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Mandatory family mediation: insights and intuitions

Keywords: Mandatory mediation; family mediation; pre-trial procedure; marriage dissolution; family

Mandatory pre-trial mediation limits the parties' access to justice in civil cases. At present stage of mediation practice in Russia only courts may compel the parties to commence mediation in civil cases including family disputes.

BURYKIN, Nikolay Sergeevich

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Legal problems of car sharing service

Keywords: Car sharing; driver; consumer; car rental; vehicle rental agreement

The paper examines the problems of legal regulation of a relatively new phenomenon — car sharing services. It is argued that such services should be regulated by a new type of car rental agreement.

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Trends towards limiting constitutional rights and freedoms of citizens in modern society

Keywords: Human rights; ban; scope of limitation; abuse of right; functions of the state; legal regime

The paper examines the modern legislative trends towards introducing constitutionally permissible limitations of human rights. The authors discuss the flaws inherent in the mechanisms for protection of rights and freedoms.

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Wholesale suppliers: review

Keywords: Commerce; wholesaler; wholesaler; distribution channel

Wholesale is an important part of commerce since it helps maintain the supply of goods to consumers. However, modern legal literature does not offer a comprehensive analysis of this type of business including the concepts of wholesale suppliers and their classification. Thus the author considers one of the classifications of wholesale suppliers and discusses their functions.

MAMAGEISHVILI, Valerian Zazayevich

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Ultra vires doctrine in corporate law

Keywords: Ultra vires; scope of legal capacity; objects of legal entity; proxy scope of powers; challenging corporate transactions

Challenging corporate transactions provides protection of the interests of both the legal entity and its members. The author argues that Russian corporate law is moving towards a model that would provide corporate members with possibilities to seek relief for the breach of their interests from directors whose actions have entailed the breach.

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Verifying crime reports published in mass media: legal problems

Keywords: Mass media; verification of crime reports; document production request
It is not uncommon that a prosecutor, investigator, or investigative authority send requests to mass media sources to produce documents and materials confirming the act of perpetration as well as requests to provide information about the person who has given access to those materials. The author points out that such method of evidence collection is ineffective and it may carry a number of serious implications.

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Recognizing developers and users of artificial intelligence as perpetrators

Keywords: Algorithms; fault; harm; artificial intelligence; user; creator of artificial intelligence; criminal liability

Artificial intelligence comprising a complex of algorithms is prone to errors and glitches which entail serious risk and may harm public interests. In this regard it is important to analyze the issues of identification of perpetrators and possibilities of holding them liable for crimes involving artificial intelligence systems.

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Interim measures in corporate disputes: injunction prohibiting voting on meeting agenda

Keywords: Interim measures; corporate dispute; injunction to vote on general meeting agenda; injunction to make decisions on meeting agenda

Interim measures are an effective remedy at disposal of corporate members dealing with a corporate dispute yet it is not uncommon that these measures could be exploited for bad faith purposes of seeking personal gain or incurring losses to the corporation. Injunction prohibiting voting on meeting agenda may inhibit the business of a corporation. The paper examines the application of interim measures, injunction in particular, and discusses possibilities of further development of the relevant legislation so as to maintain the balance of interests between the parties.

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Russian Federation government's constitutional responsibility to the Russian Federation State Duma: future outlook

Keywords: Constitutional responsibility; Government; State Duma; President; Constitution; dismissal; resignation

The paper explores the notion of constitutional responsibility of the Russian Federation Government to the Russian Federation State Duma in light of the constitutional reform held in 2020. It is argued that the State Duma should have more instruments to hold the Government accountable for their actions.

TOMSINOV, Vladimir Alekseevich

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

Keywords: USSR; mass repressions in 1937—1938; I.V. Stalin; N.I. Bukharin; L.D. Trotskiy

The article continues the series of works devoted to the professional career and academic legacy of A.Ya. Vyshinsky. The paper examines the proceedings in the case against N.I. Bukharin, A.I. Rykov, G.G. Yagoda and others.

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Affiliation of deputies to organizations: dual status of deputies of regional parliaments

Keywords: Prevention of corruption; anti-corruption; dual status of deputy; conflict of interest; image; reputation

The exercise of powers by the deputies of regional legislative bodies who also conduct business activity has caused a lot of controversy. The paper examines corruption risks related to the dual status of the deputies.

ULIANOV, Alexey Vladimirovich

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Legal regulation of shipping in Russian Arctic region

Keywords: Arctic; shipping; legal method; legal regime; framework agreement; public contract; state plan

Due to the specific conditions of the Russian Arctic regulation of shipping requires a special framework with coordinated control. The introduction of coordinated control requirements will facilitate the development of legal characteristics of the shipping activity in the Russian Arctic.

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Checking dissertations for plagiarism: copyright issues. Article two

Keywords: Dissertation; inapposite borrowing; plagiarism; Ministry of Science and Higher Education; Higher Attestation Commission under the Ministry of Science and Higher Education of Russian Federation

The previous paper examined the algorithm of locating plagiarism in dissertations adopted by the Higher Attestation Commission and suggested a number of practical recommendations on how to detect plagiarism in academic works. This paper discusses other approaches for content similarity detection including computer-assisted methods and those based on Internet sources.