International Review of Management and Marketing

ISSN: 2146-4405

available at http: www.econjournals.com

International Review of Management and Marketing, 2016, 6(S6) 134-140.

Special Issue on "Management of Systems of Socio-Economic and Legal Relations in Modern Conditions of Development of Education and Society"

Damage Done by Animals: Legal Qualification under Russian Law, Risk Management

Anna P. Rabets[1], Tatiana Yu. Kareva[2]*

[1]Far Eastern Federal University, Vladivostok, Russia, [2]Far Eastern Federal University, Vladivostok, Russia.
*Email: kareva778@mail.ru

ABSTRACT

The article is dedicated to the issues of the legal qualification of damage done by wild and domestic animals to subjects of civil relations. Identification of the animal gathering places among the sources of increased danger is particularly relevant in connection with misregulating in the civil legislation of the Russian Federation a number of aspects related to compensation for harm caused by animals as a specific object of the civil rights to a citizen or an organization. The aim of the study was to determine the effectiveness of civil legal mechanism to protect victims injured by animals and the risk of this injury in the workplace. As follows from the definition of "risk," it is directly associated with a specific damage. The report discusses the relationship between the concepts "harm" and "damage" from the point of view of civil law. Despite the presence of a large number of norms of the Federal Law, applying the concept of "risk," there are two main objects of technical regulation essentially based on this concept: The definition of safety requirements and establishment of forms and schemes of mandatory conformity.

Keywords: Source of Increased Danger, Animal as the Object of Civil Rights, Delict, Defense of Victims; Insurance, Risk-management
JEL Classifications: D81, G32, K10

1. INTRODUCTION

In recent years, the number of cases of personal injuries by animals both domestic and wild have increased, including those contained in the artificial environment (zoos, circuses, etc.) (The centralized statistics, accumulating all the cases of animal attacks on people in the Russian Federation is absent). "The fact that the animal can be a source of danger for a person is confirmed by the whole long history of man's relationship with animals" (Denisov and Semenov, 2012).

The rules governing responsibility for the damage caused by animals, are currently enshrined in Chapter 59 of the Civil Code of the Russian Federation (hereinafter – the Civil Code). However, many issues related to compensation of damage caused by animals remain unresolved, due to the peculiarities of animals as objects of civil rights. At that, the reform of the civil law which is being implemented in Russia does not provide any change or update of the provisions in the field of sources of increased danger.

The objectives of the organization can affect various aspects of its activities, from strategy to release of specific products, development processes and projects. Goals can be defined in the social, ecological, technological, commercial, financial and economic fields, as well as in the field of organization's reputation, its security, and social, cultural and political impact on the population.

Any activities of the organization, human society are connected with risk. Risk management helps decision-making under conditions of uncertainty and the possibility of occurrence of events or circumstances (routine and contingency).

Risk management includes the use of logical and systematic methods for:

- Exchange of information and consultation in the areas of risk;
- The establishment of the application in the identification, analysis, evaluation and risk treatment according to any activity, process, function or product;

- Monitoring and risk analysis;
- Registration of the results and reporting.

Risk assessment of causing damage to human is a part of the risk management process and is a structured process through which identified the ways to achieve the determined objectives, analyze the consequences and the likelihood of hazardous events for a decision on the need for risk treatment in case of harming by animals.

The assessment of this risk allows answering the following key questions:

- What events may occur and their cause (identification of dangerous events);
- What are the consequences of these events;
- What is the likelihood of their occurrence;
- What factors can reduce the adverse effects or reduce the risk of dangerous situations.

In addition, risk assessment helps answering the question: Is the level of risk of causing harm acceptable, or is its further processing required in accordance with legal acts.

Basic approaches to the problem of whether the damage done by animals a special delict, having the characteristic features in the doctrine and jurisprudence are rather contradictory. In this regard, legal research of the place of animals in the system of sources of increased danger acquires relevance and importance.

