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TÍTULO: Alianzas estratégicas rusas e internacionales en el ámbito tecnológico como factor en el desarrollo de una economía moderna e innovadora.

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RESUMEN: El artículo está dedicado al análisis económico y legal de los procesos comerciales de integración en la economía mundial y rusa. El estudio muestra cómo las alianzas estratégicas contractuales aseguran un desarrollo sostenible y efectivo del sector tecnológico de la economía de cada estado. Se revela el papel de las alianzas tecnológicas en el funcionamiento y la competitividad de una empresa en particular. Los autores revelan las posibles formas de establecer alianzas estratégicas con la participación de empresas rusas. Se enfatiza que el proceso de establecer asociaciones a largo plazo entre entidades rusas y extranjeras y la creación de asociaciones transnacionales actualmente tiene una serie de obstáculos objetivos.

PALABRAS CLAVES: Alianzas estratégicas tecnológicas, cooperación entre empresas, estrategias de inversión.

TITLE: Russian and international strategic alliances in the technological sphere as a factor in the development of modern innovative economy.

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ABSTRACT: The article is devoted to the economic and legal analysis of business processes of integration in the world and Russian economy. The study shows how contractual strategic alliances ensure sustainable and effective development of the technological sector of the economy of each state. The role of technological alliances in the functioning and competitiveness of a particular company is revealed. The authors reveal the possible forms of establishing strategic alliances with the participation of Russian companies. It is emphasized that the process of establishing long-term partnerships between Russian and foreign entities and the creation of transnational associations currently has a number of objective obstacles.

KEY WORDS: Technological strategic alliances, inter-firm cooperation, investment strategies.

INTRODUCTION.

Business globalization is one of the main trends of economic development. The degree of interconnection and interdependence between entrepreneurs has increased, which led to the emergence of a new type of cooperation, one of which is integration associations (called strategic alliances, strategic alliances, strategic partnerships, etc.).

Strategic alliances are the most promising form of integration of legal entities and citizens-entrepreneurs. They proved to be the preferred form of interaction for various business structures. As a result, a large number of complex networks of subsidiaries and inter-firm partnerships have emerged with cross-ownership of shares, mutual membership in boards of Directors, and ever-changing operational and financial links in the value chain.

In the 1990s, more than 60,000 strategic alliances were created in the world. About half of them were joint ventures, the rest were contractual associations based, inter alia, on agreements on the use of technology, agreements on joint market entry or joint research projects. Most of them had the status of international, so it is not surprising that the world's largest corporations often turned to this form of cooperation: IBM (254 partnership), General Motors (138), Mitsubishi (233), Toshiba (147), Philips (207) and Siemens (200) — just a few examples (Persy, 2019). Larionova et al., 2016).

The profitability and success of such a combination of capital and efforts of commercial companies, primarily in the field of technology is quite obvious.

As an example, the partnership between Microsoft and IBM, concluded in 1980, according to which all computers produced by IBM had a DOS operating system. When the first personal computer from IBM was born, Microsoft was the only company that offered it an operating system, a programming language and applications. By 1990, Microsoft's share in the global computer market exceeded 90%. In 2016, the market capitalization of the company exceeded \$481 billion, and its founder Bill Gates was considered the richest man in the world (his fortune is estimated at \$81.7 billion) (Elkina, 2019).

Another striking example of the development of international technological alliances can be considered international aviation alliances. On May 14, 1997, five airlines — Air Canada, Lufthansa, SAS, Thai Airways International and United Airlines — created Star Alliance, which is now considered the oldest Association in the market. Following him, on February 1, 1999, appeared Oneworld (which at that time included American Airlines, British Airways, Canadian Airlines, Cathay Pacific and Qantas Airways), and June 22, 2000 — SkyTeam as part of Aegomehiso, Air France, Delta and Korean Air. Thanks to the creation in Europe of a single air transport market and its liberalization, carriers of the European Union received unlimited access to all routes within the EU. In 1997, European carriers were granted the right to cabotage between airports located in the territory of other EU member States. The creation of a single European aviation market created 1.4 million jobs; the

liberalization of key routes globally created 24.1 million new jobs and attracted \$ 490 billion to the economy (Rozhko et al., 2011).

