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As a manuscript

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**ACTIVE ELECTION RIGHT IN THE CONTEXT OF THE APPLICATION OF
DIGITAL TECHNOLOGIES
(BASED ON THE EXAMPLE OF THE CITY OF MOSCOW)**

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5.1.2. Public law (state legal) sciences

Work general description

The relevance of the research topic is due to the active development of electoral legislation in the Russian Federation in the context of the use of new digital (electronic) technologies ¹in the sphere of cooperation of the society and the state as a whole, as well as changes in modern society in the basic understanding of the methods (and limits) of transmission, exchange, storage and processing information. Furthermore, the relevance of the dissertation is justified both by the continuous development of these technologies and by the natural reaction to them of the Russian legislator, who consistently makes changes to the electoral legislation. The latest and most profound changes were carried out in 2020-2023. and, on the one hand, have not yet been studied in themselves, and on the other hand, have not been assessed from the part of systematic approach to the legal regulation of digital (electronic) technologies in the electoral process, and in particular - digital mechanisms for ensuring active voting rights.

Despite the technological advantages that new technologies can bring to human life, at the same time the question arises of finding the necessary balance between the use of such technologies and ensuring the priority (highest value) of human rights, that is, the question of developing and adopting such regulation of the use of these technologies for legally significant purposes, which, on the one hand, would make it possible to support the development of certain social relations at a modern technological level (element of freedom), but on the other hand, would ensure compliance of the introduced changes and the practice of their application with immutable constitutional principles and values, as well as their systemic cooperation with other elements of the political organization of social relations. From this point of view, **the question raised moves into legal science field of interest.**

Taking into account the provisions of part 1 of Art. 1, Art. 3, part 2 Art. 32 of the Constitution of the Russian Federation², of particular importance is the study in the above-mentioned aspect of the introduction and practice of using digital technologies in the processes of forming public authorities, including during the preparation, organization and conduct of elections. Today in Russia fundamentally new ways of implementing democratic procedures are being introduced, including the realization by citizens of the opportunity to participate in the formation of bodies of popular representation, the guarantee of which is ensured by legislation precisely on the basis of these constitutional provisions.

In development of the principle of a democratic law state (Part 1 of Article 1 of the Constitution of the Russian Federation), electronic government services today provide people with the opportunity to participate in making almost any decisions that concern them.

At the same time, the most important element and unconditional priority (aspiration) of any democracy, including electronic, remains the right of citizens to elect and be elected to

¹On the problem of the essence of the terms electronic and digital, the relationship between these definitions, the legality of their use to describe a particular object or process, see Volkova K. Yu., Zverevich V. V. Digital or electronic (Digital vs Electronic) // Scientific and technical libraries. 2020. No. 12. P. 159-172; Stolyarov Yu. N. Digital, analog, electronic, virtual: which is correct? // Scientific and technical libraries. 2021. No. 3. P. 133-140. In the context of this dissertation research, the terms electronic and digital are used interchangeably.

²Constitution of the Russian Federation (adopted by popular vote on December 12, 1993, with amendments approved during the all-Russian vote on July 1, 2020) // Official Internet portal of legal information <http://www.pravo.gov.ru>. 2020. (hereinafter referred to as the Constitution of the Russian Federation).

public authorities, the very essence and content of which, as the Constitutional Court of the Russian Federation has repeatedly explained, forms the basis democratic rule of law state ³. Therefore, the concept of electronic democracy ⁴has naturally become associated with the issues of introducing digital (electronic) technologies into the electoral process. This can be called as one of the manifestations of civil society's reasonable expectations regarding the state in the context of the global digitalization of everyday life. Taking into account the highest value of human rights (Article 2 of the Constitution of the Russian Federation), the main trends in the introduction of electronic technologies into the electoral process have become the most complete provision of participation of citizens in the implementation of their electoral rights (primarily active, as the most widespread), as well as the creation of the most comfortable conditions for participation of citizens in elections, which is consistently reflected in the legislation of the Russian Federation, and not just in isolated individual norms, but in the appearance of new systemic legislative approaches to regulating the corresponding layer of social relations.

Since the beginning of digital era, one of the most significant legal procedures – the process of preparing and holding elections – is changing significantly. Electronic accounting systems and voter lists, electronic (including remote) voting and automated methods for processing ballot papers, electronic methods of supporting the nomination of candidates in elections (collection of signatures), electronic environment for remote video monitoring of the voting process, the actions of members of election commissions issuing ballot papers, the work of election commissions on voting days and during the counting of votes, the unprecedented ability to control the reliability and immutability of the expression of will carried out electronically using the blockchain system - all this became possible thanks to the appearance and development of new digital (electronic) technologies . Digitalization of the electoral process, including each of its main stages, has become one of the core patterns of development of the institution of free elections in modern Russia.

For voters, not only the procedure for expressing their will has changed significantly (voting over several days, remote electronic voting (hereinafter referred to as DEG), digital polling stations, the Mobile Voter mechanism, electronic list of voters (hereinafter referred to as EVI), electronic voting terminals and portable terminals electronic voting (hereinafter referred to as TEV and PTEV, respectively), etc.), but also forms and methods of obtaining information about elections, about the voting procedure (digital services).

The use of new digital (electronic) technologies to ensure the implementation of active voting rights gradually led to the emergence of new full-fledged methods of voting - electronic, which not only replaced the previously used subsidiary mechanisms for ensuring the opportunity to vote outside the polling station at the citizen's place of residence, but

³See, for example, resolutions of the Constitutional Court of the Russian Federation dated April 15, 2014 No. 11-P, dated December 22, 2015 No. 34-P, rulings of the Constitutional Court of the Russian Federation dated December 8, 2011 No. 1794-O-O, dated July 7, 2016 No. 1422 -ABOUT.

⁴Hereinafter, "electronic democracy" refers to a set of legal and organizational means of ensuring interaction between government and society through automation and digitalization of the electoral process, the provision of public services in a digital (electronic) format, as well as other types of interaction between public authorities and citizens.

eventually⁵ became in a manner equivalent (i.e., unconditionally available for use by all voters) to traditional polling place voting using a paper ballot.

Since the described trends in the development of approaches to ensuring active suffrage with the help of digital (electronic) technologies directly affect the constitutional issues of the formation of elected bodies of state power (bodies of popular representation), they could not but affect the legal regulation of the electoral process. Relevant from a legal point of view is the study of the forms and nature of the influence that the use of new digital (electronic) technologies in the electoral process has on guaranteeing the electoral rights of citizens of the Russian Federation (active and passive electoral rights), as well as on maintaining a balance between the need to introduce new digital mechanisms and the need to ensure no less level of reliability and legitimacy of election results than when using classical voting formats.