2. REVIEW OF LITERATURE

Issues of reference the animals to the source of increased danger, the determination of the risk of this increased danger for the society, the management of its determination were addressed in a number of monographs of domestic scientists, lawyers, dedicated to scientific analysis of the legal category "source of increased danger" in general. In particular, we are talking about works of Belyakova (1986), Boldinov (2002), Maleina (2002), Krasavchikov (1966), Fleyshits (1951), Shishkin (2007).

In recent years there have been studies, including dissertations directly dedicated to the issues of compensation of damage caused by animals as a source of increased danger (Chinchevich, 2012; Zakharov, 2009). However, the problem with the definition of a place of wild and domestic animals among the sources of increased danger, is still not sufficiently disclosed and developed.

3. MATERIALS AND METHODS

The subject of this research are the norms of the Russian civil law regulating social relations that arise as a result of harm by animals to human life, health and property of citizens and legal entities.

The methodological basis of the research were scientific methods of cognition (analysis, synthesis, generalization, induction, deduction), as well as specific methods of knowledge: Technical, historical and legal and rather legal. Application of these methods allowed to explore relations in the sphere of causing damage by animals holistically and comprehensively.

4. RESULTS AND DISCUSSION

To determine the place of animals among the sources of increased danger let us turn to the definition of the specified legal category. Note that the discussion about the concept of sources of increased danger is still in progress. There exist the three classical approaches to the definition of this category. At first, the source of increased danger is considered as an activity (Maleina, 2002).

At second, source of increased danger is considered to be the properties of things or forces of nature, which, in achieved state-of-art of science and technology cannot be fully controlled by human, creating a high degree of probability of causing damage to human life or health or material goods (Fleyshits, 1951).

At third, a source of increased danger is understood as "things of the material world... having special specific quantitative and qualitative conditions, by virtue of which their ownership under certain conditions of time and space is connected with the increased danger to others" (Krasavchikov, 1966).

European Union governments have always been concerned about protecting citizens from risks. However, in recent years, risk management is becoming the centerpiece in the whole activity of the state. The concept of risk is used to describe a wide variety of different types of direct threats – from 11 September 2001 to the threat of a chemical or biological terrorist attack or accident, including the problem of the vulnerability of IT systems:

- Security issues – "mad cow disease" (bovine spongiform encephalopathy); vaccine against measles, mumps and rubella, and other risks faced by the population (the safety of railways, "holiday with adventures," floods);
- The risk to the environment (as a result of climate change);
- The risk in connection with the organization of socially important public services related to the serious difficulties;
- The ongoing debate and the accumulation of experience in the field of risk transfer (capital projects and provision of services) from non-public to the public sector and *viz*.;
- The task to increase the ability of the public sector for innovation and decision-making in relation to risks that can bring a big win;
- The risk that the government's reputation will be damaged in the eyes of parties concerned and the people in general, and that it would prevent with the government from implementation of the state program.

All these factors together led to reconsider the question of how the government does business and manages risk in all forms.

When analyzing the definition of the source of increased danger and the risk of harm from this source in recent years in the legal literature, it may be noted that at first, the authors try to combine "activity theory" and "theory of the object" (Prischepa, 2009). At second, almost all modern "half-way" definitions of the source of increased danger include the main features of the considered

legal category for determination the degrees of risk and its size in relation to the victim (Shishkin, 2007).

Without getting into the debate about the definitions of source of increased danger we agree with A.P. Sergeeva that "regarding the considered delict, there cannot be any abnormally dangerous activity for wide public independently of the specific material object, nor there can be such material objects recognized as sources of increased danger independently of the associated human activities" (Sergeeva, 2009).