Transnational companies engaged in technological fields usually have their Assembly plants abroad, which also involves the conclusion of long-term cooperation agreements. The key assembler of Apple products, for example, is the Taiwanese company Hon Hai Precision Industry, also known as Foxconn Technology Group (Foxconn). Most screens for Apple products are manufactured in Japan by Japan Display and Sharp corporations, some screens are manufactured in South Korea by LG Display Corporation. Production of buttons, scanning fingerprint (Touch ID sensor) for iPad (tablet computer) and iPhone (smartphone) models are produced in Taiwan by TSMC (Taiwan Semiconductor Manufacturing Company) and Xintec corporations, accelerometer is made by the German Bosch Corporation, batteries are made in South Korea by Samsung Corporation and in China by Huizhou Desay Battery, cameras - Japanese Sony Corporation and Taiwanese TSMC, processors and chipset-South Korean Samsung and Taiwanese TSMC etc. The number of suppliers for the production of components for Apple products has more than 200 companies located around the world (Ushanov, 2017).

The modern process of globalization has caused new forms of cooperation in the field of business. New forms of cooperation with contractors bring new risks and change existing ones.

DEVELOPMENT.

Methodology.

The theoretical and methodological basis of the study is made up of Russian and foreign monographs, articles and analytical reviews on integration processes and partnership agreements in the technological field.

The work is based on general methods, such as: methods of system analysis, expert analysis, statistical analysis, methods of structural and functional analysis, expert estimates. The study is also based on

comparative legal and formal legal methods for identifying and studying strategic alliances as new economic phenomena, which made it possible to reveal possible forms of establishing strategic alliances with the participation of Russian companies.

The aim of this work is to determine the legal component of the creation and development of technological strategic alliances, as an independent aspect of the study of national experience and the experience of other countries.

The article is devoted to the economic and legal analysis of integration business processes in the global and Russian economies. The study shows how contractual strategic alliances ensure the sustainable and effective development of the technological sector of the economy of each state. Based on the analysis of world and Russian experience, a systematic review, and own conclusions, the features of creating such structures are presented. The possible forms of establishing strategic alliances with the participation of Russian companies are analyzed. It is emphasized that the process of establishing long-term partnerships between Russian and foreign entities and the creation of transnational associations, at present, also has a number of objective obstacles.

The study concluded that the creation of such contractual associations can become a tool to reduce operational risks for specific participants, since reducing transaction costs and the impact of business synergies bring the organization closer to achieving strategic goals.

Strategic alliances and partnership agreements in Russia are a relatively recent phenomenon. In the early 1990s, with the transition of the Russian economy to the market, it was laid the formation of private property, the creation of private commercial organizations, the formation of economic and legal prerequisites - the basis for the comprehensive development of strategic international cooperation. One of the first forms of such an international integration Association can be called a joint venture. In the Russian legislation of the RSFSR The law of 04.07.1991 №1545-1 "On foreign investments in the RSFSR" introduced the concept of "joint venture" (Kuznetsov, 2011). Although

the economy of the USSR also had joint ventures, and before the introduction of the law (according to statistics in the USSR from 1989 to 1990 was formed about 620 joint ventures), but thanks to the creation of a market economy it was possible to form an independent cooperation between Russian and foreign companies. One of the alternatives of the joint venture was the integration associations of entrepreneurs, referred to in the economic literature as "strategic alliances.

Analysis of foreign and domestic approaches to the study of international strategic alliances, suggests the absence of a single definition. Currently, there is no opinion or term that would fully characterize this economic phenomenon.

Some scientists believe that strategic alliances are business relationships of organizations in the domestic or international market, combining the advantages of the company, risk sharing and integration of functions to achieve mutual benefit (Aslanov et al., 2016). Others note that a strategic Alliance is an Alliance that brings together two or more members of an organization to achieve certain long-term goals and objectives that are mutually beneficial. These goals and objectives can be pursued in both economic and other spheres of social activity. Mutual benefit does not mean equal income, but means that all members of the Alliance profit from participation depending on the contribution (Koroleva, 2009).

Some researchers believe that a strategic Alliance is a contractual relationship between two or more legally independent organizations, with the possible formation of a third legal entity, to implement long-term goals of the Alliance, which is created for mutual benefit, the purpose of which is to jointly achieve the goals of the Alliance partners, aimed at improving competitiveness, while maintaining their economic and legal independence (Bakulina, 2016). The creation of an Alliance means that, as a rule, there are many agreements between entrepreneurs, according to which they work to achieve certain specific goals (Gohan, 2010). These scientists have identified strategic alliances as contractual

relations, considering that the characteristic of strategic alliances is the legal and economic independence of partners, their trust relationships, as well as openness of intentions.

We believe that a strategic Alliance is largely a new form of cooperation between the companies of the Russian Federation in the sphere of economic activity, is a long-term contractual cooperation, which is based on different legal facts.

