



**RISK-BASED APPROACH TO THE REGULATION OF THE LEGAL
REGIME OF LANDS AND OTHER REAL ESTATE IN THE RUSSIAN
RESORT REGION CAUCASIAN MINERAL WATERS**

***ABORDAGEM BASEADA EM RISCOS PARA A REGULAMENTAÇÃO
DO REGIME JURÍDICO DE TERRAS E OUTROS IMÓVEIS NA
REGIÃO TURÍSTICA RUSSA DAS ÁGUAS MINERAIS DO CÁUCASO***

ELEONORA NAVASARDOVA

North Caucasian Federal University – Russia

ORCID: 0000-0003-4829-3933

e.s.navasardova@mail.ru

DMITRIY BURKIN

North Caucasian Federal University – Russia

ORCID: 0000-0002-1336-6146

dmitriy.o.burkin@mail.ru

ROMAN NUTRIKHIN

North Caucasian Federal University – Russia

ORCID: 0000-0001-6943-012X

r.v.nutrikhin@mail.ru

KIRA SVIDLOVA

North Caucasian Federal University – Russia

ORCID: 0000-0002-4780-8627

kira.svidlova@mail.ru

ABSTRACT

Objective. This article addresses current Russian legislation concerning land and other real estate in the specially protected ecological resort region Caucasian Mineral Waters.

Methods. The study employs a risk-oriented approach, identifying legal, environmental, corruption-related, social, economic, and other risks threatening the well-being of Russia's major resorts.

Results. The study emphasizes the regime of the three protective zones within the mountain sanitary protected district of federal resorts and the restrictions on land use, construction, and other economic activities in these zones. The article explores the utilization challenges of other real estate within resort territories, the trend of repurposing resort infrastructure facilities, and the prolonged preservation of unfinished construction projects. These problems are discussed in the context of their negative consequences, including corruption, systematic legal violations, environmental





degradation of resorts, and disruption of the architectural appearance of historical towns in the Caucasian Mineral Waters region.

Conclusion. The study highlights the imbalance in the land use management system and real estate transactions in these areas, recommending state oversight of local self-government activities in resort towns due to frequent legal violations. Proposals for improving Russian legislation governing land and real estate use in resorts are also presented.

Keywords: Caucasian Mineral Waters; Resorts; Land plots; Resort infrastructure; Risks; Risk-oriented approach.

RESUMO

Objetivo. Este artigo aborda a legislação russa atual referente a terras e outros imóveis na região de resort ecológico especialmente protegido Caucasian Mineral Waters.

Métodos. O estudo emprega uma abordagem orientada a riscos, identificando riscos legais, ambientais, relacionados à corrupção, sociais, econômicos e outros que ameaçam o bem-estar dos principais resorts da Rússia.

Resultados. O estudo enfatiza o regime das três zonas de proteção dentro do distrito de proteção sanitária das montanhas dos resorts federais e as restrições ao uso da terra, construção e outras atividades econômicas nessas zonas. O artigo explora os desafios de utilização de outros imóveis nos territórios dos resorts, a tendência de reaproveitamento das instalações de infraestrutura dos resorts e a preservação prolongada de projetos de construção inacabados. Esses problemas são discutidos no contexto de suas consequências negativas, incluindo corrupção, violações legais sistemáticas, degradação ambiental de resorts e ruptura da aparência arquitetônica de cidades históricas na região das Águas Minerais do Cáucaso.

Conclusão. O estudo destaca o desequilíbrio no sistema de gestão do uso da terra e nas transações imobiliárias nessas áreas, recomendando a supervisão estatal das atividades de autogoverno local nas cidades turísticas devido às frequentes violações legais. Também são apresentadas propostas para aprimorar a legislação russa que rege o uso da terra e de imóveis em resorts.

Palavras-chave: Caucasian Mineral Waters; Resorts; Terrenos; Infraestrutura de resorts; Riscos; Abordagem orientada a riscos.

1 INTRODUCTION

The concept of lands belonging to health-improving areas and resorts is contained in Article 96 of the Land Code of the Russian Federation (State Duma of the Federal Assembly of the Russian Federation, 2001). These include lands with natural therapeutic resources for disease treatment and prevention. Such lands are intended for the treatment and recreation of citizens (Petrovskaya, 2023). The lands of health-





improving areas and resorts are part of the category of *lands of specially protected territories and objects*, the legal regime of which is regulated in Chapter 17 of the Land Code of the Russian Federation.

The key concepts of Article 96 are not disclosed in the Land Code itself but refer to the legislation on health-improving areas and resorts. The main feature of these heir lands is that they possess medical natural resources developed or subject to development for therapeutic and preventive purposes (Ydyrys et al., 2023). By Article 1 of Federal Law No. 26-FZ dated 23.02.1995 "On Natural Therapeutic Resources, Health-Improving Areas, and Resorts" (State Duma of the Federal Assembly of the Russian Federation, 1995), natural therapeutic resources are supposed to mean mineral waters, therapeutic mud, brine (concentrated salt solution) of estuaries and lakes, therapeutic climate, other natural objects and conditions used for the treatment and prevention of diseases and organized recreation.

Federal Law No. 26-FZ defines resorts as specially protected areas developed and used for therapeutic and preventive purposes with natural therapeutic resources and infrastructure (Kirillova et al., 2021).

Article 3 of Federal Law No. 26-FZ divides resorts into federal, regional, and local depending on their significance. The territories are recognized as resorts of federal significance by the Government of the Russian Federation in coordination with the executive authorities of the constituent entities of the Russian Federation. Resorts of regional significance are created by the executive authority of the constituent entity of the Russian Federation in coordination with the Ministry of Health of the Russian Federation. The procedure for recognizing a territory as a resort of local significance is regulated by regional legislation.

The resorts of the Caucasian Mineral Waters have federal significance and together form a specially protected ecological resort region of the Russian Federation. Several problems in the regulation of its legal regime and the practice of law enforcement in this territory generate risks.

The article examines current Russian legislation on land and real estate in the specially protected ecological resort region of Caucasian Mineral Waters, focusing on Federal Law No. 26-FZ, the Land Code, the Urban Planning Code (State Duma of the Federal Assembly of the Russian Federation, 2004), and related regulations.





2 METHODS

This work was based on traditional general and special scientific methods used in modern legal science, including analysis and synthesis, which authors used within the dialectical approach to social reality. This also included functional legal analysis, comparative legal and comparative historical methods, and methods for identifying legal conflicts, gaps, and corruption-enabling norms, to eliminate them.

Authors analyzed the current Russian legislation on resorts concerning the specially protected ecological resort region Caucasian Mineral Waters and the application of such legislation. Authors focused on the issues associated with land plots and other real estate objects related to the resort infrastructure. Considering law enforcement practice, authors identified a tendency towards irrational land use in the resorts of the Caucasian Mineral Waters, which leads to "infill" development, the disruption of the architectural appearance of historical resort towns, and an increase in anthropogenic load on resorts without considering their ecological capacity. The reasons for this arise not only from the imperfection of existing legislation but also from the absence of clearly defined boundaries of protective zones of the mountain sanitary protected district of Caucasian Mineral Waters resorts and strict fixation of such boundaries in the real estate land cadastre, which often deprives these zones of their protective status in practice (Mussynov et al., 2019; Rednikova, 2023). Furthermore, several problems arise due to abusive practices of local governments associated with lobbying for the interests of the construction business to the detriment of public interests to preserve the ecological well-being of resorts. Therefore, authors did not just analyze the norms of current legislation, but used functional analysis, that is, authors looked at legal conflicts and gaps in close connection with their consequences in law enforcement practice.