The legal definition of the source of increased danger, based on "activity theory" is enshrined in Article 1079 of the Civil Code and specified in the Resolution of the Plenum of the Supreme Court on January 26, 2010 No.1 "On the application by the courts of civil law governing relations for the obligations due to damage to life or health of the citizen" ("Bulletin of the Supreme Court of the Russian Federation", 2010). The point 18 of the document states that "within the meaning of Article 1079 of the Civil Code, a source of danger should be recognized as any activity, the implementation of which creates a higher probability of causing damage because of the impossibility of total management of it by a person, as well as the use, transport, storage of objects, substances, and other objects of industrial, commercial or other purposes, having the same properties." Thus, the current legislation does not expressly include activities related to the keeping of the animals, to the source of increased danger.

Note that in accordance with Article 404 of the Civil Code of the RSFSR in 1922 persons, whose activities were associated with increased risk to others, including wildlife keepers, were responsible for the damaged caused by the source of increased danger. However, during the establishment of the following national civil codes, causing damage by animals, including wild animals, is not allocated by the legislator as a special delict.

However, in civil legislation of a number of former Soviet republics of the USSR, and now sovereign states there is a different approach to this problem. Thus, according to Article 1187 of the Civil Code of Ukraine a source of increased danger, in particular, it is an activity related to the keeping of wild animals, working dogs and dog fighting breeds ("Civil Code of Ukraine", 2016). In turn, the Civil Code of Tajikistan under the source of increased danger specifies, in addition to physical, physical-chemical, chemical and also biological force used by actors of civil rights by reason of their right of ownership, economic management or operational management or for other permitted grounds and representing increased danger to others (Article 1094) ("The Civil Code of Tajikistan", 2005).

In legal literature traditionally sources of increased danger include the keeping of wild animals (activity theory) of either the wild animals. Thus, O.A. Krasavchikov all sources of increased danger, depending on the form of energy, the concentrated in the objects of material world, divided into the following main groups: Physical, physical and chemical, chemical and biological (zoological and microbiological) (Krasavchikov, 1966). At the same time, according to the author, "increased danger can be represented by a relatively small circle of animals, kept by a person. These include certain types of reptiles, birds and carnivorous mammals (including poisonous snakes, wild animals, etc.)" (Krasavchikov, 1966).

In turn, A.A. Sobchak and V.T. Smirnov, as supporters of the theory of "object," also referred the wildlife to the sources of increased danger (Smirnov and Sobchak, 1983). A similar opinion is shared by Belyakova (1986).

We believe that the classification of keeping the wild animals (or wild animals themselves) to the source of increased danger in the doctrine of the Soviet period was largely determined by the provisions of the Civil Code of the RSFSR in 1922 (Article 404) and established on the basis of its jurisprudence.

In recent years research the issue in question is not so clearly resolved. It should be noted that the majority of the authors considers wildlife or activities related to their keeping, to the sources of increased danger (Zakharov, 2009; Letuta et al., 2014). At the same time, S.K. Shishkin said that cases of damage by wildlife is fully explained by the influence of the human factor. Therefore, the owners of wild animals cannot be subjects of the obligations arising out of harm by the source of increased danger. At the same time as an argument the author cites the fact that "the legislator consistently in the last two civil codes do not include an indicative list of activities associated with the keeping of wild and domestic animals..." (Shishkin, 2007). Meanwhile, considering the current realities, the regulation of the consolidated list of the sources of increased danger in legislation is impossible. "The list of sources of increased danger will undoubtedly vary along with the development of scientific and technological progress: Some objects will lose the character of being beyond the control and harmfulness, while others on the contrary appear" (Shevchenko and Shevchenko, 2013).

While agreeing in general with the position of experts who identify the activity on the keeping the wild animals to the source of increased danger, we note a few clarifying points.

Firstly, wild animal behavior cannot be under the absolute control of the person and can create increased danger to others. This is due to the fact that a wild animal is a special biological object, acting on the basis of various reflexes; its behavior is much more subject to natural instincts than the behavior of pets (Zakharov, 2009).

Secondly, not all the wild animals may be related to sources of increased danger (e.g., rabbits, squirrels, etc.). Taking into account the natural characteristics such animals as predators: Wolf, bear, leopard, tiger, jaguar, etc., (placental mammals detachment) should be considered wild.

