

## **LEGAL THOUGHT: HISTORY AND CONTEMPORARITY**

**L.S. Mamut**

### **«THE DIVISION OF POWERS» OR THE DIVISION OF THE POWERS OF PUBLIC AUTHORITIES?**

The article is devoted to the theoretical problem of the division of powers. The Author considers that in fact the problem is in the division of the powers of public authorities.

**P.D. Barenboim**

### **HEMINGWAY OF RUSSIAN JURISPRUDENCE: THE PORTRAIT OF PROFESSOR AUGUST MISHIN**

The portrait of professor Mishin — the famous constitutionalist — is given in the article. Professor Mishin played significant role in the development of constitutional ideas in Russia and strongly influenced on the contemporary generation of Russian lawyers.

## **RUSSIAN LAW: CONDITIONS, PERSPECTIVES, COMMENTARIES**

**M.A. Krasnov**

### **IS INQUIRY OF A DEPUTY CAPABLE TO BE AN INSTRUMENT OF PARLIAMENTARY CONTROL?**

The article is devoted to inquiry of a deputy as a control function of the legislative branch, and to its regulation in the Russian legislation. The author looks at deputy inquiry as at a form of deputy activities in the State Duma and as of guarantee of activity of the State Duma itself. He studies a correlation between inquiry of individual deputy and a parliamentary one, content of inquiry, legal regulation of answering such inquiries.

**A.O. Lebedev, A.V. Chaplinski**

### **OFFICIAL ELECTRONIC SYSTEM OF LEGAL ACTS**

The rise of a number of legal norms in Russia has generated the issue of its systematization. The issue of new types of systematization has become a subject of discussion in literature. The article is an analysis of electronic incorporation of acts, advantages and disadvantages of the method, possibilities of creating official electronic incorporation and its characteristics. The authors discuss the structure of electronic system, its organizational maintenance, making institute authorized to systematize legal norms. Making such an institute facilitates to strengthen legal frame and to promote legal culture.

**A.G. Kalpin**

### **SEAWORTHY CONDITION OF VESSEL UNDER CARGO TRANSPORTATION BY SEA**

The article contains a definition of seaworthy condition of vessel under contract of sea carriage, specifies the period when a vessel is to be in the seaworthy condition, legal consequences of non-seaworthy condition of vessel. Under the laws of most European continental states the carrier is to show due diligence to bring the ship in a seaworthy condition.

**A.S. Shatalov**

**PRE-TRIAL COOPERATION AGREEMENT — A NEW INSTITUTE OF RUSSIAN CRIMINAL LEGAL PROCEEDINGS**

Professor A. S. Shatalov studies in this article legal regulation of a new in Russia institute of criminal proceedings referred to as “Specific order of taking court decision under pre-trial cooperation agreement”. The author comes to a conclusion that the main drawback of the institute seems to be a very vague prospective of trying criminal cases and the absence of any provision on the liability of state bodies for breaching terms of the agreement signed by the public prosecutor. The author proposes to transmit the public prosecutor’s powers to make a pre-trial cooperation agreement to court, i. e. participant of the criminal trial authorized not to impose supervision but create opportunities for the parties on performing their procedural duties and entrusted rights.

**LAW IN THE MODERN WORLD**

**T.N. Troshkina**

**THE PRACTICE OF NON-TARIFF BARRIERS IN THE USA: THE DEVELOPMENT OF LEGAL AND ORGANIZATIONAL FOUNDATIONS**

The article researches the system of measures for non-tariff regulation of the international trade. It compares the contents of the general concept of “non-tariff regulation” defined by various international organizations and national legislations differentiating concepts close in their meanings. The author defines and analyzes the essence of non-tariff regulation and non-tariff measures used to compare it with the notion of customs-tariff regulation, and identifies the drawbacks of such definitions.

**U.S. Kashkin**

**DEVELOPMENT OF IDEAS OF LABOUR LAW AND SOCIAL LAW IN EUROPEAN COMMUNITY**

The article deals with the history and achievements of the EU labour and social law. The main stages of development of the areas are analyzed as well as theoretical aspects of this process. The study of the latest tendencies of development of the EC labor law connected with the draft of The Constitution for Europe and The Treaty of Lisbon as well as the latest proposals for the modernization of labor law and possible implementation of “Blue card” are also tackled here.

**A.V. Grishin**

**ECONOMIC AND MONETARY CURRENCY UNION DURING THE WORLD ECONOMIC CRISIS: LEGAL ASPECT**

The legal aspects of the 2008–2009 economic and financial crisis and the European Community’s struggle with its negative effects is the focal point of this article. The problem of compliance with the principles of internal markets and the excessive deficit procedure in the light of economic and financial crisis are also covered here. The new architecture of the system of the EU financial supervision and the measures taken by the Community to overcome the crisis have drawn special attention among other aspects of this study.

**DISCUSSION CLUB**

**N.N. Voznesenskaya**

**LEGAL NATURE OF UNIFORM NORMS OF TRADE LAW IN INTERNATIONAL TREATIES**

In the article the author tries to define on the comparative basis legal character of the norms of international trade treaties, such as Washington Convention on Contracts for the International Sales of Goods, and that of Bilateral Investment Treaties. The author comes to the conclusion that subject-matter of trade treaties is regulation of trade relations of individuals of different states, and such rules refer to private international law. International investment treaties regulate relations between independent states, this is the field of public international law.

## **SCIENTIFIC LIFE**

**E.B. Ganyushkina**

**HIGHLIGHTS OF THE 52TH ANNUAL MEETING OF THE RUSSIAN ASSOCIATION OF INTERNATIONAL LAW**

**D.V. Sadovnikov**

**LEGAL FUNDAMENTALS OF MODERN INTERNATIONAL RELATIONS**

The articles are devoted to the analysis of the 52th Annual Meeting of the Russian Association of International Law

**E.A. Mishina**

**AUTHORITATIVE DISCRETION: GOOD OR EVIL?**

Analysis of the materials of September 30rd 2009 panel arranged by the SU — HSE Legal Research Institute and the Faculty of Law. Representatives of the RF Supreme Court, Moscow Bar Chamber, RF Ministry of Justice participated in the debates.