Bystrov Andrey Sergeevich, No.1 2018

Law and the state in the teaching of anarcho-humanism by Alexei Alekseevich Borovoy

Annotation. The article examines the views of the state and law of one of the main theorists of Russian anarchism at the beginning of the 20th century - A.A. Borovoy. The first part reveals the paradigmatic foundations of the formation of the concept of anarcho-humanism. When analyzing the content of this specific teaching, attention is focused on Borovoy's appeal to the category of morality, which determines the constitution of the individual, as well as to the moral component, with the help of which Borovoy, with all his inherent individualism, manages to dissociate himself from absolute "egoism."The second part of the article presents Borov's criticism of the "system of state structure" and institutional political forms, the overcoming of which, according to the theoretician, can be facilitated by the factor of technical progress. The article also analyzes the role, essence and foundations of law in Borovoy's system of views - emphasizes the socio-psychological legal understanding of anarcho-humanism, which is opposed to state legism.

Nikolay Sokolov, No. 1 2018

Lawyers on the social value of law

Annotation. This article attempts to summarize the opinion of practicing lawyers on the social value of law. In the course of the study, the author analyzed the results of a survey of judges, prosecutors, investigators, lawyers, legal advisers, notaries and bailiffs. The opinion of lawyers about the social value of law is generalized depending on their length of service, age and gender.

This publication is an initial attempt to clarify the relationship to law as a social value. Meanwhile, according to the author, this problem needs a deep and comprehensive study, using the capabilities of sociological science, and this article can be considered an invitation to scientific discussion.

Zaplatina T.S., No. 1 2018

Morality in the context of the application of the system of academic recognition

Annotation. The article discusses the relationship between education and morality. The philosophical concepts of understanding morality, in particular the views of Kant and Hegel, are analyzed. In the conditions of the formation of the world community, we can talk about a new form of objective morality, the key to which is the system of academic recognition. The latter, therefore, is a mechanism for the development of a moral foundation in the world community.

Strelnikov Anton Olegovich, No. 1 2018

Constitutional and legal responsibility of the Government to Parliament in the Russian Federation

Annotation. The subject of this research is the issues of legal regulation of the responsibility of the Government to the Parliament in Russia. The object of the research is the issues of responsibility of the executive branch to the legislative branch.

The author analyzes the legal regulation of the constitutional and legal responsibility of the Government before the Parliament at the present time, identifies the main problems of an organizational and legal nature in this area.

Analysis of the literature on the research topic revealed the main shortcomings of the legal regulation of parliamentary responsibility in Russian legislation. The

main attention in the article is paid to the development of approaches in legislation that strengthen the control powers of the legislature.

The main conclusion that was made based on the results of the study is that the legislation regulating the activities of parliamentary responsibility of the Government of the Russian Federation needs further improvement.

The novelty of the article lies in the development of proposals for further improvement of legislation in the aspect of ensuring effective parliamentary control over the activities of the executive at the federal level, in particular, the author has made proposals on the introduction of possible grounds for the occurrence of such responsibility, the introduction of the institution of individual parliamentary responsibility, and changes in some constitutional norms.

Bondarchuk Ilya Vladimirovich, No. 1 2018

ABOUT the practice of applying Article 28 of the Federal Law "On Public Associations" on the territory of the Republic of Crimea

Annotation. This article is devoted to the practice of applying Art. 28 of the Federal Law "On Public Associations", which restricts the right of non-profit organizations to use in the name of a public association the names of state authorities, local self-government bodies, the Armed Forces of the Russian Federation, other troops and military formations, unless otherwise provided by the legislation of the Russian Federation, or names similar with the indicated names to the point of confusion. At the same time, the conducted research allows us to conclude that public organizations often use in their names the constituent parts of the names of bodies and institutions of public authority (Committee, Agency, Service, Inspection, Administration, Department, etc.), use words and expressions, consonant with the functions and activities of public authorities and local authorities ("control", "supervision", "state security", "city council", etc.). This practice leads to the fact that citizens have a stable association with the participation of the state in

