In modern private international law, the principle of the closest connection involves not only identifying the prevailing territorial connection, but also taking into account substantive factors (protection of the weak side, preference for maintaining the validity of the transaction, etc.). The article substantiates the idea that being originally built on a territorial localization ratio, analyzed the principle in the development enriched by the achievements of other doctrinal approaches to the conflict question, among which is essential concept of "government" or "public", the American lawyer of interest B. Curry. The achievement of B. Curry's teachings is seen in an ingenious attempt to overcome the mechanical approach of conflict norms, to expand the subject field of assessment already at the stage of resolving a conflict of laws issue and, ultimately, to evaluate the material-legal result of this decision while understanding law as an instrument of human protection by the state. Nevertheless, material and legal factors, contrary to one of the main postulates of B. Curry's teachings, do not at all replace the traditional conflict of laws norms. To the extent that the mechanism of conflict-of- law regulation balances the predictability and flexibility of decisions, it supplements the search for territorial connection with substantive considerations. The analysis made it possible to conclude that the content of the principle of the closest connection in private international law of the Russian Federation in line with the global trends in the development of approaches to resolving a conflict issue is complex, as indicated by the clarification of the Plenum of the Supreme Court of the Russian Federation that "when determining the closest connection, the court , firstly, it establishes "the prevailing territorial connection" and, secondly, "can take into account the application of the law of which country will best implement the generally recognized principles of civil law and ... its institutions." As a result, it is the combination of the territorial and substantive components in the content of the principle of the closest connection that ensures the proper balance of predictability and flexibility of the modern mechanism of conflict-of- law regulation.

The article is aimed at studying issues related to the unfair behavior of the railway, which unreasonably benefits from other participants in the obligations of the carriage of goods. Situations are considered when the railway uses legally valid facts (transactions) as imaginary grounds for receiving property (money) from cargo owners and encourages them to provide the improper. It is proposed to classify this behavior of the railway as an abuse of the right committed with the aim of unjust enrichment. Based on the analysis of complex contractual relations (contracts for the organization of cargo transportation, contracts in the form of submitting and accepting applications for the carriage of goods, contracts for the carriage of goods, etc.), formed between the subjects of legal relations for the carriage of goods (shippers, consignees, infrastructure owners and carriers), the conditions were identified that favor the receipt of unjust enrichment by the railway, namely: the combination of different legal statuses by the railway (carrier, owner of infrastructure, agent of a third party, etc.), removal from it of the burden of fulfilling obligations and risks of liability for their failure, the position of a weak side from contractors of the railway. According to the author, in order to prevent references to legal facts as grounds for enrichment, it is necessary to recognize the economic goal of the legal relationship as an appropriate basis. It is noted that such an economic goal is the same for the entire system of legal relations for the carriage of goods and that its violation deprives the railway of the right to demand execution under the transaction, since the presentation of this requirement should be considered an abuse of the right. It is argued that the counterparty of the railway, aware of the absence of grounds for providing property on its part, does not fall into a legal error, as long as it is a weak party in the contract.

This article examines the Russian system of public authority in the context of constitutional reform. The purpose of this study is a comprehensive theoretical and

legal analysis of the current state of the constitutional and legal consolidation of the system of public power in Russia. The article examines the normative legal acts mediating the implementation of the constitutional reform in Russia, doctrinal sources and significant foreign experience related to the subject of the study. The methods: general philosophical, general scientific, chastnonauchnogo special. The paper defines the main properties of the system of public power enshrined in the Constitution of the Russian Federation, taking into account such parameters as: the peculiarities of building federal relations as the basis for delimiting the functions and powers of the subjects of public power vertically, the state of the system of separation of powers in the context of the balance of checks and balances, the degree of legal protection and independence of local governments. The author has established that the constitutional reform in terms of consolidating the system of public power has made it possible to develop and strengthen the principle of subsidiarity in the delimitation of subjects of jurisdiction and powers in the relationship between the bodies of state power of the Russian Federation and its subjects, to clarify the spatial limit of state rule of the Federation with the help of constitutional legitimation of federal territories, created basis for overcoming the "conflict of competence" between the state and municipal levels of government, ensuring the constitutional and legal balance between the branches of government at the federal level in order to prevent the development of non-systemic conflicts in the system of "checks and balances" and prevent the emergence of constitutional crises of power. The consolidated system of public power retains the necessary discretionary mechanisms for adjusting the mechanism of action of its individual elements in order to achieve a balance of public functions, powers and tasks to be solved.