The relevance of the topic of the work **on the empirical example of the federal city of Moscow** is due to its unique and most extensive experience in Russia in introducing digital (electronic) technologies into the electoral process in order to ensure guarantees of active voting rights of citizens. The most modern and most unique legal and organizational solutions based on the use of digital technologies were first experimentally introduced into the voting procedure precisely as part of the capital elections. Having demonstrated not only the advantages of using digital mechanisms to ensure active voting rights, but also ways to improve them, it was Moscow that acted as the flagship of the digitalization of the electoral process in Russia and concentrated the best practices in the use of digital technologies in organizing and conducting elections. Since then, the Moscow electoral system has gone through more than one electoral cycle with the introduction of digital technologies, constantly improving in the direction of expanding and strengthening guarantees for citizens to exercise active voting rights.

The consistent development of electronic technologies in the organization and conduct of elections in the city of Moscow made it possible for the first time in Russia, already at the elections of the Mayor of Moscow in September 2023, to provide every Muscovite with the opportunity to exercise their active voting right in fundamentally new conditions - in the conditions of free choice of the most convenient method of voting outside independence from its location and without administrative barriers in the form of the obligation to submit formal applications in advance.

The degree of scientific development of the dissertation research topic.

There are a lot of scientific works indirectly related to the topic of research due to the high relevance of the topic, the constant improvement of electronic voting tools, their distribution in Russia, as well as the constant improvement of the mechanisms of legal support for electoral procedures in which electronic services. In particular, we can name dissertations

⁵See, for example, Determination of the Constitutional Court of the Russian Federation dated September 29, 2022 No. 2568-O / Official website of the Constitutional Court of the Russian Federation. URL : www.ksrf.ru (date of access: 02.20.2023).

of E.U. Vidyasov⁶, A.V. Grigoriev⁷, A.S. Kiselev⁸ and K.U. Matrenina⁹. From the political science point of view, this issue was considered by M.V. Ilyicheva¹⁰, touching on certain aspects of regulatory regulation and its implementation.

At the same time, a targeted and systematic study of theoretical prerequisites, the full-scale sequence of historical and legal development, the comparative context of the introduction of digital (electronic) technologies into the electoral process of Russia from the point of view of providing adequate guarantees for the implementation of active electoral rights, as well as with the subsequent application of the identified general patterns to the most representative empirical example of Moscow, including current innovations for 2020-2023. **is undertaken in domestic legal science for the first time .**

In the course of this research, the main sources on the stated topic were studied and analyzed, including the works of domestic and foreign authors devoted to both the development of digital rights of citizens and the evolution of active suffrage in the era of digitalization .

The sources of the study cover legal, organizational, technological and other aspects of the introduction of new digital (electronic) technologies into the electoral process, which have had a significant impact on the concept of the yet unrealized potential of the institution of active electoral law and its implementation.

The fundamental principles and main patterns of development of the constitutional and legal categories of democracy, a democratic state, the right to elect and be elected in order to compare with modern trends in the digitalization of the electoral process were studied from the works of S.A. Avakyan, V.D. Zorkin, A.I. Kim, S.D. Knyazev, A.I. Kovler , N.M. Korkunov, O.E. Kutafin, T.Ya. Khabrieva, B.S. Ebzeeva.

The study used the works of V.I. Arefiev, R.V. Amelin, Ya.V. Antonov, A.P. Antokhina , I.B. Borisov, E.N. Bosovay , Yu.A. Vedeneev, A.A. Veshnyakov, V.A. Vinogradov, A.G. Golovin, A.A. Gorychix, S.A. Gripich , E.V. Gritsenko, Yu.A. Dmitriev, V.G. Drozdova, A.V. Ignatov, O.V. Kitnovskaya, E.I. Kozlova, E.I. Kolyushina, V.V. Komarova, A.S. Koshel, O.A. Kravchenko, V.A. Kryukov, I.U. Kuldybaeva, M.I. Lavitskaya, A.P. Larkina, A.A. Leiba, A.S. Lolaeva, A.I. Lopatin, V.I. Lysenko, K.S. Mazurevsky, S.V. Maslennikova, M.Yu. Matveychev, K.Yu. Matrenina, V.D. Mostovshchikov, V.A. Ovchinnikov, A.V. Pavlushkin, S.V. Petrova, A.E. Postnikov, D.A. Reuta, A.M. Sergienko, V.A. Sivitsky, A.V. Sidorova, G.V. Sintsova, M.Yu. Tikhomirov, V.I. Fedorov, A.O.

⁶Vidyasov E. Yu. Institutionalization of electronic participation of citizens of the Russian Federation in the management of a metropolis (using the example of St. Petersburg). Discand. legal _ Sci. St. Petersburg, 2020. 319 p.

⁷Grigoriev A.V. Constitutional and legal regulation of the use of modern information and communication technologies in the implementation of institutions of direct democracy in Russia. Disscand. legal _ Sci. M., 2020. 224 p.

⁸Kiselev A. S. Formation of the idea of the electronic state and features of its implementation: theoretical and legal research. Discand. legal _ Sci. Belgorod. 2019. 212 p.

⁹Matrenina K. Yu. The formation of electronic voting in elections in the Russian Federation and the prospects for its development (constitutional and legal research): discand. legal _ Sciences: 12.00.02. / Matrenina Ksenia Yurievna. Tyumen, 2016. 224 p .

¹⁰Ilyicheva M. V. State and institutions of civil society: interaction in digital reality (political science analysis). Discand. watered Sci. M., 2021. 181 p.

Filatova, A.A. Fomin, S.N. Khorunzhego, G.N. Chebotarev, N.N. Chernogor , N.S. Chimarov , V.E. Churov , Sh.S. Shushania.

The research results of the following scientists in the field of information and digital law were taken into account during this study and when forming its conclusions: R.A. Alekseev, I.L. Bachilo, V.A. Trojan.

The works are devoted to the analysis of foreign experience in the use of electronic technologies in elections: D.S. Gulyaev, V.I. Lysenko, M.Yu. Matveychev, K.Yu. Matrenina, I.E. Mintusov, O.S. Morozova, S. Khomutovskaya, D.M. Khudoley.

Leading foreign sources were taken into account to form reliable results of this study, without reference to them it would have been impossible to comprehensively assess foreign experience in introducing digital services into the electoral process: M. Burmester, E. Magkos, D. Jefferson, E. Maaten, U. Madise, P. Vinkel.