For the Russian economy, the creation of such alliances has great potential. Unfortunately, in quantitative terms, this form of integration lags far behind Western competitors. For example, as of December 2014, experts in the Russian market identified about 100 such structures, while in Western countries there were more than 850 combined companies. This is partly due to the history of the Russian economy, as large unions consist of previously incorporated or privatized companies. Changes in Russia's economic policy in the post-Soviet period created only prerequisites for the integration of companies into these alliances. While European countries have gained considerable experience in the field of education and activities of international economic unions, there is a practice of regulation of such activities and experience of international cooperation.

There is no theory or approach that can clearly classify strategic alliances and options for managing them. The reason for this is the relatively young age of this phenomenon and its uniqueness, which is manifested in the exclusivity of each Alliance. The complexity of the analysis is also manifested in the fact that most companies prefer the closed nature of information about their activities in the mode of "trade secrets". The most interesting are commercial legal entities that are open (public) companies, due to their obligation to disclose information about their activities, and the availability of statistical data collected by information and rating agencies.

Discussion and results.

Strategic alliances are a unique form of cooperation between companies that not only reflect on external conditions, but often change them for themselves. Under normal conditions, the creation of

strategic alliances, of course, has a positive impact on the economic and social growth of the countries in which the members of the Alliance are located.

The regulatory framework and business practices in Russia have predetermined many characteristics of strategic alliances.

Depending on the goals and conceptual approaches to the formation of inter-firm interactions in Economics, there are two main forms of unification and coordination of efforts and capital: networks and alliances. All other associations are derived from the above and differ from each other in the principles and methods of their creation.

Networks are a set of stable multiple connections between formally independent market participants. In the absence of non-competition agreements, each company can be a member of several business networks at the same time. Moreover, the creation of networks (franchising, distribution) is often more preferable when crossing borders than the creation of foreign branches due to national legal restrictions (Gomes-Casseres, 1998; Ilyukhina, 2009).

Strategic alliances can be created to achieve a variety of purposes: - joint production; joint; joint marketing; joint research and development and development of new products; agreement on mutual supplies, etc. Alliances differ from each other in terms of obligations and rights of each partner.

As noted in the scientific literature, the characteristics of the formation of a strategic Alliance with the participation of Russian companies are different (Shtykov, 2009). Such alliances are based, most often, on the following legal facts.

First, the most commonly used in this field is the contract of simple partnership (contract on joint activity) according to which two or more of the entity (partners) undertake to combine their capital and work together, not form a new legal entity, focusing on the extraction of profit or achievement of other purpose not contradicting the current legislation.

Secondly, service contracts with risk are one of the contractual forms of relations between the state and an individual in the field of subsoil use, where there is subject composition (state and private person - investor) and the object of contractual relations (subsoil). The owner of all extracted is the state. Depending on whether the remuneration of the service company is related to profit, it is customary to distinguish two types of service agreements: with risk (risk service agreements) and without risk. The state uses service agreements with risk when there is no confidence in the success of the project. If such a possibility exists, the state would rather use the service agreement without risk. In Russia, the model of a service agreement with risk was adapted for the conclusion of contracts between foreign oil companies (IOC - international oil company) and national companies Gazprom and Rosneft. Examples of concluding service agreements with risk in Russian energy practice are Gazprom's transactions with Wintershall, Statoil, Total. As well as transactions of Rosneft with Exxon Mobil, Eni, Statoil. However, despite the active application of service agreements with risk, there is no proper legal framework for them in Russia (Mukhamedzyanova, 2013).

Third, long-term partnerships are aimed at Contracting and sub-Contracting work with independent companies.

With the development of the economy and the complexity of contractual structures in the economic turnover, there were special types of contractual relations in the provision of oil services. These contractual relationships include contracts for the execution of major capital projects, namely contracts under EPC (engineering, procurement, construction or elements), General contractor services (design, procurement, construction or components) and EPCM contracts (engineering & procurement services and construction management), design and procurement services, as well as construction management services. These agreements are relatively new in the Russian civil turnover, but are often used in foreign countries.

When establishing an inter-firm contractual relationship, one of the most popular is the outsourcing contract, involving the transfer of a third-party service provider (contractor) of the business functions, or parts of the business process of the company. Outsourcing solves the problems of performing certain functions in the field of information technology, supply and supply, maintenance, Finance, staffing and even production.

However, the Alliance is not just a contractual relationship with any other private or public (municipal) companies that are directly related to business, goods or services. Long-term relationships between the same members are more preferable for the Alliance, and their participation in other associations is undesirable, especially in the case of a strategic Alliance with a large Corporation. The choice of the type of Association when creating an integrated structure is determined, first of all, by the specifics of the production process, and secondly, by the degree of readiness of partners for inter – firm interaction (Botnaryuk et al., 2011).