In addition, since authors are talking about the problems of environmental and natural resource law, authors also relied on some methodological achievements of natural sciences (in particular, environmental science). This concerns the precautionary principle in assessing the potential anthropogenic impact on the environment and the presumption of environmental danger of any planned economic activity. Until proven otherwise with indisputable accuracy, authors must proceed from the potential threat of any impact on valuable natural objects and systems. When analyzing the norms of Russian legislation on resorts in its dynamics, authors relied on





this principle, which assumes not only minimizing the economic impact on the resorts of the Caucasian Mineral Waters (the recommended anthropogenic capacity of which has long been exceeded several times) but also evaluating certain legal norms in terms of potential risks to resorts that arise due to the imperfect regulation of their legal regime.

All this allowed authors to define the methods used by the generalizing term "risk-based approach". This concept implies an analysis of legislation and the practice of its application, considering the risks threatening the resorts of the Caucasian Mineral Waters, and the formulation of ways to neutralize such risks. Among them are *legal risks*, when the imperfection of legislation poses a threat of its inadequate application and the failure to achieve socially significant goals set before the legislator in the state resort policy. *Environmental risks*, when insufficient legal regulation of the protection and rational use of natural therapeutic resources results in their depletion, deterioration, and degradation of resorts. *Corruption risks* are associated with corruption-enabling factors in resort legislation, which leads in practice to violation of the law by representatives of state authorities and local self-government. *Social risks* are expressed in public dissatisfaction with the state of the resorts of the Caucasian Mineral Waters and in reducing the effectiveness of treatment at these resorts, which runs counter to the state social policy in healthcare. *Economic risks* are caused by a decrease in the tourist attractiveness of resorts for vacationers and their development potential.

These and other risk groups need a comprehensive analysis by specialists from different fields of science. Focusing on legal analysis within the framework of a risk-based approach, authors showed how these risks arise due to imperfections in legislation and practice of its application in the Caucasian Mineral Waters protected ecological resort region of the Russian Federation.

3 RESULTS

3.1 SOURCES OF LEGAL REGULATION OF PROTECTION AND USE OF RESORT LANDS





Legislation in this area is diverse. In addition to Chapter 17 of the Land Code of the Russian Federation and the general norms of federal land legislation regulating the legal regime of these lands, federal legislation on resorts, as well as legal norms of the constituent entities of the Russian Federation, also play an important role, since by paragraphs "c" and "e" of Part 1 of Article 72 of the Constitution of the Russian Federation (1993), issues of ownership, use, and management of land, subsoil, water, and other natural resources, as well as issues of nature management and environmental protection are under the joint jurisdiction of the Russian Federation and its constituent entities.

Currently, the main source of legal regulation of the regime of resorts, and, accordingly, of the lands on which they are located, is Federal Law No. 26-FZ. It defines the basic regulations on resorts and the legal principles of their protection as specially protected areas that are the national heritage of the nations of the Russian Federation.

In addition to Federal Law No. 26-FZ, federal by-laws are significant for regulating the legal regime of resort lands. For example, Decree No. 1425 of the Government of the Russian Federation dated 07.12.1996 "On the approval of the regulation on sanitary and mountain-sanitary protection districts of health-improving areas and resorts of federal significance" (Government of the Russian Federation, 1996).

Federal by-laws define the legal regime of individual resorts of federal significance. Concerning the resorts of the Caucasian Mineral Waters, the following by-laws were adopted: Decree No. 309 of the President of the Russian Federation dated 27.03.1992 "On the Specially Protected Ecological and Resort Region of the Russian Federation" (President of the Russian Federation, 1992); Decree No. 462 of the Government of the Russian Federation dated 06.07.1992 "On the Specially Protected Ecological and Resort Region of the Russian Federation – Caucasian Mineral Waters" (Government of the Russian Federation, 1992); Decree No. 14 of the Government of the Russian Federation dated 17.01.2006 "On recognizing the resorts of Essentuki, Zheleznovodsk, Kislovodsk, and Pyatigorsk, located in the Stavropol Krai, as resorts of federal significance and on the approval of regulations for these resorts" (Government of the Russian Federation, 2006), etc. (Goncharov, 2023).

Today, many constituent entities of the Federation have regional laws regulating the protection and use of natural therapeutic resources of resorts. However, many of





these laws regulate the protection and use of the resort resources of Russian regions in an extremely fragmentary and inconsistent manner. They, at best, duplicate the norms of Federal Law No. 26-FZ. This circumstance indicates that the regional resort legislation existing in most constituent entities of the Russian Federation cannot effectively solve the problems of preserving and developing the therapeutic and resort potential of the respective territories.

In some constituent entities, there are no special laws. Some once had such regional laws, but they have lost their force for various reasons. In many such regions, certain rules on resorts are contained in regional laws on environmental protection of a general order (for example, in the Vladimir region). However, the disappearance of special laws there, which more thoroughly regulated the legal regime of resorts, is generally a very alarming trend, indicating a decrease in legal standards in this area, which creates well-known legal risks. In other constituent entities of the Russian Federation, in the absence of special laws, the regime of resorts of regional and local significance is determined by by-laws.

The most notable of the existing regional regulations is Law No. 41-KZ of the Krasnodar Krai dated 07.08.1996 "On Natural Therapeutic Resources, Health-Improving Areas, and Resorts of Krasnodar Krai" (Legislative Assembly of the Krasnodar Krai, 1996). Although it has disadvantages, it is unrivaled in volume and thoroughness. This regulatory act has successfully considered the local specifics of the region, where this law is also not the only one. There is also a separate Law No. 888-KZ of the Krasnodar Krai dated 15.07.2005 "On State Support for the Sanatorium-Resort and Tourist Complex of Krasnodar Krai" (Legislative Assembly of the Krasnodar Krai, 2005). The legislation of the Krasnodar Krai can be recommended to the Stavropol Krai as a model for further improvement of the regulatory framework concerning the resorts of the Caucasian Mineral Waters.

3.2 PROBLEMS OF PROTECTION AND RATIONAL USE OF RESORT LANDS

Speaking about the legal regime of resort lands, authors mean the specifics of the legal regulation of property rights, public administration, the rights and obligations of copyright holders and officials responsible for the condition of lands and natural therapeutic resources, legal protection measures, and liability for violation of the legal





regime for the use and protection of lands and other natural resources of resorts (Navasardova et al., 2022).

The effectiveness of the protection of resort lands is directly related to the regime of sanitary (mountain and sanitary) protection of their natural therapeutic resources prescribed in Federal Law No. 26-FZ. For this purpose, a mountain sanitary protection district has been established on the territory of the resorts of the Caucasian Mineral Waters. Three zones are distinguished within this district; for each, restrictions on economic activity are provided. Each of these zones should have strictly defined, fixed boundaries.

According to paragraph 2 of Article 96 of the Land Code of the Russian Federation, to protect natural therapeutic resources, sanitary (mountain sanitary) protection districts are established, where the regime ensures the preservation of natural therapeutic resources.