The topic of problems of legal regulation of the electoral process, ensuring the implementation of active electoral rights, compliance with the constitutional principles of free elections and guarantees of electoral rights in the context of digitalization are becoming especially in demand at present when developing dissertation research. Thus, the works of Ya.V. Antonov¹¹ and K.Yu. Matryonina¹² can be called successful; these works are dedicated to electronic voting in elections in the Russian Federation. A successful attempt at a systematic analysis of the structural features of the current legislation regulating the phenomenon of electronic democracy can be called the dissertation of A.V. Grigoriev “Constitutional and legal regulation of the use of modern information and telecommunication technologies in the implementation of institutions of direct democracy in Russia¹³. However, the most significant, from the point of view of the current state of public relations, stage of introducing digital innovations in elections occurred precisely in 2020-2023, that is, after the completion of the above-mentioned dissertations.

The objects of the dissertation research were social relations arising in connection with the introduction and use of digital (electronic) technologies in the electoral process, including the implementation of active suffrage in the Russian Federation.

Subject of dissertation research are the norms of the legislation of the Russian Federation on elections, organizational-legal, technological, administrative-legal and jurisdictional decisions of federal government bodies and public authorities of the city of Moscow, the practice of federal courts of general jurisdiction and the Constitutional Court of the Russian Federation, doctrinal ideas about the development of institutions and mechanisms of electronic (digital) democracy in Russia, as well as the practice of using digital (electronic) technologies in order to ensure the active voting rights of citizens in the preparation and conduct of elections in the Russian Federation .

The purpose and objectives of dissertation research

¹¹ Antonov Ya. V. Electronic voting in the system of electronic democracy: constitutional and legal research: discand. legal _ Sciences: 12.00.02. / Antonov Yaroslav Valerievich. M., 2015. 220 p.

¹² Matrenina K. Yu. Decree. op.

¹³ Grigoriev A.V. Decree. op.

The purpose of the dissertation research is to identify and theoretically understand (from the point of view of constitutional law) the main patterns and current results of the development of electoral legislation, as well as the law-making and law-implementation practices of election commissions aimed at ensuring the implementation of the active electoral right of citizens through the use of digital (electronic) technologies in electoral process of the experience of digitalization of the electoral process in the federal city of Moscow.

The purpose of the dissertation research determines the thesis's main objectives, their doctrinal justification and the practical solutions proposed by the author of the dissertation research that make up the content and result of the research work done, namely:

- formulate definitions of the concepts “digitalization of the electoral process” and “digital (electronic) mechanisms for ensuring electoral rights”;

- highlight and justify the periodization of the main stages of digitalization of the electoral process with the consistent and phased development and introduction of digital (electronic) technologies into it;

- analyze the transformation of the content of active electoral law in the context of digitalization of the electoral process;

- identify the main trends in the development of legal regulation of electronic voting in foreign countries, the main stages of the introduction of electronic means of voting in elections and establish factors that influence the level of implementation of digital technologies in the electoral process of foreign countries;

- analyze the conditions and significance of introducing an electronic voter list into the electoral process in the city of Moscow, determine its role in ensuring the implementation of the active electoral right of citizens;

- summarize and analyze the features of the practical use of electronic voting terminals (portable electronic voting terminals) in elections, propose further promising directions for the use of such terminals, including as an independent method of electronic voting;

- to develop specific proposals on areas for further improvement of the legislation of the Russian Federation on elections in terms of developing legislative regulation of the procedure for using digital (electronic) technologies in the electoral process in order to further strengthen guarantees for citizens to exercise active voting rights, based on a comprehensive analysis of the conditions, features, practice of introducing and using digital (electronic) technologies in the electoral process in the city of Moscow;

The normative (empirical) basis of the dissertation research is the Constitution of the Russian Federation, the Federal Law “On Basic Guarantees of Electoral Rights and the Right to Participate in a Referendum of Citizens of the Russian Federation” dated June 12, 2002 No. 67-FZ (hereinafter referred to as Federal ¹⁴Law No. 67-FZ) , Charter of the City of Moscow, Law of the City of Moscow dated July 6, 2005 No. 38 “Electoral Code of the City

¹⁴Federal Law of June 12, 2002 No. 67-FZ “On the Basic Guarantees of Electoral Rights and the Right to Participate in a Referendum of Citizens of the Russian Federation” // Collection of Legislation of the Russian Federation. 2002. No. 24, Art. 2253 with change. and additional _ in ed. from 07/10/2023. (hereinafter referred to as Federal Law No. 67-FZ).

of Moscow”¹⁵(hereinafter referred to as the Electoral Code of the City of Moscow), constitutions of foreign countries, laws and other regulatory legal acts of their electoral institutions.

A special place in the empirical basis of the study was occupied by normative legal and other acts of the Central Election Commission of the Russian Federation and election commissions of the constituent parts of the Russian Federation, including those that have lost force, but are important for obtaining the main conclusions of the dissertation research, as well as decisions of various courts, including decisions of the Constitutional Court of the Russian Federation, the Supreme Court of the Russian Federation, as well as judicial authorities of foreign states.

Methodological basis of dissertation research

The research was conducted based on a diverse methodological basis, including general scientific and legal methods of knowledge.

General scientific methods are represented by systemic-structural analysis, classification, deductive and inductive methods.

Systemic-structural analysis made it possible to identify essential features and determine the legal nature of the legal phenomena under study in their interrelation.

The classification contributed to the distribution of the studied material into structural and logical elements (types, categories, stages), and also made it possible to visually compare various concepts and determine their meaningful relationships.

Deductive and inductive methods made it possible to respectively derive private knowledge from the general (when moving from the federal level of legal regulation to the regional) and to generalize particular cases to a general pattern (when moving from the regional to the federal level and during the theoretical generalization of the studied practical material).

Among the legal methods proper, when developing the stated problems, historical-legal and comparative-legal methods were used.

The historical-legal method made it possible to identify the stages of formation and development of digital (electronic) mechanisms for ensuring active electoral rights, as well as to trace the evolution of the conceptual (terminological) apparatus used by the legislator and electoral bodies, its development due to the digitalization of the electoral process and social processes in general .

The comparative legal method contributed mostly to understanding foreign experience, identifying essential differences and similarities in the legal regulation of electronic formats for expression of will in various jurisdictions.

The scientific novelty of the dissertation research is determined by the choice of topic, subject and objects of the dissertation research.

