

CHISTYAKOV, Dmitry Olegovich

Lawyer

Revision of land privatization deals by the public prosecutor office

Keywords: Land parcel; deal; privatization; invalidity of the transaction; restitution; vindication; prosecutor office

The article analyses current judiciary practice related to public prosecutor office challenging the privatization of former public land parcels previously transferred to owners of real estate objects located at these parcels. The author describes a variety of judicial approaches in considering this category of disputes.

DROZDOVA, Kristina Vyacheslavovna

Postgraduate

Department of State and Law History

Lomonosov Moscow State University Law School

Preparations for the Constitutional Reform Act 2005: changing the role of the Lord Chancellor in the state mechanism of the United Kingdom

Keywords: Judicial system of England; the Constitutional Reform Act 2005; the Supreme Court of Great Britain; the Lord Chancellor; the history of the English judicial system; history of the state and law of England

In this paper, the author considers the peculiarities of the judiciary system in England before the Constitutional Reform of 2005 took place. The article focuses on the issues in both promoting and impeding the change in the state mechanism. The author scrutinizes the role of the Lord Chancellor as the key element of the judiciary system, as well as estimates the reduction of its role as the crucial aspect of the Reform.

GLUSHKOV, Aleksandr Ivanovich

Doctor of legal sciences

Full professor

Head

Department of Jurisprudence

Dubna State University

Criminal cases of illegal adoption: criminological characteristics and proving

Keywords: Proving; circumstances in proof; evidence; illegal adoption; criminological characteristics; preliminary investigation

The article is focused on the peculiarities of evidence collection, evaluation, and assessment in cases related to illegal adoption. The author justifies the necessity to consider particular aspects of illegal adoption's criminological characteristics while determining the circumstances to be proven in relevant criminal investigation.

GRYAZNOVA, Veronika Mikhailovna

Student

National Research University Higher School of Economics

On the introduction of kinship renunciation procedure

Keywords: Civil process; kinship renunciation; close relatives; "relative filter"

The author states that worthy candidates are occasionally left without recommendation for entry into public service due to criminal background or particular status of their close relative. The article proposes the kinship renunciation procedure as the way of solving the abovementioned problem of "relative filter"; such an institute is to be implemented within the separate chapter of the Russian Code of Civil Procedure. The author also analyses the historical background of kinship renunciation, assesses its influence on other branches of law.

KURENNOY, Aleksandr Mikhailovich

Doctor of legal sciences

Full professor

Head

Department of Labour Law

Lomonosov Moscow State University Law School

Honoured Lawyer of the Russian Federation

Judicial practice within the system of labour law sources

Keywords: Sources of labour law; sources of legal regulation of labour relations; legal regime of decisions of the Constitutional Court of the Russian Federation and the Supreme Court of the Russian Federation

The article considers the place of judicial practice within the system of sources of labour relations' legal regulation. The author focuses on the legal status of the Resolutions of Plenum of the Russian Supreme Court, as well as justifies why their value for the development of judiciary practice should increase.

LYAMKINA, Arina Sergeevna

Postgraduate

Department of Business Law

Lomonosov Moscow State University Law School

Principles of creditors' equality and the priority of the rights and interests of particular creditors: specific aspects of their implementation within rehabilitation procedures

Keywords: Insolvency (bankruptcy); restructuring; relative priority rule; absolute priority rule

The article provides a comparative analysis of the conventional "absolute priority" rule and "relative priority" rule. Based on the foreign states' experience, the author describes the cases when derogation from the principle of absolute priority favoured business restructuring. The article also focuses on the special features of rehabilitation procedures provided by Russian legislation (in terms of their application in line with the mentioned principles of insolvency).

MITYANOV, Zakhar Olegovich

Postgraduate

National Research University Higher School of Economics (Nizhny Novgorod campus)

Legal protection of biometric personal data of a mobile device user

Keywords: Biometric personal data; biometric authentication; biometric identification; personal data subject; mobile device; smartphone

The article considers the key risks related to the processing of biometric personal data by mobile devices. The author offers a legal assessment of controlling access to the device via biometric sensors and processing biometrics in popular mobile apps. In the presented paper, the author concludes about the necessity to introduce a task-oriented approach to protecting biometrics in Russia, as well as provides the possible mechanisms of such legal protection.

MOISEEV, Sergey Vladimirovich

Candidate of legal sciences

Associate professor

Department of Civil Process

Lomonosov Moscow State University Law School

Action for damages caused to a subsidiary by its parent company

Keywords: Subsidiary; parent company; indirect action; liability; damages

Current Russian legislation, as stated in this paper, permits a subsidiary's members to recover damages caused to such a subsidiary due to the activities of its parent entity. According to the author, this regulation indicates the special procedural status of the relevant case parties, as well as allows qualifying this type of action as an indirect one.