The legal regime of the three zones of the district of sanitary (mountain sanitary) protection of the resort in Federal Law No. 26-FZ is indicated only in the most general terms (Part 3 of Article 16). It is regulated in much more detail by paragraphs 12-14 of Decree No. 1425 of the Government of the Russian Federation dated 07.12.1996 "On the approval of the regulation on sanitary and mountain-sanitary protection districts of health-improving areas and resorts of federal significance".

Following current legislation, *in the first zone* at resorts of federal significance, the following things are prohibited: accommodation and all types of economic activity, except work related to research and use of natural therapeutic resources for therapeutic and wellness purposes, provided that environmentally friendly and rational technologies are used.

Such strict bans on construction in the first zone may seem excessive. Sometimes, as a legislative initiative, it is even proposed to allow the construction of facilities in this zone intended not only for medical purposes but also for tourist and recreational, physical culture and recreation, and sports purposes. However, the construction, for example, of a sports stadium or a shopping health and entertainment center near the wellpoint or the contour of the mineral water discharge center, or from the boundaries of the therapeutic mud deposit (all this is the first zone) would necessarily lead over time to bacterial and chemical contamination, and then to the inevitable degradation of natural therapeutic resources of Russian resorts. That is why the regime of restriction of economic activity in the first zone is so severe.





Paragraph 3 of Article 96 of the Land Code of the Russian Federation refers to cases in which, land plots are withdrawn from commercial use by the established sanitary regime. The code explicitly names the first zone of sanitary (mountain sanitary) protection of resorts as an example of such a case. If at the time of the establishment of the first zone privately owned land plots fall into it, they must be purchased by the state following Article 55 of the Land Code of the Russian Federation. In resorts of federal significance, the practice develops in such a way that to protect them effectively, state authorities insist on the need to register land plots located in the first zone of the sanitary (mountain sanitary) protection district into state-federal ownership with a ban on their use for other purposes.

In all other cases (outside the first zone) land plots on the territory of resorts are not confiscated or bought from their owners, land users, landowners, and tenants.

Earlier, Article 96 of the Land Code of the Russian Federation noted that the Government of the Russian Federation establishes the boundaries and regime of districts of sanitary (mountain sanitary) protection of resorts of federal significance. However, recently the Land Code of the Russian Federation was amended (the amendment came into force on September 1, 2024), which removed the mention of the Government of the Russian Federation in connection with the boundaries of protected areas in resorts. This means that another authority at a lower level will set them. This innovation should be considered extremely undesirable since the new order opens the way to arbitrary changes in the boundaries of protected zones (for example, in the interests of developers), which creates corruption, environmental, social, and other risks.

Within the resorts of federal significance in *the second zone* of the district of sanitary (mountain sanitary) protection, the following activities are prohibited: placement of objects and structures that are not directly related to the creation and development of resort treatment and recreation facilities, as well as performance of any work that pollutes the environment or natural therapeutic resources and leads to their depletion.

For the *third zone* in resorts of federal significance, legislation has established restrictions on the placement of industrial and agricultural organizations and structures, and a ban on economic activities accompanied by pollution of the environment or natural therapeutic resources and their depletion (Voronina & Shnorr, 2021). The placement of long-term burial sites for farm animals fallen from infectious diseases





(cattle burial grounds) in the third zone of the district of sanitary (mountain sanitary) protection for balneal resorts would have a detrimental effect on the quality of mineral waters since catchment during the formation of the water sources occurs in this zone. Therefore, such activities are prohibited in the third zone.

The restrictions and prohibitions established by federal legislation on resorts are sometimes considered obstacles to economic activities and business interests. Supporters of such opinions do not think that these prohibitions and restrictions are not set against business but aim at preserving resorts as an invaluable asset and an important component of the health system. After all, even with the most pragmatic approach to regulating these relations, it should still be recognized that without healthcare, any increase in the welfare of society is devoid of rational meaning.

The resorts were excluded from the list of specially protected natural areas in 2013. Today, they are defined in Federal Law No. 26-FZ simply as "specially protected objects and territories" (see the preamble). Such a change in the legal status of Russian resorts has had an extremely negative impact on the institution of legal responsibility for violating the regime of their use. Article 20 of Federal Law No. 26-FZ focusing on the liability for violating the legal regime of resort use refers to criminal, administrative, and other legislation. However, this responsibility has not been established in the relevant codes.

Previously, when resorts were still classified as specially protected natural areas, criminal liability for damage caused to them occurred under Article 262 of the Criminal Code of the Russian Federation (State Duma of the Federal Assembly of the Russian Federation, 1996) "Violation of the regime of specially protected natural territories and natural objects", and administrative liability under Article 8.39 of the Code of Administrative Offences of the Russian Federation "Violation of the rules for the protection and use of natural resources in specially protected natural areas". However, since these norms apply only to specially protected natural areas, and resorts are no longer a part of those, they, as a result, have been left without proper criminal and administrative protection.

Offenses involving damage to land and other natural resources on the territory of resorts are now punished only by the general norms of criminal and administrative legislation on protecting such resources, without any reference to resorts.

The situation with legal liability for violating the law on resorts and their lands at the regional level is equally deplorable (Polovchenko, 2021). On the one hand, Article





72 of the Constitution of the Russian Federation refers to administrative responsibility to the subjects of joint jurisdiction of the Russian Federation and its constituent entities. The latter use this tool poorly. Law No. 20-kz of the Stavropol Krai dated 10.04.2008 "On Administrative Offenses in the Stavropol Krai" (Duma of Stavropol Krai, 2008) does not establish any liability for violating the legal regime for resort use even though Caucasian Mineral Waters resorts are in this constituent entity.

These shortcomings of the institute of the legal protection of resorts by measures of legal responsibility entail the emergence of all possible risks: legal, environmental, social, economic, corruption-related, etc.

3.3 MANAGEMENT IN THE FIELD OF USE AND PROTECTION OF RESORT LANDS

One of the elements of the legal regime of resort lands is the institution of their administration. Here authors are faced with a multitude of bodies endowed with various powers related to the administration of the use and protection of natural resources located within the boundaries of sanitary (mountain sanitary) protection districts.

Concerning resorts, it is correct to talk about public administration, bearing in mind the rather extensive powers of local governments that perform both organizational functions related to the provision of life and development of municipalities, and special ones related to the peculiarities of the resort regime.

Since the resorts themselves, as a rule, are located on the lands of settlements, and the territories of sanitary or mountain sanitary protection districts include lands of various categories, public administration represented by executive authorities and local governments of different levels constitute a rather complex polysubjective system.

First, these bodies ensure all spheres of life of the population, regardless of whether the territory belongs to the category of "resorts" or "health-improving areas", for example, administration bodies of housing and communal services, construction and architecture, agriculture, etc.

Second, these bodies have the authority to organize the resort's functioning (administration bodies of environmental protection and environmental management, health care, etc.).

Together, they have a cumulative effect on the state of resorts as ecological and socioeconomic systems, bearing a medical and social mission.





The system of public administration of resorts consists of federal executive authorities, their territorial divisions (the Government of the Russian Federation and the Russian Ministry of Health, the Ministry of Natural Resources of Russia, as well as the Russian Federal State Agency for Health and Consumer Rights (Rospotrebnadzor), Russian Federal Service for Ecological, Technological and Nuclear Supervision (Rostekhnadzor), etc.). At the regional and municipal levels, the administration is represented by the executive authorities of the constituent entities of the Russian Federation and the executive and administrative bodies of local self-government. It is necessary to pay attention to the fact that some powers of federal executive authorities have been transferred to the constituent entities of the Russian Federation.

