (1988), adopted by the Eighth UN Congress on the Prevention of Crime and the Treatment of Offenders in 1990);

Conclusion. Thus, we can conclude that the Beijing Rules are the fundamental international instrument governing the goals and objectives of juvenile justice, as they enshrine: their implementation, the principles of adjudication and choice of measures, and the goals and procedures for the treatment of juveniles in correctional facilities.

1. United Nations Standard Minimum Rules for the Administration of Juvenile Justice (the Beijing Rules). – Mode of access: https://www.un.org/ru/documents/decl_conv/conventions/beijing_rules.shtml. – Date of access: 25.09.2022

2. Court statistics for the first half of 2022 on convicted juveniles [Electronic resource]. – Mode of access: https://www.court.gov.by/ru/justice_rb/statistics/children/d3b088b1ba8e437a.html. – Date of access: 01.10.2022

3. Features of juvenile delinquency and ways to prevent it [Electronic resource]. – Access mode: <https://rep.vsu.by/handle/123456789/17221>. – Date of access: 01.11.2022

FEATURES OF THE CONSTITUTIONAL AND LEGAL STATUS OF NATIONAL MINORITIES IN THE REPUBLIC OF BELARUS AT THE PRESENT STAGE

Darya Lipskaya

VSU named after P.M. Masherov, Vitebsk, Belarus

Keywords: national minorities, national communities, ethnic minorities, non-titular nations, interethnic communities.

In the era of a large number of centrifugal tendencies and a high growth of separatist sentiments among ethnic minorities, the Republic of Belarus is an example of a state with a stable and conflict-free society. The preservation of this stability is the result of a successful state policy aimed at integrating non-titular nations into social and