OVCHAROVA, Elena Vladimirovna

Doctor of legal sciences

Full professor

Department of Financial Law

Lomonosov Moscow State University Law School

Full professor

Department of Public Law

Deputy Head

Institute of Administrative and Legal Regulation Issues

National Research University Higher School of Economics

ALEKPEROV, Maxim Tamerlanovich

Student of third-year bachelor degree course

Lomonosov Moscow State University Law School

On the proper administrative nature of liability for violating currency legislation and legal acts of currency regulation bodies

Keywords: Administrative liability; violation of currency legislation; legal acts of currency regulation bodies; counter-sanctions measures; sanctions

The article analyses the private-law mechanism of recovering everything obtained under the transaction to the state's revenue based on Article 169 of the Russian Civil Code. Such a mechanism, as the authors state, is applied instead of bringing a transaction's party to administrative liability for violation of currency legislation under special counter-sanctions regulation. In this paper, the authors justify why administrative liability (as a type of public liability) shall be applied in similar cases.

SHCHYLOKOVA, Arina Sergeevna

Postgraduate

Department of Business Law

Lomonosov Moscow State University Law School

Hierarchy of creditors and risk limits: in search of effective protection for senior creditor property interests

Keywords: Subordination agreement; methods of protection; junior creditor insolvency (bankruptcy); security assignment; collection of payment; pledge of liability rights

In this paper, the author assesses how effective certain methods of protecting the senior creditor property interests are in cases when a junior creditor breaches the obligation to transfer the received debtor's performance. The article considers the risks of a junior creditor declared insolvent when the debtor's performance, as prescribed by the obligation-based subordination agreement, is to be included into the bankrupt estate of a junior creditor.

TOMSI NOV, Vladimir Alekseevich

Doctor of legal sciences

Full professor

Lomonosov Moscow State University Law School

Andrey Yanuariyevich Vyshinsky (1883—1954): statesman and legal scholar. Article one hundred and fifth

Keywords: Second World War; Nazism; criminal liability for international crimes; A.U. Vyshinsky; A.N. Trainin

The article is devoted to the development of the legal basis and model of judicial responsibility for Nazi crimes committed during the Second World War.

TSOKOLOVA, Olga Igorevna

Doctor of legal sciences

Full professor

Honored Lawyer of the Russian Federation

First Deputy Head

All-Russian Research Centre

Ministry of Internal Affairs of the Russian Federation

BEZRUKOV, Sergey Sergeevich

Doctor of legal sciences

Associate professor

Head

Research Organization Centre

All-Russian Research Centre

Ministry of Internal Affairs of the Russian Federation

Discharge in current criminal proceedings: considering the negative impact of its extension

Keywords: Discharge; indemnification; unlawful criminal prosecution; termination of criminal case; acquitting judgement; disciplinary responsibility of investigator, interrogator

In this paper, the authors analyze the rules of discharge and indemnification in cases when damage is caused by unlawful criminal prosecution, conviction and (or) application of coercive procedural measures. The mentioned institutes, on the one hand, provide the procedural guarantees for a suspect, criminal defendant, and other participants of criminal proceedings; on the second hand, they may entail disciplinary liability for an investigator or another investigative authority official. The article offers a critical approach to considering the rules of discharge in an extended manner. The authors also justify why termination of a criminal case on rehabilitating grounds, as well as acquitting judgement shall be considered as a natural outcome of proceedings themselves and shall not be qualified as a judicial or a pre-judicial mistake.

VLASOVA, Natalia Anatolyevna

Doctor of legal sciences

Full professor

Chief researcher

All-Russian Scientific Research Institute

Ministry of Internal Affairs of Russia

KURGUZKINA, Elena Borisovna

Doctor of legal sciences

Full professor

Department of Criminal Procedure

Central Branch of the Russian State University of Justice (Voronezh)

Criminological aspects of a knowingly false report

Keywords: Knowingly false report; criminological analysis; dynamics of making knowingly false reports; basic growth rate; chain growth rate; gender index; age structure of convicts

The presented article analyses the key criminological aspects of a knowingly false report (Article 306 of the Russian Criminal Code) based on the relevant legislation, scholarly literature, judiciary practice and criminal statistics. Based on such an analysis, the authors conclude on decrease in the dynamics of this crime, determine its basic and chain decrease rate, as well as develop the criminological portrait of a person prone to making a knowingly false report.

ZHUK, Oleg Dmitrievich

Doctor of legal science

Full professor

Director

Scientific and Educational Centre for Counteraction of Corruption and Organized Crime

Lomonosov Moscow State University Law School

Academician

Russian Academy of Natural Sciences

Honorary worker

Public Prosecution Office of the Russian Federation

On the legal regulation of synthetic media material (deepfake) technologies in Russia and abroad

Keywords: Deepfake; synthetic media material; artificial intelligence; legal regulation; content labeling; law enforcement issues; foreign experience

The article analyses the current state of anti-deepfake legislation in Russia and abroad, as well as the relevant issues of law enforcement. The author also makes proposals on the improvement of Russian anti-deepfake legal regulation.