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On legal regulation of constitutional oversight executed by prosecution office bodies in area not defined by federal law

Keywords: Prosecution; Prosecutor General; prosecutorial oversight

The article studies the hypothesis on permissibility of regulating constitutionally defined types of oversight activity by prosecution office bodies subject to legal acts of the President of the Russian Federation and (or) the Prosecutor General of the Russian Federation. The author discusses the conditions of such permissibility.

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Constitutional right to examine documents and case materials as element of right to defense

Keywords: Case materials; right to examine case materials; right to defense; technical means of fixation; Constitutional Court; criminal procedure; administrative body

Exercising the right to study documents and materials is reflected in the right to make copies of those materials using relevant equipment. However, in practice copying documents and materials may be associated with great problems. The article discusses theoretical aspects of the right to study documents and materials and approaches to ensuring observance of this right developed in legal positions of courts.

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Legal aspects of serfdom

Keywords: Serfdom; Code of laws on status of people; Complete Collection of Laws of the Russian Empire

The article discusses the interpretation of serfdom as slavery in Russian historiography. The author concludes it is not correct to make such a comparison since serfs had legal capacity, they could use their rights, including property rights. Objective analysis of the problem of serfdom is particularly important nowadays when serfdom is used for stigmatization of Russian state.

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Features of legal status and legal form of joint-stock companies with state participation and state-owned enterprises

Keywords: State; legal entities; companies with state participation; state-owned enterprise; public company; 'special' joint-stock company

The author examines the features of the legal status and legal form of joint-stock companies with state participation and highlights the main characteristics of 'special' joint-stock companies. The author proposes criteria entitling the said legal entities to substantial privileges.

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Criminal conviction and legal status of person exempted from criminal responsibility on non-rehabilitating grounds as characteristics of perpetrator of crimes with prejudice

Keywords: Conviction; non-rehabilitating grounds; prejudice; relief from criminal responsibility; elements of crime; criminalization

The article analyzes the provisions of criminal legislation and rulings of the Constitutional Court of the Russian Federation regarding legal grounds for criminalization of violent crimes devised by type of administrative and criminal prejudice. The analysis points towards insufficient legal justification for exempting persons relieved from criminal responsibility on non-rehabilitating grounds from scope of perpetrators of crimes with prejudice.

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Hearing cases via web-conference system

Keywords: Digitalization of justice; arbitrazh procedure; electronic justice; web-conference

Web-conferences have a great potential for facilitating access to justice. However legal regulation of the use of web-conferences is far from perfect. The author focuses on the problem of adhering to the principle of publicity in court proceedings conducted through live broadcasting.

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Administrative law regulation of foreign goods trade

Keywords: Administrative law regime; foreign goods trade; customs procedures; Eurasian Economic Union; customs control; special economic zone

The article analyzes administrative law approaches to the regulation of foreign goods trade. The authors propose a new view of the legal regulation based on the analysis of international and Russian legislation. The article provides examples of legal procedures regulating movement of goods across the customs border of the Eurasian Economic Union, administration of customs control and providing customs services.

PROKOPENKO, Danil Romanovich

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Does civil procedure need equity principle?

Keywords: Equity principle; civil procedure; social equity; judicial discretion; conciliation

The author gives a critical evaluation of the proposal to incorporate the principle of equity in the Civil Procedure Code and Administrative Procedure Code. The author believes that in every legal relationship achieving equity can be facilitated by means of conciliation procedure where courts play an active role rather than through enshrining the equity principle.

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Artificial intelligence and 'law of future': foreign practice and prospects for justice system in Russia

Keywords: Artificial intelligence; proceedings; evidence; ChatGPT

The use of AI in law within legal proceedings has been at the center of scholarly research. The article highlights the challenges of using modern algorithms in legal practice, revealing lack of confidence in high technologies in the sphere of legal procedure. The authors believe that a set of high-tech algorithms will not replace professional lawyers, yet it can take up some legal support functions.

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

Keywords: USSR; Great Britain; A.Ya. Vyshinsky; R.S. Kripps

The article continues the series of works devoted to the professional career and academic legacy of A.Ya. Vyshinsky. The author discusses the role of A.Ya. Vyshinsky in the sphere of foreign politics of the Soviet state in autumn of 1940.

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On problems of legal application of criminal code penalty in form of compulsory labour: amendments to Criminal Code of Russian Federation, Criminal Procedure Code of Russian Federation, Criminal Penal Code of Russian Federation

Keywords: Criminal code penalty; compulsory labour; imprisonment; convict

The article discusses the practice of applying the criminal code penalty in the form of compulsory labour subject to the amendments to Criminal Code, Criminal Procedure Code, and Criminal Penal Code of Russian Federation.