On the development of information technologies in the agro-industrial complex of modern Russia

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Abstract. The article forms a number of features and problems of legal regulation of information technologies in relation to the agro-industrial complex of modern Russia. The article examines the features of legal protection of personal data under current legislation, and provides a doctrinal legal and law enforcement analysis of the implementation of personal data protection. In the course of the analysis, the authors come to the conclusion that information technologies determine largely the efficiency of the agro-industrial complex of modern Russia.

1. Introduction
The solution of many economic and social issues depends on the efficiency of production in agriculture. The development of the agro-industrial complex (hereinafter referred to as AIC) has an important impact on all spheres of political, economic and social life of citizens. One of the priorities of the state policy of modern Russia is the introduction of information technologies (hereinafter, IT) [1], however, it is impossible without the development of an appropriate regulatory framework. At the same time, it is necessary to identify the need for regional regulation of this issue, in the context of the need for technical and technological modernization in the implementation of the policy of agricultural protectionism.

The purpose of this research is to study the institute of information technologies in the system of agricultural development in modern Russia. The sample for the study was the existing enterprises of the Russian Federation, the effectiveness of which is recognized as well as at the national and international and level.

2. Literature review
Numerous legal and economic researches, publications and periodicals indicate interest in the development of the institute of information technologies in the field of agro-industrial complex is increasing every year. A. A. Darkov, in his work, points out the current directions of activity in relation to the process of digitalization of the agro-industrial complex: "In our opinion, it is necessary: 1) to develop a training program for personnel to operate and maintain the digital economy and its legal support; 2) to create and integrate information databases as much as possible, develop a list of indicators and systems for entering them into a single database, develop instructions for entering information and using it; 3) to create conditions for entering only objective reliable information into information databases and establish personal responsibility; 4) to create structures for developing software for the digital economy and its legal support in the field of agriculture; 5) to develop a program of state support for economic entities whose activities are aimed at introducing digital technologies into the economy of
agricultural production and creating an effective legal mechanism for innovative agro-industrial complex [1].

3. Materials and methods
A special role in the legal regulation of information relations in fact, the object of research is played by subordinate statutory and regulatory enactment (hereinafter-SRE), which, in relation to the agro-industrial complex, have characteristic detailed and more specific features.

Firstly, the Strategy for the development of the information society in the Russian Federation (hereinafter, the Strategy), the scope of which is information and communication technologies (hereinafter, CT), aimed at the development of the information society, the formation of the national digital economy, ensuring national interests and implementing strategic national priorities.

The strategy establishes specific principles of using IT and CT: 1) priority of traditional Russian spiritual and moral values and observance of norms of behavior based on these values; 2) accessibility of mobile devices, wireless technologies, communication networks; 3) universal access to IT and CT; 4) development of remote IT; 5) implementation of import substitution policy and competitiveness (the latter is also a priority of ensuring national interests in the development of the information society) [2]; 6) monitoring of IT and CT and ensuring information security (multiple forms of protection are assumed), in connection with their use; 7) improvement of legal regulation in the field of ensuring the safe processing of information and the use of new technologies, the level of which should correspond to the development of these technologies and the interests of society; 8) priority of state policy in the national segment of the Internet.

Secondly, the Doctrine of information security of the Russian Federation (hereinafter, the doctrine) and the Doctrine of food security of the Russian Federation (s. "b." p. 25 indicates the implementation of the provisions of this act, through the media).

The Doctrine establishes four main components of the national interests of the Russian Federation: 1) protection of constitutional rights and freedoms in obtaining and using information; 2) information support of the state policy of the Russian Federation; 3) development of the domestic industry of modern IT (means of informatization, telecommunications and communications); 4) ensuring the domestic market of Russian IT of domestic production and access to world markets; 5) ensuring the security of information resources from unauthorized access, information and telecommunication systems.

Thirdly, the president’s Decree "On the national goals and strategic objectives of development of the Russian Federation for the period up to 2024", where the task of the transformation of priority sectors of economy and social sphere, including agriculture, through the introduction of digital technologies and platform solutions, in accordance with the approved July 28, 2017 the government programme "Digital economy of the Russian Federation" [3].

Fourthly, other regulations of SRE (Statutory and regulatory enactment).

In addition to the legal sources of regulation in relation to the object of study should designate the individual features of the content of the departmental project "Digital agriculture" (the digital platform), which is a collection of databases for operational monitoring of the status and development of agriculture (also operates the information system of the lands of agricultural destination (information about the location, condition and actual use of each piece of land by regions of the Russian Federation, about agricultural crop and the state of agricultural vegetation in real time).

Thus, the introduction of information technologies, according to the developers, should lead to the following results: 1) the formation and constant replenishment of data on objects of agricultural resources (land, animals, machinery) included in the digital platform; 2) the involvement of Russian regions in the process of sound digital industry planning of agricultural production based on the digital platform.

4. Result
The expected economic effect of using information technologies is as follows: 1) reducing the cost of production of agricultural products and food; 2) reducing the share of material costs of producers of
agricultural products in the cost of unit production; 3) increasing labor productivity at agricultural enterprises; 4) increasing investment in the purchase and implementation of digital technologies and digital products, including domestic production.

