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ARUTYUNYAN, Anna Avetikovna

Candidate of legal sciences
Associate professor
Department of criminal procedure, criminal justice and prosecutorial oversight
Lomonosov Moscow State University Law School
aarutunian@gmail.com

Court fine in criminal procedure: concept analysis

Keywords: Court fine; criminal procedure; criminal prosecution alternatives; victim-offender mediation; presumption of innocence

The article discusses a relatively new legal institute — criminal case dismissal and termination of proceedings following imposition of a court fine. The author analyzes the role of this institute within criminal procedure and gives its assessment from the point of alternatives to criminal prosecution. Such analysis is based on the latest commentaries of the RF Supreme Court and pertinent judicial practice.

BLINKOVSKIY, Konstantin Alexandrovich

Director of legal department
"Investment company "Sadovoje col'iso" (LLC)
ka.blinkovskiy@mail.ru

Duties of transfer of things

Keywords: Duty; tradition; thing; law policy

Transfer of things is a peculiar type of legal relations with its intrinsic features. The features of the thing as an object can explain the specific method of transfer and its result (transfer of ownership), the weak link between duty and debtor's identity, and so on.

CHANNOV, Sergey Evgenievich

Doctor of legal sciences
Head of department of employment law
Stolypin Volga Region Institute of Administration
RANEPA
sergeychannov@yandex.ru

Compelling civil servants to perform duties off standard working hours

Keywords: Civil service; non-standard working day; non-standard office day; additional leave; work on weekends and holidays; special conditions of civil service

The article discusses problems which arise when workers are compelled to perform their duties off standard working hours. With regard to that the author outlines that Russian laws lack provisions on the definition of non-standard work day and special conditions of work for civil servants.

CHUGUNKOV, Piotr Ivanovich

Student
Master's degree program
Saint Petersburg State University Law School
snakeater.94@mail.ru

Call for new mechanisms of compulsory licensing for pharmaceutical products

Keywords: Comparative studies; pharmaceutical law; compulsory license; pharmaceutical composition; antitrust regulation

The author compares the issuance of compulsory license for pharmaceutical products in the Russian Federation and a number of foreign countries. The article focuses on a few cases of international practice of compulsory licensing within World Trade Organization. The author articulates the need for new mechanisms of compulsory licensing in the Russian Federation and shares his view on possible development of compulsory licensing for pharmaceutical products.

LARINA, Lyubov Yurievna

Candidate of legal sciences
Associate professor
Department of criminal law and procedure
Yesenin Ryazan State University
larina1708@yandex.ru

PANTYUKHINA, Inga Vladimirovna

Candidate of legal sciences
Head of department for criminal law and procedure
Yesenin Ryazan State University
i.pantuykhina@rsu.edu.ru

On lowering age of criminal responsibility for terrorism offences

Keywords: Terrorism offences; terrorism; crime syndicate; terrorist group; militia; gang; weapon; 16 year old person; 14 year old person

The article analyzes a set of elements of criminal offences where the age of criminal responsibility was lowered from 16 to 14 years of age. The authors point out that some of these elements cannot be fully applied to perpetrators, another problem being their inconsistency with other elements of crime due to 16 year age of the perpetrator. The problems of classification indicate insufficient grounds for lowering the age of criminal responsibility. The author calls for developing rules of differential classification as well as balancing a number of legal norms by changing perpetrator's age of responsibility.

NAGORNAYA, Irina Igorevna

Candidate of legal sciences
Senior Lecturer
Department of criminal law and criminalistics
National Research University Higher School of Economics
irnag@yandex.ru

Scope of criminal responsibility for criminal negligence

Keywords: Criminal responsibility; negligent crime; manslaughter; failure to assist sick person; incitement to suicide

Scope of criminal responsibility for criminal negligence should reflect public consensus on the elements of relevant crimes and severity of punishment for those crimes. Nowadays determining the scope of criminal responsibility is considered to depend on resolving the issues, which stem from inadequate wording of provisions in the General Part of the RF Criminal Code as well as disagreements over interpretation of certain penal prohibitions.

SHARIPKOVA, Darya Sergeevna

Student
Master's Degree Program
Ogareva Mordovia State University
Enforcement officer
dsharipkova@mail.ru

Legal regulation of lottery subject to legislation of EEU

Keywords: Lotteries; lottery; EEU countries; legal regulation; organizer; participant

The article presents comparative analysis of laws regulating lottery in EEU countries. The author discusses the notion of lottery subject to Russian laws and laws of foreign countries, outlines similarities and differences in their view of the notion.

SHMOTIN, Kirill Sergeevich

Postgraduate
The Institute of Legislation and Comparative Law under the Government of the Russian Federation
kirillshmotin@gmail.com

Court fee and access to justice

Keywords: Legal costs; court fee; court expenses; litigation fees

The article analyzes the notion of court fee which serves three objectives: compensatory; preventive and social. Having analyzed Russian and foreign laws on the issue the author concludes that none of the objectives should prevail since in that case significant litigation costs will fall on either the state or the litigants, which inevitably will affect negatively the quality of justice and access thereto.

SINITSYN, Sergey Andreevich

Leading research associate
Candidate of legal sciences
The Institute of Legislation and Comparative Law under the Government of the Russian Federation
Department of civil legislation and procedure
SynSS@mail.ru

Protection of bona-fide purchaser of housing: analysis and prospects of Russian civil legislation

Keywords: Protection of bona fide purchaser; possession claims by state bodies; illegal privatisation; escheat

Protection of rights and interests of a bona fide purchaser remains a crucial issue for both primary and secondary housing markets. There are many cases when bona fide purchaser of housing in a building under construction are forced to enter lengthy disputes with developers which may be working without proper authorization. At the same time, bona fide purchasers of housing of complete construction face risks of eviction. The article analyzes current situation and prospects for the development of legislation protecting bona fide purchasers. The author also discusses pertaining court practice.

TOM SINOV, Vladimir Alekseevich

Doctor of legal sciences
Professor
Lomonosov Moscow State University Law School
tomsinov@yandex.ru

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

Keywords: Russian Empire; February-March Revolution of 1917; State Duma; Provisional Government

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.

ZALEVSKY, Vadim Gennadievich

Candidate of legal sciences
Department of civil law Russian Academy of National Economy and Public Administration under the President of Russian Federation (in Vladimir)
lexvladimir@list.ru

Enforcement of lien law: case of joint property of spouses

Keywords: Lien; joint property of spouses; claim to lien; division of joint property

The article discusses problems arising out of enforcement of law on lien in case of joint property of spouses. The author analyzes pertinent legal norms and court practice.

ZAYKOV, Denis Eugenievich

Candidate of legal sciences
Head of legal department
FAD "25 State Research Institute of Chemtomology"
RF Ministry of Defense
joburist@rambler.ru

Reasonableness as criterion for determining representative's fee

Keywords: Reasonableness; proportionality; litigation costs; representation; claim

The author analyzes the ruling of the RF Supreme Court Plenum as of January 21, 2016 'On enforcement of laws with regard to recovery of litigation costs'. The author finds the explanation of the Court incomplete as court cases which deal with recovery of representation fees require a more detailed explanation of the law.