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Some aspects of bribery in Russia

Keywords: Bribery; forensic analysis; concealment of bribery; bribery cover-up and concealment; traces; bribery perpetrator

The article discusses most common methods of bribery, bribery cover-up and concealment, characteristics of perpetrators and some other forensic characteristics of nowadays bribery.

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Search of defendant at pre-trial stage

Keywords: Pre-trial hearing; defendant; search; suspended criminal proceedings
Initiating search of defendant at the pre-trial stage is a serious issue, which has not been thoroughly studied. To tackle this issue the author analyzes the laws, which bear many imperfections, particularly, where they provide for cooperation between various bodies.

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Minority shareholders right to distribution of profit: myth and reality

Keywords: Payment of dividends; participation in profit distribution; protection of minority shareholders interests; protection of minority shareholders rights, non-public commercial entity

Under Russian law minority shareholders of a non-public company cannot enforce their right to participate in distribution of company profit until the company's general meeting passes a resolution on dividend payment. However, in foreign countries, in particular in USA such shareholders can resort to effective remedies. Having analyzed pertinent foreign practice, the author shares her view on further refining of Russian corporate law.

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Implementing principle of mutual recognition in legal system of European Union

Keywords: Principle of mutual recognition; mutual trust; human rights; European Union law

The positive effect of the principle of mutual recognition of judicial decisions and court sentences depends on mutual trust and agreement between law procedures of member states. To put this principle into effect at the supranational level EU adopted directives which aim is to create a unified standard of human rights and freedoms for all member countries. Yet, according to the author, such a trend will aim at more active integration in criminal proceedings within EU legal framework.

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Unfair terms of service agreements in foreign countries

Keywords: Unfair terms; limitations upon freedom of contract; service agreements

There is no agreement as to what should be understood by unfair terms. Even within the same jurisdiction one can come across different approaches towards understanding of unfair terms. Not surprisingly the same refers to both international and European law systems. This question becomes even more acute when it comes to the debates over B2B agreements.

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Search for reasonable grounds for setting aside arbitral awards

Keywords: Arbitration; setting aside arbitral awards; legal grounds; implications of annulment of awards; international rules for award annulment; national rules of award annulment

The author analyzes international regulatory acts, court practice and legal theories in order to determine legal grounds which would allow national court set aside arbitral awards. The author suggests a list of such grounds, which will take international status; such grounds will not allow recognize and enforce arbitral awards, which were earlier annulled by national courts.

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Concepts of 'affiliated persons' and 'controlling persons' in antitrust, corporate and bankruptcy law

Keywords: Affiliated persons; controlling members; debtor controller; terminology; corporate legislation; insolvency law

The article analyzes the correlation between the notions of 'affiliated persons' and 'controlling members' which in various branches of law refer to persons or bodies who are in position to influence decisions of other persons of a corporation.

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Execution of lease agreement

Keywords: Execution of lease agreement; registration of lease agreement; Civil law reform

The state registration of a transaction has been deemed an act of law, which confirmed the validity of transaction. Current version of the RF Civil Code introduced a new approach for the majority of transactions related to real estate, yet the procedure for the registration of lease agreements still lacks sufficient clarity.

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Bona fides and extent of rights

Keywords: Bona fides; abuse of right; extent of right; bad faith actions; bona fide presumption

The article presents a study of 'bona fides' concept within the extent of rights, in particular, the study concerns the correlation between the concepts of 'bona fides' and 'abuse of rights', criteria for bad faith actions. The author also points out how judges and legislators invoke the concept of bona fides in their work.

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Provisions on administrative liability in Russian Federation and Republic of Belarus

Keywords: Administrative legislation; administrative liability; administrative offence; Republic of Belarus

Administrative law in Russia and former Soviet states shares common traditions. The author compares administrative legislation in Russia and Republic of Belarus and outlines their strengths and weaknesses.

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'Do not go there — there is Death with word Freedom on its forehead!' — lessons of February-March 'revolution' of 1917 in Russia. Article three.

Keywords: Russian Empire; February-March Revolution of 1917; Emperor; abdication

The article discusses the intricacies of the so-called February-March revolution of 1917 in Russia. Having reviewed a considerable number of historical documents the author analyzes this historical event from legal perspective.

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Biological materials: ownership issues. Practice of foreign countries

Keywords: Biological materials; legal status; ownership

Use of human parts for biomedical and general research has become a common practice worldwide. Despite obvious importance of the aspect at stake, a well-thought legal framework for proper use of biological materials is currently lacking. The author analyzes landmark court decisions and principal concepts of common law, which seems to be the most receptive to social change.

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Illegal obtaining of information constituting a state secret: development of norm

Keywords: State secret; obtaining; divulging; divulging of state secret; quality of criminal law

Illegal obtaining of information constituting a state secret has been recently added to criminal code as an element of crime. This recent development has brought a lot of controversy. The author agrees that this novelty is far from irrelevant yet it does not meet the norms of criminal law