

municipalities to the central government. Reforms of the governance structure were carried out to encourage the diversification of services (i.e., to encourage the development of services for parents with non-standard working hours, to facilitate access for poor and migrant families, and to provide services for children with disabilities or severe illness). Recently, the supply of childcare services has been expanded through an increase in the number of child-minders [3].

The key challenges for childcare policy-makers are to ensure that the recent expansion of childcare services (including of out-of-school care) takes into account possible future reforms of parental leave, and to ensure that the supply of services for parents with non-standard working patterns continues to increase. Reducing inequalities in the costs to families for the use of public centre-based services and home-based child-minders is another option under discussion. Addressing children with specific needs would also call for the adaptation of child-minder training schemes.

Thus, taking into account the empirical data of the researches and the experience of pro-natalist policies in Germany and France, we worked out a set of measures of pro-natalist policies at the regional level.

1. In our opinion, one of the most important measures of the mentioned above policies should be the change of the provision of the maternity leave. As our research shows the most important factors, influencing the delay or refusal a child birth, is the fact that most women (including Russian ones) do not want to leave their social and professional life for a long time because of a birth and rising of a child. Having a maternity leave for two-three years often makes a woman uncompetitive on the job market, she loses professional skills. Many Russian women are completely involved in the process of upbringing a child and do not participate in the social life. The development of a free market and the increase of possibilities of women's employment can become a more important factor influencing the increase of a birth rate, than special family-demographic measures in this aspect. Policies which support the access to jobs for women and protects the saving a job and provides adequate income in most of the cases is a good condition for making up a decision to have a child (or one more child). The goal of such policies is integration of mothers in the professional sphere. Long maternity leaves and gender-segregation policies show that combination of work with a motherhood, the return to the job market after a maternity leave and the preservation of the previous standard of life can become rather difficult. It leads to the decrease of a birth rate.

Our suggestions are to provide several variants of a system of maternity leaves and benefits in accordance with the wishes of parents:

a) maternity leave of a 4 months' length with saving a job and 100% of wages. After that a woman can return to work and use the service of a certified baby-sitter who looks after children either at her own place or comes to parents' house;

b) maternity leave divided between both parents: part of a leave is taken by mother (3,5 months),

then she returns to work, the second part is taken by a father (up to 3,5 months) with saving jobs and 100% of wages. After a maternity leave parents can return to work and use a service of a baby-sitter (as in the first variant) or take a child to a kindergarten or prolong a partially paid maternity leave with saving a job which can last up to 3 years.

2. Existing model of pre-school education in Russia is provided mainly for children from 3 to 7 years, so, there should be a versatile system of care of the children who did not reach 3 years and system of women's work support.

3. Another measure of the pro-natalist policies can be the construction of a culture of a work-life balance.

4. A construction of a «supporting environment» which includes a lot of devices and daily practices making life easier.

5. According to the results of sociological interviews the problem of a dwelling is the most important one for young families. In this direction it is expedient to develop a system of mortgage credit lending for young families, including low lending rate which can depend on the number of children (the more children the lower lending rate).

Thus, a realization of a systematic combination of diverse variants of socio-economic policies towards families with children (including direct help, tax benefits, construction of an infrastructure) is an important condition for youth pro-natalist policies effectiveness. Modern demographic situation in Russia and the need to sustain the achieved results demands to work out new solutions and the use of best international practice (including the experience of France and Germany).

References

1. Dorbritz J. Germany: Family diversity with low actual and desired fertility // *Demographic Research*. – 2008. – № 19. – P. 557–598. – URL: <http://www.demographic-research.org/volumes/vol19/17/19-17.pdf>.
2. Germany: A modern family policy for more partnership when it comes to creating a work-family balance and economically stable families // *European Union: European Platform for Investing in Children*. – URL: http://europa.eu/epic/countries/germany/index_en.htm.
3. Lépinaud E., Lieber M. The Policy on Gender Equality in France // *European Parliament*. – URL: [http://www.europarl.europa.eu/RegData/etudes/IDAN/2015/510024/IPOL_IDA\(2015\)510024_EN.pdf](http://www.europarl.europa.eu/RegData/etudes/IDAN/2015/510024/IPOL_IDA(2015)510024_EN.pdf).
4. Thévenon O. Does Fertility Respond to Work and Family-life Reconciliation Policies in France? // *Research Gate*. – URL: https://www.researchgate.net/publication/46479023_Does_fertility_respond_to_work_and_family_reconciliation_policies_in_France.
5. Thévenon O. Family Policies: France // *PERFAR: Population Europe Resource Finder & Archive*. – URL: <http://www.perfar.eu/policy/family-children/france>.
6. Vanovermeir S. L'accueil des jeunes enfants: axe majeur de la politique familiale française depuis les années 1970 // *Ministère des Affaires sociales, de la Santé et des Droits des femmes*. – URL: <http://drees.social-sante.gouv.fr/IMG/pdf/article31.pdf>.

