

The problems of determining the competence of the subjects of the Russian Federation in the field of family protection

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This article is dedicated to one of the problematic issues of Russian federalism – the definition of the competence of subjects of the Russian Federation in the social sphere related to the protection of the family.

Results. It examines in detail the legislative powers of the regions on the subjects of joint conducting with the Russian Federation providing the state guarantee protection and family support. The author addresses to the analysis of the provisions of the Constitution of the Russian Federation, charters and constitutions of subjects of Federation, the current Federal and regional laws, decisions of the constitutional (Charter) courts of constituent entities of the Russian Federation, devoted to family relations. Attention is drawn to the variety of regional sources, including the codified legislative acts.

Special attention is paid to the analysis of additional safeguards for the support of family, motherhood, fatherhood and childhood, established by the Federation.

Among the measures of social support of families with children are allocated 1) a single, monthly and annual cash payments; 2) provide in-kind assistance; 3) provision of benefits; 4) organization of social services. Analyzed regional laws establishing benefits for newborn children measures of social support of large families and young families, specific support to traveller families, as well as laws about the rights of children, safeguards the rights of children-orphans and children left without parental care, about public Tutors of minors, commissioners for the rights of the child.

Conclusion. Geographic, geopolitical, economic, political, ethnic and other peculiarities of the Russian regions attract particular creation and activities of their government, including lawmaking. The necessity of preserving the rights of subjects of the Russian Federation on advancing the legal regulation in subjects of joint conducting.

Criticized Federal legislation, annually changing the list of powers of authorities of subjects of the Russian Federation including those provided by protection and family support. The main problem of realization of the competence of subjects of the Russian Federation in the field of protection of the family the author is seen in the shortcomings of their legal definition, in securing for the subjects of authority without adequate financial support.

Key words: powers, subject of the Russian Federation, family, support, protection, motherhood, childhood, paternity.

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1. Introduction.

The definition of the competence of the subjects of the federation, as well as the establishment of a model of delineation of powers and powers, is not an easy matter, especially in a multinational and multi-confessional state. The importance of differentiating of competences between levels of power is aimed at excluding the intersection and duplication of powers of authorities of different territorial levels, reducing the time, allocating responsibilities and resources within the existing management structure [1, p. 23].

2. The constitutional model of delimitation of the jurisdiction of the Russian Federation and its subjects

The Constitution of the Russian Federation establishes a three-term model of differentiating competence of the Federation and its subjects. To the federal jurisdiction are those subjects, the implementation of which is necessary to ensure the common interests of the entire multinational people of Russia and the preservation of state unity. The issues of joint jurisdiction of the Russian Federation and its subjects presuppose the exercise of the powers of both federal bodies of state power and bodies of state power of the subjects of the Russian Federation, taking into account the balance of regional and national interests and using mechanisms for coordinating actions. Outside of Jurisdiction of the Russian Federation and the powers of the federal bodies of state power of subjects of joint jurisdiction of the Russian Federation subjects have full state power.

The critical attitude to the model of delineation of powers is explained by the imbalance in state policy and the instability of federal legislation in the sphere of delineation of powers between federal and regional government bodies, frequent redistribution and introduction of new powers, and "lack of federal regulatory criteria of limits of joint jurisdiction of the Russian Federation and its subjects, which does not allow subjects of the Federation to identify the object of competence "[2, p. 43]. But at the same time, the existing Russian model of delineation of powers, in which more emphasis is placed on the definition of issues of joint jurisdiction, is widely regarded as quite acceptable and requires just a revision of approaches to its implementation [3, p. 22].

3. Protection of family as a constitutionally significant value

The constitution defines Russia as a legal and social state whose policy is based on the responsibility to present and future generations, the will to ensure the welfare and prosperity of the country, aimed at ensuring state support of the family, as well as creation of conditions ensuring a decent life and free development of a person (Article 7). The social state assumes the responsibility to guarantee social equality, justice, welfare of its citizens and their social security.

The family has always been and remains one of the main factors in the improvement of society. The increase in the social potential of the family, its activity in all spheres of social life is directly related to the social development of the country and to the full utilization of its capabilities [4, p. 100]. Therefore, the relevant provisions related to public support and protection of the family guarantees enshrined in the Constitution of many countries. For example, the Constitution of Ireland comprehensively regulates the right to social protection of the family, motherhood and childhood by the state. [5, p. 29].

