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**Natural object as an object of property rights  
in Russian Civil Law**

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private international law

**Annotation to the dissertation**

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## ANNOTATION

**The relevance of the topic of the dissertation research** is manifested in four interrelated aspects.

*The socio-economic aspect* is due to the special significance of natural objects in the life and existence of any state, society and person in particular. The natural origin of such objects forms the basis for the formation of socio-economic relations. Rational use, consumption and reproduction of natural objects is an important condition for maintaining the well-being of people and satisfying their physical, material, spiritual, moral needs. Realizing the significance of these objects, the legislator in art. 9 of the Constitution of the Russian Federation enshrined that land and other natural resources are used and protected in the Russian Federation as the basis of the life and activities of the peoples living in the respective territory<sup>1</sup>.

It should be noted that all natural objects have historically existed and can exist without a person, the latter is dependent on them throughout evolution under any political and economic formation. Natural-anthropogenic objects arise as a result of human activity, but exist according to the natural laws laid down by nature, have the same functions and usefulness as natural natural objects, respectively, such objects are also subject to a special regulation regime.

With the development of scientific and technological progress, the issues of consumption and conservation of natural objects are becoming more and more relevant. So, the Strategy of Scientific and Technological Development of the Russian Federation notes that the increase in anthropogenic loads on the environment to a scale threatening the reproduction of natural resources and the increase in risks associated with their inefficient use for the life and health of citizens are called a great challenge, creating significant risks for society, the economy, and the public administration system<sup>2</sup>.

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<sup>1</sup> Constitution of the Russian Federation: adopted nationwide by vote 12.12.1993 // Assembly of legislation RF. 1993. Dec. 25

<sup>2</sup> On the Strategy of scientific and technological development of the Russian Federation : Decree of the President of the Russian Federation of 01.12.2016 No. 642. URL: <https://www.garant.ru/products/ipo/prime/doc/71451998/#review>

The introduction of new technologies allows a person to achieve ever greater benefits from the development of natural objects. In view of the special significance of natural objects, the State creates additional restrictions on property rights, expressed in special rules for the possession and use of such objects, forming special regimes of ownership of natural objects. The introduction of these restrictions and state supervision over their implementation constrain the owner, lead to the unprofitability of using such objects. The absence of such restrictions leads to irreparable damage to the environment. So, the creation of an effective mechanism for the legal regulation of ownership of natural objects, providing a combination of public and private interests, is necessary at this stage of the development of socio-economic relations in the Russian Federation.

*The law-making aspect.* The peculiarities of the legal regulation of natural objects as objects of property rights are as follows.

Firstly, the need for a combination of public and private interests. Public interests consist in ensuring the protection and preservation of natural objects, private interest – in ensuring the possibility of normal participation in the civil turnover of a natural object as an object of civil rights. The convergence of public and private principles predetermines the search for the necessary balance between the conservation and consumption of such important resources.

Secondly, there is a multi-level system of legal regulation, which includes the norms of both civil and land, forest, water, subsoil legislation, wildlife and other special legislation aimed at the protection and preservation of natural objects. The accumulation of civil and environmental norms, as well as the mixing of legal regulation subjects in various sources, generates discussions about the priority of one industry over another. The presence of a large number of regulatory legal acts that cannot be called systematized causes a conflict of laws regulation.

It should be noted that the problems of the formation of the civil law regime of natural objects, the consolidation of norms regulating their civil turnover, and the content of property rights occupy a special place in the legal policy of the state, which is reflected in the Concept of the development of civil legislation of the Russian

Federation<sup>3</sup>, in the Resolution «On measures to improve state policy in the field of forestry»<sup>4</sup>, in the reform, related to the introduction of the Federal Law «On responsible handling of animals and on amendments to certain legislative acts of the Russian Federation»<sup>5</sup> and in some other bills and regulatory legal acts.

*Doctrinal aspect.* Natural objects as objects of property rights cause numerous disputes in civilistics. In particular, the issues of determining the range of objects that can be owned, the forms of ownership allowed for such objects, the scope of the rights and obligations of the owner of a natural object, the establishment of permissible restrictions and encumbrances that the owner may undergo are debatable and require theoretical understanding, taking into account the current level of development of civil law doctrine and legislation.; the fundamental possibility of finding natural objects in civil circulation; the ratio of private interests of the owner and public interests in environmental conservation.

