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High degree of public danger of ecological crime is caused by all system of its criminological features interfaced to environmental risk and lasting character of negative consequences, continuous expansion of a circle of criminal encroachments, high latency, cross-border character, negative influence on all institutes of society.

REFERENCES

- 1. Клетнева, Е.Г. Экологическая преступность в Российской Федерации: понятие, причины, условия и предупреждение: диссертация ... канд. юр. наук: 12.00.08 / Е.Г. Клетнева. Казань, 2007. 260 с.
- 2. Об утверждении Концепции национальной безопасности Респ. Беларусь: Указ Президента Респ. Беларусь 9 ноября 2010 г. № 575 // Эталон Беларусь [Электронный ресурс] / Национальный центр правовой информации Республики Беларусь. Минск, 2011.
- 3. Стаценко, В.Г. Официальная и латентная преступность: об актуальности криминологического анализа / В.Г. Стаценко // Право.by. 2012. № 3. С. 100 105.
- Тангиев, Б.Б. Проблемы правового регулирования экологической безопасности и предупреждения чрезвычайных ситуаций в контексте борьбы с экологическими правонарушениями / Б.Б. Тангиев // Вестн. Санкт-Петерб. ун-та ГПС МЧС России [Электронный ресурс]. – Режим доступа: http://vestnik.igps.ru/http://vestnik.igps.ru/wp-content/uploads/V1/21.pdf. – Дата доступа: 17.09.2012.
- 5. Тангиев, Б.Б. Научный эколого-криминологический комплекс (НЭКК) по обеспечению экологической безопасности и противодействию преступности / Б.Б. Тангиев СПб.: Юридический центр Пресс, 2010. 515 с.

UDC 347.66

ACTUAL PROBLEMS OF DIGITAL INHERITANCE

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When people die, they are increasingly leaving digital 'footprints' behind. We outline a novel area of research: how these digital 'footprints' can be bequeathed, inherited and appropriately repurposed. This is an area which has high potential for scientific research and innovation.

People have been transitioning remnants of their identity from conventional physical effects, such as photos and trinkets, to online profiles and social networks. Identity is being digitalized, this raises certain difficulties such as the population ages [1]. A significant portion of modern decedent's assets may consist of 'digital assets' such as e-books, domain names, and online accounts. Unlike their tangible predecessors, digital assets may be difficult for executors and administrators to obtain. Death today presents more complex issues than before the digital age. As far as death questions are concerned, components of online identity do not fit the mold of the traditional framework of the society.

Ubiquitous computing technologies are becoming increasingly enmeshed in our daily lives. Websites and other online platforms keep tracks of our history of communication, and they may additionally hold valuable intangible properties and digital assets we have created or purchased. A quick scan of recent news stories reveals that:

- 1. Over one billion people maintain Facebook pages.
- 2. Over one billion people have accounts on Gmail, Hot-mail, or Yahoo!.
- 3. Over 300 million e-books were sold by Amazon in 2012.
- 4. Over 25 billion songs have been sold on iTunes.
- 5. Over 50 million domain names have been registered by GoDaddy.
- 6. Over 70 hours of video are uploaded to YouTube's servers every minute.

7. Over 70 million people tended virtual farms in Zynga's Farmville at the height of its popularity, some paying real money to obtain virtual assets [2].

While these numbers are impressive, they only scratch the surface of a vast landscape of platforms, websites, and account-based social media technologies. As a result, it is increasingly likely that decedents will possess a range of personal accounts holding a range of files, documents, licenses, personal communications, and other forms of intangible property located behind password-protected login screens.

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An account filled with e-books and digital music may replace the library on a set of tangible bookshelves. A blog may replace a daily journal, and a digital folder full of emails may replace a bundle of handwritten letters [3]. Services such as PayPal and Wallet may replace traditional checking accounts.