The authorized federal executive body responsible for the development and implementation of state policy and regulation in the field of resort business and the provision of resort services, according to Decree No. 608 of the Government of the Russian Federation dated 19.06.2012, is the Ministry of Health of the Russian Federation (Government of the Russian Federation, 2012). The managerial functions assigned to this body in resort policy implementation are basic and system-forming. Other departments perform only secondary functions.

One of the most important functions of land management is the provision of land plots, which is assigned, as a rule, to the local governments of those municipalities where the lands of the resorts are located.

As for supervision and control, it is important to mention land supervision (significant damage to natural therapeutic resources is caused during construction) and supervision of the rational use of therapeutic and other natural resources, in particular, forests, which perform important hydrological functions.

Here, functions are also diffused between multiple regulatory bodies. Supervision of compliance with legislation in the districts of mountain sanitary protection of water bodies, that provide water for natural therapeutic resources, is carried out by the Federal Service for Supervision of Natural Resource Usage (Rosprirodnadzor) (Burkin et al., 2022). This agency also has some powers for land supervision. Rospotrebnadzor supervises the sanitary and epidemiological state of natural medicinal resources. The Russian Registration Authority (Rosreestr) is responsible for compliance with land legislation; for agricultural land (mainly





concentrated in the third zone), these functions are performed by the Federal Service for Veterinary and Phytosanitary Surveillance (Klyukovskaya et al., 2022).

The cadastral function of resort land management is especially important. The distinction between the three zones is insufficient to ensure effective economic activity restrictions. The boundaries of each of these zones should be clearly defined and fixed by placing them on cadastral registration. This is handled by the Federal Service for State Registration, Cadastre, and Cartography (Rosreestr).

Today, even in resorts of federal significance, not all information about the boundaries of the sanitary (mountain sanitary) protection district zones is recorded in the Unified State Register of Real Estate (EGRN). Without this, it is sometimes impossible to determine that a land plot belongs to a zone, and certain activities are prohibited. This situation should have changed radically with the adoption of Federal Law No. 218-FZ dated July 13, 2015 "On State Registration of Real Estate" (State Duma of the Federal Assembly of the Russian Federation, 2015), which for the first time provided for the mandatory maintenance of a Register of Boundaries as part of the EGRN, which should contain information about the boundaries of zones with special conditions of use (Ponomareva et al., 2021).

However, neither Article 7 nor Article 10 of Law No. 218-FZ, which regulates in detail the contents of the Register of Boundaries, mention the boundaries of the district of sanitary (mountain sanitary) protection of resorts. Paragraph 15 of Article 105 of the Land Code of the Russian Federation still calls among the zones with special conditions of use "the district of sanitary (mountain sanitary) protection of health-improving areas, resorts, and natural therapeutic resources". To do this, it is necessary to conclude that the Rosreestr should still record in the EGRN the boundaries of the district of sanitary (mountain sanitary) protection of resorts as the boundaries of zones with special conditions for the use of their territories. The effectiveness of measures to protect the lands of resorts directly depends on such cadastral registration.

Since the status of resorts is assigned to cities and other settlements located on the territory of sanitary (mountain sanitary) protection districts, and the entire territory of resorts is represented by municipalities of various types, local governments, without special powers (and, consequently, responsibility) in terms of managing resorts of federal significance, radically affect their condition.

According to Federal Law No. 26-FZ, they are granted the right of initiative to put forward proposals to recognize health-improving areas or resorts of local





significance and to maintain their register, including sanatoriums and resort organizations.

The remaining two powers allow the participation of local governments in the implementation of state programs for the development of lands of therapeutic and recreational significance, master plans (programs) for the development of resorts and resort regions, and foreign economic activities aimed at attracting material and technical resources, the development of service, the recreation industry, the use of foreign experience in the development of resorts (Smirnov et al., 2022). According to Russian legislation, local governments develop and approve the general settlement plans.

The main powers of local self-government bodies are described in Federal Law No. 131-FZ dated 06.10.2003 "On the General Principles of the Organization of Local Self-Government in the Russian Federation" (State Duma of the Federal Assembly of the Russian Federation, 2003) and in land and urban planning legislation.

The greatest harm to resorts is caused by construction incompatible with the established legal regime. The actual construction is preceded by several organizational and legal actions of local governments, primarily related to the preparation and approval of territorial planning documents, including the adoption of general settlement plans, then the development and adoption of land use and development rules and urban planning regulations, and further the provision of land for development. When the requirements of the resort legislation on the establishment and legalization of the boundaries of sanitary (mountain sanitary) protection zones are not fulfilled, local governments violate the zoning regime.

The current municipal and related land and urban planning legislation does not consider the specifics of the legal regime for resort towns. This leads to the fact that both master plans and rules of land use and development concerning these unique, ecologically vulnerable territories are adopted by their municipalities on a common basis, without the participation and "deterrence" exercised by state authorities at the federal and regional levels, which also generates environmental, social and corruption risks.

3.4 PROBLEMS OF THE LEGAL STATUS OF RESORT INFRASTRUCTURE FACILITIES





One of the most significant legal problems in the sanatorium and resort sector in the Russian Federation is the regulation of property rights to immovable objects on the territory of resorts. This applies to sanatorium and resort institutions, concerning which there is an urgent need to preserve their therapeutic purpose. It is not uncommon for resorts of federal significance (in particular, in the Caucasian Mineral Waters in the Stavropol Krai) to transform resort buildings, which are also historical and cultural monuments, into retail areas, causing considerable concern from the public and representatives of the expert community.

The transfer of sanatorium and resort facilities to private ownership and attempts to convert them are equally disturbing. Part 2 of Article 15 of Federal Law No. 26-FZ states that the reorganization of sanatorium and resort organizations is performed while maintaining their therapeutic and wellness specialization. However, various legislative initiatives have repeatedly proposed to abolish the ban on the repurposing of sanatorium organizations. In practice, this will lead to an irreversible process of turning the most attractive sanatoriums in terms of their location or material and technical base, for example, into elite housing or other facilities unrelated to resort treatment. The need to maintain the ban on repurposing sanatoriums, health centers, and boarding houses with treatment facilities is also evidenced by the reduced number of sanatoriums and resort organizations. According to the Public Chamber of the Stavropol Krai, their number has decreased by about 20% over the past 10 years. Of particular concern is the emerging trend towards closing children's health resorts, whereas today only 3% of Russian school graduates can be considered healthy. The proposed lifting of the ban on the repurposing of sanatorium and resort institutions also runs counter to Resolution No. 388-SF of the Federation Council dated 09.07.2014 (Federation Council of the Federal Assembly of the Russian Federation, 2014), which recommended the Government of the Russian Federation to develop measures aimed at preventing the repurposing of sanatorium and resort organizations.

On the other hand, sanatoriums and resort organizations sometimes set up extensive property systems, which also include buildings that do not have a direct therapeutic purpose (warehouses, garages, etc.). Such buildings, if necessary, could be used for other purposes, but these issues need to be regulated in Federal Law No. 26-FZ in more detail. It should also provide the preferential right to buy out the property of sanatorium and resort organizations for the constituent entities of the Federation, which will allow them to exercise the necessary control over such important





transactions with real estate on their territory. If necessary and with sufficient financial resources, this would allow them to ensure public interests in securing such institutions in state ownership and preserving their social functions.