*The law enforcement aspect.* The disparate judicial practice on issues related to the realization of the right of ownership of natural objects, the combination of several categories in legal definitions at once, or, conversely, the lack of correct wording in legislation lead to different filling of gaps existing in the law, and subsequently to decisions that are often changed by the courts of higher instances. An incomplete formulation of the concept of a land plot as an object of ownership leads to a contradictory application of the rules on the responsibility of the owner aimed at preserving the environment, thereby creating competition between the rights of the owner and the environmental needs of society. The novelties introduced by the legislator in the field of legal regulation of the proper handling of animals do not solve all the issues existing in this area of public relations, which also creates contradictions in practice.

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<sup>3</sup> The concept of the development of civil legislation of the Russian Federation : approved by the decision of the Council under the President of the Russian Federation on the Codification and improvement of Citizens. legislation of 07.10.2009 // Herald. SAC RF. 2009. No. 11.

<sup>4</sup> On measures to improve state policy in the field of forestry : Decree of the Government of the Russian Federation of 03.11.2020 No. 475-FL // Assembly of legislation RF. 2020. No. 45. Art. 7087.

<sup>5</sup> On responsible handling of animals and on amendments to certain legislative acts of the Russian Federation : feder. law of 27.12.2018 No. 498-FL // Assembly of legislation RF. 2018. No. 53 (part 1). Art. 8424.

The insufficiency of legal regulation of a natural object as an object of property rights in Article 261 of the Civil Code of the Russian Federation leads to discrepancies and the emergence of contradictory judicial practice<sup>6</sup>. So, the law does not establish the status of woody-shrub vegetation, does not take into account the peculiarities of the legal regulation of such water bodies as a pond, depending on their origin, the peculiarities of natural objects dependent on the coastline, which in turn is predetermined by natural phenomena and may change, which does not guarantee the observance of ownership rights to the named the above objects and generates numerous law enforcement problems. The lack of a unified approach to the use of the definition of «animals» and their legal differentiation does not allow us to accurately identify the scope of the responsibilities of owners for the proper handling of animals.

So, the presence of theoretical, practical and problems of legal regulation of a natural object as an object of property rights, taking into account the high socio-economic importance of such objects, predetermined the relevance of the topic of this research.

**The degree of scientific development of the research topic.** The problems of the involvement of natural objects in civil circulation, the peculiarities of their regulation, the scope of the rights and obligations of owners are the subjects of discussions of multiplicity civil scientists. At the same time, at different times of the development of legal thought, a large number of scientific concepts and theories were developed.

Problems of exercising the right of ownership of natural objects were raised in the pre-revolutionary period by such domestic scientists as: A. L. Borovikovsky, D. I. Meyer, I. D. Mordukhoy-Boltovsky, K. A. Nevolin, K. P. Pobedonostsev, V. A. Udintsev, G. F. Shershenevich, A. A. Shtof, et al.

During the Soviet period of development of civil law, a serious contribution to the designated scientific sphere was made by S. S. Alekseev, S. N. Bratus, A. V. Dozortsev,

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<sup>6</sup> Civil Code of the Russian Federation. Part one: Feder. law of 30.11.1994 No 51-FL // Assembly of legislation RF. 1994. № 32. Art. 3301.

O. S. Ioffe, O. S. Kolbasov, O. A. Krasavchikov, P. O. Khalfina, B. B. Cherepakhin, O. I. Chistyakov, et al.

Certain issues of legal regulation of the relations of ownership of natural objects, the peculiarities of the realization of the right of the owner of natural objects, the relationship of civil, land, forest and other legislation in the modern period are covered by such civilists as: T. E. Abova, S. S. Alekseev, R. S. Bevzenko, V. A. Belov, S. A. Bogolyubov, M. I. Braginsky, V. V. Vitryansky, G. A. Volkov, D. V. Gorokhov, O. L. Dubovik, V. P. Kamyshansky, O. I. Krassov, V. A. Lapach, T. N. Malaya, M. N. Maleina, V. A. Mikryukov, V. V. Petrov, D. O. Sivakov, E. A. Sukhanov, V. V. Chubarov, Yu. I. Shupletsova et al.