The social state strives to improve the quality of life of those groups of the population who due to their physical condition and for other objective reasons, need special protection. The achievement of this goal is the increase of real incomes of the population through the payment of subsidies, benefits, compensation, the provision of statutory benefits, the development of social services for families with children. At the same time social security of the family, motherhood and childhood is still at a low level in Russia in comparison with the highly developed countries of the world [5, p.199].

4. Guarantees of protection of family in constitutions and bylaws of the Subjects of the Russian Federation

Taking into account the federal structure of Russia, the family protection guarantees are implemented not only by federal legislation, but also by the laws of the subjects of the Russian Federation, as well as by municipal legal acts. According to items "ж", "к" para. 1 Art. 72 of the

Constitution, protection of the family, motherhood, paternity and childhood; as well as family law are in the joint jurisdiction of the Federation and its subjects. It should be noted that the social sphere, including education, science, culture, physical culture and sports, is mainly in the joint jurisdiction of the Federation and its subjects. These questions are closely related to family and childhood.

In the constitutions and charters of the subjects of the Russian Federation state protection of the family, maternity, paternity, and children is often enshrined. For example, the Charter of the Kemerovo region contains Article 22 "Guarantee of rights in the sphere of family relations", proclaiming the provision in the field of conditions for the creation of a family, the reconciliation of work and family responsibilities; conditions for the birth and upbringing of children, the protection of their rights; protection of motherhood, paternity, childhood; support of the economic independence of each family.

According to Art. 71 of the Charter (Basic Law) of the Omsk Region, education, protection of the family, motherhood, paternity and childhood are carried out in the Omsk region on the basis of: 1) state support for the development of the education system; 2) state guarantee of education in accordance with federal state educational standards; 3) state support for the creation of a family; 4) creating favorable conditions for the birth and upbringing of children; 5) state protection of the family, maternity, paternity, state protection of children's rights. State authorities in the Omsk region contribute to the strengthening of the family, support large families and other families. The Charter of the Irkutsk region contains a provision on the issue of whether the state authorities of the region provide social support to families with children, including large families, single parents, as well as social support and social services for orphans and children left without parental care. In accordance with Part 2 of Art. 34 of the Charter (Basic Law) of the Saratov Region, the regional government bodies and local self-government bodies help to strengthen the family and fulfill its educational tasks.

Many constitutions of the republics and charters of other subjects of the Russian Federation contain provisions on the rights of the child and the duties of the authorities to ensure them. Following the art. 38 of the RF Constitution, regional basic laws proclaim protection of the family, motherhood, paternity and childhood. Art. 42 of the Constitution of Bashkortostan states: "Family, motherhood, paternity, childhood, disabled people and elderly citizens are under the protection of the Republic of Bashkortostan. Children enjoy equal legal and social protection, regardless of the origin and civil status of the parents. The Republic of Bashkortostan provides for the maintenance, upbringing and education of orphans and children left without parental care. The Republic of Bashkortostan encourages charity towards children, as well as work to raise children".

5. Protection of the family guarantees in the legislation of subjects Russian Federation

There are many laws and by-laws aimed at increasing state social assistance, supporting families with children in the subjects of the Federation. Codified legislation operates in some subjects of the Russian Federation. At the same time, various opinions are expressed in the scientific community regarding the expediency of the codified laws of the subjects of the Russian Federation. Thus, Yu.A. Tikhomirov believes that the regional code cannot pretend to be such a form of legislative generalization, since the code is of a consolidated nature, while in regional codes the specifics of the subject of the federation are reflected in one or two dozen articles, and the rest of the legal scope of the act is reference to articles of the relevant codes of the Russian Federation [7, p. 10]. In the opinion of other authors, it is nevertheless necessary to adopt codified laws [8, p. 105]. The adoption of regional codes does not contradict federal legislation, it greatly facilitates the process of application of laws.

The social code of St. Petersburg includes section II "Social support of citizens", which unites the chapters devoted to the social support of orphans, children left without parental care, and persons from among orphans and children left without parental care; orphans, children left without parental care, transferred for adoption, trusteeship or guardianship, into the foster family; social support for families with children; social support in the sphere of organization of recreation for children and youth and their rehabilitation in St. Petersburg.

The Code of the Omsk region on social protection of certain categories of citizens has a distinctive structure and content. The General Part of the Code (Section I) defines categories of citizens who are provided with social support measures, content, types and forms of social support measures, the conditions for their establishment, and also delineates the competence between regional state authorities in the field of social protection of the population and determines the procedure for vesting bodies Local government of the Omsk region state powers. In the Special Section (Section II), special chapters are devoted to measures of social support in the field of family protection, maternity, paternity and childhood, pregnant women. A monthly allowance is provided for student families with children.