A distinctive feature of this study is an integrated approach to the analysis of not only legal regulation of e-democracy institutions, but also the practice of its implementation and

¹⁵Law of the city of Moscow dated July 6, 2005 No. 38 “Electoral Code of the City of Moscow” // Bulletin of the Mayor and Government of Moscow. 2005. No. 43 with amendments. and additional _ in ed. dated May 31, 2023 (hereinafter referred to as Moscow Law No. 38).

application in the innovative environment of the city of Moscow, where these technologies are tested in elections, and only subsequently introduced at the federal level and in other entities of the Russian Federation. In addition, the novelty is scientifically based and supported by identified empirical patterns analysis of directions for further improvement of digital mechanisms in the electoral process (and, as a consequence, electoral law), determined by the priority vector of expanding and more effectively ensuring the implementation of active electoral rights of citizens of the Russian Federation through the use of digital (electronic) technologies. As mentioned earlier, since 2020-2023 when previous works were published), new and unprecedentedly innovative tools have appeared in the city of Moscow to ensure the implementation of active electoral rights in the aspect of the use of electronic forms of exercising the right to participate in elections, that are analyzed in this work, and this undoubtedly emphasizes its novelty.

Before that dissertation research there were no scientific studies devoted to the legal and organizational mechanisms for ensuring the implementation of active electoral rights at the new stage of development of electronic voting, including those revealing the legal nature, significance, place and role of the electronic voter list system in the voting *process* on elections in Russia, as well as electronic voting terminals integrated with the DEG and ESI systems, the first use of which took place only in September 2023 in Moscow. All this together testifies to the high level of novelty of conclusions of this dissertation research and makes up for the lack of disclosure of this topic in the science of constitutional law, especially in terms of understanding the latest electoral practice.

For the first time in the science of constitutional law a theoretical understanding is carried out and justification is given for the development of the material structure of active suffrage in the conditions of the active use of digital technologies using the example of the city of Moscow.

An understanding has been formed of promising directions (from the point of view of regulatory regulation and technological implementation) for the further development of electoral legislation and the practice of its application, including the wider use of the electronic voter list as a necessary digital (electronic) mechanism for ensuring the implementation of active electoral rights in the context of digitalization of electoral process. In the medium term, these areas can open up opportunities for deeper integration of electronic voting processes and its varieties with paper voting in conditions of free expression of the will of citizens, while blocking potential ways of abuse of the right.

The following provisions are submitted for defense:

1. The author proposed definitions concepts:

digitalization of the electoral process - the systematic introduction of the latest technologies into the procedure for the formation of public authorities through the use of digital (electronic) mechanisms for ensuring electoral rights, especially active electoral rights, accompanied by changes in the relevant legal regulation;

digital (electronic) mechanisms for ensuring electoral rights - a set of digital (electronic) technologies (services and tools) used in the electoral process in order to ensure the possibility of exercising the rights of participants in the electoral process (especially

voters) provided for by the Constitution of the Russian Federation and the legislation of the Russian Federation in electronic form, including when carrying out certain electoral actions electronically at various stages of the electoral process.

2. The author has identified two periods and six stages of digitalization of the electoral process, which includes the sequence of formation and development in each of them of digital (electronic) mechanisms for ensuring electoral rights, as well as accompanied by legal regulation of the electoral process in the conditions of the use of new information, including digital technologies.

Initially, the development of digital technologies followed the path of automation, that allows us to designate the first two stages (from 1994 to 2001 and from 2002 to 2004) as the *period of automation*, and subsequently moved into *the period of digitalization* of the electoral process (from 2005 to 2007, from 2008 to 2018, from 2019 to 2021, from 2022 to the present).

The periodization of digitalization of the electoral process is formulated and justified consistent and phased development and introduction of digital (electronic) technologies, which act as digital mechanisms for ensuring electoral rights. Classifying the six stages of formation and development of these digital (electronic) support mechanisms, the periodization is based on the criterion of similarity of information technologies used at these stages, which makes it possible to synthesize them into enlarged classification units - periods.

3. In the context of the active introduction into the electoral process, especially in the voting procedure at elections, of such digital mechanisms as electronic voting, electronic voter list, electronic voting terminals, it is proposed to supplement the normative content of active electoral law with the right of a citizen freely and regardless of anyone's will (even the will of the election commission organizing the elections, subject to the use of electronic voting in specific elections) to choose the method and the place of exercising active voting rights. This right can be built into the design of the right to elect as a legal guarantee accompanying the implementation of the fundamental right¹⁶.

Two elements of the content of active electoral law - the direct right to vote and the right to freely choose the method and the place of voting - are constructively and inextricably linked, since the direct exercise of will in the conditions of the use of new digital technologies is directly preceded by the choice of the method of such exercise. Consequently, there are grounds to talk about active suffrage not just in the aspect of voting, but also in the aspect of the specified free choice in the exercise of will.

The right of a citizen to freely choose the method of voting in elections acquires the features of a guaranteeing right, and not a technical method of implementation, including precisely insofar as, on the one hand, it does not depend on the need to justify it by the presence of reasons for this particular behavior of the voter (unlike other options, when the

¹⁶In this aspect, an analogy can be drawn with the general constitutional right to judicial protection and "the plaintiff's right to independently determine the choice of method of protecting the violated right, regardless of the existence, along with general special methods of such protection," which the Constitutional Court of the Russian Federation has repeatedly pointed out. See: Twenty-five years of Russian joint stock law: problems, tasks, development prospects / resp. ed. D.V. Lomakin. M.: Statute, 2021. 414 p.

voter had to justify a deviation from the “standard” forms of voting), and on the other hand, is not limited to any formal criteria (for example, the fact of being attached to a polling station in a specific territory), but until the end remains at the discretion of the voter in as a subject of law and is ensured by the fullness of his freedom of choice. Moreover, the decision of the election commission organizing the elections to use electronic voting in a specific election is a point of no return, after which no one has the right to deprive the voter of the opportunity for the corresponding permitted behavior.

It is concluded that since these guarantees ensure precisely the unconditional right of the voter, the fulfillment of which he has the right to demand from the state (and not just a technical possibility associated with compliance with formal criteria), extraterritoriality becomes an integral characteristic of the organization of the electoral process in elections.

In the context of the right of a citizen to choose a method of voting as an element of the content of active electoral rights, justified by the author of the dissertation, it is proposed to introduce into scientific circulation and constitutional legal practice a new principle of extraterritoriality of the implementation of active electoral rights - the determination by a citizen of the method of voting in elections, regardless of compliance with the criterion of actually being within territory of a specific polling station (in the case of DEG - even an electoral district) and the need to comply with preliminary formal requirements. This principle guarantees citizens the opportunity to freely choose a voting method based only on their own preferences and needs, without formal restrictions on a specific voting location.

It must be taken into account that the conditionality of active suffrage by residence within the electoral district as a fundamental basis for the right to vote is not questioned. On the contrary, we are talking about maximally preserving this basis, despite the fact that under the conditions of the principle of extraterritoriality of the implementation of active electoral rights, the maximum number of citizens living within the electoral district will be able to vote in elections, even if they are not actually located at the location of the specific polling station to which they are attached.