The most significant comprehensive scientific research should include the works of D. V. Shornikov («Natural resources as objects of civil rights», Irkutsk, 2005), P. N. Bobin («Civil law regime of natural objects», Chelyabinsk, 2009). The works of these authors identify and consider possible civil law regimes of natural objects, however, they do not take into account all aspects, in addition, they do not reflect numerous changes in the current legislation.

So, it should be noted that there is no relevant, comprehensive monographic research devoted to natural objects as objects of property rights, taking into account the latest changes in legal regulation and containing an analysis of current law enforcement practice.

**The object of the research** is the legal relations arising about natural objects as objects of property rights.

**The subject of the research** is the norms of law governing natural objects as objects of property rights, as well as the practice of their application, existing scientific views, ideas and provisions contained in the works of domestic and foreign scientists.

### **Purposes and objectives of the research**

**The purpose** of this dissertation work is to develop a holistic scientific understanding of natural objects as objects of property rights, taking into account the current state of current legislation, judicial practice and doctrine. The achievement of this goal is carried out on the basis of solving the following **tasks**:

- analysis of the stages of formation and development of regulation of ownership of natural objects in Russia and abroad;
- identification of the features of a natural object as an object of ownership;
- investigate and analysis of the legal regime of ownership of natural objects;
- determination of the range of natural objects included in the land plot;
- studying the problems of determining the upper and lower space of the land plot;
- investigate and justification of the place of subsoil blocks areas in the system of objects of ownership;
- definitions and justifications of the legal classification of animals as objects of property rights;
- identification and analysis of the features of the animal world object as an object of ownership;
- determining the specifics of the exercise of ownership rights in relation to an animal in captivity.

**The theoretical basis of the research.** When writing the dissertations, the works of scientists were used: T. E. Abova, S. S. Alekseev, A. P. Anisimov, R. S. Bevzenko, V. A. Belov, G. S. Belyaeva, P. N. Bobin, S. A. Bogolyubov, M. I. Braginsky, S. N. Bratusya, D. S. Bugrov, V. V. Vitryansky, G. A. Volkova, D. V. Gorokhova, O. L. Dubovika, A.V. Ziberova, T. N. Malaya, M. N. Maleina, V. A. Mikryukova, K. A. Nevolin, V. P. Kamyshansky, O. S. Kolbasova, V. A. Lapach, V. V. Petrov, K. P. Pobedonostseva, I. A. Pokrovsky, D. O. Sivakov, E. A. Sukhanova, O. I. Krassova, V. A. Udintseva, B. B. Cherepakhina, V. V., U. B. Filatova, P. N. Khodyreva, G. F. Shershenevich, O. V. Shikhaleva, D. V. Shornikov, Yu. I. Shupletsova, et al.

The theoretical basis of the study was the works of the following foreign authors: G.S. Alexander, A. A. Berle, M. C. Blumm, D. D. Bradlow, D. Grinlington, N. E. Hatzmihail, S. Hodgson, M. Jennings, A. Paulsen, B. Pawelke, E.M. Peralver, M. A. Salman, P. Taylor, M. N. Widener, Ch. Tsaitouridis et al.

**The methodological basis** of the research is the overall principles of scientific cognition.

General scientific methods of cognition (analysis, synthesis, induction, deduction, hypothesis, analogy, generalization) with the help of which basic concepts were formulated, legal patterns were identified, as well as special legal methods of scientific knowledge (historical-legal, formal-legal, comparative-legal, method of system analysis).

In particular, the formal legal method was used in the analysis of regulatory legal acts, the intersectoral approach was used in the study of the legal regulation of ownership of natural objects, and the comparative legal method was used in the study of foreign legal experience.

The method of legal modeling was used to assess the need to make changes to existing regulatory legal acts.