Large families are object of special concern in the subjects of the Russian Federation [10], however, large family is a rare phenomenon in our country and they are stimulated rather modestly [11]. Of all families with children, 65.2% have one child (70% - in cities and 52.2% - in rural areas), and only 6.6% have many children. In the structure of the Russian large families 75% are a family with three children and only 7.7% with five children or more [11]. Decree of the Russian President on May 5, 1992 № 431 "On measures on social support of families with many children" [12](#) , RF subjects instructed in accordance with national and cultural characteristics of the socio-economic and demographic development of the region identify the categories of families who belong to large families and are in need of additional social support. As a rule, a large family is considered to be a family with 3 or more children under the age of 16 (18) years, and in some regions of the Russian Federation and (or) adult children up to 23 years, enrolled in educational institutions or passing military service in the Russian Armed Forces.

The measures of social support for families with children the laws of the RF subjects include: 1) a one-time, monthly and annual cash payments; 2) provision of natural support; 3) provision of benefits; 4) organization of social services.

For example, Moscow provides the following cash benefits to large families: 1) monthly compensation, in particular for reimbursement to pay for housing, utilities and use of phone for the purchase of children's products; 2) annual compensation payments, including to the International Family Day and the Day of Knowledge, as well as for the purchase of a set of children's clothing to attend classes for a period of training; 3) one-off compensation payment for reimbursement of expenses in connection with the birth (adoption) at the same time three or more children; 4) one-time payment to parents (adoptive parents), awarded the Medal "Parental Glory to the city of Moscow".

In accordance with the presidential decree of May 7, 2012 № 606 "On measures of implementation of the population policy of the Russian Federation" subjects of the Russian Federation shall have the right to establish a monthly cash payment for children is prescribed in case of birth after 31 December 2012 of the third child or subsequent children until the child is three years old. This situation led to the fact that families from different regions of the country were at a disadvantage, depending on the demographic situation in the region. [12]

Natural measures usually include free transportation of pupils of secondary schools in the inner city transport and suburban bus lines; primary reception of children in pre-school institutions;

free breakfasts and lunches to students of secondary and vocational schools; free provision of school and sports form for a period of study in secondary school; free access to museums, parks, exhibitions (one day per month); priority selection of garden plots; free delivery of drugs (on prescription) for children under the age of six years. Many regions provided free land plots for individual housing [14, 15].

Subjects of the Federation provide assistance in the provision of soft loans, grants, interest-free loans for the purchase of building materials and construction of housing; taking into account a large employment of parents in the development of regional employment programs, the possibility of their work in the conditions of application of flexible forms of work; organization of training and retraining of parents of many children with the needs of the region's economy.

Regional legislation establishes the measures of social support for young families. A number of subjects of the Russian Federation takes into account features of a traditional way of life for families, activity and culture representatives of certain ethnic communities. For example, the Komi Republic envisages state support for families of reindeer breeders, leading a nomadic or semi-nomadic lifestyle.

In the Republic of Yakutia there is a special law dedicated to a nomadic family, which is considered as "a family, moving in a calendar year to places of nomadic reindeer pastures for the rational (sustainable) use of feed, aquatic biological and hunting resources, carrying out traditional economic activities and engaged in traditional crafts of Indigenous peoples of the North, the main function of which is the education of children and the transmission of family values, based on the historical experience of their ancestors in the area of traditional nature, unique culture, language and traditional knowledge" (p. 2, Art. 1). In accordance with Art. 6 governmental support for nomadic family includes: 1) the conservation and protection of places of nomadic areas for traditional natural resources, traditional farming and nomadic lifestyles; 2) protection and preservation of family values, traditional knowledge of indigenous peoples, nomadic, as an important component of ethnic and cultural development of the indigenous peoples of the North; 3) ensuring the availability of pre-school, secondary and further education without separation of children from their parents, leading a nomadic lifestyle; 4) establishment of a quota target enrollment within the budget of the Republic of Sakha state budget (Yakutia) in the organization, carrying out educational activities on the basis of the agreement on the target acceptance and agreement on targeted training in accordance with the Russian legislation and the legislation of the Republic of Sakha (Yakutia); 5) ensure annual medical preventive examinations, provision of free drugs and medicines, as well as spa and rehabilitation treatment of members of a nomadic family; 6) the organization and support of small business forms for the collection and processing of berries and medicinal plants (wild plants), production of traditional products in the local nomads; 7) modernization of the republican network of satellite communications in areas nomads; 8) the provision of free legal aid in the state of free legal aid system in accordance with the legislation of the Republic of Sakha (Yakutia).