No less a problem for the resorts of the Caucasian Mineral Waters is the so-called "long-delayed construction sites", that is, unfinished construction sites, some of which have been spoiling the architectural appearance of resort towns for decades. This problem is especially relevant when it comes to large facilities, unfinished institutions of the sanatorium and resort system of the Soviet period, which were bought for a low price by private owners, who now seek to resell them at such high prices that they have not had buyers for many years. These "monuments of greed" stand motionless, disfiguring the appearance of cities and nullifying all efforts at urban improvement.

For example, only in the resort city of Kislovodsk, local governments have identified 14 large long-delayed construction sites by 2018: seven sanatoriums and resort facilities with a total capacity of 2,000 places, a clinic with a capacity of 250 places, two wellness centers with a capacity of 200 places, two hotels with a capacity of 470 places, a restaurant, and a bathhouse. The situation is aggravated by the fact that land plots under these unfinished construction projects are often registered as private property of individuals and legal entities. Therefore, such long-delayed construction sites cannot be auctioned in a general manner. The construction of such facilities can only be continued by the owner of the land plot. Theoretically, the solution to this problem could be an auction (competitive) sale of long-delayed construction sites with subsequent reimbursement of their cost to the owner minus the costs of sale. The Civil Code of the Russian Federation contains a permissive norm that allows the owner to seize a land plot intended for construction if construction has not been carried out for three years. However, the legal mechanism for this norm has not yet been developed. Federal Law No. 171-FZ dated 23.06.2014 "On Amendments to the Land Code of the Russian Federation and Certain Legislative Acts of the Russian Federation" (State Duma of the Federal Assembly of the Russian Federation, 2014) provides a withdrawal mechanism for commercial long-delayed construction sites but only on leased lands. Therefore, to implement the norms of the Civil Code of the Russian Federation on the seizure of a plot intended for construction from the owner if construction on it has not been carried out for three years, it is necessary to adopt a law that would prescribe a mechanism for the withdrawal of land intended for





construction and unfinished facilities after the expiration of the maximum period established for their construction from private ownership. This will help solve the problem of large long-delayed construction sites on privately owned land in the resorts.

To motivate the owners of long-delayed construction sites to take measures to resume construction, actively search for investors, or sell these facilities at a real market price, it is necessary to develop additional measures and mechanisms for state regulation of issues related to unfinished construction sites that have been in conservation ("frozen") for more than three years. One of these mechanisms may be a multiple increase in the land tax rate on resort land plots where unfinished construction facilities have been located for a long time. To do this, it is necessary to amend Part 1 of Article 394 of the Tax Code of the Russian Federation (State Duma of the Federal Assembly of the Russian Federation, 2000), supplementing it with a subparagraph of the following content: "10.5% concerning land plots classified as lands of health-improving areas and resorts or to lands of settlements on the territory of resorts where unfinished construction facilities are located, which are under conservation, "freezing" more than three years".

Finally, the real estate objects erected in the first and second zones of the district of sanitary (mountain sanitary) protection of resorts in violation of the legal regime established for such zones are an equally urgent problem. To solve this problem, two opposed normative initiatives are periodically put forward: 1) to forcibly seize and liquidate all real estate (depending on the specific situation with or without compensation of its value to the owners) created in the first and second zones in violation of the rules of environmental legislation) to recognize as legitimate (provide an amnesty for) all illegal structures of this kind while preventing their construction in the first and second zones.

The general amnesty of buildings built in violation of the regime of the first and second zones of the district of sanitary (mountain sanitary) protection at resorts is too radical. The large number of such structures will negatively affect the state of natural therapeutic resources, for the protection of which these zones have been established. Moreover, the idea of an amnesty may cause a surge in illegal construction in the first and second zones at resorts, as developers will be in a hurry to get under the amnesty. On the other hand, in resorts of federal significance (for example, in the first and second zones of the district of mountain sanitary protection of the Caucasian Mineral Waters) there are residential buildings that were constructed quite a long time ago





(many even before the establishment of protected zones). People live in them, and the forced withdrawal of such real estate can cause undesirable social risks. However, the assumption in the law of the presence of residential buildings in the first and second zones of the district of sanitary (mountain sanitary) protection may lead to their further development and, as a result, to the inevitable degradation of natural therapeutic resources.

The way out of this difficult situation is as follows: further residential construction in the first and second zones of the district of sanitary (mountain sanitary) protection should definitely be prohibited, and already erected residential buildings, which at the time of their construction did not violate the legislation in force at that time, must be protected from compulsory seizure providing their owners and persons living in them with equivalent residential premises outside the first and second zones of the district of sanitary (mountain sanitary) protection. Such resettlement can be based on relevant federal or regional targeted programs.

To date, the Land Code of the Russian Federation contains a norm on the withdrawal from owners, land users, landowners, and tenants of land plots (Anisimov et al., 2019) if, following the established sanitary regime, the complete withdrawal of these land plots from circulation is envisaged (the first zone of sanitary (mountain sanitary) protection of resorts). However, in practice, this provision of the law is often not enforced, and therefore should be considered ineffective and requires a thorough adjustment towards a more differentiated approach to the seizure of land in the first zone of the district of sanitary (mountain sanitary) protection and resorts under the above principles.

Among the acts of regional legislation in the field of regulating the regime of resort infrastructure facilities, Law No. 409-ZRK/2017 of the Republic of Crimea dated 07.07.2017 "On the peculiarities of creating zones with special architectural and planning organization of the territory in the Republic of Crimea" (State Council of the Republic of Crimea, 2017). Although this regulatory act does not speak directly about resorts, it notes that special architectural and planning zones are being created in this constituent entity of the Russian Federation, considering their historical, cultural, ecological, and recreational value (p. 1). Paragraph 2 of Article 2 establishes that the basis for deciding on the creation of an architectural and planning zone is the conclusion of the Architectural and Urban Planning Council of the Republic of Crimea on the assignment of territory within the boundaries of municipalities with special





historical, cultural, ecological and recreational value. The basis for deciding on the creation of an architectural and planning zone is the conclusion of the Architectural and Urban Planning Council of the Republic of Crimea on the assignment of territory within the boundaries of municipalities with special historical, cultural, ecological, and recreational value. An analysis of the norms of this regional law shows that in this constituent entity of the Russian Federation, special architectural and planning zones should be created precisely on the territory of the Crimean resort towns.

It was important to define the features of such architectural and planning zones concerning the resort infrastructure. Paragraph 2 of Article 4 prohibits the construction and placement of any objects in architectural and planning zones, as well as their reconstruction and major repairs if this affects the external architectural appearance of buildings and structures. Exceptions are made only for those facilities that are being built, reconstructed, or repaired at the expense of the federal, regional, or local budget, or within the framework of investment agreements; or if these facilities are of special social significance; or if they require urgent emergency prevention or emergency recovery work by decision of the relevant committee on liquidation and prevention of emergencies (clause 3 of Article 4). However, in each case, the construction, reconstruction, and major repair of facilities in the architectural and planning zone must be coordinated with the Head of the Republic of Crimea (clause 4 of Article 4).