**The normative basis** of the study was the Constitution of the Russian Federation, the Civil Code of the Russian Federation (hereinafter – CC RF), the Land Code of the Russian Federation (hereinafter – LC RF)<sup>7</sup>, the Water Code of the Russian Federation (hereinafter – WC RF)<sup>8</sup>, the Forest Code of the Russian Federation (hereinafter – FC RF)<sup>9</sup>, the Federal Law «About the animal world»<sup>10</sup>, the Federal Law «On responsible handling of animals and on amendments to certain legislative acts of the Russian Federation», other regulatory legal acts of the Russian Federation, as well as regulatory and law enforcement documents of foreign countries: Armenia, Belarus, Great Britain, Venezuela, Germany, Italy, Kazakhstan, New Zealand, Slovenia, USA, Romania, Ukraine, France, Czech Republic et al.

**The validity and reliability of the research results** is confirmed by the author's application of methods of scientific cognition corresponding to the dissertation work, extensive use as a theoretical and methodological basis of Investigations of scientific research and works of domestic and foreign authors, analysis and generalization of a

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<sup>7</sup> Land Code of the Russian Federation : feder. law of 25.10.2001 No. 136-FL // Assembly of legislation RF. 2001. No. 44. Art. 4147.

<sup>8</sup> Water Code of the Russian Federation : feder. law of 03.06.2006 No. 74-FL // Assembly of legislation RF. 2006. No. 23. Art. 2381.

<sup>9</sup> Forest Code of the Russian Federation : feder. law of 04.12.2006 No. 200-FL // Assembly of legislation RF. 2006. No. 50. Art. 5278.

<sup>10</sup> About the animal world : feder. law No. 52-FL of 24.04.1995 // Assembly of legislation RF. 1995. No. 17. Art. 1462.



significant number of materials of law enforcement practice on the issues of the topic under investigation.

**The scientific novelty of the dissertation research** consists in the fact that this work is one of the first investigations in modern Russian doctrine devoted to the legal analysis of natural objects as objects of property rights, taking into account the current state of legislation, judicial practice and the provisions of modern science of civil law.

The paper analyzes the convergence of civil and environmental legislation in order to separate and identify civil-law features characteristic of any natural object as an object of property rights; a civil definition of the concept of «natural object» is formulated and isolation from other objects of civil law is carried out; conflicts and gaps in legislation arising in the exercise of property rights are identified, and the ways of their solution are also proposed.

**Provisions submitted for defence:**

1. A unique integral feature of a natural object as an object of property right is a sign of the ecological relationship of a natural object with the natural environment, which manifests itself in the interaction of a natural object with natural ecosystems and its being in constant ecological contact. The rupture of this contact leads to a change in the condition, qualities, essence of this object, which affect its functions and do not allow it to be attributed to natural objects. The characteristic of a natural object through the designated feature determines the extension to it of a special civil legal regime associated with the presence of additional restrictions on property rights, as well as the owner's obligations to preserve, save and maintain such contact, provided by the coercive force of the state.

2. The legal regime of a natural object as an object of property right is a system of normative regulators combining the norms of civil and environmental law in order to ensure a balance of the interests of the owner related to the possession, use and disposal of a natural resource, on the one hand, and the interests of the state related to the preservation of a natural object, on the other hand, by fixing a range of specific restrictions on property rights related to the preservation of the sign of the ecological relationship of a natural object with the natural environment.

Restriction of the right of ownership of a natural object - an imperative constraint of the rights of the owner in the interests of an indefinite circle of persons established in order to comply with environmental public interests by an act of a state or municipal authority. Restrictions have the following specific features: the compulsory nature of their introduction; the focus on satisfying the interests of an indefinite circle of persons; a special list of grounds for establishment (acts of state authorities, including the executive). Each natural object has its own unique restrictions on property rights.

**3.** The separation of all natural objects as objects of ownership into four categories is justified: a land plot; a subsoil plot; an object of the animal world; an animal in captivity.

The criterion for such classification is a unique legal regime characteristic of each of the species under consideration, determined by the physical properties of natural objects, reflecting the specifics of the ownership of these objects to the owner, as well as the peculiarities of their turnover. Land plots can be in any form of ownership, but they have multifaceted specifics and, as a result, many exceptions associated with participation in turnover, depending on the purpose of a particular land plot (from fully marketable to withdrawn in turnover). Subsoil plots, being exclusively in state ownership, have idiosyncratic regulation of use, are limited in turnover. The objects of the animal world are owned by the state, taking into account the extraordinary types of use by third parties, do not participate in turnover. Animals in captivity can be in any form of ownership, are turnover insofar as otherwise is not established by law.