Finally, thirdly, the question of the relevance of wildlife to sources of increased danger should be resolved taking into account the "material" and "legal" criteria for defining the owner of the source of increased danger. Based on the legal criterion it should be noted that any wild animal cannot be considered a source of increased danger, but only that which is the subject of property rights, other proprietary rights, the rights acquired on the basis of a contract

with the person. Therefore, animals harmful to human, which are free, cannot be considered as a source of increased danger.

Very significant is the use of legal criteria in the Decree of the Presidium of the Supreme Arbitration Court of the Russian Federation dated April 8, 1997 No. 5923/96 in a case related to car crash involving the run over of the moose as a result of which the animal died. General Directorate of Nature Management of the Perm Region appealed to the arbitration tribunal with a claim to the owner of the vehicle for compensation of damages caused to the animal world. The defendant claims not guilty on the grounds that the harm caused by the interaction of the two sources of increased danger. The Presidium granted the plaintiff's claim, noting in the decision that "the Court can neither recognize the fact itself that the damage was caused by the interaction of the two sources of increased danger, as run over moose is an inhabitant of the natural, not artificial, environment created by legal or private persons for animals" ("Resolution of the Presidium of the Supreme Arbitration Court of the Russian Federation from April 8, 1997 No. 5923/96", 1997).

In accordance with the substantive criteria owner of the source of increased danger is admitted only the owner or other owner with the title who this or that way uses an animal, having the actual dominion over the animal as over the object of the corresponding law.

Summarizing, we can conclude that only wild animals taken out of the environment and being in captivity (zoos, circuses, etc.) can be referred to the source of increased danger Accordingly, responsibility for the damage caused by wildlife, is more stringent than the normal civil – legal liability, as occurs regardless of the guilt of persons carrying out activities of keeping these animals.

Due to the increasing number of attacks of pets on human, modern legal literature draws more and more attention to the characteristics of the owner's responsibility for causing harm by pets and the system of insurance of the damage caused to a person. At the same time, opinion on the issue of recognition of pets (keeping the pets) as a source of danger is divided in the science of civil law.

Thus, A.S. Shevchenko and G.N. Shevchenko believe that pets, especially dogs of certain breeds can be recognized as a source of increased danger due to the fact that being aggressive, these dogs may be beyond the control of man (Shevchenko and Shevchenko, 2013). A.D. Zakharov believes that a sources of increased danger "should include a clearly defined category of animals, for instance, large farm animals (buffaloes, bulls, yaks), aggressive dogs and dogs of fighting breeds" (Zakharov, 2009).

In turn, S.K. Shishkin, maintaining the traditional approach of the Soviet civilizes to solving this problem, considers groundless to refer pets to sources of increased danger (Shishkin, 2007).

Some of the opinions expressed in legal literature on this issue, are quite contradictory. For example, E.V. Chinchevich, on the one hand, considers that the dogs of potentially dangerous breeds and other animals, which genetic properties make it impossible to exercise total control over them by a person must be referred to sources of increased danger. On the other hand, correcting the concept of the source of increased danger, contained in the point 18 of the Resolution of the Plenum of the Supreme Court on January 26, 2010 No.1, the author suggests to incorporate the provision relating to the source of increased danger only wild animals in the state of captivity and laboratory animals (Chinchevich, 2012).

Considering that Article 1079 of the Civil Code does not contain an exhaustive list of sources of increased danger, the court, taking into account the special properties of objects, materials or other objects used in the normal course of business, the right to recognize a source of danger as other activities not specified in the list (Point 18 of Resolution of the Plenum of the Supreme Court on dated January 26, 2010 No.1 "On the application by the courts of civil law the governing relations for the liabilities due to damage to life or health of the citizen"). In this regard, the jurisprudence has appeared quite a lot of conflicting and inconsistent court decisions on cases involving injury by pets.