The principle of extraterritoriality of the implementation of active electoral rights, based on the identified content of the right to freely and independently determine the method and the place of voting, helps to reduce electoral absenteeism, increase civic activity, and as a result - improve the quality of popular representation, the legitimacy of elected public authorities and officials.

4. Expanding the idea of the voter list in the era of digitalization by transforming its unified form into optional format varieties while maintaining their equivalent legal status (both electronic and paper) ¹⁷, made it possible to justify the special significance of *the electronic voter list as:*

the necessary digital (electronic) mechanism for ensuring active suffrage in the conditions of digitalisation of the electoral process, on which depends not only the

¹⁷ Until 2022, the list of voters and referendum participants was compiled, applied and used only on paper. In 2022, the law provides for the possibility of using the list of voters and referendum participants in electronic form.

interconnection of methods of electronic voting, but also the freedom of a citizen to choose a method of voting without territorial attachment to the place of registration (extraterritoriality);

a key tool for further integrated development of electronic forms of voting and digitalisation of the electoral process as a whole;

a digital mechanism that eliminated the use of two voter lists for the same election: the list of voters voting by paper ballot at the polling station (indoors or outdoors) and the list of voters voting by remote electronic voting, thus eliminating the unjustified deprivation of voters of the opportunity to exercise their active electoral rights, which occurred when two voter lists were used simultaneously;

a digital mechanism that eliminates the possibility of including the same voter in the voter list (at different polling stations) and, as a consequence, the possibility of abuse of active voting rights through repeated ("double") voting;

a digital mechanism that allowed the introduction of the DEV integrated with the TEV, and the resulting possibility of extraterritorial voting for voters, providing the latter with variability and mobility in their choice of voting method.

In addition, the electronic form of the voter list has created prerequisites for improving the normative-legal regulation of the procedure for compiling (maintaining, clarifying) and working with the voter list, since it required clarification of certain provisions of Federal Law No. 67-FZ, as well as differentiated legal regulation of the procedure for the implementation of certain electoral procedures depending on the application of a particular form of the voter list.

5. The use of TEVs (PTEVs) as an element of the electronic voting system will make it possible to move to the allocation of electronic voting as an equivalent type of voting, realised in several ways at once (remotely or at the polling station). It is concluded that the allocation by the federal legislator of electronic voting by means of electronic devices as an independent type of electronic voting, with the regulation of the procedure for recording the results of electronic voting along with the paper form of voting, will make it possible to vote electronically even for the voters of the subjects of the Russian Federation, which do not use TEV.

The prospective application of the electronic voter list throughout the entire territory of the Russian Federation or part of the constituent entities of the Russian Federation, if Federal Law No. 67-FZ is amended or the CEC of Russia adopts an appropriate procedure for electronic voting, will allow voters whose data are entered into the EVL system to vote at electronic voting terminals without the need to form special digital polling stations.

6. The analysis of foreign experience in the introduction of electronic voting complexes, DEV showed that in the countries that refused the experiment on the introduction of electronic voting, one of the reasons was the lack of growth in voter turnout at elections, including the electronic format. On the contrary, in Russia and in Moscow there is a stable growth of voter turnout in elections, and predominantly in the electronic format. The analysis has shown that the low percentage of demand for the electronic form of voting abroad is associated with organisational and legal aspects of its introduction: instability of services, lack of information, inconvenience of their use, lack of clear and transparent algorithms for

recording the expression of will, low level of trust, unpreparedness of the political system and low electoral activity, lack of an appropriate level of public observation.

A natural correlation has been revealed between the effectiveness of organisational and legal tools for the introduction of digital (electronic) mechanisms for ensuring electoral rights, aimed at levelling the negative attitude of voters to them, and the success of their introduction, high demand and, as a consequence, increased turnout at elections and the growing legitimacy of elections as an institution of direct democracy in general and election results in particular.

7. The introduction of digital (electronic) mechanisms for ensuring electoral rights has qualitatively changed the content of many electoral actions and procedures, especially those related to the implementation of active suffrage, so the provisions of Federal Law No. 67-FZ, adopted more than 20 years ago, need comprehensive improvement.

The main direction of work to improve the legislative regulation of the procedure for preparing and conducting elections is seen as a comprehensive adaptation of the existing legal regulation to the new digital realities so that the legal norms, on the one hand, would not be a deterrent to the development and introduction of new information technologies in the electoral process, but, on the other hand, would ensure the preservation and strengthening of the fundamental principles of electoral law.

First of all, the provisions of the legislation on elections and referendums in terms of extraterritorial work with the voter list in its electronic form are subject to a comprehensive transformation, especially in terms of removing the restriction on the clarification of information about a voter exclusively by the election commission of the polling station where he is included in the voter list (paragraphs 7, 10 of Article 17 of Federal Law No. 67-FZ, etc.). Such legislative regulation is conditioned by the existence until 2022 of an exclusive paper-based voter list and the physical possibility to work with it exclusively on a territorial basis.

The principle of extraterritoriality in the exercise of active suffrage in elections implies the need to legislate specific mechanisms defining the conditions and rules of voting outside the polling station at the voter's place of residence, as well as mechanisms to verify and confirm the right of a citizen to vote extraterritorially.

The successful introduction of electronic voting terminals and positive experience in the use of electronic voting terminals, their potentially high demand as an electronic format of voting at the polling station in comparison with the traditional paper format, creates prerequisites for the legislative enshrinement of the possibility of using terminals for electronic voting, including for extraterritorial voting of voters who are in the territory of another constituent entity of the Russian Federation during the elections, polling stations of the Russian Federation, and for the use of electronic voting terminals in the territory of other regions of the Russian Federation.

The analysis of law enforcement practice has revealed the need to further improve the procedure of electronic voting directly at the electronic voting terminals. In this regard, it seems expedient to enshrine the possibility of changing the method of voting after receiving a referral to the TEV at the polling station, in case the voter did not get access to the electronic ballot at the terminal. The possibility to change the method of voting immediately before the

start of voting seems to be the most justified and to the greatest extent provides additional guarantees of the rights of the voter to choose the method of voting.

It is proposed to regulate such procedural aspects of TEV functioning as:

requirements for sealing (lockout-tagout) of devices, procedure, including time and persons performing these actions;

the procedure to be followed by the precinct election commission in case a voter left an electronic ballot open on the terminal and did not complete the voting;

sequence of actions in case of TEV breakage, grounds and procedure for its replacement during voting;

regulating the technology of paper trace as a guarantee of ensuring the reliability of establishing the result of the expression of a citizen's will, namely the type, the moment of fixation (printing), the procedure of storage on the day (days) of voting, retrieval, packaging and subsequent storage after the end of voting.