the activities of these organizations, or with the special significance of the activities of this organization in the public interest, an unacceptable perception of the organization in society arises. In this regard, the author proposes to prohibit the inclusion in the name of public associations of designations that are contrary to public interests, leading to an unacceptable perception of the organization through the use of words that cause a strong association among citizens with the participation of the state in the activities of this organization. "City council", etc.). This practice leads to the fact that citizens have a strong association with the participation of the state in the activities of these organizations, or with the special significance of the activities of this organization in the public interest, an unacceptable perception of the organization in society arises. In this regard, the author proposes to prohibit the inclusion in the name of public associations of designations that are contrary to public interests, leading to an unacceptable perception of the organization through the use of words that cause a strong association among citizens with the participation of the state in the activities of this organization. "City council", etc.). This practice leads to the fact that citizens have a strong association with the participation of the state in the activities of these organizations, or with the special significance of the activities of this organization in the public interest, an unacceptable perception of the organization in society arises. In this regard, the author proposes to prohibit the inclusion in the name of public associations of designations that are contrary to public interests, leading to an unacceptable perception of the organization through the use of words that cause a strong association among citizens with the participation of the state in the activities of this organization. or with the special significance of the activities of this organization in the public interest, an unacceptable perception of the organization in society arises. In this regard, the author proposes to prohibit the inclusion in the name of public associations of designations that are contrary to public interests, leading to an unacceptable perception of the organization through the use of words that cause a strong association among citizens with the participation of the state in the activities of this organization. or with the special significance of the activities of this organization in the public interest, an unacceptable perception

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Boltinova Olga Viktorovna, No. 1 2018

"Zero reading" of the draft federal law on the federal budget in the new edition of the Budget Code of the Russian Federation

Annotation: The article is devoted to "zero reading", which is practiced in the field of budgetary activities. The paper examines the essence of "zero reading", its meaning and expediency of use in the budgetary process of the Russian Federation. It is noted. that the zero reading is a procedure not provided for by the Budget Code of the Russian Federation, which involves preliminary consultations of the Government with the State Duma of the Russian Federation even before the official introduction of the draft federal law on the federal budget for the next financial year and planning period, aimed at preliminary coordination of the government's positions with the lower House of Parliament. Based on the results of the study, it is concluded that

Nogina O.A. No. 1 2018

Judicial protection of the rights of a taxpayer-foreign organization in tax disputes

Annotation. The increase in the number of tax disputes related to the withholding of taxes on income paid by Russian organizations to their foreign

counterparties has raised the issue of involving in court proceedings representatives of a taxpayer-foreign organization as third parties in court practice. The ambiguous resolution of the issues by the courts about the need to involve such representatives in the case leads to a violation of the constitutional right to judicial protection, since otherwise a foreign taxpayer organization cannot protect its property rights in relations with the Russian Federation.

Mikryukov Viktor Alekseevich, No.1 2018

On the state of scientific research on the problems of the institution of analogy in civil law

Annotation. The article reveals the real reasons for the observed until recently low degree of demand for the institution of analogy in law enforcement activities and the weak reflection of cases of applying the analogy of law and analogy of law in the texts of judicial acts. The lack of due attention to the institution of analogy in the modern educational literature on civil law is noted. The insufficient level of scientific research of the analogy phenomenon in civil law is shown. In the few available civil law works of the dissertation level, the use of a narrow, predominantly theoretical approach to analogy as one of the private means in the system of ways to overcome civil legal gaps has been found.

Pustovalov Evgeniy Vladimirovich, No. 1 2018

Responsibility of the owner of the property of a unitary enterprise in the event of failure to fulfill the obligation to maintain a positive amount of net assets

Annotation. The article is devoted to the issue of subsidiary liability of the owners of the property of unitary enterprises for the obligations of the latter to creditors in the event that effective measures are not taken to restore the size of the net assets of the enterprise. The relevance of the topic is due, on the one hand, to the lack of a clear indication in the legislation of this circumstance as a basis for liability, on the other hand, the severity of the problem due to the large number of insolvency (bankruptcy) procedures of unitary enterprises and a significant number of applications from creditors and arbitration managers with statements about attracting public entities to subsidiary liability. The article analyzes the concept of net assets, the value of this financial indicator, identified by the Constitutional Court of the Russian Federation, economic and legal essence of Russian unitary enterprises, from which the European Court of Human Rights proceeds in most cases. A systematic analysis of the legislation regulating the activities of unitary enterprises, as well as bankruptcy legislation, allows us to conclude that there are already grounds for bringing public entities to subsidiary liability if they admit that the activities of the enterprises they have created are unprofitable and do not take measures to maintain a positive value of net assets. ...