Analysis of judicial practice in recent years in this sphere has shown that in cases with the same background (causing harm to human health by a dog that has the rightful owner) to make exactly the opposite in fact solutions. As a general trend it should be stressed that the courts increasingly recognize the dogs a source of danger, while widely treating conditions of guilt of dog owners in the non-implementation of proper control over them. Note that the courts related to these sources the dogs of the following breeds: "Black terrier" ("Appellate decision of the Moscow City Court on 18 January 2013 in the case No. 11-1754", 2013), "Central Asian Shepherd" ("Appellate decision of the Vologda Regional Court on July 3, 2013 No. 33-2989/2013", 2013), "Alabai" ("Appellate decision of the Smolensk Regional Court on 22 July 2014 in the case No. 33-2570/2014", 2014). At the same time the dog of the breed "shepherd" was not considered as a source of increased danger by the Court ("Appellate Decision of the Krasnoyarsk Regional Court on October 20, 2014 No. 33-10036/2014 A-57", 2014).

Quite often, the courts, having recognized a dog as a source of increased danger, establish at the same time the fault of its owner, despite the fact that, under Article 1079 of the Civil Code the owner of the source of increased danger is responsible regardless of fault. For example, in a case involving an injury to the health by the Rottweiler, the Court underlined that "the defendant's dog... of Rottweiler breed" can be related to source of increased danger, because it has some characteristics of such sources. Meanwhile, in the essence of the legal proceeding in the present case are the regulations of "general delict" (Article 1064 of the Civil Code).

Mixing the provisions of the general and special delict can be observed in other legal proceedings. Thus, in the case regarding the injury to the child by the "large dog," the Court applied the general rule of delict, noting that "party which caused the injury shall not be held liable for compensation for damage if he proves that the damage caused is not his fault". However, determining the size of the compensation for moral injury, the Court referred to the regulations of the source of increased danger, "according to the

Article 1100 of the Civil Code the compensation for moral injury is done regardless of the guilt of the tortfeasor when the harm caused to the life or health of a citizen was by the source of increased danger" ("Appellate Decision of the Khabarovsk Regional Court on 11 August 2014 in the case No. 33-7661/2014", 2016).

Thus, the inconsistency of judicial practice in the field of harm to the life (health) by pets, requires a speedy solution of the problem of a uniform legal qualification of these cases. We believe that the simplest, but quite effective approach to the problem will be non-recognition the domestic animals or their maintenance activities as a source of increased danger. In this context, the suggestion to include in the definition of sources of increased danger (Part 1 of Article 1079 of the Civil Code) activity on the keeping of domestic animals (Letuta et al., 2014) seems to be premature, because the said activity is generally under the control of human.

This approach was justified in 1966 by N.I. Konyaev, who believed that "pets should be kept in conditions, completely excluding the possibility of harm to others, or causing harm to by these animals is only possible due to lack of supervision on the part of the owner" (Konyaev, 1966).

In support of the above-mentioned point of view, we present a few arguments.

1. The sources of increased danger in the legal literature, as a rule, include dogs of "potentially dangerous breeds due to their genetic properties (aggression)" (Chinchevich, 2012), aggressive dogs and dogs of fighting breeds, large dogs (Zakharov, 2009) dogs of "dangerous breeds" (Letuta et al., 2014).

   In turn, in the judicial practice, there are the following features that characterize dogs as a source of increased danger, "breeds having determinate qualities of aggression and strength" the dog having the specific properties, working dogs, dogs especially large breed (adults up to 69 kg).

   As you can see, there are no clear criteria in the doctrine and not in judicial practice regarding the recognition of the dogs as sources of increased danger. At the same time, at the federal level there is no definition of "dangerous breed of dogs" and no any specific requirements for their keeping. Note that the animal may be large, but not aggressive, not related to the service and fighting breeds, but, on the contrary, show aggression, etc. "Using breed trait may be difficult in practice, as the breed of dog cannot always be reliably specified, and is too conditional and erratic property of the animal" (Boldinov, 2002). We believe that even in case of adoption in legal science of the proposed complex normative and legal act relating certain pets to the sources of increased danger (Chinchevich, 2012), is unlikely to resolve the matter under consideration, taking into account the possibility of mixing the breeds and other factors.