It seems that the Republic of Crimea has managed to find the optimal legal algorithm for solving the most important problem in the way of the successful development of the resort infrastructure. This is the infill development of resort towns, the distortion of their historically formed architectural appearance, and the systematic violation of the norms of resort, urban planning, and other legislation allowed by local governments. The problem is that municipalities on the territory of resort towns are not obliged to implement state resort policy, since local governments, according to the Constitution of the Russian Federation, are not part of the system of state authorities. At the same time, they provide land plots for use, issue building permits, etc. Given the high degree of corruption in these relations, it is not surprising that the activities of municipal authorities in several resort towns run counter to state resort policy. Instead of effective development of the resort infrastructure, local authorities are following the path of allowing infill development and other obvious violations that contribute to the steady degradation of resorts. This problem is inherent in all resort cities but is especially relevant for the Krasnodar Krai and Stavropol Krai. For the first time, the





Republic of Crimea was able to propose a legal structure that puts the development of resort towns under the strict control of state authorities.

The Council of Ministers of the Republic of Crimea (or its authorized executive body) reviews project documentation for compliance with urban planning and technical regulations and coordinates the establishment and modification of types of permitted land use in architectural and planning zones. Before the approval of the rules of land use and development concerning such special zones, the Council has the right to decide on the recognition of capital construction and other facilities as unauthorized construction and on the demolition of unauthorized buildings. If there is a conclusion of a special commission, the Council decides on the expediency of preserving an unauthorized building and the conditions for implementing the decision (Article 3).

In addition, Law No. 409-ZRK/2017 of the Republic of Crimea, in case of violation of the requirements in the architectural and planning zone, allows the violator's facilities to be disconnected from utility networks and equipment by resource-supplying organizations based on a written request from the authorized body (clause 5 of Article 4). Thus, any unauthorized construction or reconstruction of facilities in the resort towns of Crimea can be quickly and effectively suppressed by state executive authorities.

Regional law allows them to eliminate long-delayed construction sites. This purpose is served by the terms of clause 7 of Article 4, which allows within the boundaries of the architectural and planning zone to establish increasing coefficients to the amount of payment for the use of land or real estate, including those in contracts concluded before the entry into force of Law No. 409-ZRK/2017. The Council of Ministers of the Republic of Crimea determines the procedure and grounds for establishing such increasing coefficients and their size. The problem of long-delayed construction sites is also relevant for many resort towns throughout Russia. The tool proposed by Crimea makes it possible to pressure the negligent owner of a long-delayed construction facility by increasing land fees to encourage them to finally finish construction or transfer the rights to the object to another person interested in this on a mutually beneficial reimbursable basis.

The law also provides additional grounds to the existing ones in the Land Code of the Russian Federation for the seizure of land plots for state or municipal needs in an architectural and planning zone, if these plots are necessary for the placement of





objects of federal, regional and local significance that ensure the achievement of state objectives for the development of social infrastructure (clause 2 of Article 6).

This law is a valuable achievement of regional legislation, which makes it possible to put infrastructure development activities in the most problematic areas of resort towns under the strict control of state authorities. Perhaps the federal legislator should also consider establishing similar architectural and planning zones in resorts of federal significance so that their development is controlled by federal executive authorities or their regional counterparts in the order of delegation of authority. The same law can be recommended as an exemplary one to the Stavropol Krai for developing a similar regional law that would solve many problems in the resorts of the Caucasian Mineral Waters and neutralize the risks generated by these problems.

4 DISCUSSION

One of the most significant problems associated with the use of land and other real estate in the resorts of the Caucasian Mineral Waters is non-compliance with the regime of the three security zones of the mountain sanitary protection district. The reasons for these problems are seen in shortcomings of legislation, which is extremely fragmentary and insufficiently clearly regulates the procedure for establishing and cadastral registration of the boundaries of these zones; the unsatisfactory state of law enforcement practice in terms of registering these boundaries in the Unified State Register of Real Estate; in the desire of local governments in resort towns to circumvent restrictions and prohibitions related to protected zones in every possible way for the sake of short-term interests, without considering the risks and consequences for the ecological state of the Caucasian Mineral Waters.

The situation with these zones is no better in urban planning legislation. Thus, Part 4 of Article 1 of the Urban Planning Code of the Russian Federation, when defining zones with special conditions for the use of territories, indicates protected zones, sanitary protection zones, zones for the protection of cultural heritage sites (historical and cultural monuments) of the nations of the Russian Federation, protective zones of cultural heritage sites, water protection zones, flood zones, partially flooding zones, sanitary protection of drinking and household water supply sources, zones of protected objects, aerodrome territory, other zones established by the legislation of the Russian





Federation. As one can see, the zones of the district of sanitary (mountain sanitary) protection of resorts are also not directly indicated here. Thus, it remains at the law enforcement officer's discretion whether to apply other norms of the Urban Planning Code of the Russian Federation. To remedy the situation, it is necessary to include in Part 4 of Article 1 of the Urban Planning Code of the Russian Federation (the list of zones with special conditions for the use of territories) and the zones of the district of sanitary (mountain sanitary) protection of resorts.

Federal Law No. 342-FZ of 03.08.2018 (State Duma of the Federal Assembly of the Russian Federation, 2002) introduced a new chapter 19 on zones with special conditions for the use of territories in the Land Code of the Russian Federation. Part 15 of Article 105, in contrast to the norms of the Urban Planning Code and Law No. 218-FZ, still calls among such zones "the district of sanitary (mountain sanitary) protection of health-improving areas, resorts, and natural therapeutic resources", but again does not give a specific indication of three zones within this district. The dispositive wording of Article 105 of the Land Code of the Russian Federation is also confusing ("the following types of zones may be established"), which again does not guarantee the registration of such zones in urban planning acts and urban planning regulations. The wording of this article should be imperative and more specific.

It is also puzzling to note in Part 3 of Article 96 of the Land Code of the Russian Federation that within the boundaries of the second and third zones of the district of sanitary (mountain sanitary) protection of resorts, land plots are not confiscated or bought from owners, land users, landowners, and tenants. Part 3 of Article 16 of Federal Law No. 26-FZ and other legal norms contain restrictions for facilities and economic activities in the second zone. It is unclear why land plots should not be seized there if their use does not comply with the specified restrictions. Here, Part 3 of Article 96 of the Land Code should also be brought into line with the legislation on resorts.

5 CONCLUSIONS

Russian resort legislation concerning Caucasian Mineral Waters has several disadvantages. It must be constantly improved. Authors formulated some suggestions concerning this in this article. The laws will probably never be perfect. Thus, their rational application comes to the fore: the steady implementation of the state resort





policy aimed at stabilizing relations, curbing resort degradation, and ensuring stable development.

It follows from the current legislation that the provision of land plots for use by citizens and legal entities in the territories of resort towns is carried out mainly by local governments. However, it is unclear under whose control they should do this. The uncontrolled disposal of resort lands by local authorities, considering corruption-enabling and other negative factors, is fraught with risks and is unacceptable.

Authors concluded that, the activities of local governments to provide land to users in resorts of federal significance should be carried out under the control of the executive bodies of state power of the constituent entity of the Russian Federation. The relevant activities of regional authorities are under the control of a federal executive body authorized by the Government of the Russian Federation (for example, the Ministry of Natural Resources and Ecology of the Russian Federation). Such a hierarchy of restraining powers should be reflected in the resort legislation.

No regulations in Russian legislation define features of municipal management in the resorts of the Caucasian Mineral Waters. Local self-government should be carried out in this territory, considering the preservation of its natural uniqueness and an inexhaustible attitude to its therapeutic potential. The law should prevent local governments from uncontrollably using lands of particular significance for the protection of natural therapeutic resources, stop the arbitrary reduction of recreational and park areas by municipal authorities, prevent local governments from condoning the cutting of forests and taking other decisions leading to degradation not only of the environment but also of their resort infrastructure. To do this, the law must specify self-government implementation in resorts, considering these factors.

