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Environmental rights and duties: the current systematization

Keywords: Environmental rights; environmental duties; right to favorable environment; environmental legislation; natural resource legislation

The article raises the problem of proper delineation between the concepts of ecological rights and duties. The necessity of identifying the main characteristics of such right and duties is underscored by the analysis carried out by the author who also calls for the introduction of the proper classification of ecological rights and duties.

KRUTIKHINA, Polina Vladimirovna

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Elements of crimes with administrative justice: status-quo and prospects in context of Russian law

Keywords: Administrative prejudice; criminalization; decriminalization; criminal law; criminal procedure

The article provides a critical analysis of arguments in favor and against administrative prejudice as means of decriminalization. The author analyzes the effect of administrative prejudice on determining the elements of crime and criticizes the existing inconsistency in the provisions on crimes with administrative prejudice.

MIKHALEVA, Ekaterina Sergeevna

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Achieving net neutrality: legal regulation in foreign countries

Keywords: Net neutrality; telecommunications law; right to access information; right to Internet-access; telecommunications providers; Internet service providers; human rights; IT law

Net neutrality refers to public relations that influence the policy of providing equal access to the internet and its resources. The author analyzes the operation of this principle in various jurisdictions with developed telecommunications law, considers related concepts and notions and discusses this principle in the context of human rights. The idea of optimal regulation allowing to maintain the balance of interests of all parties is suggested for consideration.

POPOVA, Elizaveta Alexandrovna

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Art forgery

Keywords: Art work; art collection; forgery; counterfeit; replica; artist; conservation and restoration specialist; art dealer

The article gives a historical overview of various methods of art forgery. The authors analyze the concept of art forgery from the legal perspective and draw a distinction between a forgery and an art replica. The analysis is followed by a review of art-business industry including expertise and authority of art-dealers, art specialists, conservation and restoration specialists and artists. Another section of the article deals with the court practice of the Court of arbitration for art and foreign practice of combating art forgery. The authors put forward practical recommendations on tackling the problems of art forgery in Russia.

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Analyzing concepts of 'justice' and 'proceedings': in theory and in practice

Keywords: Proceedings; justice; fast-track procedure; summary proceedings; principles of justice administration

'Justice' represents one of the forms of procedure which consolidates all constitutional and branch-specific principles, however, court proceedings which are bound by a set of constitutional principles do not represent justice in whole. The author examines the scope of justice within civil litigation, the legal nature of summary proceedings, fast-track procedure and possibilities of engaging court clerks for the purposes of case resolution.

TARLO, Anton Evgenievich

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Bankruptcy proceeding against absent debtors

Keywords: Bankruptcy; simplified procedure of bankruptcy; asserting creditor's claims; financing bankruptcy procedure

The article provides the analysis of the bankruptcy proceedings against absent debtors. The author distinguishes it from other types of bankruptcy proceedings, provides formal characteristics of absent debtor, and analyzes the role of such proceedings within law enforcement practice.

TOMSIKOV, Vladimir Alekseevich

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Andrey Yanuarievich Vyshinsky (1883—1954), statesman and legal scholar. Article thirty-seven

Keywords: USSR; mass repressions in 1937—1938; J.V. Stalin; NKVD; CK AUCP

The article continues the series of works devoted to the professional career and academic legacy of A.Ya.Vyshinsky. The author analyzes some of the unresolved mysteries of the repressive operation carried out in 1937—1938 against the party committees of All-Union Communist Party.

TROFIMCHUK, Natalia Vladimirovna

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Development of laws on freedom of conscience and religion in Russia

Keywords: Freedom of conscience; freedom of religion; religious organization; religious community

Analyzing the history of development of laws on freedom of conscience and religion the author arrives at the conclusion about utterly nonrestrictive nature of laws in this sphere. The author then provides a critical analysis of religious pluralism and argues that nowadays primary importance should be given to the task of providing appropriate legal framework to freedom of conscience and religion, and drawing distinction between freedom and recklessness, spiritual coercion and the right to self-expression.

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Legal regulation of remote work: proposals on amendments to Labour Code of Russia

Keywords: Remote work; remote job; drafts of Federal Laws; amendments to Labour Code

In the article the author analyzes the drafts of amendments to the Labour Code of Russia regarding legal regulation of labour relations involving employees who work remotely on a temporary basis. The analysis is supported by statistical reports produced during the COVID pandemic. The author analyzes the upsides and downsides of remote work which became apparent due to insufficient legal regulation of this sphere and puts forward suggestions on possibilities of removing the gaps in the proposed changes considered by the Russian Parliament.

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Expert opinions as legal evidence in criminal cases: law enforcement problems. Part one

(Investigation of criminal cases subject to Art. 171.2 of Russian Criminal Code)

Keywords: Criminal procedure; criminal law; expert; specialist; group of persons; persons acting in collusion; organized group; gambling

The author analyzes problems which criminal prosecution bodies encounter when working on discovery of procedural documents, specifically, expert opinions. The author analyzes qualifying characteristics of the crime provided in the Article 171.2 of Russian Criminal Code based on the materials of a criminal case.

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Developing legal framework for reform of monitoring and oversight activity in Russia

Keywords: Reform of monitoring and oversight activity; legal framework; compulsory requirements

The ongoing reform of monitoring and oversight activity has brought about a number of problems and issues. The problems raised by the author, on the one hand, have ensued the implementation of the 'regulatory guillotine' mechanism, on the other hand, they are the product of quite unelaborate drafts of federal laws 'On public control (oversight) and municipal control in the Russian Federation' and 'On compulsory requirements in the Russian Federation'.