Under the rational use of natural resources in land law, it is proposed to understand the increase in the environmental performance of their use, including

improving the quality. The types of public relations for the rational use of natural resources in land law are highlighted: (1) improving the state of the natural environment and the ecological situation in general; (2) improving the quality of land as a separate natural resource and natural object; (3) land reclamation; (4) land restoration; (5) additional reproduction of land fertility; (6) other relations aimed at increasing the sustainability of ecological systems, of which the land is a part.

For example, part 2 of Art. 8.7. Code of Administrative Offenses of the Russian Federation, clause 2 of Art. 45, paragraph 2 of Art. 46 and paragraph 1 of Art. 47 of the Labor Code of the Russian Federation shows the importance of differentiating the rational and sustainable use of natural resources in land law for law enforcement . The proposed distinction allows to overcome the legal uncertainty in bringing to administrative responsibility and in the forced termination of rights to land plots for failure to comply with mandatory measures to improve land.

The exclusion from the objective side of the administrative offense provided for in Part 2 of Art. 8.7 of the Code of Administrative Offenses of the Russian Federation, inaction on mandatory land improvement. The reasons for the proposed change in the norm include: (1) the absence in law enforcement practice of the facts of bringing to administrative responsibility under Part 2 of Art. 8.7 of the Administrative Code of the Russian Federation for failure to comply with mandatory measures to improve land; (2) recognition by the courts in most cases of the design of Part 2 of Art. 8.7 of the Administrative Code of the Russian Federation with formal composition; (3) research part 2 of Art. 8.7 of the Code of Administrative Offenses of the Russian Federation in the science of land law solely from the standpoint of non-fulfillment of mandatory measures to protect lands and protect soils; (4) the object of an administrative offense is only public relations in the field of protection and protection of lands from negative impact.

The work became the fourth in a series of studies by the author of various aspects of the independence of the judiciary. It is dedicated to the implementation of the principle of the irremovability of judges as one of the proclaimed guarantees of their independence. The article analyzes the institutional and individual independence of courts and judges, and concludes about the special role of the individual independence of judges in ensuring the independence of the entire judiciary as a whole. Within the framework of the study, the reader's attention is drawn to the constituent elements of the irremovability of judges: to the period of granting the status of federal judges and the special procedure for the suspension and termination of their powers.

The author criticizes the various age limits established by the legislator, upon reaching which, the powers of judges are terminated. Such a differentiated approach, in his opinion, contradicts the general legal principle of equality and the sectoral one - the unity of the status of judges. As a result of this, the leadership of the higher courts, taking into account the possibility of their multiple reappointment, falls into a harmful dependence on the person who has the right to nominate their candidates for the positions of the chairman and deputy presidents of the corresponding court. Disappointing forecasts are made for the implementation of the constitutional amendment, which expands the president's powers to deprive the status of judges of the Constitutional, Supreme Courts, cassation and appeal courts of the Russian Federation.

The paper discusses in detail the procedure for bringing judges to disciplinary responsibility, designed to again protect their independence, but taking into account the existing shortcomings, it allows using this mechanism for the purpose of control and pressure on judges. In this regard, the author substantiates and proposes an impressive list of measures aimed at changing the situation. These measures envisage changing the composition of the qualification collegiums of judges, limiting the participation of the judicial leadership and higher courts in them, expanding them by judges of the Constitutional Court and strengthening public

participation in them, establishing the possibility of challenging decisions of the qualification collegiums of judges by applicant citizens.

The article substantiates the definition of the concept of "early warning mechanism", offers a narrow and broad approaches to its interpretation, analyzes the immanent legal, political and administrative parameters. The correlation of the principles of subsidiarity , proportionality and empowerment within the framework of the early warning mechanism is shown, their inextricable connection and the resulting practical problems are noted. The main forms and methods of regulation of the procedure for the implementation of the early warning mechanism in the EU member states have been investigated. It is indicated that the main differences are traced in the context of the fixed circle of subjects of the right to conduct an inspection, as well as depending on the degree of detail (specification) of the scope of regulated legal relations. Based on the analysis of the content of some motivated conclusions of the national parliaments, it was concluded that the lack of a common understanding of the principle of subsidiarity at the European and national levels, as well as the criteria for its observance, directly affects the early warning mechanism, which is manifested in a decrease in the effectiveness of its implementation. Attention is paid to the legal nature and specificity of the “yellow” and “orange” card regimes as a variety of forms of implementation of the early warning mechanism. It is concluded that at the current stage, the “cards” regimes are not an effective tool for influencing national parliaments on the EU legislative process. The problems of organizing inter-parliamentary cooperation within the framework of the early warning mechanism are noted. It is emphasized that, in fact, national parliaments act "blindly" when checking the compliance of draft legislative acts with the principle of subsidiarity . In the final part of the article, it is concluded that the early warning mechanism in its current modification cannot be fully qualified as a tool for providing additional legitimization of the decisions of

supranational bodies. Proposals are formulated to improve the institutional configuration of the early warning mechanism.

