

NININS 2020**International Scientific Forum «National Interest, National Identity and National Security»****THE MAIN FORMS OF UNFAIR COMPETITION IN THE MODERN WORLD**

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Abstract

In recent years, ways to ensure accelerated and sustainable economic development through reindustrialization have been particularly important, but Russia's strategic objectives of socio-economic and breakthrough technological development have not been properly implemented. Comparison and generalization of all known methods of unfair competition at the international and national levels, assessment of harmfulness, the proposal and methodological support of the systematic legislatively structured tooling for preventing and counteracting the cases of unfair competition will help to make a shift from a non-systemic on-the-spot tackling to the total legal healing in all economic institutions, civil society and the state control system of Russia. The results of the study will serve as the basis for continuing research in the field of long-term forecasting methodology of the socio-economic development of the regions and, in our view, will enrich the educational process in training programs for professional specialists, young scientists and in the training and retraining of managerial personnel.

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1. Introduction

The development of Russia in recent history, in accordance with strategic guidelines in the last 30 years, has come under significant resistance both from external and internal factors. Unfortunately, the objectives of economic and social development, set during the transition period, as well as those identified in strategic and program documents in 2008 (ConsultantPlus, 2020), later in May 2012 (President of RF, 2012) and May 2018 (President of RF, 2018), are not being properly implemented.

The progressive unilateral termination of all key strategic international treaties and agreements with our country provokes an aggravation of the global military threat. The introduction of international economic sanctions against Russia, the reciprocal implementation of the embargo and customs counteraction determine the escalation of the so-called “hybrid war”.

Modern external factors determine unprecedented discrimination in the world history of Russia and the Russian people (the Russian nation), which, in essence, is the process of legalization of unlawful instruments of unfair international competition (Burov et al., 2014).

2. Problem Statement

Along with the strained international external economic situation, the atmosphere inside the country and its regions is no less complicated and, according to many experts, is further aggravated, both in the form of corruption (Avdeev & Avdeeva, 2016), the underground economy, and in the form of political and administrative pressure.

In this regard, according to our reckoning, it is necessary to formulate a methodological tools of comprehensively taking into account external and internal factors of unfair competition in terms of reliable long-term forecasting of scenarios of socio-economic processes and strategic planning of relevant measures in order to systemically counter negative trends, ensure sustainable growth and create conditions for breakthrough technological development of Russia in the economy and social sphere (Bell, 2004; Khralenko, 1980).

3. Research Questions

The expanded definition of the unfair competition concept, taking into account the opinions of modern researchers, equates this phenomenon with the tool of the underground economy, which includes a set of unlawful and overtly criminal actions, including: planned violation of laws, price dumping in order to remake the market, criminal collusion, creation of secret syndicates and cartels, slander and misinformation for the purpose of discrediting and undermining the business reputation and infliction the loss, corrupt tax cuts, illegal takeover of property, falsification of goods and service products, counterfeiting, smuggling, document forgery, technological (industrial) and information espionage, disclosure and fraudulent use of trade secrets, corrupt use of “administrative resources”, as well as illegal production and sale of drugs and weapons, unlawful labor of illegal migrants, slave trade, blackmail, intimidation and murder of competitors.

However, we believe that, at the state and international level, unfair competition as a term is appropriate to be interpreted more broadly. It is a tool of the underground economy in the form of illegal activities and/or illegal inactivity aimed at obtaining unfair international strategic advantages, financial super profits, local and global commercial preferences, false business reputation and social status supremacy, by creating and exploiting different levels of domestic and external factors for competitors and competitively undermined state factors – from implementation of: illegal price manipulation, commodity and service falsification, documentary forgery, industrial espionage, commercial collusion and bribery, business defamation, systemic misinformation, criminalization and illegal takeover, technological sabotage, corruption of the authorities, and to the conducting of: virtual information campaigns, historical and educational inversions, legal annihilation, political provocations, physical and chemical-biological deterioration of the ecosystem and food, cybernetic totalization, criminal repressive blackmail, and even military punitive actions against humanistic principles, defensive ability and competitiveness, economic stability, social security, well-being and the free public consciousness of the nation (Fedotov et al., 2017; Samarukha, 2015).

4. Purpose of the Study

To generally elaborate on the contents of the designated specific phenomena when expanding elements of internal and external factors of international unfair competition, in our opinion, it is advisable to use the concept of "diagnosis", as well as the concept of "prescription" for reflecting the most effective tools to prevent (Veduta, 1999), protect and counter the possible harm and damage to the economy, including industry, and the social sphere of Russia and its regions.

In order to methodically apply the category of internal and external factors of international and domestic unfair competition, it is necessary to determine the risk assessment in the form of the grade level of harm – from 1 point, with a small level of possible harm, up to 10 points, with a critical level of possible fatal damage to statehood and public safety.