   Moreover, other pets can be also aggressive causing more significant damage than dogs. However, such animals like sheep, horses, cows, calves' courts traditionally are not recognized the sources of increased danger by the court ("Appellate decision of the Supreme Court of the Republic of Bashkortostan on August 7, 2014 in case No. 33-10875/2014", 2014; "Appeal of the Supreme Court of the Republic of Tatarstan on 19 May 2014 in the case No. 33-6681/2014", 2014; "Appellate decision of the Novosibirsk Regional Court on 14 April 2015 in the case No. 33-3040/2015", 2015) (Note 13).

   Thus, it appears that the incidence of harm pets are connected not so much with the breed of the animal, how many are due to human factors (irresponsibility, carelessness, negligence, mistakes in the upbringing of the animal, and others).

2. Keeping and breeding of dogs, cattle etc., is a common activity that does not require special permissions and does not meet the featured activities of increased danger to others. Moreover, this activity is not subject to compulsory insurance as opposed to the truly hazardous activities.

   Some modern interpretations of the concept of the source of increased danger take into account the additional features of this phenomenon. For example, S.K. Solomin, N.G. Solomina believes that such activity should be offered more stringent requirements for its conduct, in particular the existence of permission, assess or a license. While the actions of citizens to meet the home, family, and other similar purposes, cannot lead to the formation of sources of increased danger. Therefore, according to these authors, cases of harm by the animals that are in the property of citizens, including dogs of fighting breeds, cannot fall within the scope of Article 1079 of the Civil Code (Solomin and Solomina, 2014).

3. In accordance with the current approach to the problem of the legal qualification of harm by pets, we note that the responsibility of their respective owners should be based on the principle of general delict. Therefore, necessary conditions of responsibility shall be established when deciding on the compensation of damages: The unlawfulness, the fact of the injury; causal link between the wrongful acts and the harm arising; guilt.

   At that, wrongful conduct of pet owner can be expressed both in active form (for example, obtaining the commands for attack by the animal) and passive (improper supervision of animals, etc.).

Considering own guilty conduct of pet owners as a condition of responsibility for damage, it should be noted that the Civil Code of the Russian Federation establishes a presumption of guilt, according to which the person who caused the damage, shall be guilty unless proven otherwise. That is, the party which caused the damage is released from his compensation if he proves that the damage was caused through no fault of his (Paragraph 2 of Article 1064 of the Civil Code). We believe that the concept of guilt of dog owners and other pets should be interpreted widely.

Under the guilt of this party the understood is the failure to provide proper supervision of the animals; failure to take appropriate

security measures to prevent the possibility of an attack on others; failure to provide proper keeping and adequate level of control over the animals, which resulted in damage to third parties. So, the fact that the dog is out of its owner control should be regarded as his guilty wrongful conduct – namely, the violation of the rules of animal welfare.

In order to prove the absence of guilt the pet owner must give good reasons, such as to:

Targeted actions to limit or minimize the risk of harm are known as risk management.

The conceptual approach of the use of risk management in the life insurance and the consequences of harming by animals includes three major items: Identification of the effects of animals at risk of harm; ability to react to the possible negative consequences of this activity; the development and implementation of the measures by means of which the probability negative results of the taken actions can be neutralized or compensated.

Risk management in insurance is carried out in two stages: Preparation, which involves a comparison of the characteristics and risk probabilities derived from the analysis and risk assessment. At this stage the alternatives in which the amount of risk remains socially acceptable are identified. Establishing the priorities, i.e., a range of problems and issues that require urgent attention are underlined. Thus, it becomes possible to rank the available alternatives on the basis of the acceptability of risk contained in them: The risk is completely acceptable, partially acceptable, and completely unacceptable; the choice of specific measures to help eliminating or minimizing the possible negative consequences of risk.