During their lives, users in the UK can (in principle) access their personal data. After death, "digital systems raise issues of ownership, access and persistence, which together create new issues and complications for the bereaved" [4]. There is a lack of acceptable mechanisms for the bequest and inheritance of digital artifacts [5, p. 2459]. Nor is there a model for the appropriate repurposing of these digital artefacts.

Despite the ubiquitous use of social networking, ICT systems are seldom designed to cater for user death. They do not enable users to nominate inheritors of their data, even though this data may have emotional, financial or intellectual significance to the bereaved [6].

Approaches to this issue between different ISPs and social networks are not consistent. Besides, the problem is complicated due to the fact that the will of digital assets is not acceptable in most countries, except some individual states in the USA.

Given the inevitability of death and the ever-increasing size of digital 'footprints', the situation outlined above is unsatisfactory for users and the bereaved.

Executors and administrators of estates cannot disregard decedent's digital assets. For example, in New Jersey, personal representatives of estates are duty-bound to settle and distribute an estate as quickly and effectively, as far as it will be coordinated about the best interests of property and bear responsibility for estimates of assets of real estate and also count state or federal a tax which can be connected with these assets. While photo online from archive isn't of considerable value for these purposes, PayPal or virtual current accounts of the dead have to be in detail studied by the performer. The duty of an assessment and the taxation extends only on those digital assets which can be estimated in money equivalent.

If property includes digital assets, the executor has a number of problems. Unlike material objects included in the estate, which is usually concentrated in one place, the deceased may have dozens of online accounts, each of which is protected by a unique username and password. Executors may not know about the existence or location of the accounts of the deceased. Even if they have the necessary information, they can notar accessed if the passwords are not recorded and are not at their disposal. This is due to the privacy policy of Internet providers.

Providing access to online accounts of the deceased can be a difficult decision for ISPs who are required to provide, in accordance with the privacy policy.

A deceased user may have held data online which was intended to remain private in perpetuity – e.g. emails expressing negative opinions about those close to them, evidence of extra-marital affairs, illegal activities. By giving executors and the bereaved access to the deceased's personal data, online service providers may unwittingly unleash Pandora's Box [7]. However, refusing to give executors and the bereaved access to the deceased's personal data can cause problems too. An example is the case of U.S. Marine Corps Lance Corporal Justin M. Ellsworth, killed in action in Iraq in 2004. After Ellsworth's death, his father requested access to LCpl. Ellsworth's personal data (emails, attachments, diary entries) which were stored by Yahoo!. Yahoo!'s refusal to surrender the data led to a high-profile court case between Ellsworth's family and the ISP [8, p. 33], and damage to Yahoo!'s public image.

In this article, we have outlined the central challenges relating to what happens to digital artefacts after users die. It should be noted that currently there is no single model of inheritance and wills digital assets. This failure to engage with user death impacts adversely on both users and industry. To solve this problem it is necessary to find a balance between the interests of the privacy policy and the internet- providers need access to digital assets of the deceased heirs and executors of the will.

REFERENCES

- Mauer J. Research Note Risks in Digital Identity After Death / J. Mauer // [Electronic resource]. 2013. Mode of access: http://anniesearle.com/web-services/Documents/ResearchNotes/ASA_Research_Note_ RisksinDigitalIdentityAfterDeath_July2013.pdf. – Date of access: 20.12.2013.
- Lastowka, G., Hall, T. Living and Dying in a Virtual World / G. Lastowka, T. Hall // [Electronic resource].
 2013. Mode of access: http://lastowka.rutgers.edu/files/2013/10/Lastowka.pdf. Date of access: 20.12.2013.
- Hunter, D. Cyberspace as Place and the Tragedy of the Digital Anticommons, 91 Cal. L. Rev. 439 (2003) / D. Hunter // [Electronic resource]. – 2013. – Mode of access: http://scholarship.law.berkeley.edu/californialawreview/vol91/iss2/4. – Date of access: 20.12.2013.