**4.** A land plot as an object of ownership is a composite volumetric thing, including a surface (soil) layer, water bodies, forests, woody-shrub vegetation, plants, the lower part of the airspace. These objects have no independent legal significance and are subordinated to the fate of the land plot as an object with an intricate biological structure.

**5.** The lower part of the airspace as an integral part of the land plot is a three-dimensional space occupying the entire surface of the land plot from the surface of the highest point of the land plot, water body, building or structure located within the boundaries of this plot up to 150 meters.

The lower part of the airspace is an integral part of the land plot. When the ownership of a land plot is transferred, the lower part of the airspace passes along with it. Infringement of the boundaries of the lower part of the airspace is an infringement of the ownership of the land plot.

**6.** The allocation of the following types of ponds as water bodies that are part of the land plot is justified:

A) Pond-excavate - a shallow artificial object that does not have a direct hydraulic connection with other water bodies, and is intended exclusively for the needs of the owner of the land plot.

B) Channel pond – a shallow artificial object that has a direct hydraulic connection with other water bodies, is intended for public needs and is on cadastral registration.

The pond-excavate can be located on land plots of any category, and the channel pond only on land plots of the water fund. The category of land use determines the system of restrictions on the rights of the owner, extending to water bodies.

**7.** An animal in captivity is an individually defined, animate thing that is in the possession of a person and satisfies his needs (psycho–emotional, property, protective, entertainment or other).

**8.** The necessity of reimbursement by the former owner of the costs associated with the restoration of the physical and psychological condition of the animal, in regard of which the exaction was carried out in the form of redemption in connection with improper inhumane handling, is justified. In case of forced withdrawal, the owner of an animal in captivity receives funds minus the costs necessary to restore the physical and psychological condition of the animal. If the amount necessary to restore the health of an animal in captivity exceeds the amount of the ransom, the owner is obliged to reimburse such a difference.

**The following amendments to the current legislation are proposed:**

1) expound article 241 of the CC RF in the following wording: «In cases where the owner of animals in captivity treats them in clear contradiction with the rules established by law and the norms of humane handling of animals accepted in society,

these animals may be withdrawn from the owner by their redemption by the state or another person who has presented the appropriate a demand to the court. The purchase price is determined by agreement of the parties, and in case of dispute - by the court. Upon withdrawal, the owner of an animal in captivity receives funds minus the costs necessary for the maintenance and restoration of the physical and psychological condition of the animal. If the amount necessary for the maintenance and restoration of the health of an animal in captivity exceeds the amount of the ransom, the owner is obliged to reimburse such a difference»;

2) expound clause 2 of article 261 of the CC RF in the following wording: «Unless otherwise established by law, the right of ownership of a land plot extends to the surface (soil) layer, water bodies, forests, woody-shrub vegetation and plants located within the boundaries of this plot»;

3) expound clause 3 of article 261 of the CC RF in the following wording: «The owner of a land plot has the right to dispose at his discretion of the airspace at an altitude of up to 150 meters from the surface of the highest point of the land plot, water body, building or structure located within the boundaries of this site, unless otherwise provided by the laws on subsoil, on the use of air space, other laws and does not breach the rights of other persons»;

4) expound clause 2 of article 1181 CC RF as follows: «When inheriting a land plot or the right of lifelong inherited ownership of a land plot, the surface (soil) layer, water bodies, forests, woody-shrub vegetation and plants, airspace at an altitude of 150 meters from the surface of the highest point of the land plot, water an object, building or structure located within the boundaries of this site, unless otherwise provided by the laws on subsoil, on the use of airspace, other laws and does not breach the rights of other persons»;

5) expound clause 3 of part 1 of article 40 LC RF as follows: «The owner of the land plot has the right: ...3) to carry out irrigation, drainage, agroforestry, cultural and other reclamation works in accordance with the permitted use, to build ponds-excavate and watered quarries in accordance with the environmental, construction, sanitary-hygienic and other special requirements»;

6) amend clause 3 of part 2 of article 5 of the WC RF: «Surface water bodies include: ...3) reservoirs (lakes, channel pond, ponds-excavate, watered quarries, reservoirs)»;