This phase includes the development of preventive organizational and operational procedures. For the insurer, this step may constitute in preparation and issuance of the specific recommendations to persons who take or implement decision concerning the risk.

One alternative procedures and measures enabling the prompt respond to the adverse effects in risky situation, is a specially designed situational plan that contains provisions to be followed by everyone in a given situation and the description of the expected consequences. Based on the situational plan, the person taking risky decisions is able to act quickly in adverse situations and become more prepared for actions in emergency situations. Thus, situational plans are a means of reducing of uncertainty and have a positive effect on the activity of subjects in risky situations.

Through risk management, the insurer – manager draws attention to the legal aspect. Legal security is the development and adoption of laws and regulations that minimize or mitigate the risk. The regulations shall cover the problem of when and under what conditions the risk is justified, lawful and appropriate.

The effectiveness of risk management within the insurance population largely depends on the degree of collective participation in development and decision-making. The general rule, which reflects the essence of this process is as follows: The smaller the degree of personal involvement in the events and the lesser he knows about the consequences of his decisions, the more he is inclined to make decisions with the risk of a negative result.

Thus, the application of the principle of general delict in responsibility of pet owners taking into account the broad interpretation of the guilt of these individuals is unlikely to infringe upon the interests of the victims. Moreover, the courts, even recognizing the pet a source of increased danger, as a rule, at the same time establish the guilt of the owner in causing harm.

5. CONCLUSION

Summarizing the above stated, we can draw the following conclusions. Causing harm by wildlife possessed by individuals or legal entities can be qualified as causing harm by the source of increased danger (article 1079 of the Civil Code). Responsibility for damage caused by wild animals is more stringent than the normal civil responsibility, as occurs regardless of the guilt of persons keeping these animals. In turn, the responsibility of pet owners in case of injury by pets should be based on the principles of general delict taking into account the guilt of these entities (Article 1064 of the Civil Code). The proposed approach will avoid the errors of law enforcement and will promote a uniform court practice in sphere under consideration.

REFERENCES

Appeal of the Supreme Court of the Republic of Tatarstan on 19 May, 2014 in the Case No. 33-6681/2014. (2014), Consultant Plus. Available from: http://www.base.consultant.ru/cons/cgi/online.cgi?req=doc;base=SOJ;n=1032450. [Last retrieved on 2016 Mar 04].

Appellate Decision of the Khabarovsk Regional Court on 11 August, 2014 in the Case No. 33-7661/2014. (2016), Base.consultant.ru. Available from: http://www.base.consultant.ru/cons/cgi/online.cgi?req=doc;base=SOJ;n=1322134. [Last retrieved on 2016 Mar 05].

Appellate Decision of the Krasnoyarsk Regional Court on October 20, 2014 No. 33-10036/2014 A-57. (2014), Consultant Plus. Available from: http://www.base.consultant.ru/cons/cgi/online.cgi?req=doc;base=SOJ;n=1110752. [Last retrieved on 2016 Mar 04].

Appellate Decision of the Moscow City Court on 18 January, 2013 in the Case No. 11-1754. (2013), Consultant Plus. Available from: http://www.base.consultant.ru/cons/cgi/online.cgi?req=doc;base=SOJ;n=570109. [Last retrieved on 2016 Mar 04].

Appellate Decision of the Novosibirsk Regional Court on 14 April, 2015 in the Case No 33-3040/2015. (2015), Consultant Plus. Available from: http://www.base.consultant.ru/cons/cgi/online.cgi?req=doc;base=SOJ;n=1234920. [Last retrieved on 2016 Jul 21].

Appellate Decision of the Smolensk Regional Court on 22 July, 2014 in the Case No. 33-2570/2014. (2014), Consultant Plus. Available from: http://www.base.consultant.ru/cons/cgi/online.cgi?req=doc;base=SOJ;n=1106472. [Last retrieved on 2016 Mar 05].

