

18

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GENERAL CHARACTERISTICS OF THE FOREIGN ECONOMIC RELATIONS

CARACTERÍSTICAS GENERALES DE LAS RELACIONES ECONÓMICAS CON EL EXTERIOR

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ABSTRACT

The author in this article reveals the developmental features of foreign economic relations that arise regarding the implementation of foreign economic activity and about its state regulation, carried out their differentiation, are determined by their objects, the range of subjects, content and grounds for the emergence and termination. The author tries on the basis of this research to develop on the basis of comparative analysis and dogmatic proposals for optimization of the normative regulation of foreign economic relations in Russia, as well as to formulate proposals to optimize the taxonomy of legal acts and explore the features of the external economic legislation, formulate proposals for a better implementation of the foreign economic activity of economic entities.

Keywords: Foreign economic activity, foreign economic relations, private law and public law relationship.

RESUMEN

El autor de este artículo revela las características del desarrollo de las relaciones económicas con el exterior que se plantean en relación con la ejecución de la actividad económica exterior y sobre su regulación estatal, llevado a cabo su diferenciación, son determinados por sus objetos, la gama de temas, el contenido y los motivos de la aparición y terminación. Los intentos de autor sobre la base de esta investigación para desarrollar sobre la base del análisis comparativo y propuestas dogmáticas para la optimización de la regulación normativa de las relaciones económicas con el exterior en Rusia, así como para formular propuestas para optimizar la taxonomía de los actos jurídicos y explorar las características de la legislación económica externa, formular propuestas para una mejor implementación de la actividad económica exterior de las entidades económicas.

Palabras clave: La actividad económica exterior, las relaciones económicas con el exterior, derecho privado y la relación de derecho público.

INTRODUCTION

For legal regulation, foreign economic activity is the public relations developing in the international circulation of objects of civil rights. Ideally, there are only two groups of relations: for the export of manufactured or purchased objects of civil rights from economies of the donor states to the economies of the recipient states (export relations of objects of civil rights) and for the import in the economy of the state recipient of objects of the civil rights made or acquired by economy of the donor state (import relations of objects of civil rights). However, in reality, a list of groups of relations that form foreign economic activity is much broader.

The whole history of the development of foreign economic activity in Russia shows that this activity is impossible without a cooperation between the participants of foreign economic relations and the government (with its organs), which give the permission on implementation of that activity and control it. Gradually, foreign economic control was transformed into the foreign economic oversight, but the name of the sphere of relations remains unchangeable and it does not suit the actual content of the supervisory activity of the state.

DEVELOPMENT

At the beginning, the interaction between the state and the participants in foreign economic activities was often regulated by illegal methods, by the individual non-normative acts emanating from the prince, but gradually, due to different international agreements, this interaction takes the legal forms - forms of certain regulations. V. A. Bublik, who emphasize that the appearance of the organization part in the structure of foreign economic relations is because of the influence of law (relations which are not directly related to international migration of objects of civil rights) is right. Organizational foreign economic relations are the relations arising due to the government implementation of the right of the foreign economic monopoly - the right to determine the forms and methods of resident participation in the international trade turnover and non-residents participation in the sectors of the national economy.

Therefore, it can be stated that foreign economic social relations are a combination of two groups of relations:

1. Basic relations - relations that are directly connected to the international circulation of objects of civil rights;
2. Supporting relations - organizational relations that are related to the government implementation of the rights of foreign economic monopoly.

Legal relationship is a social communication between individuals, occurs on the law basis, characterized by the presence of the subjective legal rights and responsibilities and supported by (guaranteed) power of the government. Foreign economic relations are trade activities, that are legally regulated, or, more precisely, that are regulated by *“the applicable law of organizational and property (economic) relations, forming in the trade process between Russian and foreign individuals”*.

Consequently, the overall conclusions concerning foreign public relations, forming foreign trade activities, are applicable to the general characteristics of groups of foreign economic relations, which can also be divided into two groups:

1. Civil relations - legal relations arising between subjects of private law in connection with the export and (or) import of objects of civil rights, governed by the rules of private international law and civil law that are defined the state;
2. Public relations - legal relations arising between subjects of private law and the state, represented by its authorities due to the government implementation of its right to carry out foreign regulatory monopoly, that is regulated by national standards, constitutional, financial, administrative law.

One example of such a response is the activity of the Bank of Russia and the Federal Financial Monitoring Service due to which there was a spread of so-called cryptocurrency (“virtual currency”), in particular bitcoin (Bitcoin) on the territory of Russia that is used to pay for goods and services purchased. Thus, it is possible to pay using virtual currency “Beeline” services, MTS, “MegaFon” and “NTV +” using the Koshelek.ru website and with the help of bitcoins you can have an online consultation on Sreze.ru website. Bitcoins can be converted into electronic money of “Yandex” system. In the announcements of The Bank of Russia dated 27 January 2014 and of the Federal Financial Monitoring Service dated 6 February 2014 was stated that the usage of bitcoins in Russia as cash surrogates is prohibited and their use in calculations can be viewed as participation in operations aimed at the legalization (laundering) of proceeds from crime and terrorist financing.

CONCLUSIONS

That is why the legal regulation of foreign economic relations and foreign economic relationship themselves are constantly changing, improving due to the influence of real foreign economic processes. With the increasing of Russia and its residents involvement in the foreign trade turnover the scope of the rights of foreign economic activity will grow and expand.

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