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*Short Reports***RUSSIA AND THE ROME STATUTE OF THE INTERNATIONAL CRIMINAL COURT: RATIFICATION PROBLEMS**

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The short message opened the question about the ratification by Russian Federation the Statute of the International criminal court. There are numerous and formidable political and legal obstacles which don't allow the Russian Federation to ratify the Statute of the ICC soon.

According to the order of the President of the Russian Federation of September 8, 2000 № 394-RP Russia signed the Statute of the ICC, having expressed thereby the approval of the general idea of creation of this body, its purposes and tasks. However so far this document is officially not published and not ratified. We will consider the reasons of that the Russian Federation still didn't ratify the Rome Statute of the International criminal court.

The contradictions existing between separate provisions of the document and a number of articles of the Constitution of the Russian Federation belong to constitutional and legal aspects. For an adequate assessment of prospects of implementation of provisions of the Statute of the ICC defining the basic principles of activity of the International criminal court it is necessary to consider the limits of implementation of norms of international law set by the Constitution of the Russian Federation [3].

Meanwhile a number of provisions of the Statute of the ICC contradict standards of the Constitution of the Russian Federation, including:

1) transfer of persons to court that contradicts the Constitution of the Russian Federation guaranteeing that "the citizen of the Russian Federation can't be sent out of borders of the Russian Federation or is given out to other state";

2) the inadmissibility of the link to official capacity assuming application of the Statute of the ICC to heads of state and government, members of the government and parliament that contradicts the Constitution of the Russian Federation, guaranteeing immunity of the President, members of the Federation Council and the State Duma;

3) the exceptions of the principle of "ne bis in idem" (is impossible to judge twice for the same) contradicting article of the Constitution of the Russian Federation which isn't providing any exceptions of this principle.

Now in the Russian legislation there are no the norms providing transfer of citizens of the country of any international organization or to other state.

This constitutional norm reflects the important principle of citizenship of the Russian Federation which consists that the Russian Federation guarantees to the citizens of the right and freedom, assigned in Constitutions, and also protection and protection to its limits [1].

Further about international legal aspects. As it was noted above, a number of provisions of the Statute of the ICC contradict norms of international law, including norms on immunity of the highest officials from foreign criminal jurisdiction. The question of privileges and immunities in the international criminal law is one of the most actual and sharp, and attempts of its decision unilaterally and by force lead sometimes to serious complications in the international relations.

Besides, the Statute of the ICC contradicts the conventional principles and norms of international law on human rights in the sphere of criminal legal proceedings. So, according to point 7 of article 14 of the International covenant "About the civil and political rights" 1966, "nobody has to be again judged or punished for a crime for which it was already finally condemned or justified according to the law and the criminal procedure right of each country". The same principle is enshrined in article 4 of the Protocol № 7 of the Convention "About Protection of Human Rights and Fundamental Freedoms" of 1950: "Nobody has to be repeatedly judged or punished in a criminal order within jurisdiction of the same state for a crime for which it was already justified or condemned according to the law and criminal procedure norms of this state" [4].

We will specify criminal and legal and criminological aspects. In comparison with the numerous constitutional and legal and international legal problems arising in connection with discussion of a question of ratification of the Statute of the ICC in the sphere of criminal law practically there are no obstacles for its ratification. It is explained by features of a subject of regulation of this act: unlike the majority of the international treaties existing in the sphere of fight against crime, the Statute of the ICC doesn't assign a direct duty to establish criminal liability for the crimes specified in it to the states.

In this regard it must be kept in mind that the norms of the international criminal law regulating responsibility for the heaviest acts are already incorporated in the Russian criminal legislation.

Besides, it is necessary to consider provisions of the principle of legality according to which crime of act, and also it's punish ability and other criminal and legal consequences are defined only by the Code. Thus, criminal prosecution on the basis of other legal act, in particular the Statute