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STATE AND LAW. LEGAL SCIENCE

**THEORY AND HISTORY OF STATE AND LAW;
HISTORY OF DOCTRINES ABOUT LAW AND STATE**

**“CHARITABLE” FRAUD: CONCEPT, REASONS OF CAUSES
AND METHODS OF PREVENTION**© 2019 **Idrisov Hussein Vakhaevich**

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The article is devoted to a brief history of the emergence of charity in Russia. In addition, the article provides a legal analysis of the concept and features of the legal regulation of the sphere of charitable activities. Based on the study of fraudulent crimes in the field of charity, the article describes and evaluates various aspects of criminal acts in the field of charity; Some measures aimed at preventing and countering fraudulent activities in charitable activities are considered.

Keywords: legal regulation, charity, fraud, assistance, mercy, compassion, criminal law relations.

**THE GROUNDS AND CONDITIONS FOR THE ONSET OF CIVIL LIABILITY
OF THE CARRIER UNDER THE CONTRACT OF CARRIAGE OF GOODS BY ROAD**© 2019 **Idrisov Hussein Vakhaevich**

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The article deals with some problems arising in the process of proving the guilt of the carrier under the contract of carriage of goods by road, in the framework of bringing it to civil liability. In addition, the article reflects and evaluates the judicial practice on the application of legislation in relation to the field of legal relations, identified and analyzed some gaps in the current legislation in the field of legal regulation of the contract of carriage of goods by road and proposed solutions to the problem.

Keywords: contract, transportation, cargo, responsibility, act, Civil code of the Russian Federation.

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PROBLEMS OF DETERMINATION OF THE CONDITIONS OF EXECUTION OF CIVIL LIABILITY OBLIGATIONS

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The article presents the problems of determining the conditions for the performance of a civil liability. The sources were analyzed in which the requirements of the proper fulfillment of civil and legal obligations are fixed. These include: obligations, law, other legal acts, customs, or other commonly imposed requirements. Specific conditions for the proper fulfillment of obligations, which are aimed at the termination of obligations and which are: an appropriate person; proper performance with a plurality of persons in the obligation; proper place; proper subject; certain term; proper way to fulfill an obligation. The analysis allowed us to highlight the signs of conditions for the fulfillment of civil obligations and formulate its definition.

Keywords: civil liabilities; performance of a civil liability; adequate fulfillment of a civil liability; conditions of performance of a civil liability.

THEORETICAL AND LEGAL ASPECTS OF MEDIATION FROM THE POSITION OF FUNCTIONAL THEORY

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The relevance of the theoretical and methodological concept of mediation is determined by the

exceptional importance of human rights problems in the socio-economic, political, legal and spiritual spheres of our society, as well as the contradictory, conflicting state of social relations, especially aggravated during the periods of reforms and innovations. Due to the fact that mediation is a complex multidimensional social and legal phenomenon, its theoretical and methodological concept is based on a complex scientific structural and functional orientation, which consists in the study of this General legal Institute as an integral object not only from the legal, but also from the General conflict of laws, social, economic, psychological positions. Such a process of cognition requires the use of a comprehensive methodology, allowing mediation to be considered as a complex system that reveals itself through structural and functional analysis. This article is devoted to the analysis of mediation from the position of the functional theory as part of the structural and functional analysis. It is with the help of functional analysis that the essence of mediation as a General legal institution is revealed, the interrelations of the subjects of mediation relations are revealed, allowing to investigate these relations comprehensively. The article presents a comprehensive analysis of mediation functions from the perspective of sociology, law and Economics. Many of the functions that are distinguished by representatives of different scientific fields coincide in their semantic meaning (for example, information, communication, etc.), in this connection, it is necessary to develop a single classification that takes into account the diversity of mediation and characterizes it as a General law institution. The functional approach allows to study more deeply the long process of emergence and development of mediation, emergence of its various types, types, forms in different spheres of public relations, i.e. process of formation and evolution of mediation. The study of mediation from the position of functional analysis is achieved including by the synthesis of scientific aspects developed by various branches of knowledge, the introduction of scientific tools used by several Sciences while using to solve a specific problem, which ultimately led to the development of theoretical models of mediation. However, the article sets out the task of studying mediation not in isolation, but in interrelation with other legal phenomena, both derived from it and catalyzed its development, as well as in comparative interrelationship with its evolution and regulation in other legal systems.

Keywords: mediation; theory; functions; analysis; theoretical model; information; social relations; subject; legality.

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INTERNATIONAL LAW; EUROPEAN LAW

THE CONCEPT OF ARMS AS GOODS IN INTERNATIONAL TURNOVER© 2019 **Kutafina Violetta Valerevna**

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This article is devoted to the definition of weapons in international public law. The author analyzes the norms of Russian legislation and international law on the issue of international arms trade. It is noted that the use of the provisions of the International Arms Trade Treaty developed by the United Nations will eliminate gaps and contradictions in the national arms legislation and the practice of states in the development and supply of military facilities.

Keywords: weapons, weapons, military-technical cooperation, international arms trafficking

**REGARDING THE POSSIBILITY OF APPLYING THE AMERICAN EXPERIENCE
IN PART OF THE RESPONSIBILITY OF GOVERNMENT BODIES
AND CORPORATION MEMBERS IN RUSSIAN LEGISLATION**© 2019 **Militskaya Kristina Nikolaevna**

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This article considers the American experience in building corporate legal relations in the area of responsibility of participants in corporations and its governing bodies. The analysis of the Powell test criteria and the “duty of loyalty” doctrine, the possibility of borrowing certain provisions of the doctrines by Russian legislation, are carried out.

Keywords: conscientiousness, corporate relations, responsibility of participants of corporations, responsibility of directors.