Potential practical problems could arise from a legal time limit of one hour for electronic voting, including on a terminal as a form of EVL. Such a possibility carries a potential risk of abuse of the right or unintentional harm, when a number of voters, simultaneously voting on all terminals of the polling station during the entire voting time (i.e. for the whole hour), may paralyse electronic voting at the polling station. It is proposed to develop organisational and legal mechanisms to prevent such abuse of the right to vote, one of which is to limit the time of availability of the electronic ballot on the terminal after its opening, while maintaining the total time of access to it after receiving a referral for TEV from a member of the precinct election commission.

Theoretical and practical significance of the dissertation research consists in the definition of new scientifically substantiated concepts of modern electoral law, such as "digitalisation of the electoral process", "digital (electronic) mechanisms for ensuring electoral rights", the right of a citizen to freely and independently of anyone's will to choose the method and the place of exercising the will. In addition, the author of the dissertation at the expense of the undertaken research contributed to joint works with co-authors, in the framework of which a new principle of the electoral process - extraterritoriality of the implementation of the active electoral right, associated with the addition of the active electoral right to the accompanying guaranteeing the right of free choice by the voter of the place and manner of exercising the will, formulated proposals to improve the legal regulation associated with the introduction of an electronic voter list, found in the framework of the dissertation.

The practical significance is mainly due to the inclusion in the legislation of the city of Moscow on elections and referendums of the provisions regulating the procedure for the application and use of means of electronic expression of will, including TEV (PTEV), as well as the electronic voter list as a necessary digital (electronic) mechanism for ensuring active suffrage in the conditions of digitalisation of the electoral process. In particular, at the stage of preparation of the thesis, the results of the analysis of foreign experience, as well as the theoretical provisions of the thesis concerning the state of normative and legal regulation of the electronic voter list in 2022 and 2023, as well as the use of electronic voting terminals, are included in the relevant procedures for remote electronic voting and procedures for

compiling, clarifying and using electronic voter lists in Moscow , which is confirmed by the certificate of implementation dated 31 August 2023, No. 02-02/2.

Also, the practical significance is related to the elaboration of proposals to improve the legislation of the Russian Federation on elections for further systemic development of digital (electronic) mechanisms for ensuring electoral rights, including through the expansion and development of the scope of application of TEV (PTEV), the geography of application of the electronic voter list as a fundamental element of such systemic development, as well as the elimination of legal lacunas that appear in the practice of application of these mechanisms.

Degree of reliability of the results of the dissertation research. The main conclusions presented in the dissertation research in the form of the provisions put forward for defence are confirmed with the help of general scientific and legal methods of cognition, logically substantiated with reference to the materials and facts of Russian and foreign studies, constitutional legislation and decisions of the Constitutional Court of the Russian Federation, rules arising from the provisions of electoral legislation, doctrine and scientific discussion on the issues of legal regulation of the process of organisation and conduct of elections and referendums.

Approbation of the dissertation research. Approbation of the scientific results was carried out at the Faculty of Law of the National Research University Higher School of Economics (hereinafter - HSE), as well as in the course of teaching legal disciplines in the leading law schools of Russia.

The main provisions of the study are reflected in three scientific publications of the author published in peer-reviewed scientific editions recommended for defence at the Higher School of Economics, as well as in one collective monograph.

The dissertation research was prepared and discussed at the meetings of the Department of Public Law, Faculty of Law, National Research University Higher School of Economics.

Personal contribution of the author. The results put forward for defence were obtained personally by the author. The author's contribution to the results published in the papers, implemented for practical application is determinant.

The structure of the dissertation corresponds to the goals and objectives of the dissertation research, consists of an introduction, two chapters, each of which includes three paragraphs, a conclusion containing the main findings of the work, a list of used literature.

Contents of the thesis

Active suffrage in the conditions of application of digital technologies is undergoing a period of transformation, primarily associated with the expansion of the content and the increasing importance of the form and method of its implementation. The unconditional content of active suffrage as the right of citizens to participate in the formation of public authorities is the basis of a democratic state governed by the rule of law. At the same time, the electoral process, especially with regard to the organisation and conduct of voting and the exercise of active suffrage by citizens in the city of Moscow, has undergone gradual, significant changes due to the introduction and widespread use of digital (electronic) technologies, which have affected the availability of electronic voting, both remotely through

a device connected to the Internet, and at the polling station - with the help of electronic voting terminals, an electronic voter list, which ensure the right to vote

In the introduction of the dissertation research the relevance of the topic and the degree of its scientific development are justified, the goals and objectives are outlined, the object and subject are presented, the methodology of the research is highlighted, its theoretical and practical significance and scientific novelty are shown, the scientific provisions put forward for defence are formulated.

Chapter 1 "Digital (Electronic) Mechanisms for Ensuring Electoral Rights: Theoretical and Historical Aspect" is devoted to a retrospective analysis of the legal regulation of the use of electronic technologies in the electoral process, the evolution of technologies used to ensure the possibility of exercising, first of all, active electoral rights, as well as the analysis of relevant experience and models of legal regulation in foreign jurisdictions.

Paragraph 1 "Historical and legal study of the stages of digitalisation of the electoral process in the Russian Federation, its impact on the content of active electoral law" explores the history of digitalisation of the electoral process with special attention to the development of approaches to legal regulation. The author's definitions of the concepts of "digitalisation of the electoral process" and "digital (electronic) mechanisms of ensuring electoral rights" are derived. For this purpose, a systematic historical and legal analysis of the introduction and application of digital (electronic) technologies in electoral procedures, as well as the corresponding legal regulation is carried out. The evolution of technical means is studied: ballot readers (BR), ballot processing complexes (BPC), electronic voting complexes (EVC) and terminals (stationary and portable) of electronic voting (TEV and PTEV), which were used in the process of elections at various levels in the Russian Federation. Regularities of links between the degree of introduction of technologies and the degree of elaboration of legal regulation in the context of the realisation of citizens' electoral rights are revealed.

Based on the analysis, the author proposes a periodisation of the digitalisation of the electoral process, which characterises the sequential and gradual development of digital (electronic) technologies, which together form digital (electronic) mechanisms for ensuring electoral rights, as well as their normative regulation. Two periods are distinguished (automation - from 1994 to 2004 and digitalisation - from 2005 to the present), consisting of six stages.

Stages of the period of automation of the electoral process:

from 1994 to 2001 - automation of the process of interaction between election commissions, creation of the SAS "Vybory", the introduction of the first voting machines, counting votes (ballot readers);

2002-2004 - comprehensive development and expansion of the SAS Vybory as a unified information base for elections and referendums with legal consolidation of its legal status, improvement of the information security system, formation of the Register of Voters and Referendum Participants within the structure of the SAS Vybory, implementation in 2003 KOIB (technical means for counting votes).

