

KOSHOVSKAYA, Veda Sergeevna

Assistant
Department of agrarian and environmental law
State University for Land Management
koshveda@mail.ru

Liquidating consequences of environmental violations and recovery of damage during oil transportation: topical issues of environmental protection

Keywords: Oil pipe; oil spill; notification; recovery of damage
Oil pollution is one of the most acute issues of environmental protection. However, it has not been thoroughly addressed by law which prompts a number of questions regarding law enforcement in this sphere. The law does not specify what parties should be informed on oil spills. What period of time is provided by law for due notification? What procedure will stipulate recovery of damage caused by oil spill? Should fines and penalties cover restorative works performed by maintenance organizations. The author attempts to analyze these vital issues of law.

LI, Iliia Sergeevich

1st category expert
Main Office of Microfinance Market and Financial Accessibility Methodology
RF Central Bank
Postgraduate
Russian Presidential Academy of National Economy and Public Administration
M.M. Speransky Department of Law
leelila90@mail.ru

Implementation of aleatory mechanisms in civil transactions

Keywords: Transactions; risk; natural obligations; aleatory contracts
How can one distinguish between aleatory contract and a contract based on risk? Can aleatory contracts be unilateral? According to the author the element of risk is one of the distinct features of transaction which puts into effect aleatory mechanism, consequently, the author offers his own definition of aleatory contracts.

NAOUMOV, Evgeniy Leonidovich

Postgraduate
Department of civil law
Lomonosov Moscow State University Law School
Expert
Department of legal support and litigation
'CECM UES' (OJSC)
e.l.naumov@gmail.com

Concept of real estate

Keywords: Building; structure; real estate
The author looks at the concept of real estate from perspectives of Russian, German and French law. The author compares common features, as well as characteristics of buildings as a type of real estate.

PHILIPPOV, Pavel Alexandrovich

Candidate of legal sciences
Associate professor
Department of criminal law and criminology
Lomonosov Moscow State University Law School
79166722500@ya.ru

Evasion of military and alternative civilian service (Art. 328 RF Criminal Code) and decriminalizing elements of crime

Keywords: Call to military service; grounds for criminalizing; management-related offences; evasion of military service; evasion of alternative civilian service; crimes against military service; military crimes
Based on careful examination of doctrinal provisions and existing court practice the author suggests decriminalizing evasion of military and alternative civilian service (Art. 328 RF Criminal Code) and attributing it to administrative offences.

PODEIKO, Vadim Andreevich

Doctoral Candidate
Department of civil procedure
Head of department of litigation
Lomonosov Moscow State University Law School
v.podeiko@mail.ru

Judicial and administrative bodies in German enforcement proceeding

Keywords: Enforcement proceedings; enforcement; enforcement bodies; court of enforcement; administrative bodies; Germany
The article focuses on the provisions regarding judicial and administrative bodies within enforcement proceedings in Germany. The author describes competences and powers of courts and administrative bodies and draws comparison with Russian and French practice.

SMOLNIKOV, Dmitry Igorevich

Post-graduate
Department of Judicial Power and Justice Administration
National Research University Higher School of Economics
smolnikovdi@ya.ru

A historical and comparative study of circumstantial evidence

Keywords: Evidence; circumstantial evidence; the presumption of law; the presumption of fact; sufficient evidence
This article presents a historical and comparative legal analysis of circumstantial (indirect) evidence. The author investigated causes for the appearance of circumstantial evidence and explored scientists' points of view on circumstantial evidence. The author believes that there is no single criterion to distinguish between direct and circumstantial types of evidence. However, distinction by facts established by evidence (ultimate fact or evidentiary) is the most useful for practice. An evidentiary fact is proved by circumstantial evidence, an ultimate fact — by direct evidence.

TELYUKINA, Marina Viktorovna

Doctor of legal sciences
Professor
Russian Presidential Academy of National Economy and Public Administration
marwict@rambler.ru

PETUKHOVA, Irina Eduardovna

4th year student
Russian Presidential Academy of National Economy and Public Administration
M.M. Speransky Department of Law
irinapetukhovae@gmail.com

Offsetting of counter-claims in rubles and foreign currency: implementation issues

Keywords: Offsetting; currency; settling of obligations; counterclaims; other party to contract
Setting-off claims of similar kind has been put into practice. However, many aspects of this procedure remain unsettled in law. Is it possible to set off ruble and foreign currency claims or claims for sums in different currencies. Can they be considered as claims of similar kinds? Should such method of obligations settling be subject to public law requirements? These and other questions are discussed in the current article.

TOMSINOV, Vladimir Alekseevich

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

Development of Civil code of laws draft and development of civil law science in Russia at the end of XIX — early XX century. Article four.

Keywords: Russian civil law; draft of Civil code of laws of Russian empire
The article observes the run of draft of Civil code of laws. The author presents different reviews and opinions given by Russian legal scholars on this document.

ULETOVA, Galina Dmitrievna

Doctor of legal sciences
Professor
Russian Presidential Academy of National Economy and Public Administration
Head of department for civil law, civil and arbitrazh procedure
State University for Land Management
Uletova@mail.ru

Concept and elements of lawsuit according to scholarly views of A.A. Dobrovolsky

Keywords: Claim; elements of claim; uniformity of claim; scholarly legacy of A.A. Dobrovolsky
The author presents a review of scholarly views on the concept of claim developed by professor A.A. Dobrovolsky. The author proves reasonableness of these views. Based on the concept developed by Dobrovolsky the author articulates her own notion. The author expresses her disagreement with scholars who suggest replacing a long-established legal construct 'elements of risk' with 'features and characteristics of claim'.

ZAKALYUZHAYA, Natalia Valerievna

Candidate of legal sciences
Associate Professor
Department of civil law sciences
Petrovskiy Bryansk State University
natzaklaw@yandex.ru

Peculiarities of labor legal relations content in the Russian Federation and in the area of CIS

Keywords: Contract and agency labor; employee; employer; employment contract; non-typical employment; labor relations; features
Globalization and specific development of legal labor relations abroad have prompted reformation of the institute of employment contract and labor relations in the Russian Federation. The author analyzes current trends which aim to improve legal regulation in this sphere. Also the author discusses some features of these legal institutes in Russia and CIS countries. The article provides a perspective on how labor system will develop in terms of regular labor relation and as regards non-typical employment forms.