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AI for law enforcement activity in financial and debtor-creditor sphere

Keywords: Law enforcement agencies; legislation; artificial intelligence; crime rate; information; security

Implementation of AI technologies gives rise to concerns regarding protection of rights and interests of individuals. The use of AI technologies helps facilitate and streamline economic processes, as for law enforcement sphere AI helps prevent crimes committed in debtor-creditor and financial sphere. The author discusses new measures which could prompt speedier implementation of AI for law enforcement purposes.

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Principle of «favor defensionis» in jury trial

Keywords: Jury trial; criminal proceedings; accused; favor defensionis, fair trial
Trial by jury represents one of the instances which carries into effect the concept (principle) of favor defensionis. Comparing different scholarly positions, the authors analyze the effect of the principle considering the restrictions imposed by law enforcement practice.

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Structural bond in system of civil law obligations

Keywords: Structural bond; credit linked note; derivative; obligation; loan
Formally structural bond is a new financial interest although so-called credit linked notes have similar characteristics, such as scope of rights and duties. However, credit linked notes are emitted under foreign laws and later they are positioned in Russia. The author analyzes the main characteristics of structural bonds and their role in the classification of derivatives.

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Causal link as defense in cases on failure to perform obligations during COVID-19 pandemic

Keywords: Causal link; recovery of losses; force majeure; COVID-19
When determining causal links in cases on recovery of losses courts may refer to the rulings on cases regarding failure to perform obligations during the period of COVID-19 outbreak. This conclusion is supported by the analysis of pertinent court practice.

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Good faith as requirement for parties — creating effective mechanisms for observing good faith requirement

Keywords: Basic principles of civil law; good faith; honor and decency; transaction; obligation; agreement; liability; losses; harm

One of the primary objectives of civil legislation overhaul was to elaborate its basic principles. One of the most remarkable amendments that came to define the great overhaul was the incorporation of the requirement to act in good faith into the Article 1 of the Russian Civil Code. Based on the analysis of modern court practice and comparative review of foreign and Russian concepts the author tries to determine whether the requirement to act in good faith contributes to the effective establishment, exercise and enforcement of civil law rights and fulfillment of obligations.

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Smart contracts: product of technological progress or new institute of civil law and procedure

Keywords: Smart contract; automated (self-fulfilling) agreement; DLT; blockchain; fulfillment of obligation; information technologies

The main objectives of the article are to analyze smart contracts within the accepted system of contracts, to identify legal risks and practical implications. The authors also seek to establish whether the increasing use of new techniques for transactions may affect enforceability of parties' rights, in this regard the authors analyze the provisions and the legal nature of smart contracts.

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Insolvency and measures of state regulation

Keywords: Measures of state regulation; insolvency (bankruptcy); legal tools; public interests

The state is known to actively intervene/ engage in insolvency proceedings, justifying such necessity by the element of public interest. Given the importance of both public and private interests the author suggests incorporating public law tools and private (civil) law tools for the purposes of further development of insolvency (bankruptcy) law. The author also provides an elaborate classification of such tools.

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Concept and types of public financial control: issues of legal regulation

Keywords: Public financial control; tax control; currency control; budget control; banking supervision

The system of financial control in Russia is organized by sector specific principle, which implies different types of control for currency regulation, fiscal policy, banking operations etc. Such an approach seems to have lost its value yet this is not a compelling reason for passing a new law on financial control. The author draws this conclusion from the analysis of the accepted sector-specific approach.

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

Keywords: USSR; mass repressions in 1937—1938; NKVD; USSR Public Procurator office; A.Ya. Vyshinsky

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 leaders and the USSR statesmen.

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Work of legislative bodies in conditions of Coronavirus disease spread

Keywords: Legal regulation; legislative bodies; COVID-19; remote work

The period of the spread of COVID-19 brought many changes to the organization of work of state bodies. The author, in particular, analyzes the legal regulation and arrangements introduced for the legislative bodies operating during the period of COVID-19 pandemic including the measures taken by foreign legislative bodies, Russian parliament and legislative bodies of Russian Federation constituent entities. The analysis revealed changes in the priority order of consideration of bills, as well as changes in the organization of work process on a remote basis.

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Criminal proceedings on economic crimes subject to Regulations of Criminal Proceedings of 1864: legislative framework

Keywords: Regulations of criminal proceedings of 1864; special rules of general criminal procedure; economic crimes

In the context of the analysis of the criminal procedure legislation effective in the late XIX—early XX century the author turns to the study of special provisions contained in the Regulations of criminal proceedings of 1864.

The provisions in question deal with the investigation and disposition of economic crime cases.

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