Stages of the period of digitalisation of the electoral process:

from 2005 to 2007 - ensuring legal, organisational and technical possibilities for the use of the ballot paper in electronic form, introduction (2006) of EVD - electronic voting devices;

from 2008 to 2018 - preparatory stage for the introduction of the DEV as an additional form of voting along with paper voting, active introduction of electronic services in the electoral process;

from 2019 to 2021 - pilot implementation of remote electronic voting, organisation of voting at digital polling stations;

from 2022 to the present - the beginning of transfer of SAS Vybory to a fully digital format; legislative consolidation of remote electronic voting and the voter list in electronic form, its use from 2022 in elections in the city of Moscow, significant expansion of the geography of application of the DEV; introduction of electronic voting terminals.

Paragraph 2 "Active suffrage in the conditions of digitalisation of the electoral process" analyses and comprehends the transformation of the content of active suffrage in the conditions of full-scale spread of digital technologies (services and tools), the main of which is the introduction and legislative enshrinement of electronic voting as an equivalent (provided it is used in elections), not burdened by the subsidiary character of the method of voting along with voting at the polling station by paper ballot papers.

Remote electronic voting, which appeared as an experiment, has passed the way of formation as a full-fledged way of realising the active electoral right and continues its development in the direction of providing the maximum possible and guaranteed by the state variant choice of the way of exercising one's will. Extraterritoriality provided by electronic voting, along with other digital (electronic) technologies, allows us to justify the transformation of the content of active suffrage by the accompanying (guaranteeing) right of a citizen to freely choose the method and the place of exercising his will.

Ensuring the freedom of choice by a citizen of the way of voting in elections is described as an important aspect of the modern electoral process. The definition and legal characteristics of a new element of active electoral right - the right of a citizen to freely and independently of anyone's will to choose a way of voting in elections - are proposed to be introduced into the scientific turnover and constitutional and legal practice. It is substantiated that this guaranteeing right is aimed at ensuring full freedom in choosing between different ways of voting provided by the legislation. It is proved that it is important to take into account various needs and possibilities of citizens, first of all, the possibility to choose the most convenient and accessible way of voting taking into account their individual preferences, as it has a direct impact on the legitimacy of the formed public authorities. The importance of this principle for reducing absenteeism is revealed, taking into account the diversity of demands of modern information society, including the importance of ensuring the principle of extraterritoriality of the implementation of active suffrage in the interaction between citizens and the state.

The paper considers the impact of extraterritorial voting in elections in Moscow and other regions, assesses its effectiveness, identifies problematic aspects and proposes ways to solve them. Thus, the successful implementation of the principle of extraterritoriality in the

elections in Moscow confirms its importance in modern democratic systems, as it contributes to increasing the level of civic activity, strengthening confidence in elections and improving the quality of popular representation.

Paragraph 3, "Foreign Experience of Introducing Digital (Electronic) Mechanisms in the Electoral Process", analyses the experience of introducing digital services in the electoral process in countries that have decided to use electronic technologies in the organisation of voting in elections, both on an experimental and permanent basis. The paper summarises successful practices of introducing electronic voting and situations when its application did not ensure the achievement of the stated goals. The reasons for unsuccessful attempts to introduce electronic voting are investigated. The analysis is structured both on the basis of the peculiarities of each jurisdiction and on the basis of technologies used by different states. The legislation and experience of the following states are studied: Ireland, Islamic Republic of Afghanistan, Canada (Province of Ontario), Kyrgyz Republic, Republic of Bulgaria, Republic of India, Republic of the Philippines, Federal Republic of Brazil, Federal Republic of Finland, French Republic, Republic of Germany, Republic of Estonia, Swiss Confederation, United Kingdom of Great Britain and Northern Ireland.

The author analyses the technologies used to organize electronic voting. Two groups are distinguished: the first group includes electronic technologies that assume a paperless form of voting, but at the same time provide for their stationary installation, the second group includes various technologies of online or remote electronic voting that do not require voters to visit specially designated polling places (polling stations) in person.

The main factors of success in the implementation of electronic voting are the availability of competencies and technical and legal frameworks sufficient for the proper organisation of electronic voting. An important aspect of successful implementation is also the level of digital transformation of the state administration and electoral system, as well as the availability of an appropriate regulatory framework in the areas of information and telecommunication technologies, personal data, information security and cryptography.

The importance of a developed system of interaction between citizens and authorities in the digital environment as an organisational basis for the introduction of digital technologies in the electoral process is noted.

The paragraph emphasizes the importance of well-developed institutions for the observation of e-voting to ensure the credibility of the process. The gradual introduction of e-voting, with an emphasis on its experimental nature in the initial stages, can be identified as one of the factors for its subsequent successful and widespread adoption.

The examples of the Republic of Estonia and the Russian Federation show that with proper preparation of the technical and organisational infrastructure, the introduction of e-voting technologies gradually, with proper risk compliance, leads to the achievement of the stated objectives. Continuous improvement of the e-voting system, taking into account the experience of previous stages in the implementation of new ones, and constant interaction with voters contribute to the creation of a reliable e-voting system.

Analysing the digital changes affecting all countries of the world, it is noted that there are emerging demands for mechanisms to ensure the legitimacy of authorities formed through

digital democracy. This dynamic is progressing in most of the jurisdictions analysed. E-voting should empower citizens without restricting the opportunities that already exist. The paragraph reveals a regularity between the effectiveness of organisational and legal measures in the introduction of electronic services aimed at eliminating negative aspects that cause voter dissatisfaction, and the increase in the legitimacy of elections and the level of voter turnout.

Chapter 2 "Legal Regulation of Digital (Electronic) Mechanisms in the Implementation of Active Voting Rights and the Practice of Their Application on the Example of the City of Moscow" is devoted to the study, using the experience of the federal city of Moscow as an example, of the processes of introducing remote electronic voting, electronic voter list into the electoral process, as well as organisational and legal peculiarities of preparing and conducting voting in the conditions of digital transformation of the electoral process.

Paragraph 1 "Legal and Regulatory Framework for Remote (Electronic) Voting in the City of Moscow" analyses the effectiveness of the legal structure of the DEV regulatory framework built on the principle of framework regulation at the level of a federal law with the definition of a narrow subject of regulation by the law of the subject of the Russian Federation (the law of the city of Moscow), transferring the key role of a regulatory regulator to the level of the CEC of Russia and the Moscow City Election Commission (with regard to the Moscow DEV platform).

The first experimental and subsequent practices of using remote electronic voting at elections in Moscow and Russia in the context of extraterritorial voting opportunities are reflected. The prerequisites for the introduction of remote electronic voting in the city of Moscow are analysed: the technical and organisational conditions for its implementation, the high degree of digital transformation of public administration in the capital. The model of DEV regulation, designed as a legal experiment, is assessed.