The right to truth is a phenomenon that has emerged in international law since about the 1980s. XX century. The emergence of the institution and its subsequent development is associated with the repression of the authoritarian governments of Latin America in the context of the leveling of basic human rights, which gave rise to a mirror-negative reaction of society. The worldwide need for justice and the maintenance of a stable world has led to the gradual expansion of the institution to other regions of the world. The uniqueness of the developed methods, allowing to preserve in the public consciousness the memory of large-scale events of crimes against the individual, to improve and fill with content the right to receive information (the right to know), provides an opportunity to talk about the right to truth as one of the most promising mechanisms of the human rights protection system. In this article, the author attempts to reveal the content of the right to truth at the present stage, the scope of guarantees included in it, and also considers its particular cases in relation to the right to know the circumstances of crimes, including cases of enforced disappearances, facts about victims, their fate and whereabouts, establishing criminals, the rights of victims and their families.

The author summarizes that the right to truth is a dynamically developing complex institution of international law, a powerful tool in the hands of international justice bodies in the fight against persons guilty of committing the most serious crimes, their prevention, an instrument for the formation of a truly legal, democratic state. It is based on customary international law, supplemented in general by special rules of treaty law. The incompleteness of material regulation is made up for by the law enforcement activities of international courts. By its legal nature, the right to truth is based on positive international obligations of states to prosecute, provide

assistance to other states, international bodies, and negative obligations as a means of prevention.

In 2016, the Criminal Code of the Russian Federation was supplemented by Art. 762, an innovative provision on exemption from criminal liability with a court fine. Its novelty is that it provides for: (1) conditional release from criminal liability; (2) application of a coercive measure to a person presumed innocent by virtue of the presumption of innocence; (3) its application is associated with the payment of a monetary amount to the budget. In addition, the consent of the victim is not required for its application. In practice, there is no uniformity in the interpretation of the new law. The purpose of the article is to summarize the practice of applying the new norm, conceptually comprehend it and give recommendations on its application. Conclusions: A court fine is not a measure of responsibility. The consent to pay money to the budget and their payment is a “good deed”, a form of making amends for the harm caused to society by a crime as a result of violation of law and order. This may be enough to exonerate from liability if there is no victim. The norm on the court fine supplements the norms on active repentance (Art. 75 of the Criminal Code of the Russian Federation) and reconciliation with the victim (Art. 76) and is especially relevant in the absence of the victim, when the application of Art. 75 and 76 are problematic. If there is a victim, the harm (including moral) caused to him must be compensated and ameliorated. The fact that the consent of the victim and the prosecutor is not required for the application of the court fine does not mean that the court has the right to ignore their opinion.

The article deals with the methodological problems of understanding the corpus delicti in the doctrine and modern science of criminal law. Philosophical

approaches to defining the essence of this phenomenon, the influence of the classical school of criminal law on the formation of such concepts as "crime" and " corpus delicti " are analyzed, the prerequisites and reasons for the multilevel understanding of corpus delicti in pre-revolutionary and Soviet criminal law are revealed . The essence of the correlation between crime and corpus delicti (based on the characteristics of these legal concepts) is revealed and questions are raised about the non-identical understanding of the same phenomena in criminal law. The author states that the corpus delicti cannot be identified with the concept of "crime" and be the basis for criminal liability. The composition is always a legislative (normative) model, not reality. The reality is only the committed crime, which entails the emergence of the relevant legal relationship, and not the corpus delicti. In conflict social relations, characterized by the commission of an unlawful criminal act, there is a crime itself, but not the composition of this crime. The author proposes to distinguish the composition within the framework of the sign of the unlawfulness of the crime, and not the crime in general. From this point of view, it is proved that the disposition of the criminal legal norm determines the model of a specific illegal act and its signs (objective and subjective), since in real life the composition is associated with precisely those signs that are described in the disposition of the legal norm. The disposition does not replace the composition, but on the contrary, the composition of wrongfulness is revealed in the disposition of the criminal law norm. Research area: jurisprudence. Research methods: formal-dogmatic, historical-legal, comparative-legal.

