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#### **CUSTOMS OFFICER HENRI ROUSSEAU BEFORE A JURY**

**Keywords:** customs officer, naive art, mentally deficient, mentally disturbed, bank account, check book, fake bordereau, forged signature, forged seal, jury, Henri Rousseau

The author relates an anecdote about the French artist Henri Rousseau the most remarkable representative of the so-called "naive art". The artist's simple-heartedness and simple-mindedness were regarded by his contemporaries as mental deficiency or insanity. Once he got involved into a fraud because of some unlucky coincidence. Rousseau led by his more experienced accomplice acquired quite a large sum of money using false documents. He was prosecuted and tried...

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#### **TERMINATION OF OBLIGATIONS BY OBLIGOR'S DEATH**

**Keywords:** legal personality, individual, obligation, termination of obligations, legal succession

The importance of legal personality elements is demonstrated in progress particularly when they are terminated. The author examines the content of an individual's legal personality with regard to termination of obligations performed by the individual. There is raised an issue of legal succession after termination of obligations by obligor's death in terms of partly delegated legal personality of the deceased.

### **KICHIK, Kuzma Valerjevich**

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#### **LEGAL PROVISIONS PREVENTING "LIQUIDATION RAIDING"**

**Keywords:** raiding, government contract, public procurement, auction, tender, contract, price, threshold values

The author joins the controversy about federal law # 94-FZ of July, 21, 2003 "On placing supply of goods or services contracts, performance contracts meeting governmental and municipal needs" and examines it in terms of "liquidation raiding" that is unfair conduct by persons interested in contract placement.

### **KOROTONozHKIN, Sergey Nikolajevich**

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#### **PARTICIPANTS' RESPONSIBILITY IN ENERGY RETAIL MARKET FOR BREAKING PRINCIPLES OF RELIABLE ENERGY SUPPLY**

**Keywords:** energy retail market, reliable energy supply principle, high-quality energy supply, consumer, civil liability

Non-stop high-quality energy supply to consumers and industry is the decisive factor of national economic growth particularly with energy consumption steadily increasing. The importance of the reliable energy supply principle has become even more obvious at the time when blackouts occur more frequently and become large-scale ones. The author examines the essence of the reliable energy supply principle and justifies the necessity to increase the participants' responsibility in energy retail market.

### **MALESHIN, Dmitry Yaroslavovich**

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#### **SPECIFIC FEATURES OF CIVIL JUSTICE IN SOUTH-EAST ASIAN NATIONS**

**Keywords:** law system, civil procedure in Asia, social-cultural analysis, law and mores, law and religion

Civil procedure in South-East Asian nations though having some rules formally similar to those accepted in civil actions in developed countries still presents a puzzle for most lawyers of the world including Russian lawyers. The author raises the question whether the law and justice in those nations play the same role as in Russia and other European countries or their role is different. The author tries to explain the reason of a specific perception of law and courts by people in that region.

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#### **ADMINISTRATION OF COMMERCIAL JUSTICE UNDER THE LAWS ENACTED AFTER RUSSIAN COMMERCIAL PROCEDURAL CODE**

**Keywords:** principles of commercial justice, principle of justice administration solely by commercial court, independence of judges, judges being guided by law only, openness of adversarial procedure, permissive statutory rules

Those laws which were enacted after Russian Commercial Procedural Code had taken effect should comply with the rules of commercial justice. Do they all meet this requirement? How does the breach of this principle affect ensured protection of legal entities' and citizens' rights?

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#### **ANTI-CORRUPTION REVIEW OF DRAFT LAWS OF CONSTITUENT MEMBERS OF THE RUSSIAN FEDERATION**

**Keywords:** corruption review, anti-corruption examination, legal examination, draft laws of constituent members of the Russian Federation

The author analyses different approaches to conducting anti-corruption review chosen in certain constituent units of the Russian Federation, highlights their strong and weak points. The author proposes a number of steps which should be taken to do away with defects in local regional regulations providing for procedure of anti-corruption review.

### **SKOBLIKOV, Peter Alexandrovich**

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#### **HOW RUSSIAN LAW PROTECTS RUSSIAN CITIZENS FROM CRIMES COMMITTED AGAINST THEM ABROAD. RUSSIAN LEGISLATION AND THE PROBLEMS OF ITS ENFORCEMENT**

**Keywords:** liability for crimes committed against Russian citizens abroad, foreigners' liability for the crimes committed outside Russia under the Russian Criminal Code, fight against pirating under the Russian Criminal Code and Criminal Procedural Code, jurisdiction of a body carrying out preliminary inquiry, military unit commander as a body of preliminary inquiry, making urgent investigative actions, principle of inevitable criminal prosecution, legality and reasonableness.

More and more Russian citizens are going abroad to work, to study, to spend holidays each year. Consequently, they are more likely to become victims of crimes in the countries of stay. This risk grows to the same degree as the law and order falls in the host country. Does Russian law protect Russian citizens abroad and what problems arise or are more likely to arise in the course of its enforcement? The author believes that these issues should be raised once again after the pirates' attack of Russian sailors in the Gulf of Aden in May, 2010.

### **TOM SINOV, Vladimir Alekseevich**

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#### **CONSTITUTIONAL ISSUES IN RUSSIA IN THE 1860S—1880S (COMMEMORATING EMPEROR'S ALEXANDER II DEATH IN 1881). ARTICLE ONE**

**Keywords:** constitution, reforms, constitutional issues in Russia, constitution and autocracy, B.N. Chicherin, A.I. Koshelev

The article describes political and ideological struggle in the 1860s-1880s turning around constitution and prospects of monarchy in Russia. It describes the ideas formed up in the ruling class to introduce constitutional government in Russia. The author reveals ideological and political background of controversies about reforming autocratic-monarchical government and turning it into constitutional monarchy. He depicts opinions of Russian constitutional writers and their opponents particularly those of A.I. Koshelev and K.P. Pobedonostsev.

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#### **TRANSFER OF THE RIGHT TO CHALLENGE COMPANY'S TRANSACTIONS TO SHARES PURCHASER IN RUSSIA AND ELSEWHERE**

**Keywords:** shareholder's rights, derivative action, legal succession

According to Russian commercial courts decisions the right to challenge company's transactions cannot be transferred to shares purchaser who acquired them after the challenged transaction had been concluded. Courts position is analyzed in the article.

The author examines approaches to this problem taken by British, German and US courts and the grounds of their rulings.

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#### **LEGAL NATURE OF CONTRACT OF GUARDIANSHIP AND CUSTODY (CONTRACT OF FOSTER HOME)**

**Keywords:** contract of guardianship and custody, contract of foster home, child welfare agency act appointing a guardian, imperative method of regulating family relations

The enforcement of provisions contained in Family and Civil Codes in terms of Federal law of April, 28, 2008 #48-FZ "On guardianship and custody" raises a lot of problems both in legal theory and practice. The author reveals the gap in the law and justifies autonomous position of the contract of guardianship and custody (contract of foster home)