Fourthly, with multiple objectives, when, for example, the transfer of new technologies, the exchange of components, the joint sale of products linked together, as a rule, the mutual exchange of minority stakes occurs at the same time (Pavlov, 2019; Kovalenko et al., 2019). To companies with this business model includes all major oil and gas holdings in the world: ExxonMobil, OAO "NK "Rosneft" CNPC, BP, Shell, Total, OAO "LUKOIL", OJSC "Gazpromneft" and others. These companies are complex holding entities, carrying out the entire production chain from exploration and production of oil to the sale of products of processing of extracted raw materials to the final consumer (Ivanov, 2013). At the same time, investment strategies and trade technologies become more complicated, "investment chains" lengthen, the role of financial infrastructure, including public stock markets, as well as various intermediaries, increases (Gusakov, 2019).

Gazprom has the greatest experience in international cooperation and a large number of important global projects, strategic alliances and agreements on the Union. In 2011, the company completed the acquisition of 100% stake in Beltrans-GAZ and became the owner of the GTS of Belarus. In April and June 2017 signed agreements on financing the construction of the sea gas pipeline "Northern stream — 2" ENGIE, OMV, Shell, Uniper and Wintershall Holding. During 2017. Gazprom and Iranian companies signed a number of agreements on cooperation in the exploration, production, transportation, processing and sale of hydrocarbons. In the same year, in order to implement the Baltic LNG project, PJSC Gazprom and Shell signed the Basic terms of the joint venture agreement, which will carry out work to attract financing, design, construction and operation of the Baltic LNG plant, as well as a Framework agreement on the joint development of pre-project documentation.

Forms and mechanisms of inter-firm cooperation are being improved in modern alliances. It is not surprising that modern strategic alliances can rely on framework agreements, and sometimes on tacit (oral) agreements, the conclusion of which does not require administrative permits, notifications or registration, and in which partners retain full legal independence.

The sphere of activity under consideration has some specific features:

Initial. Combining the efforts of entrepreneurs can lead to the emergence of a larger player in a certain area of the market and thus affect competition and violate competition law. In the Russian Federation, actions aimed at economic concentration have always been the object of close attention of the Federal Antimonopoly service of the Russian Federation (FAS). Wrongful concerted actions of the subjects of collective dominance, restricting competition, or abuse in any subject of collective dominance its dominant position. Agreement on joint activity and (or) the establishment of joint ventures may be subject to General rules on approval of economic concentration transactions depending on the structure of the project (e.g., the acquisition of shares (participation interests) or assets). The prohibition of cartel agreements applies not only to competitors - sellers, but also to competitors -

buyers. A "vertical" agreements (between seller and buyer) are allowed if the share of each party in the market that is the subject of the agreement does not exceed 20 %.

Second. A positive aspect of the current state of business in the Russian Federation is seen in the gradual departure from mergers and acquisitions (m&a transactions), which in the tenth years of the XXI century often took the form of raider attacks. Most Russian companies moved their activities from mergers to alliances that led to a more significant economic benefit.

Third. The greatest difficulty is the development of control procedures in the Alliance, where the interests of each of the partners differ, which is typical mainly for contractual alliances. Naturally, all the conditions and decision-making procedure should be fixed in the Treaty on the establishment of the Alliance and known to all its participants. The presence of control automatically leads to the development of other differentiating corporate group criteria, such as: a special decision-making system, a coordinated development strategy, centralized management, etc (Kuvaldina et al., 2016).

Because of the relatively long forms Dogovernogo cooperation, strategic alliances represent a format of business that stipulates the possibility of joint use of resources and management structures that should ensure joint achievement of targets and objectives defined in the corporate mission of each of the organizations included in this Alliance (Kurennaya, 2017; Kovalenko, 2019). Under normal circumstances, the creation of strategic alliances will certainly have a positive impact on the economic and social growth of the countries in which the members of such an Alliance are located.

Therefore, at present, a significant business trend is the process of establishing long-term partnerships with Russian and foreign partners and the creation of transnational companies (TNCs). Analysis of the existence of various international strategic associations, unions and alliances shows that the countries where they are located, in every way contribute to their development of relations. The actions of Russian companies in the international arena under the economic sanctions of the EEC and the United States gave impetus to the modernization and strengthening of strategic international

alliances, such as the EAEU (Eurasian economic Union) and BRICS (short for Brazil, Russia, India, China, South Africa).