Pyankova Anastasia Fedorovna, No. 1 2018

Balance of interests in alimony legal relations

Annotation. This article is an attempt to consider alimony legal relations through the prism of a balance of interests. The features of the balance of interests in family legal relations are highlighted, primarily related to the principle of the need to ensure the interests of minors and disabled family members. It is concluded that the balance of interests should be understood as such a state of family legal relations, in which the rights and obligations of the parties are proportionate and the rights and legitimate interests of minors and disabled family members are protected. The balance of interests in alimony legal relations is considered at three levels:

legislative, law enforcement and individual (the level of agreements between the subjects of family law), as well as at three stages of the existence of an alimony legal relationship: formalization of the alimony obligation, fulfillment of the alimony obligation, as well as modification and termination of such an obligation. At the stage of formalization of the alimony obligation, in order to ensure a balance of interests, it is necessary, first of all, to establish the proper subjects of alimony obligations and their size. At the same time, abuse can be on both sides; the weak side of the legal relationship can also abuse its right to receive alimony. Ensuring a balance of interests at the stage of fulfillment of alimony obligations is aimed, first of all, at maintaining a decent standard of living for all participants in alimony legal relations. When changing and terminating alimony obligations, the situational method of regulating family relations plays an important role, in particular, when changing the amount of alimony payable.

Vera Kotlyarova, No.1 2018

On the implementation of an interim measure in the form suspension of collection under a contested executive or other document, collection under which is carried out in an indisputable (non-acceptance) procedure in the arbitration process

This article is devoted to the study of the application of an interim measure in the form suspension of collection under the contested executive or other document, collection under which is carried out in an indisputable (non-acceptance) manner. The author reveals controversial issues of its application in certain categories of cases on the basis of materials of judicial practice: the ambiguity of understanding by the parties to the arbitration process, making the relevant petitions, the issue of delimiting and interconnecting different types of interim measures; incorrect interpretation of legal norms, expressed in the error of merging two independent interim measures into one and other problems. The heterogeneity of judicial practice

indicates the need to develop a uniform approach to resolving controversial issues. It seems that the development of a draft of a new unified Code of Civil Procedure,

Kruglov Vladimir Viktorovich, No. 1 2018

Prospects for the development of sports mediation as an institution for resolving conflicts (disputes) in the Russian Federation

Annotation: The relevance of the chosen topic is due to the need to introduce non-jurisdictional methods of proceedings in civil disputes, labor disputes, which make it possible to achieve a resolution of the dispute on the principles of voluntariness and good faith, without the threat of enforcement. The purpose of the study is to analyze the problems and prospects of the institution of sports mediation in the course of the examination of sports disputes. To achieve this goal, the author has set the task of researching the concept of "sports disputes", researching the activities of dispute resolution committees at sports federations, the possibility of applying the concept of "mediation" to such activities in the interpretation of the current Law on Mediation.

The methodological basis of the research was formed by the general scientific method of cognizing reality - dialectical, as well as special and private law methods of studying legal phenomena: system-structural, comparative-legal, formal-legal, etc.

The work investigated the works of such specialists in the field of sports law as: Alekseev S.V., Brilliantova A.M., Veger F. de., Zaitsev Yu.V., Ishchenko S.A., Kuzin V.V., Kuznetsov I.S., Kutepov M.E., Lebedeva M.A., Orlova E.V., Pogosyan E.V., Prokopets M.A., Rogachev D.I., Chubarov V.V.

As a result of the study of modern works in the field of sports law, it was found that the institution of sports mediation is currently considered in scientific works mainly on the examples of the activities of dispute resolution committees at sports federations. According to the author, this approach is incorrect, since these committees are subordinate to sports federations, which in turn act as employers for

many participants in sports disputes. Therefore, such committees cannot be called independent from the parties to the dispute, which contradicts the requirements of the Mediation Law for a mediator. As a solution, the author proposes the creation of an independent Chamber for the resolution of sports disputes, whose competence would include only mediation activities, without making binding decisions.