The architecture of the Moscow e-voting platform is described. It notes the parallelism associated with the organisation of voting not through the SAS Vybory, but with the use of the state information system of the constituent entity of the Russian Federation. The above permission from the federal legislator was a stimulating factor in the further development of digitalisation of the electoral process, which made it possible in the Moscow elections in 2023 to use, within the framework of remote e-voting, the electronic method of voting both remotely and at polling stations with the help of e-voting terminals.

The procedures of the voter lists in each of the experimental electoral cycles are considered in relation to the conditions of formation of the voter list, the grounds for inclusion in it and, as a consequence, the participation of voters in electronic voting. The problems related to the labour-intensive compilation, maintenance and use of essentially two types of voter lists - lists of participants of the DEV and lists of voters at polling stations at their place of residence - are also analysed. The legal and organisational problems of organising a proper degree of protection from abuse in the exercise of active suffrage are identified.

The adequacy of legal mechanisms to ensure the secrecy of the vote in the application of the DEV, mechanisms for public scrutiny, and overall transparency in the design of the system are investigated.

It is noted that at present the development of remote electronic voting is on the way to expanding the possibilities of free choice of the voter voting method, carried out extraterritorially without temporary application procedures preceding such a choice, while respecting the basic principles of electoral law when conducting electronic voting.

Thus, it is demonstrated that the legal framework of the DEV has a great potential for further improvement, taking into account the development of new technologies and law enforcement practice, as well as the need to further strengthen the mechanism of state guarantees for the realisation of the active electoral right of citizens.

Paragraph 2 "Regulatory and Legal Basis for the Formation and Use of the Electronic Voter List in the City of Moscow" considers the electronic voter list as a key tool for further integrated development of electronic forms of voting and digitalisation of the electoral process.

Special functions of the voter list are singled out: legal, documentary, procedural, informational, which substantiate its system-forming character as a digital (electronic) mechanism for ensuring suffrage in the conditions of digitalisation of the electoral process. Nevertheless, the process of voter registration (accounting) involves a number of organisational problems due to the need to ensure the reliability of the voter list, in this regard, systematic work on the automation and, subsequently, digitalisation of this process was carried out in order to minimise potential errors in its compilation.

The voter list was a precursor to the electronic voter list, as it could be maintained exclusively electronically due to the absence of personal and face-to-face interaction between the voter and election commission members in the VL procedure. The legal requirement to include a voter in only one voter list prompted the legal tech design of a digital polling station with an application procedure, while the lack of automated synchronisation of the voter list at the polling station and the list of participants in the DEV posed a potential risk of inaccurate reflection of voter data and, consequently, the possibility of violation of electoral rights.

In addition, the increase in electronic voter turnout and the level of demand for extraterritorial voting methods lead to the conclusion that the existing legal regulation did not fully meet the interests of voters in their right to a mobile and, at the same time, not time-limited choice of voting method. It is clear that the lack of synchronisation of voter lists is a disincentive to mobile voting and represents a fundamental problem for the digitalisation of the electoral process, as it negates all of its potential benefits.

The adoption of Federal Law No. 60-FZ of 14.03.2022, which took into account the experience of the experimental stage of the organisation of the DEV, made it possible to optimise the compilation, clarification and use of voter lists - the organisation of these processes in electronic form was allowed. This made it possible to fully transform certain electoral actions into a digital format and to introduce an electronic voter list as early as the Moscow elections in 2022.

At present, there is no comprehensive legislative regulation of the maintenance of the voter list in electronic form (electronic voter lists). At the same time, the procedural potential of maintaining the voter list in electronic form will contribute to further improvement of its normative regulation, especially in the conditions of separation of electronic voting through

electronic complexes (terminals) and remote electronic voting into separate, independent varieties of electronic voting.

Paragraph 3 "Organisational and Legal Peculiarities of Elections in the Territory of Moscow with the Application of Digital (Electronic) Technologies" clearly demonstrates, using the empirical example of the capital's election campaigns, that the introduction of new digital technologies into the electoral process, which entails a change in the algorithm of implementation of certain electoral actions and procedures, their transformation, taking into account the combined use of paper and electronic forms of voting, is inevitably associated, especially in the framework of the experimental period, with the organisation of the election process with the use of digital (electronic) technologies.

The system integration of electronic voting terminals with the DEV and the electronic voter list allows the terminal to potentially fulfil a broader functionality, which can be supplemented in the future, including more advanced personal identification mechanisms, and carry additional functions than the simple processing and recording of the expression of will inherent in the technical complexes of the previous generation.

The importance of properly organising a mechanism for blocking alternative forms of voting for a voter who has exercised his or her active voting right and the value of this mechanism for organising voting without prior submission of applications for participation in the DEV is substantiated.

In addition to the periodisation of digitalisation of the electoral process, the features of the main stages of introduction and development of electronic means of voting and vote counting are highlighted.

A cause-and-effect relationship between the success of the introduction of digital services in complex electoral procedures and the level of readiness of election organisers to ensure the quality of the electoral process in the conditions of its digitalisation has been revealed. The devices through which electronic voting is carried out have become important in this process. The algorithm of their work, the legal component, the complex of organisational and technical actions aimed at their introduction and smooth functioning, the identification of elements of prospective technical improvement and, of course, the issue of improving the normative regulation - all this constitutes a key issue for the further development of the digital transformation of the electoral process.

The conclusion contains the findings of the thesis research and summarises its results.

Main publications on the topic of the thesis research:

Four (4) scientific papers have been published on the subject of the study with a total volume of 6.3 printed sheets.

Articles in publications included in the list of recommended journals of the National Research University Higher School of Economics:

1. Gadzhieva A. O. Electronic voter list as a new element of digitalisation of the electoral process: legal and organisational foundations // Law. Journal of the Higher School of Economics. 2022. T. 15 № 5. C.44-65.

2. Gadzhieva A. O. Electronic voting technologies in elections: the experience of application in Russia and abroad // Bulletin of Peoples' Friendship University of Russia. Series: Legal Sciences. 2023. T. 27. № 3. PP. 650-685.

3. Gadzhieva A. O., Kostyrko A. A., Koshel A. S. Active suffrage in the digital era: legal aspect // Vestnik of St. Petersburg University. Law. 2023. T. 14. № 4.

Other publications:

Gadzhieva A. O., Stepanyuk D. Yu., Koshel A. S. § 2.7 Ethical aspects of the suffrage. Ethics and law: correlation and mechanisms of mutual influence: monograph / ed. by V.A. Vinogradov. Moscow: Prospekt. 2023. PP. 228-250.