Appellate Decision of the Supreme Court of the Republic of Bashkortostan on August 7, 2014 in Case No. 33-10875/2014. (2014), Consultant Plus. Available from: http://www.base.consultant.ru/cons/cgi/online.cgi?req=doc;base=SOJ;n=1017964. [Last retrieved on 2016 Mar 05].

Appellate Decision of the Vologda Regional Court on July 3, 2013 No. 33-2989/2013. (2013), Consultant Plus. Available from: http://www.base.

consultant.ru/cons/cgi/online.cgi?req=doc;base=SOJ;n=707990. [Last retrieved on 2016 Mar 05].
Belyakova, A. (1986), Civil Liability for Injury. Moscow: MSU. p115.
Boldinov, V. (2002), Liability for Injury by A Source of Increased Danger. Saint Petersburg: Legal Center Press.
Bulletin of the Supreme Court of the Russian Federation. (2010), Supreme Court of the Russian Federation. Available from: http://www.vsrf.ru/vscourt_detale.php?id=6198. [Last retrieved on 2016 Mar 07].
Chinchevich, E. (2012), Compensation of damage caused to life and health by animals. Dissertation Abstract of PhD of Legal Science. Saratov: Saratov State Academy of Law.
Civil Code of Ukraine. (2016), Meget.kiev.ua. Available from: http://www.meget.kiev.ua/kodeks/grazdanskiy-kodeks/. [Last retrieved on 2016 Mar 05].
Denisov, S., Semenov, K. (2012), Animals as a source of danger to human: The need to bridge the criminal gap. Bulletin of Saint Petersburg University of the Ministry of Interior Affairs of Russia, 2, 127.
Fleyshits, E. (1951), The Liabilities of the Injury and of the Unreasonable Gains. Moscow: Gosyurizdat. p131.
Konyaev, N. (1966), Liabilities arising from the harm by the source of increased danger. Dissertation Abstract of PhD of Legal Science. Moscow: MSU.
Krasavchikov, O. (1966), Compensation of Damage Caused by the Source of Increased Danger. Moscow: Legal Literature.
Letuta, T., Mineev, E., Shipilova, O. (2014), The harm caused by the animals: Problems of civil - Legal protection of victims. Bulletin of the Orenburg State University, 3(164), 30-32.
Maleina, M. (2002), Civil Law. Textbook, Part Two. Moscow: Jurist. p520.
Prischepa, S. (2009), Problems of legal regulation of activity that creates an increased danger to others. Theory and Practice of Social Development, 3, 252.
Resolution of the Presidium of the Supreme Arbitration Court of the Russian Federation from April 8, 1997 No. 5923/96. (1997), SudBiblioteka. Available from: http://www.sudbiblioteka.ru/as/text1/vassud_big_1701.htm. [Retrieved 2016 Mar 05].
Sergeeva, A. (2009), Civil Law: The Textbook. Vol. 3 of 3. Moscow: TK Welby. p57.
Shevchenko, A., Shevchenko, G. (2013), Delict Liability in the Russian Civil Law: Textbook. Moscow: Status.
Shishkin, S. (2007), Liability of Damage Caused to the Activity that Creates an Increased Danger to Others. Moscow: Os-89.
Smirnov, V., Sobchak, A. (1983), General Theory of Delict Liabilities in the Soviet Civil Law. Leningrad: Leningrad State University. p33.
Solomin, S., Solomina, N. (2014), To a question about the concept of the source of increased danger. Zakon, 12, 82-89.
The Civil Code of Tajikistan. (2005), Asia-realty.ru. Available from: http://www.asia-realty.ru/co-zakon-tajikistan.php?Id=347. [Last retrieved on 2016 Jul 21].
Zakharov, D. (2009), Animals as a source of increased danger. Russian Legislation, Education, Practice, Science, 9(62), 98-100.