Part of the public authority bodies of the Russian Federation subjects of family support is transferred to the municipal level. Thus, local governments are vested with public powers to provide social support for students from low-income families with many children and the poor . In the Republic of Bashkortostan next state powers are transferred to local authorities: social support of orphans and children without parental care; social support for students of municipal educational organizations from large poor families to provide free meals and uniforms, or replace it with a set of children's clothes for school attendance; the appointment and compensation of the fees charged to parents (legal representatives) for the supervision and care of children, developing of educational programs in pre-school education organizations engaged in educational activities; provision of orphans and children left without parental care, persons from the number of orphans and children left without parental care, living quarters; financial support of pre-school education in private pre-

school educational institutions, pre-school, primary general, basic general, secondary general education in private educational organizations engaged in educational activities at state-accredited mainstream programs; providing residential facilities disabled and families with disabled children in need of accommodation. Local governments are often vested with public powers, related to the organization and provision of recreation and health of children.

In the majority of subjects of the RF there are laws on children's ombudspersons, although the position of Ombudsman for Children in some regions is regulated with bylaw head of the subject of the Russian Federation .

Many regions of Russia adopted special laws on children's rights, the rights of orphans and children left without parental care. Regional normative acts include special measures on protection of the rights and interests of orphans and children left without parental care, as well as special privileges for foster families. Family Code provides for the possibility of the child device under the guardianship or trusteeship in cases stipulated by laws of the RF subjects, under the agreement on foster families (foster care, foster care) (Sec. 6, Art. 145). It should be noted that patronage was established at the federal level in 2008, but it appeared in a number of subjects of the Russian Federation much earlier, for example, in the Perm region - in 2000, in Orenburg region - in 2001. Thus, the subjects demonstrated the effectiveness of advancing regional regulation. Foster families appeared in the regions of Russia on the basis of an agreement concluded between the foster parents and child care, which remained a child (children's home), and now - between the foster parents and the guardianship and custody[16]. The main purpose of patronage is the socialization of children, getting them the necessary experience of life in the family [17, p. 102].

In a number of subjects of the Russian Federation provided the institute of public educators of minors. They are assigned to the following minors in difficult situations: contained in the social rehabilitation centers for minors, social shelters for children and adolescents, institutions for orphans and children left without parental care, special educational institutions, registered in the centers (offices) of social assistance to families and children and other institutions for minors in need of social assistance and (or) rehabilitation; using narcotic drugs or psychotropic substances without a doctor's prescription or consume intoxicants, alcohol and alcohol-containing products; probation or sentence serving received delay or delay execution; committed socially dangerous act and not subject to criminal liability in connection with the failure to reach the age at which criminal responsibility, or because of mental retardation, is not associated with mental disorder; systematically deviates from the study; neglect and homelessness, vagrancy or begging, and in other cases determined by the laws of the Russian Federation. Securing public educator carried out the decision of the commission on juvenile affairs. The main tasks of social educator are: 1) to participate in the implementation of measures to protect and restore the rights and legitimate interests of a minor; 2) to assist the parents or other legal representatives in the upbringing of a minor who is at risk or in difficult situations; 3) to carry out individual preventive work with minors in order to prevent his antisocial acts, committing repeated socially dangerous acts; 4) interaction with bodies and institutions of prevention of child neglect and juvenile delinquency on the prevention of child neglect, homelessness, crime and anti-social acts of a minor.

6. Protecting families constitutional (charter) courts of the Russian Federation.

Family protection is carried out by different bodies of state power of subjects of the Russian Federation, including the constitutional (authorized) courts. Thus, the Constitutional Court of the Republic of Tatarstan declared unconstitutional the Republican Constitution Decree of the Cabinet of Ministers of the Republic of Tatarstan on December 24, 2004 № 564 "On the granting of subsidies for housing and communal services in the Republic of Tatarstan", establishing differentiation of limiting volumes of gas consumption of services used in the calculation subsidies

for housing and utility services, depending on the quantitative composition of the family, so that they attracted a decrease amount of the subsidy Granted to citizens under the Law of the Republic of Tatarstan on December 8, 2004 № 63-ZRT "On targeted social support of the population in the Republic of Tatarstan".