Fokin Maxim Stanislavovich
Ryazanov Nikita Sergeevich, No. 1 2018

Current problems of criminal law regulation of the unlawful use of unmanned mobile means

Annotation: transport security, being part of national security, is designed to ensure the comprehensive security of the transport complex. However, the legislator does not take into account the new fully actualized threats to transport security, the emergence of which is due to the modern development of science, technology and technology. Unmanned mobile devices are beginning to be introduced into everyday life, while the legal regulation of their operation is clearly lagging behind the progress that is moving forward. At the same time, the plurality of actors involved in the creation and maintenance of these types of transport, as well as their software, makes it difficult to determine who is guilty of creating threats to transport security and causing harm due to their misuse. The question of the forms and degree of responsibility also remains open. Taking into account the above, the article examines the current problems of legal regulation of the operation of unmanned mobile devices. Their definition, classification, and difference from other aircraft are analyzed. The issues of establishing criminal liability for unlawful use of drones are being studied.

Borovkov Artem Alexandrovich, No. 1 2018

The scope of entrepreneurial activity as a sign of the objective side of the fraud provided for parts 5 - 7 of article 159 of the Criminal Code of the Russian Federation

Annotation: The article is devoted to the problem of establishing the content of the term "sphere of entrepreneurial activity" as a constitutive sign of fraud, the responsibility for which comes under Part 5-7 of Art. 159 of the Criminal Code of the Russian Federation. The author analyzes the points of view of scientists, the provisions of the law and judicial practice. The conclusion is substantiated that when interpreting the term "sphere of entrepreneurial activity" the law enforcement officer should proceed from the definition of the term "entrepreneurial activity", which is given in paragraph 1 of Art. 2 of the Civil Code of the Russian Federation. The article notes that in order to improve the quality of law enforcement, judicial and investigative bodies need additional guidelines to distinguish between the general composition of fraud and fraud committed in the field of entrepreneurial activity. On the basis of the judicial practice of applying the norms on liability for business fraud and the doctrine of criminal law, criteria have been formulated that affect the resolution of the question of the presence or absence of the sign of "the sphere of business activity" when qualifying a fraudulent encroachment.

Sipki Marat Vazirovich, No. 1 2018

On the practice of applying articles 2054 and 2055 of the Criminal Code of the Russian Federation

Annotation: Some issues of the practice of application of Articles 2054 and 2055, introduced in the Criminal Code of the Russian Federation in November 2013, are considered. Recommendations on these issues contained in the Resolution

of the Plenum of the Supreme Court of the Russian Federation of 03.11.2016 No. 41 are analyzed. This document, first of all, clarifies in determining the moments of the end of such crimes as the creation or leadership of a terrorist community and participation in such a community (Article 2054 of the Criminal Code of the Russian Federation), as well as the organization of the activities of a terrorist organization and participation in its activities (Article 2055 of the Criminal Code of the Russian Federation). At the same time, the Plenum of the Supreme Court of the Russian Federation not only determines the moments of the end of the crimes under consideration, but also establishes an approximate range of actions covered by them.

The article examines the materials of judicial practice in relation to the above explanations of the Plenum of the Supreme Court of the Russian Federation, and also provides the author's commentary on the concept of "creating a terrorist community".

Savelyev Konstantin Anatolievich
Guryanov Nikolay Yurievich, No. 1 2018

Contemporary Russian appeal as an obstacle to criminal justice reforms

Annotation: The article presents a systematic analysis of the positions of the participants in the discussion about the modern Russian appeal. In the course of consideration, the authors made the following conclusions: the current appeal performs cassational functions unusual for it; without a strict limitation of the scope of the consideration of the case by the arguments of the appeal, the courts are unable to bring judicial practice in line with the notions of justice existing in society; restrictions on the rights of participants to prove in the court of appeal contradict both the essence of the appeal and the principles enshrined in Chapter 2 of the Code of Criminal Procedure; the establishment of rules on the examination of the case in

full, regardless of the reasons for the complaint, as well as on the return of criminal cases for new consideration, entails an increase in the burden on the judicial system and worsens the quality of its work; The “quasi-cassation” nature of the modern revision of a sentence by a court of the second instance interferes with the performance of the primordially appellate functions of verifying the validity of sentences and eliminating identified errors; the only way out of this situation is to return to the time-tested classic forms of appeal.