7) expound part 4 of article 5 WC RF as follows: «The coastline (border of a water body) is defined for: ... 2) a river, stream, canal, lake, ponds-excavate, flooded quarry – according to the average annual water level during the period when they are not covered with ice; 3) a channel pond, reservoir – according to the normal water retaining level»;

8) in article 8 of the WC RF, the word «pond» should be replaced with the word «ponds-excavate»;

9) in article 1 of the Federal Law «On Environmental Protection», expound the definition of the concept of «natural object» as follows: «this is a legally recognized object of the material world of natural origin, capable of satisfying the interests of subjects of civil rights, located in an ecological relationship with the natural environment and functioning according to its laws»;

10) in article 1 of the Federal Law «On Environmental Protection», expound the definition of «natural-anthropogenic object» as follows: «A natural-anthropogenic object is a specially modified or created by man object that has all the exhibit characteristics of a natural object».

**The scientific and theoretical significance of the dissertation research** consist in the possibility of applying the conclusions and suggestions of the author for further scientific research of both natural objects in civil law in general and property rights to natural objects in particular. The proposals formulated by the author provide material for the study and comprehensive solution of problems in this area.

**The practical significance of the dissertation research** lies in the author's achievement of results that can be applied in practical rule-making activities, in particular, when implementation of reforms to improve civil legislation. A refined understanding of the natural object and the content of the rights to it will contribute to a better turnover in the economic sphere and increase productivity in the entrepreneurial

field. The formulated conclusions and recommendations can serve as material for the preparation of textbooks on civil law disciplines.

**The approbation of the research results** is determined by the fact that the dissertation work was performed at the Department of Civil Law of the Law Institute of the Irkutsk State University. The dissertation was discussed at the meeting of the department.

The main ideas and theoretical provisions of the dissertation research compose the content of the author's reports at a number of scientific-practical conferences, such as: The All-Russian Student Scientific and Practical Conference «Baikal Student Legal Forum – 2019» (March 28, 2019, Irkutsk Institute (branch) RSII (RLA of the Ministry of Justice of Russia)), Irkutsk); International scientific and practical conference «The Mission of the modern state and law in the era of social change» (October 12, 2019, LI ISU Irkutsk); V International Scientific Conference of Students and Postgraduates «Speransky Readings» (December 17, 2019, RANEPa, Moscow), 2019; All-Russian Student Scientific and Practical Conference «Baikal Student Legal Forum – 2021» (March 25, 2021, Irkutsk Institute (branch) RSII (RLA of the Ministry of Justice of Russia), Irkutsk); Interuniversity scientific Student Conference «Actual problems of law-making and law enforcement in the Russian Federation» (April 9, 2022, LI ISU, Irkutsk).

**The structure of the dissertation research.** The structure of this dissertation work is determined by the purposes and objectives of the research and consists of an introduction, three chapters combining nine paragraphs, a conclusion, as well as a list of references.

**The introduction** reveals the relevance of the topic of the dissertation research, from the point of view of its socio-economic, law-making, doctrinal and law enforcement aspects. The condition of the degree of scientific development of the topic is revealed, the object, subject, purposes and objectives are determined, the theoretical, methodological and normative foundations of the research are considered, the validity, reliability and scientific novelty of the dissertation research are reasoned. The provisions submitted for protection are put forward, and amendments to the current

legislation are proposed that have scientific, theoretical and practical significance for Russian civil law.

**In the first chapter** *«Legal regulation of a natural object as an object of property right»*, the study of the Russian four-stage formation of legal regulation of ownership of natural objects is carried out. The foreign experience is investigated, the features concerning natural objects as objects of property rights are formulated. The question of decision the definition of «natural object» is considered, its characteristics and features as an object of civil law are analyzed, a unique feature «ecological interrelation of a natural object with the environment» is highlighted, a relationship with a natural-anthropogenic object, with a commodity-material value is made. The analysis of the limitations and encumbrances of each natural object is carried out, the extraordinary limitations characteristic of each natural object separately is revealed. Proposals are being made to improve Russian legislation.