The Constitutional Court of the Republic of Tatarstan also recognized unconstitutional Article 3 of the Law of the Republic of Tatarstan on July 15, 1993 № 1936-XII «On privatization of housing stock in the Republic of Tatarstan" in terms of setting mandatory citizens conditions for the privatization of residential premises in communal apartments in the houses of the state and municipal housing stock in writing consent of the tenants occupying other premises in a communal apartment, and all together adult family members living with them (families). The Court pointed out that leads to the fact that employers are not subject to privatization of residential premises in a communal apartment and members of their families are often unreasonably interfere with the right to privatize housing by other tenants living in the communal apartment, in practice, often securing this additional condition.

The norms of the Resolution of the Sverdlovsk Region Government, which provides that children with disabilities are accounted for a large family and are at the same time entitled to a monthly allowance for travel for each child in a large family and a monthly cash payment payable in accordance with the federal law, have been disputed in the Charter Court of the Sverdlovsk region. According to the petitioner, this provision narrows the circle of persons entitled to this benefit and limits the rights of citizens who are parents of many children in the area of social protection and family protection. However, the Charter Court found no violation of the Charter of the Sverdlovsk region, pointing out that according to Art. 31 of the Federal Law "On social protection of invalids in the Russian Federation", if a disabled person is entitled to the same measure of social protection of the federal law and at the same time in another legal act, a measure of social protection is provided either by the present Federal law, or another legal the act (regardless of reason to establish social protection measures). Russian Constitutional Court has repeatedly pointed out that social support is provided by one of the grounds of the recipient's choice, and this cannot be construed as prejudicing the rights of citizens (particularly from November 20, 2014 [№ 2648-O](#), from September 24, 2012 [№ 1560 O](#), on July 15, 2008 [№ 423-O-O](#) et al.). Consequently, the norm of regional act actually reproduces the position of the Federal Law and cannot be regarded as violating the rights of a large family.

The Constitutional Court of the Republic of Komi checked the constitutionality of some provisions of the national law "On state support of a child placed with a family." The Act established a monthly amount of money for the maintenance of orphans and children left without parental care under guardianship (trusteeship) and in foster care, according to age groups of children and taking into account certain climatic zones. The same law established the size of the monthly payment of funds for the maintenance of each child under guardianship (trusteeship) in foster care for heating, lighting, maintenance of property, furniture and domestic payment services (hereinafter - co-payment). Additional payments shall be determined taking into account the child's age and his residence in certain natural-climatic zone of the Komi Republic. According to federal legislation the subject of the Russian Federation has the authority to set their own measures, size and order of measures of social support to orphans, financial security which falls within the competence of the Russian Federation. Since the measures of social support for orphans and children left without parental care are financed exclusively from the budget of the subject, so far as the subject of the Russian Federation shall have the right to determine the types and amount of social payments for this or that category of orphans. However, as noted by the Constitutional Court of the Republic of Komi, "having some discretion in the implementation of the legal regulation of issues of material support for orphans and children left without parental care, the legislature of the Federation, at the same time, is not exempt from the obligation to comply with the constitutional

principles of equality and justice, the maintenance of public confidence in the law and the actions of the state. Differences in the conditions of realization of a right are permissible only if they are objectively justified and pursue a constitutionally significant purposes, and are used to achieve these objectives, the legal means are proportionate to them. Part of Komi Republic is located in remote areas and areas with harsh climatic conditions for living population. All this has a direct effect on the formation of prices in these areas, and the population carries additional costs to sustain winter conditions and needs in the restoration of physical condition with a trip to Russia's southern regions." The Court confirmed that the material content of children's northern regions of the Republic of Komi is more expensive than the maintenance of children living in its southern regions. In addition, children living in adverse climatic conditions, require additional safeguards to offset the impact on their health due to these conditions factors. The Court also noted that "the existing inequalities in the allocation of funds for the maintenance of orphans and children left without parental care due to the different shape of the device can not be interpreted as an inequality before the law and violation of the constitutional rights of some of them." In addition, the Court ruled that the Komi Republic Constitution does not provide for the payment of monthly cash in the form of payments for heating, lighting, maintenance of property, furniture and domestic payment services.

Checking the constitutionality of the Law of the Republic of Komi on December 7, 2006 № 127-RP "On amendments and additions to the Law of the Republic of Komi" on a monthly cash requirements for the maintenance of orphans and children left without parental care, a tutor (guardian)" the Constitutional Court recognized the law not consistent with the Constitution of the Republic of Komi because of the rate of the extent of the abolition of the payment of money for the maintenance of the child's adoptive parent(s) in the manner of advancing worsens in comparison with the previous legal regulation in the prevailing financial situation of the adoptive parents and their material possibilities of maintenance of children .