Bondarenko Lyudmila Konstantinovna, No. 1 2018

Conditions for assessing the objectivity of an expert's information

Annotation. The article reveals the problem of an objective assessment of the reliability of the results of forensic art criticism in the psychological and legal context. Formal and informal criteria for an objective assessment of the reliability of the expert's information are identified. Particular attention is paid to the concepts: "objective", "objective", "objectivity", "objectify", "objectification", correlated with scientific conditions. Based on the characteristics of expert activity, the following is investigated: the structure of objective information; organizing scientific expertise; the objectivity of the worldview positions of the subjects of expert activity, which determine the multiplicity of meanings and the criteria for the objectivity of the evidence, which determine their degree of reliability. The meaning of objectivity is revealed through the study: conditions of objectivity and stages of objectification of the assessment. It is established that an objective assessment of the examination results is based on the optimal (within the framework of legal proceedings) interaction of examination subjects who are carriers of (dual) axiological concepts: professional (special, legal) knowledge and moral feelings of the subjects of expert activity. It is proved that: an objective assessment of information depends on the search for adequate situations, proportionate "resolving factors" necessary for comparison; the final condition for an objective assessment is the identification of assessment criteria arising from objective

(procedural; proceeding from a specific case and scientific) grounds that form indicators relative to a given criterion, which are the result of an objective assessment of the reliability of information.

Barinov Sergey Vladimirovich, No.1 2018

Forensic characteristics of the personality of a criminal who commits criminal violations of privacy

Annotation. The article provides a forensic characterization of the personality of the violator of privacy. It is noted that most of the criminals in the area under consideration can be attributed to situational - persons whose social danger to their personality is expressed in their behavior insignificantly, but exists and manifests itself in appropriate situations. The intent to commit crimes is often formed when personal hostile relationships arise between previously close people and is aimed at inflicting moral suffering on the victim by disseminating defamatory information, the possession of which became possible in the previous period of trust. Selfish intent is aimed at obtaining material reward for providing interested parties with information that constitutes the secret of the victim's private life, or to receive “compensation” from the victim for refusing to perform actions aimed at disseminating confidential information. An important quality of violators is the absence of a criminal record and stable ties with the criminals, which predetermines the position of the culprit, which presupposes cooperation with law enforcement officers, assistance in the investigation of crimes and full admission of guilt as circumstances taken into account when imposing punishment.

Vasilyeva Maria Konstantinovna, No. 1 2018

Taking into account the characteristics of modern groups of drug users in the formation of the anti-drug policy of the Russian Federation

Annotation. The formation of the anti-drug policy of the state (hereinafter - ANP) was largely influenced by the phenomenon of "moral panics" in the early 1990s, which led to the restrictive format of the existing ANP with a strong law enforcement bias. However, the modern drug situation has undergone significant changes, while the main means of state and public interaction with representatives of the drug culture have remained the same. This state of affairs leads to an increase in the latency of drug use, the inertial nature of the formation of ANP and the leveling of the results expected from the implementation of anti-drug programs at various levels. To get out of this situation, it is necessary to analyze in detail the current state of the drug culture and pay attention to the characteristics of its subjects. On the basis of the information obtained, an algorithm should be built for withdrawing drug users from the inside of public life as part of a well-thought-out program for their reintegration into society. A significant contribution in this direction can be made by persons who have overcome their own drug addiction,

Drozdov Alexey Igorevich
Orlov Alexey Viktorovich, No. 1 2018

ACTUAL PROBLEMS OF CONDITIONAL EARLY EXEMPTIONS FROM SERVICE OF PUNISHMENT

Annotation: The article is devoted to the consideration of problematic issues of legislative regulation and practice of applying conditional early release from punishment. Based on the study of statistics and law enforcement practice, it is concluded that both the total number of applications for parole and the percentage of applications allowed in favor of convicted persons have decreased. According to the authors, these tendencies are caused not only and not so much by the tightening of the legislation on parole, but by the change in the “qualitative” composition of the convicts.

The study allowed the authors to identify three main groups of problems associated with the use of parole from serving a sentence. The first group includes the problems associated with collisions between the norms of various branches of Russian legislation, arising from an attempt to simultaneously solve the problems of parole in all legal branches at once. The second group of problems is associated with the application of the legal institution in question to convicts who, during the consideration and resolution of the case, were held in custody for a long time. And, finally, the third group of problems is caused by the need to increase the objectivity of decision-making on granting or refusing to grant parole. The article proposes the changes necessary to improve the efficiency of the legal institution of parole.