5. Research Methods

From the point of view of analysis, accounting, prevention of, acting against and protection from external and internal domestic factors, it is possible to designate perhaps the most acute and harmful phenomena presented in Tables 01 and 02 as the elements of unfair competition in order to effectively systemically counteract it (Vallersteyn, 1998).

The gradation of the contents of elements of internal and external unfair competition factors developed in the tables contains the generally accepted acronyms (RF – the Russian Federation; MIA – Ministry of the Internal Affairs; MES – Ministry of Emergency Situations; FSS – Federal Security Service; CC – Criminal Code; ERP – early release on parole; FTS – Federal Tax Service; FPS – Federal Penal Service; CBR – The Central Bank of Russia, STP – Scientific and Technological Progress, etc.) and the well-known abbreviations (QMS – quality management system; CSR – a corporate social responsibility; p. a. – private actor; MM – mass media; RPF – Pension fund of Russia; MFs – mutual funds; L. Courts – local magistrates', criminal, civil, administrative, arbitration, military courts: district,

city, republican, regional, krai, federal; S.Court – Supreme Court of the Russian Federation; C.Court – Constitutional Court of the Russian Federation; etc.) used to ensure the brevity of the text.

6. Findings

In relation to legal entities – production, marketing and infrastructure companies, as well as individual entrepreneurs, – the hardest damage is caused by unfair competitors and organized criminal groups (Table 01): documentary forgery and commercial conspiracy (3), the use of “administrative resources”, that is, the initiation of excessive supervisory and force impact – commercial bribe (4), industrial espionage (5), illegal takeover (10), technological subversive actions (11).

Table 1. Diagnosis of elements of internal factors of unfair competition and protection prescription

№	Elements of the unfair competition factor	Diagnosis	Harm level	Prescription
1	Illegal price manipulation	dumping for the purpose of monopolization, inflating prices with artificial commodity deficiency or deception on the quality of goods/services, false discounting/installment	1	strengthening of competition legislation, supervision of the volume of production of goods, open unified state registry of legal entities of the Russian Federation, prices and quality characteristics of goods
2	Commodity and service falsification	counterfeit goods and/or brand, materials, parts, design, qualification and class cheating	2	control of counterfeiting, supervision of guarantees, all-Russian QR – QMS, CSR, brand card in the media
3	Documentary forgery and commercial collusion	forged acts, certificates, diplomas, licenses, warrants; secret cartels and syndicates; offshore holdings, financial pyramids, tax and fee evasion	4	all-Russian registry of licenses, diplomas and certificates, open unified state registry of juridical entities of the Russian Federation, open courts and imminent punishment with media coverage
4	Commercial official bribery	corruption and forgery in companies, MFs and government bodies: L.Courts, MIA, FSS, FTS, MES, PFR, Rostekhnadzor, Sanepidnadzor, Rospotrebnadzor, Rosstandard.	5	presumption of guilt of officials, polygraph, video and audio control, QMS, account of a plan, adding greater punitive measures for guilt, polygraph, video-audio control
5	Industrial espionage	illegal possession of appliances, technical and technological solutions, inf. base, IT codes, software, ICT	4	control of patent law, increased responsibility for industrial and digital espionage, ICT encryption
6	Virtual information promotional actions and system misinformation	spread of rumors, slander, false information and accusations, statistics; rating agencies; media and Internet advertising; NPO	5	Blocking unproven information; increased punishment; people's control of statistics and ICT; censorship of advertising in the media
7	Criminalization	UPS movement, OCG, racketeering, stratification of society, poverty	6	youth state contract in Russia; people's rent payments in Russia
8	Criminal-repressive blackmail	legal nihilism of the MIA and the public prosecution department employees; failure to comply with the civil presumption of innocence; corruption in the courts and the FPS	5	Mandatory video-audio recording of operational and investigative actions; people's control of the justice authorities and FPS
9	Physical and chemical-biological deterioration of food and medicine	GMO food, chemical and radiation antiseptic, antibiotic supplements, biologically active additives, psychotropic pharmaceuticals, nano-chemical water and food change	4	open departmental control, free private and public supervision, QMS, CSR, improvement of GOST, OST and TU; tougher penalties
10	Illegal takeover	takeover of businesses, "black real estate agents," false collectors, double dealers, false career lifting	6	corporate people's special supervision; toughening of the Criminal Code in the sphere of scams, loans, housing, labor localization and de-automation of key engineering sites; ICT
11	Technological subversive actions	computer viruses, patent discrimination, ICT/STP intelligence, STP/technological terrorist attacks	7	counterintelligence, indicating