The Constitutional Court of the Republic of Komi has also recognized the unconstitutional provisions of the Law of the Republic of Komi "On investment of local governments in the Republic of Komi state powers to ensure the premises for orphans and children left without parental care, as well as persons from the number of orphans and children left without parental care, and the order of their premises under contracts of social hiring, "the regulation of the standards of living quarters of the relevant local authorities of self-government. The Court pointed out that it leads to a significant reduction in standards of housing for the above citizens compared to the norm of, stipulated by the Law of the Republic of Komi "On the categories of citizens eligible to receive residential public housing Komi Republic Fund under contracts of social hiring, and the procedure for granting they specified premises under contracts of social hiring" and creates inequality between persons belonging to the same socio-protected group, as the municipal entities established much smaller and thus differing standards of housing. In another case, when testing the same Law Court declared unconstitutional the provisions allowing the inclusion of no fixed dwelling persons from the number of orphans and children left without parental care, in the list of citizens in need of accommodation of the municipal housing provided by social contracts hiring at the location and identification of the primary account specified persons on the territory of the Komi Republic, and to ignore the principle of the actual orientation of social assistance and does not take into account the legitimate interests of citizens, provided by federal law.

7. Problems of realization of the competence of the Russian Federation in the area of protection of the family

The main problem of implementation of the competence of the Russian Federation in the field of protection of the family is seen in the lack of its legal definition in the subjects of the Russian Federation.

In addition, federal legislation does not always take into account the fact that the state institutions of the Russian Federation are different due to the presence of the objective characteristics of the regions, like geographical, geopolitical, economic, political, ethnic and other ones. Russian federalism involves many facets of territorial, social and national organizations of social life, the differentiation of state power capability in relation to regional and local specifics of the objective conditions, the approach of the authorities to the person and the surrounding issues.

In order to reduce the differences in levels of socio-economic development of the RF subjects and to reduce the gap on the main indicators of socio-economic development between the most developed and lagging regions the Government the Federal Target Program "Reducing the differences in socio-economic development of the regions of Russian Federation (2002 - 2010 years and to 2015)" has been adopted, but the goals program have not been reached. Despite ongoing public authorities of measures aimed at reducing the differentiation of subjects of the Russian Federation, income inequality between the most and the least financially secure actors only increased [19, p. 12].

One of the problems related to the regional and municipal measures of family support is the uncertainty of federal and regional public authorities, local self-government. As is known, in 2003, the Federal Law "On general principles of organization of legislative (representative) and executive bodies of state power of subjects of the Russian Federation" introduced the list of powers of regional authorities on the subjects of joint jurisdiction, carried out by those bodies on their own at the expense of the Russian budget of the subject. This list of powers varies almost every year and is constantly criticized by academics and practitioners. Scientists note an eclectic and chaotic Article 26.3. Due to the broad interpretation the list of powers areas of joint jurisdiction was limited to the content of Article 73 of the Constitution (the content of their own powers of RF subjects) [20, p. 45].

The issue of providing the RF subjects of power to create sites for the abandonment of children after birth ("baby boxes") is being actively discussed. It is assumed that the regions will decide whether to install "baby boxes" taking into account cultural and other local traditions. But in this case requirements for anonymous abandonment and the order of their operation will be established by Ministry of Health of Russia. This practice of creating special places for anonymous abandonment of the child after birth has spread in Krasnodar, Perm Territories, Leningrad, Vladimir, Kursk, Pskov regions. At the same time a non-profit organization which created "baby boxes" was closed at the request of the state attorney in Kirov region [21].

Over the years, the majority of expenditure obligations of subjects of the Russian Federation related to the implementation of powers, is not within the scope of their existing financial security. More than 500 different powers are established by federal laws without a clear definition of the financial mechanism. They are funded by the fact the expense of the subjects of the RF. However, not all subjects are able to implement these powers due to lack of funds. In 2016 in 76 regions of Russia budget was executed with a deficit, and the regions are not able to finance the development of the program. Therefore, one of the priorities of the federal policy on aligning the real state of the RF subjects should be the establishment of a reasonable balance of powers and finances. In this case, the federal government must encourage the adoption of independent decision-making regions, contributing to their economic and social development, as well as soften the rigid model of centralization of tax revenues and to ensure financial equalization of budgetary security of the Russian Federation.

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