Lorenz Dmitry Vladimirovich, No. 1 2018

The period of acquisitive prescription in the Model European private law rules

Annotation. The author examines the modern European civil law thought regarding the conditions of acquisitive prescription, comparing the scientific provisions of the Model Rules of European Private Law (DCFR) with the legal prototype of usucapia proposed by domestic reformers in the Draft Amendments to the Civil Code of the Russian Federation. To unify and harmonize the understanding of usucapy in the civil law of European countries, the following complex legal structure is proposed: 1) the acquisitive prescription period does not depend on the good conscience of the prescription owner, since from the nature of the relationship, he cannot be mistaken about the title of acquisition, since he must be aware of the need for continuous and open ownership of real estate or registered movable thing; 2) if the owner and the owner are mutually aware of each other's identity, the usukapient should own the thing during the limitation period, which begins from the day when the victim learned or should have learned about the violation and the defendant, and the dispute about the right is resolved in the action; 3) in the absence of mutual awareness, the usucapient is obliged to own the thing within an objective

prescription, which is calculated from the moment of taking possession of the thing and lasts for 10-50 years, depending on the type of thing, while the title is drawn up in special court proceedings, except in cases of establishing the fact of criminal acquisition or withholding of property. In comparison with the legal dispositions in the national laws of European countries, in which, as a rule, there are only grounds for interruption and suspension of usucapia, in the Model Rules of European Private Law, five states can be defined in the dynamics of the period of continuous ownership: interruption (recognition by the owner of the title of owner or loss of ownership); suspension (incapacity of the owner, objective obstacle to vindication, initiation of a court or other process); extension (extension of the period after the obstacles have disappeared); restoration (satisfaction of the vindication claim) and deposition (the occurrence of an obstacle before the start of the usucapy period).

Skachkov Nikita Gennadievich, No.1 2018

Preconditions for the emergence of certain groups of risks (private and public classifications) in the transboundary carriage of dangerous goods by sea

Annotation. The transportation of dangerous goods stands out somewhat from the general range of transactions performed, although private legal relations are inseparable from the variety of methods of insurance protection. But the resulting risks are not devoid of public law context. Therefore, it is obvious that it is necessary to find such a legal regime, with the onset of which the principle of freedom of a commercial contract would remain unaffected, and leveling, as such, would affect, without exception, all groups of risks. At the same time, the objective side of risks is utilitarian. On the one hand, sea transportation is literally woven from private partnerships. At the same time, the presence of peremptory norms, a concentrated balance of power and subordination in the construction of the format of obligations is felt no less firmly. The boundary between the risks of the commercial spectrum in

favor, accordingly, their non-profit group is either thoroughly erased, or purely mechanistically based on only one quantitative assessment of the subsequent losses. The concentration of risks of private qualifications around a strictly defined cargo, as a rule, is based on the principle of freedom of contract, the postulates of finding jurisdiction. However, the public-law component of the risks of sea transportation completely refutes the value relations based on the equality of the parties. This is how the risks of Hull & Machinery classification are formed. They are universal: against the background of the general unpredictability of the insured event, they allow you to fill out an endorsed order bill of lading, both for general and private accidents, respectively. or it is purely mechanistically based on only one quantitative assessment of the subsequent losses. The concentration of risks of private qualifications around a strictly defined cargo, as a rule, is based on the principle of freedom of contract, the postulates of finding jurisdiction. However, the public-legal component of the risks of sea transportation completely refutes the value relations based on the equality of the parties. This is how the risks of Hull & Machinery classification are formed. They are universal: against the background of the general unpredictability of the insured event, they allow you to fill out an endorsed order bill of lading, both for general and private accidents, respectively. or it is purely mechanistically based on only one quantitative assessment of the subsequent losses. The concentration of risks of private qualifications around a strictly defined cargo, as a rule, is based on the principle of freedom of contract, the postulates of finding jurisdiction. However, the public-law component of the risks of sea transportation completely refutes the value relations based on the equality of the parties. This is how the risks of Hull & Machinery classification are formed. They are universal: against the background of the general unpredictability of the insured event, they allow you to fill out an endorsed order bill of lading, both for general and private accidents, respectively. However, the public-law component of the risks of sea transportation completely refutes the value relations based on the equality of the parties. This is how the risks of Hull & Machinery classification are formed. They are universal: against the background of the general unpredictability of the insured

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