Education, Social Studies, Law

- 4. Odom, W. Passing on and putting to rest: Understanding bereavement in the context of interactive technologies. In Proceedings of the SIGCHI Conference on Human Factors in Computing Systems 2010. (Atlanta, GA, USA, April 10-15, 2010) / W. Odom [et. al.]. CHI'10.ACM, New York, NY,USA.
- Massimi, M. Dying, death, and mortality: towards thanatosensitivity in HCI. In Proceedings of the 27th international Conference Extended Abstracts on Human Factors in Computing Systems / M. Massimi, A. Charise. (Boston, MA, USA, April 04 09, 2009). CHI'09. ACM, New York, NY, USA. P. 2459 2468.
- Kirk, D.S. On human remains: Values and practice in the home archiving of cherished objects / D.S. Kirk, A. Sellen. – ACM Trans. Comput. – Hum. Interact., 17, 3 (Jul. 2010), 1-43 [Electronic resource]. – 2013. – Mode of access: http://doi.acm.org/10.1145/1806923.1806924. – Date of access: 20.12.2013.
- Moncur, W. Digital Inheritance / W. Moncur, A. Waller // RCUK Digital Futures [Electronic resource]. 2010. – Mode of access: http://www.computing.dundee.ac.uk/staff/wmoncur/publications/2010-rcukdigitalFutures.pdf. – Date of access: 03.10.2013.
- Farwell, J. Death & digital data: What happens to what you leave behind? / J. Farwell // Computers & Electronics. – 2007. – 18(9). – P. 33 – 35.

UDK 371.31=3111

THE PROBLEM OF HUMOR IN TEACHING ACTIVITIES

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The problem of using humor in pedagogical activity is discussed in the article. This issue is not investigated in the science of teaching properly. Humor is considered by researchers as a quality of an individual, expressed in the ability to an original and unconventional approach to solving different tasks, expressed in reaction to certain phenomena of life with some irony. It is a quality that puts brighter shade on activities and human life and it correlates with talent. As a pedagogical tool humor is able to implement various functions in teaching activities, and it can be a tool for solving a variety of pedagogical problems.

There are few studies of humor in the science of teaching. No one doubts great importance of laughter in the lives of people and nevertheless there is a insignificant number of studies in this field. In Russian pedagogy, this issue still remains largely underreported. One of the first teachers, who analyzed various aspects of humor in education, was V.A. Sukhomlinsky. He believed humor to be a powerful means of influence in the process of education.

Modern scholars, V. Bezrukova, B.Z. Vulfov, V.D. Ivanov, N.V. Kukharev, V.S. Reshetko, O.A. Sergeyev and others, considered humor to have a certain role in teaching activities. But, unfortunately, many scholars still consider school and humor as incompatible concepts. But a child can not live without laughter. School days are spent much more interesting and useful, if schoolchildren are friends and they are amicable to each other, if there is a positive and cheerful atmosphere at school. Sometimes, in complex interpersonal situations, they often occur in pedagogical practice, only a good joke, acting as a means of unity, can promote a favorable resolution of a conflict.

Humor is considered by researchers as a quality of an individual, expressed in the ability to an original and unconventional approach to solving different tasks, expressed in reaction to certain phenomena of life with some irony. It is a quality that puts brighter shade on activities and human life and it correlates with talent. We assume that a person with a sense of humor will be successful both in profession and in life in general. Humor can be a trait of one's character, and a pedagogical means. As a pedagogical means humor is based on the awareness of participants of communication of different kinds of discrepancies between the expected and the happened, between the visible and the real and so on. It is related to a comic effect, relieving psychological stress, contributing to the establishment of friendly relations.

Let's consider functions of humor in teaching activities:

Informative function.

A sense of humor in the process of communication, expressed in sophisticated words and phrases (a pun, a joke, a humoresque, a caricature) characterizes person's culture and tact, and his/her mind creating a comic situation. A teacher, using humor, not only transmits some information about the subject of the speech, but also