It is expected by 2021 to build 54 competence centers within the legal framework of the project "Digital agriculture", implementing programs of training and retraining of specialists of agricultural enterprises for the development of competencies of the digital economy, on the basis of all agrarian universities of the Ministry of agriculture of Russia that will allow to 2021 to train specialists of agricultural enterprises, retrained and competences for the digital economy digital technologies and digital products [1].

Among the individual problems of legal regulation of the research object, the following should be highlighted: 1) analysis of the real needs of agricultural producers engaged in agriculture shows that in addition to the need for "precision farming" services, agricultural producers need to simplify reporting procedures, control and supervisory activities, transparency of markets for agricultural products, platforms for effective sales of manufactured products and logistics; 2) the current regulation of agricultural insurance with state support needs to be improved and put into practice new modern "digital" tools for identifying and confirming an insured event. Questions remain unresolved: how much can be used in this case, the results received and accumulated in the information system of the state fund of data (results) of environmental monitoring, as well as the feasibility of creating a new, special system for monitoring crops using aviation and space means for agricultural insurance [1].

Definition of personal data (hereinafter-PD) is reflected currently in subparagraph 1 by Article 3 of Federal law "On personal data" (hereinafter, the Federal law No. 152-FL), under which, the term refers to any information relating to an identified or identifiable individual (the subject of PD).

Hence, it should be noted that not all information, even related to a particular person, is included in the subject of legal regulation of Federal law No. 152-FL. There is a rule that follows from both normative and legal (s."a" by Art. 2 of the Convention on the protection of individuals in the automated processing of PD), doctrinal legal and law enforcement sources, according to which, one or another information in its various combinations, although having a personal nature, becomes such in the sense of Federal law No. 152-FL only if it allows identifying a specific individual [3].

However, in practice, there are cases when the court recognizes as "personal" the information that, being unable to identify it, has a personalized character: "By the appeal ruling of the Moscow city court of July 6, 2012 No. 11 - 11648 / 12169 the decision of the court of first instance according to which the placement of information on the stand only about the plaintiff's last name and patronymics does not allow third parties to determine the identity of a specific person without obtaining additional information...At the same time, the Moscow city court's decision of appeal no. 11 - 17136170 of September 6, 2012 upheld the decision of the court of first instance on the grounds that the surname, first name and patronymic, based on the provisions of paragraph 1 of article 3 of Federal law No. 152-FZ, are PD, and are accordingly subject to appropriate legal protection" [4].

It should be assumed that the indicated ambiguity can be eliminated by changing the content of paragraph 1 of article 3 of Federal law No. 152-FL, indicating the property of information, including its totality, to acquire the status of personal only in an exceptional case — when it can be used to identify categorically a specific individual.

The liability covered by labor law is not only the disciplinary liability of the employee, but also the material liability of both the employee and the employer. This conclusion derives mainly from article 90 of the labour code, and part 1 of article 232, part 1 of article 233, part 1, article 235, article 237 of the labour code – provisions on compensation for material and moral damages by the employee against the employer; part 1 of article 22, article 90 of the labour code – provisions on compensation for material and moral damages by an employee against another employee.

The implementation of disciplinary responsibility is only possible in relation to the employee, carried out by the employer in appropriate cases.

Civil liability for the commission of the considered group of information offenses arises on the basis of the following acts: 1) in connection with causing losses to a person as a result of violation of the rules
for processing their PD; 2) in connection with causing moral harm (moral suffering) to a person as a result of violation of the rules for processing PD.

In the first case, civil sanction will be reparation to the victim of damages in accordance with article 15 of the civil code, and in the second case, on the basis of article 151, 1099-1101 of the civil code of the article and part 2 of article 24 of the Federal law No. 152-FL it is the compensation for moral damages, and irrespective of compensation of property harm incurred by the subject of PD, loss.

With regard to the implementation of administrative responsibility for information offences in the field of PD, it should be noted that at this point in the administrative code only three composition thereof are formalized: article 5.39, 13.11, 19.7 Cao RF [5].

The legal nature of the forms of implementation of administrative responsibility is more strict than those inherent in the previous designated types of responsibility. This phenomenon is explained in two ways. On the one hand, the measures applied in the case of disciplinary and civil liability are characterized by a milder nature of the corresponding restrictive measures (sanction), due to the fact that harm is caused to the injured party or the mechanism of its threat is implemented, which indicates a qualitatively lower level of public danger. On the other hand, the mentioned types of liability exist separately from administrative and criminal liability, and there may be a multiplicity of implementation of certain types of liability in a particular case. However, in fairness, it should be noted that the party committing an information offense, when implementing certain types of liability, will undergo qualitatively different restrictions. For example, in the case of disciplinary liability, a remark or reprimand may be assigned, which, by and large, does not affect the property and personal rights and freedoms of the person, while in the case of civil liability, it will experience property deprivation of monetary expression.

5. Summary and conclusions
Thus, information technologies in relation to the agro-industrial complex processes, methods of searching, collecting, storing, processing, providing, distributing information and ways of implementing such processes and methods implemented by agricultural producers at the stages of agricultural production and sale of agricultural products on the market. In turn, personal data is any information about a person that allows him to be identified as a specific individual, assuming the availability of appropriate methods and forms of legal protection.

If it is implemented correctly, it is possible to get tangible results in the first 6 months. Within two years, about 1.5 million citizens will be attracted to the agricultural sector, while receiving a high and stable income.

References
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