Considering the increased interest in the undeveloped lands of the resorts of the Caucasian Mineral Waters among all kinds of developers, it is necessary to conclude a high degree of corruption in the relations under consideration. The recently proposed reduction or weakening of the protection of the zones of the mountain sanitary protection district may be lobbied by developers unsatisfied with economic restrictions established by law. Therefore, such initiatives should be considered unacceptable, as they are fraught with several dangerous risks, including environmental and corruption.

ACKNOWLEDGMENTS





The work was carried out with the financial support of the Russian Science Foundation, project 24-28-20164 "Sustainable development of the Caucasian Mineral Waters resort region: legal support within the framework of a risk-based approach".

REFERENCES

Anisimov, A.P., Ryzhenkov, A.J., & Boltanova, E.S. (2019). Limitations of rights of land plot owners: Where is the boundary between reasonability and abuse? *Law and Economics Yearly Review*, 8, 148-181.

Burkin, D.O., Zaharin, A.N., & Nutrikhin, R.V. (2022). Gaps in the EAEU member states law on the utilization of water bodies. In E.G. Popkova (Ed.), *Business 4.0 as a subject of the digital economy* (pp. 971-975). Cham: Springer. https://doi.org/10.1007/978-3-030-90324-4_159

Constitution of the Russian Federation adopted at National Voting on December 12, 1993 (as amended and enlarged on July 1, 2020). (1993). Rossiiskaia Gazeta [Ros. Gaz.] 04.07.2020 No. 144.

Duma of Stavropol Krai. (2008). Zakon Stavropolskogo kraia ot 10.04.2008 g. No. 20-kz "Ob administrativnykh pravonarusheniyakh v Stavropol'skom kraie" [Law of Stavropol Krai of April 10, 2008 No. 20-kz "On administrative offenses in the Stavropol Krai"]. Sbornik zakonov i drugikh pravovykh aktov Stavropolskogo kraia [Collection of Laws and other legal acts of Stavropol Krai], 25.05.2008, No. 14, Item 7175.

Federation Council of the Federal Assembly of the Russian Federation. (2014). Postanovlenie ot 09.07.2014 No. 388-SF "O merakh, napravlennykh na razvitie osoboohranyaemogo ekologo-kurortnogo regiona Rossiyskoy Federatsii - Kavkazskikh Mineralnykh Vod" [Resolution of July 9, 2014 No. 388-SF "On measures aimed at the development of the specially protected ecological and resort region of the Russian Federation - Caucasian Mineral Waters"]. Retrieved from http://pravo.gov.ru/proxy/ips/?docbody=&vkart=card&link_id=1&nd=102355477&bpa=cd00000&bpas=cd00000&intelsearch=%CE%E1+%EE%E1%F0%E0%E7%EE%E2%E0%ED%E8%E8++&ysclid=lz71960cu1730661600

Goncharov, V.V. (2023). The President of the Russian Federation as an object of public control: Constitutional and legal analysis. *Administrativnoye i munitsipal'noye pravo*, 6, 1-11. <https://doi.org/10.7256/2454-0595.2023.6.39881>

Government of the Russian Federation. (1992). Postanovlenie Pravitelstva RF ot 06.07.1992 g. No. 462 "Ob osoboohranyaemom ekologo-kurortnom regione Rossiyskoy Federatsii - Kavkazskikh Mineralnykh Vodakh" [Decree of the





Government of the Russian Federation of July 6, 1992 No. 462 "On the specially protected ecological and resort region of the Russian Federation – Caucasian Mineral Waters"]. Retrieved from http://pravo.gov.ru/proxy/ips/?docbody=&link_id=1&nd=102017294&ysclid=lz6z7k8dvz921157522

Government of the Russian Federation. (1996). Postanovlenie Pravitelstva RF ot 07.12.1996 g. No. 1425 "Ob utverzhdenii Polozheniya ob okrugakh sanitarnoy i gorno-sanitarnoy okhrany lechebno-ozdorovitelnykh mestnostey i kurortov federalnogo znacheniya" [Decree of the Government of the Russian Federation dated December 7, 1996 No. 1425 "On the approval of the regulation on sanitary and mountain-sanitary protection districts of health-improving areas and resorts of federal significance"]. Retrieved from <http://pravo.gov.ru/proxy/ips/?docbody=&nd=102044602&rdk=&backlink=1&ysclid=lz6zd1ejs2273523234>

Government of the Russian Federation. (2006). Postanovlenie Pravitelstva RF ot 17.01.2006 g. No. 14 "O priznanii kurortov Essentuki, Zheleznovodsk, Kislovodsk i Pyatigorsk, raspolozhennykh v Stavropolskom kraye, kurortami federalnogo znacheniya i ob utverzhdenii Polozheniy ob etikh kurortakh" [Decree of the Government of the Russian Federation of January 17, 2006 No. 14 "On recognizing the resorts of Essentuki, Zheleznovodsk, Kislovodsk, and Pyatigorsk, located in the Stavropol Territory, as resorts of federal significance and on the approval of regulations for these resorts"]. Retrieved from http://pravo.gov.ru/proxy/ips/?docbody=&link_id=9&nd=102104281&ysclid=lz6zadh7b10079124

Government of the Russian Federation. (2012). Postanovlenie Pravitelstva RF ot 19.06.2012 g. No. 608 (red. ot 15.05.2024) "Ob utverzhdenii Polozheniya o Ministerstve zdavookhraneniya Rossiyskoy Federatsii" [Decree of the Government of the Russian Federation dated June 19, 2012 No. 608 (as amended on May 15, 2024) "On the approval of the Regulation on the Ministry of Health of the Russian Federation"]. Retrieved from <http://pravo.gov.ru/proxy/ips/?docbody=&nd=102157423&intelsearch=%EE%F2+19+%E8%FE%ED%FF+2012+%E3%EE%E4%E0+%B9+608&ysclid=lz6zh3aalk271395155>

Kirillova, E.A., Zulfugarzade, T.E., Blinkov, O.E., Serova, O.A., & Mikhaylova, I.A. (2021). Prospects for developing the legal regulation of digital platforms. *Jurídicas CUC*, 18(1), 35-52. <https://doi.org/10.17981/juridcuc.18.1.2022.02>

Klyukovskaya, I.N., Zinoviaeva, T.N., & Strepetov, V.V. (2022). State policy in the field of digitalization of the agro-industrial complex. In E.G. Popkova (Ed.), *Business 4.0 as a subject of the digital economy* (pp. 707-709). Cham: Springer. http://dx.doi.org/10.1007/978-3-030-90324-4_115





Legislative Assembly of the Krasnodar Krai. (1996). Zakon Krasnodarskogo kraya ot 07.08.1996 g. No. 41-KZ "O prirodnykh lechebnykh resursakh, lechebno-ozdorovitelnykh mestnostyakh i kurortakh Krasnodarskogo kraya" [Law of Krasnodar Krai dated August 7, 1996 No. 41-KZ "On natural therapeutic resources, health-improving areas, and resorts of Krasnodar Krai"]. Retrieved from <https://docs.cntd.ru/document/461605322?ysclid=lz71zgwcc996689834>

Legislative Assembly of the Krasnodar Krai. (2005). Zakon Krasnodarskogo kraya ot 15.07.2005 g. No. 888-KZ "O gosudarstvennoy podderzhke sanatorno-kurortnogo i turistskogo kompleksa Krasnodarskogo kraya" [Law of Krasnodar Krai dated July 15, 2005 No. 888-KZ "On state support for the sanatorium-resort and tourist complex of Krasnodar Krai"]. Retrieved from <http://pravo.gov.ru/proxy/ips/?docbody=&prevDoc=140013708&backlink=1&&nd=140007907&ysclid=lz723rcxt0631577292>

Mussynov, K.M., Suleimenova, Z.Sh., Bekenova, Sh.Sh., Utelbayev, Ye.A., Bazarbayev, B.B., Yessenbekova, G.T., & Sagatbek, S.D. (2019). Diseases of flax (*Linum usitatissimum*) and substantiation of protective measures in the conditions of the dry steppe zone of Northern Kazakhstan. *Annals of Agri Bio Research*, 24(1), 82-87.