Large companies and international strategic alliances can still form the basis of the modern corporate Russian economy. But there are also objective obstacles caused by the transformation of both modern economic and political realities.

After the financial crisis of 2008 in the Russian Federation, the construction of long-term integration relations on the part of private, first of all, medium and small businesses was slowed down.

The search for new models of strategic alliances, the possibility of interaction between business and public entities, the definition of ways of development in this direction, has become a defining trend at the state level, and then the subjects of the Russian Federation and municipalities. In 2009, at the initiative of the leading funding and expert organizations, a non-profit partnership "Center for public-private partnership development" was organized, the main task of which was to consolidate the market participants of infrastructure projects for the introduction of public-private partnership mechanisms in Russia. Special unions between public-public entities and the private sector - "public-private partnership" and "municipal-private partnership" were finally fixed by the Federal law of 13.07.2015 N 224-FZ (ed. from 03.07.2016) "on public-private partnership, municipal-private partnership in the Russian Federation and amendments to certain legislative acts of the Russian Federation" (Suslova, 2019).

Changes in the political situation in Russia have put the technological sectors of the economy in a very difficult position. From 2014 to the present time, Russian oil and other large industrial companies are subject to U.S. and EU sanctions. Their foreign assets and property have been frozen, some types of goods have been banned, and the provision of technology to them has been banned. Access to foreign capital markets and loans is strictly limited for Russian banks.

In particular, after the introduction of economic sanctions, many service companies refused to sign new contracts with Russian oil and gas companies. For example, in July 2014, Halliburton's management suspended international agreements between all major oil and gas structural customers of the US companies, which were Gazprom, Rosneft and LUKOIL.

The new situation means changes in the system of cooperation. Since 2014, in order to import substitution and assistance to its residents, the Government of the Russian Federation has approved the state program "development of industry and increase its competitiveness", including the sub-program "Development of industrial infrastructure and infrastructure to support activities in the field of industry" for the production of products within the industrial cluster. Currently, the Russian legislator attaches great importance to the implementation of regional programs for the development of innovative territorial clusters, including the optimization of the position of domestic enterprises in the production chains, promoting the growth of localization of production, as well as increasing the level of non-price competitiveness of domestic goods and services.

Despite all the existing problems associated with the formation and development of strategic alliances, their partners receive incomparably greater benefits from cooperation. It is no coincidence that the process of creating strategic alliances with Russian and foreign partners is now significantly intensified. Based on the analysis of modern features of the development of strategic alliances, it can be concluded that this form of partnership is one of the most promising areas of integration of Russian enterprises. Large companies and strategic alliances can become the basis of a modern developing state.

CONCLUSIONS.

Activities in Russia are based on objective integration and the process of establishing partnerships, including the search for cooperation projects. Treaty associations in various sectors of the economy are a global trend.

Undoubtedly, strategic alliances are not a permanent structure, but mutually beneficial partnership determines the sustainable development of companies and lays the Foundation for future investments. The activity of contractual alliances in Russia is based on objective integration and the process of establishing partnerships, including the search for cooperation projects. Large Russian companies are currently rethinking the role and place of strategic alliances in the economy. There is an understanding that the creation of contractual associations can bring a positive effect, lead to the creation of additional advantages and opportunities for the use of capital. According to the study, less than half of all established long-term alliances can overcome the boundaries of four years, and 41% of completed agreements have led to an increase in the competitiveness of some partners at the expense of the interests of other partners by 1.5 times.

Strategic alliances and partnerships strengthen the cooperation of individual companies and raise competition to a new level-between companies with different interest groups. As a result of its development, competition rules in sectors that promote "collective competition" are changing.

The creation of such contractual associations can become a tool to reduce operational risks for specific participants, since the reduction of transaction costs and the impact of business synergy bring the organization closer to achieving strategic goals. But, at the same time, the increased growth of opportunistic risk associated with the interaction of partners should be taken into account. In this case, it is very important to clarify the limits of the company's development, the direction of development and the achievability of the overall goals of the Alliance.

Of course, the state controls the economic concentration of business entities. But at the national level, the difficulties of the state in overseeing alliances are related to their diversity. In addition, when assessing the situation with international alliances, it is often difficult to determine which country's legislation should be followed. There is also a contradiction between the management of inter-firm relations in different legal systems.

At the moment, strategic alliances provide technological modernization of key production sectors that determine the role and place of the Russian Federation in the world economy; increase the integration of the Russian Federation into the global innovation system. Maintaining the integrity of the production cycle, economic integration associations allow to implement the latest technological methods of the production process.

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