**The second chapter** *«Immovable natural objects as objects of ownership»* is devoted to issues related to a land plot and a subsoil plot as objects of ownership, their legal differentiation and features of legal regulation of natural objects that are part of a land plot. A land plot is considered as a three-dimensional object, which requires a more complete inclusion in its composition of objects that do not have independent legal significance. The problems related to the objects of nature that are part of the land plot are studied, and ways to solve them are proposed. The scope of the rights of the owner of the land plot to the subsoil plot, the peculiarities of the turnover of the subsoil plot in civil law are being investigated. Proposals are being made to improve Russian legislation.

**In the third chapter** *«Animals as objects of property rights»*, the concept of animals is studied and highlights their classification. A proposal is being made on the need to divide all animals into two categories: objects of the animal world and animals in captivity. The features characteristic of each category of animals as objects of civil law are distinguished. The existence of a special status of the state's property rights to objects of the animal world is stated. Proposals are being made to improve the current legislation regarding the ownership of animals in captivity.

**The conclusion** of the dissertation includes the main conclusions on the topic of the dissertation research.

**The following scientific works of the author have been published as part of the topic of the dissertation research:**

I. Publication in the E3S Web Conferences, indexed in the international journal Scopus (in English):

1) Bobrov D. Restrictions of private owner's rights to a land plot // E3s Web Conf. Innovative technologies in environmental science and education. Vol. 135 (2019). DOI: <https://doi.org/10.1051/e3sconf/201913504067>.

II. The main provisions and conclusions of the study have been tested in peer-reviewed scientific publications recommended by the Higher Attestation Commission under the Ministry of Education and Science of the Russian Federation:

1) Bobrov D. V. Natural objects as objects of civil rights: problems of concepts and definitions / D. V. Bobrov // Siberian Legal Bulletin. – 2020. – No. 3. – pp. 50-55.

2) Bobrov D. V. Land plot as a complicated thing in Russian civil law / D. V. Bobrov // Civil law. – 2021. - No. 6. – pp. 41-44.

3) Bobrov D.V. Concepts and problems of classification of animals as objects of property rights / D.V. Bobrov // Siberian Legal Bulletin. – 2022. – No. 1. – pp. 43-49.

III. The author's publications included in the scientific database of the Russian Science Citation Index:

1) Bobrov D. V. Ownership of aquatic biological resources in artificial reservoirs / D. V. Bobrov // Collection of articles of the V International Scientific Conference of Students and postgraduates. Moscow, December 11, 2019 / ed.-comp. L. E. Lapteva. – Moscow : Prospect, 2020. – pp. 19-23;

2) Bobrov D. V. The value of a public cadastral map for the owner of a natural object / D. V. Bobrov // Transformation of the state and law in the conditions of global digitalization of society: materials of the All-Russian Scientific and Practical Conference. Irkutsk, October 26, 2019 – Irkutsk : Publishing House of the ISU, 2019. – pp. 77-81;



3) Bobrov D. V. Natural resources as an object of property rights in Roman law / D. V. Bobrov // Mission of the modern state and law in the era of social change: materials of the International Scientific and Practical Conference. Irkutsk, October 26, 2018 / FSBEI HE «ISU», Law. in-t ; [ed. by T. L. Kuras]. – Irkutsk: Publishing House of the ISU, 2019. – pp. 191-195;

4) Bobrov D. V. Problems of the formation of ownership of natural objects: a retrospective aspect / D. V. Bobrov // Modern problems of law-making and law enforcement: Baikal Student Legal Forum - 2019 : materials of the All-Russian Student Scientific and Practical Conference. Irkutsk, March 21, 2019 / ed.: E. I. Devitsky, S. I. Suslova. – Irkutsk : Irkutsk Institute (branch) RSIJ (RLA of the Ministry of Justice of Russia), 2019. – pp. 64-68;

5) Bobrov D. V. Improper handling of animals as a causa for compulsory termination of property rights / D. V. Bobrov // Modern problems of law-making and law enforcement: Baikal Student Legal Forum - 2021 : materials of the All-Russian Student Scientific and Practical Conference. Irkutsk, March 25, 2019 / ed. by E. I. Devitsky, S. I. Suslova. – Irkutsk : Irkutsk Institute (branch) RSIJ (RLA of the Ministry of Justice of Russia). 2021. – pp. 100–104.