The functioning of developed financial markets is an integral feature of a country with a market economy, in which they are understood primarily as an infrastructural element of state policy, which, if properly managed, ensures a qualitative increase in the standard of living of citizens. Therefore, the issues of criminal-legal assessment of encroachments on relations in the sphere of financial

markets have recently acquired particular relevance both abroad and in Russia. In Singaporean law, legal provisions on criminal liability for crimes in the financial markets are contained in the Criminal Code of the Republic of Singapore, in the laws on the prevention of corruption, securities and futures. The purpose of the study is to analyze Singaporean legislation in order to compare foreign and domestic criminal law norms on crimes in the sphere of financial markets, as well as to determine the possibilities of using foreign experience in Russian rule-making practice. The methodological basis of this article is a set of methods of scientific knowledge, among which the main place is occupied by the methods of comparative jurisprudence and systems analysis. The author analyzes the similarities and differences between Singaporean and Russian financial and criminal legislation and predicts promising directions for the development of the system of relevant domestic criminal law norms. The idea is expressed about the expediency of using in the domestic rule-making and law enforcement practice of the ideas of criminalization and suppression of fraud in the investment sphere, including in cyberspace, theft of personal data and their misuse, as well as other preparatory actions for grave and especially grave crimes that may be committed in the field of financial markets.

The article analyzes the norm on criminal liability for inclinations to suicide and assistance in committing it (Article 1101), included in the Criminal Code of the Russian Federation in connection with the intensification of the activities of "death groups" in social networks. The author pays special attention to the issues of differentiation of responsibility, questioning the advisability of fixing formal elements of crimes in parts 1-3 of the article, providing for responsibility for “ineffective” inducement to suicide and assistance in its commission.

The correlation between the social danger of the inclination to suicide and the promotion of its commission is analyzed in detail. Examples of qualification of these acts in aggregate are given, when their commission does not entail suicide of the

victim or his attempt, the artificial nature of such a combination is emphasized. The author comes to the conclusion that it is necessary to abandon the splitting of interrelated actions - inducement to suicide and assistance in its commission - into two independent corpus delicti in parts 1 and 2 of the article. As a debatable issue, the issue of delimiting the analyzed acts from incitement to suicide is investigated, the validity of the legislative decision on recognizing them as more socially dangerous is proved. A separate consideration in the article receives the question of the nature of the determinative relationship in the composition of the "effective" inducement to suicide and assistance in its commission. Contrary to traditional views, it is noted that the actions of a persuading or facilitating person act as a necessary (mandatory) condition for committing suicide, that is, they are in a conditional relationship with him, and not in a causal one. When considering qualification issues, the author reveals the content of the concept of "attempted suicide", while critically evaluating proposals to replace it with "attempted suicide". Non-obvious signs of the analyzed crimes (targeting and special purpose) are indicated, which make it possible to distinguish them from criminally unpunished acts. In conclusion, proposals are formulated to change the criminal law norm.

The purpose of the article is to qualify the buildings erected in marriage and investments made in the property of one of the spouses, from the point of view of the current system of objects of civil rights, to determine the appropriate ways to protect the interests of the spouses arising in connection with these objects. Based on the results of the analysis of the norms of civil and family legislation, the author of the article identified the problem of legal insecurity of the interests of the spouse as a participant in common joint property in reimbursement of costs incurred in connection with the investment in the maintenance or improvement of the property of the other spouse, as well as in the acquisition of ownership of the building erected in the period of marriage on the site, the copyright holder of which is the other spouse, in the absence of the initial registration of the right to it. It has been established that the direct application of the civil-legal system of object qualification in determining the composition of the spouses' common property

subject to division leads to a mutually dependent loss of the effectiveness of the norms of civil and family legislation (canceling each other's action) and depriving the indicated interests of the spouse of legal protection. It is substantiated that the protection of an interest in reimbursing the costs incurred to improve or maintain the personal property of one of the spouses can only be ensured by supplementing the RF IC with a special rule that fixes the legitimacy of this interest and determines the way of its protection. The spouse's interest in acquiring ownership of a building erected during marriage on a plot whose copyright holder is the other spouse, if the primary ownership of the building is not registered, can be protected only as a result of the adaptation of the principles of object qualification of immovable things to the regime of common joint property of spouses by expanding the scope and exclusion from the deposit principle, or by introducing an exclusion from the “ superficies solo cedit ” principle .