Navasardova, E.S., Nutrikhin, R.V., Vysheslavova, T.F., Dedyukhina, I.F., & Nelgovsky, I.E. (2022). The legal regime of land resources as a factor of interstate integration of the member countries of the Eurasian Economic Union. In E.G. Popkova, & B.S. Sergi (Eds.), *Sustainable agriculture* (pp. 47-54). Singapore: Springer. https://doi.org/10.1007/978-981-19-1125-5_7

Petrovskaya, M.I. (2023). Problems of administrative and legal regulation of emergency migration in Russia. *Natsional'naya bezopasnost' / nota bene*, 6, 1-15. <https://doi.org/10.7256/2454-0668.2023.6.69139>

Polovchenko, K. (2021). Constitutional Court as constitutional complaint Institution: Evidence from Serbia. *Law and Development Review*, 14(1), 33-57. <https://doi.org/10.1515/ldr-2020-0013>

Ponomareva, D.V., Zhavoronkova, N., Egorova, M., & Shpakovsky, Y. (2021). Digitalization in the field of land use: Legal aspects. *Acta Scientiarum Polonorum, Administratio Locorum*, 20(3), 253-262. <http://dx.doi.org/10.31648/aspal.6547>

President of the Russian Federation. (1992). Ukaz Prezidenta RF ot 27.03.1992 g. No. 309 "Ob osoboohranyaemom ekologo-kurortnom regione Rossiyskoy Federatsii" [Decree of the President of the Russian Federation of March 27, 1992 No. 309 "On the specially protected ecological and resort region of the Russian Federation"]. Retrieved from <http://www.kremlin.ru/acts/bank/1109>





Rednikova, T.V. (2023). Actual problems of formation of ecologically significant behavior of people at the international and national levels. *International Law and International Organizations*, 4, 1-11. <https://doi.org/10.7256/2454-0633.2023.4.44200>

Smirnov, D.A., Botasheva, L.E., Kirpa, A.S., & Melnikova V.A. (2022). Application of financial and legal instruments for the development of innovation clusters. *Relacoes Internacionais no Mundo Atual*, 4(37), 681-689.

State Duma of the Federal Assembly of the Russian Federation. (1995). Federal Law of February 23, 1995 No. 26-FZ "On natural therapeutic resources, health-improving areas and resorts". Retrieved from <http://pravo.gov.ru/proxy/ips/?docbody=&nd=102034405&ysclid=lz70d0oh2h877270355>

State Duma of the Federal Assembly of the Russian Federation. (1996). Federal Law of June 13, 1996 No. 63-FZ "Criminal Code of the Russian Federation". Retrieved from <http://pravo.gov.ru/proxy/ips/?docbody=&nd=102041891&intelsearch=%D4%C7+%EE%F2+13.06.1996%E3.%B9+63-%D4%C7&ysclid=lz708nz2ud717635410>

State Duma of the Federal Assembly of the Russian Federation. (2000). Federal Law of August 5, 2000 No. 117-FZ "Tax Code of the Russian Federation (part two)". Retrieved from <http://pravo.gov.ru/proxy/ips/?docbody&nd=102067058&ysclid=lz6ztlid5t9318683449>

State Duma of the Federal Assembly of the Russian Federation. (2001). Federal Law of October 25, 2001 No. 136-FZ "Land Code of the Russian Federation". Retrieved from <http://pravo.gov.ru/proxy/ips/?docbody=&nd=102073184&ysclid=lz70iyu1wt908413685>

State Duma of the Federal Assembly of the Russian Federation. (2002). Federal Law of August 3, 2018 No. 342-FZ "On amendments to the Urban Planning Code of the Russian Federation and certain legislative acts of the Russian Federation". Retrieved from <http://publication.pravo.gov.ru/Document/View/0001201808040001?ysclid=lz6zkzbb5f704952217>

State Duma of the Federal Assembly of the Russian Federation. (2003). Federal Law No. 131-FZ of October 6, 2003 "On general principles of the organization of local self-government in the Russian Federation" (as amended on May 15, 2024). Retrieved from http://pravo.gov.ru/proxy/ips/?docbody=&link_id=19&nd=102083574&intelsearch=&ysclid=lz7011j9bu71096406

State Duma of the Federal Assembly of the Russian Federation. (2004). Federal Law of December 29, 2004 No. 190-FZ "Urban Planning Code of the Russian Federation". Retrieved from





<http://pravo.gov.ru/proxy/ips/?docbody=&nd=102090643&ysclid=Iz6zow2rj6501075094>

State Duma of the Federal Assembly of the Russian Federation. (2014). Federal Law of June 23, 2014 No. 171-FZ "On amendments to the Land Code of the Russian Federation and certain legislative acts of the Russian Federation". Retrieved from <http://pravo.gov.ru/proxy/ips/?docbody=&nd=102354124&intelsearch=%B9+171-%D4%C7&ysclid=Iz6zxv9o2i612493050>

State Duma of the Federal Assembly of the Russian Federation. (2015). Federal Law of July 13, 2015 No. 218-FZ "On state registration of real estate". Retrieved from <http://pravo.gov.ru/proxy/ips/?docbody=&nd=102376335&ysclid=Iz704qhrd268025308>

State Council of the Republic of Crimea. (2017). Zakon Respubliki Krym ot 07.07.2017 g. No. 409-ZRK/2017 "Ob osobennostyakh sozdaniya v Respublike Krym zon s osoboy arkhitekturno-planirovnoy organizatsiey territorii" [Law of the Republic of Crimea dated July 7, 2017 No. 409-ZRK/2017 "On the peculiarities of creating zones with special architectural and planning organization of the territory in the Republic of Crimea"]. Retrieved from <http://publication.pravo.gov.ru/Document/View/9100201707120004?ysclid=Iz71jments37518412>

Voronina, N., & Shnorr, Z. (2021). Legal regulation of green agriculture in Russia: Current state and prospects of development. *E3S Web of Conferences*, 291, 03011. <http://dx.doi.org/10.1051/e3sconf/202129103011>

Ydyrys, S., Ibrayeva, N., Abugaliyeva, F., Zhaskairat, M., & Uvaliyeva, A. (2023). Regulatory and legal support for the development of digital infrastructure in rural areas as a factor in improving the level of sustainable development and quality of life of the rural population. *Journal of Environmental Management and Tourism*, 14(5), 2271-2280. [https://doi.org/10.14505/jemt.v14.5\(69\).08](https://doi.org/10.14505/jemt.v14.5(69).08)