12	Cybernetic totalization	illegal control of ICT, NLP information in ICT and media, optical, acoustic, electro and radio wave psychotronics	5	legal adaptation of the presumption of innocence to ICT, the creation and mass distribution of psychotronics recording devices.
13	Historical and educational inversions	distorted and knowingly misinterpreted history in the textbooks of schools, secondary educational institutions, universities and the media, emancipation, tolerance	2	unified government textbooks on all subjects with alternative data on history, physics, geometry, etc.
14	Contractual annihilation	defective performance or failure of deadlines, complete non-performance of economic contracts, tenders	3	insurance of commercial contracts, reputation, business liability; QMS; CSR
15	Political provocations	falsification of the results of the elections to the executive and legislative bodies, failure to fulfill election promises and strategic plans	6	technical improvement of the electoral and counting procedures; introduction of accurate reporting and presumption of guilt of officials; QMS of authorities
16	Political corruption of the authorities	bribery of city hall officials, administration of the region, L.Courts, Russian ministries, MIA, FSS, State Duma, Federal Assembly, The IC of the Russian Federation, the Ministry of Emergency Situations, the Accounts Chamber of the Russian Federation, S.Court	8	life sentence with confiscation of property without pardon and parole of both sides, people's special supervision, opened S.Court in the media
17	Physical and chemical-biological deterioration of the ecosystem	GMOs in agriculture, soil science and engineering; DDT and other fertilizers, chemical trails, industrial and urban chemical, noise and electromagnetic, SHW pollution of the environment	6	creation and mass distribution of technical devices of universal control of the quality of matter, water and air, mandatory certification of standards of CSR, QMS, GOST, OST
18	Military punitive actions	intimidation, mutilation, suicide, contract killing, mass terror, revolution, civil war, interstate war	9	ensuring the fulfillment of social obligations and economic objectives, teaching political literacy in schools, secondary educational institutions, universities, media and Internet

Table 2. Diagnosis of elements of external factors of unfair competition and protection prescription

№	Elements of the unfair competition factor	Diagnosis	Harm level	Prescription
1	Illegal price manipulation	contractual exchange currency targeting, profit making on stocks and currencies, futures collusion, insider discharges, statistical misinformation	3	commencing the creation of an international legal code on pricing, limiting the circle of partners, developing the domestic market
2	Commodity and service falsification	copying of goods, falsification of materials, parts, interface, reputation defamation	4	state electronic register of goods, services and brands, protection in international courts
3	Documentary forgery and commercial collusion	concealment and destruction of ancient manuscripts, treaties / agreements, the Central Bank of the Russian Federation is the non-resident of the Russian Federation, capital outflow from the Russian Federation, money famine in the Russian Federation, sanctions, raw materials economy	6	unilateral cancellation in the absence of an agreement by one of the parties, nationalization of the Central Bank of the Russian Federation, rejection of IMF recommendations, development of the domestic market, R&D
4	Commercial official bribery	bribery of the Central Bank of the Russian Federation, the Treasury of the Russian Federation, the recruitment of employees of military, industrial, banking, transport, trade, public organizations and administrations	7	toughening of supervision and anti-competition law, control over strategies and plans of organizations at the state level, media review, supreme penalty
5	Industrial espionage	non-recognition of Russian patents, registration of international patents for "Russian" inventions, copying of military technology	6	simultaneous patenting of technology in the domestic and international chamber, protection of rights in foreign arbitrations
6	Virtual information promotional actions and system misinformation	fake news in the mass media; a staging of the Russian trace; lie of IMF, WB, EBRD, W.Media, NATO, OSCE, UN, UNESCO, WTO, TV	4	exposure in the world mass media, the prosecution according to Russian laws; the creation of international financial TNCs with the participation of Russia and the CIS

7	Criminalization	international organized crime groups, terrorism, drug trafficking, slave trade, ISIL	5	supervision of psycho-, drug independence of the health of the nation, anti-terrorist training
8	Criminal-repressive blackmail	abduction of citizens of the Russian Federation on foreign trips, refusal of the presumption of innocence in cases of international jurisdiction	3	the initiation in the UN of the worldwide principle of the prohibition of arrest without evidence of crime; diplomatic status of citizens of Russia
9	Physical and chemical-biological deterioration of food and medicine	monopolization of the market of seeds, breeding animals, veterinary medicines and fertilizers based on GMOs; border artificial foci of biological threat	7	recreation of the seed base and breeding herd in Russia; nature-like technologies in veterinary medicine, soil fertilizing; development of biological protection
10	Illegal takeover	seizure of property of the Russian Federation, ROC, private individuals and corporations, blocking financial funds in foreign accounts	5	symmetrical legal measures, satellite payment system of the CIS countries, business partners
11	Technological subversive actions	hacker attacks, military cybersabotage, disabling the SWIFT system, discrediting the R&D of the Russian Federation	6	localization and de-automation of key engineering sites; ICT counterintelligence, sanctions
12	Cybernetic totalization	breach of confidentiality of correspondence, negotiations, audio and video content, travel route, trade secrets	3	toughening responsibility for interference with privacy and illegal use of private and commercial secrets
13	Historical and educational inversions	activities of the Soros Foundation and other NPO, bribery of the Ministry of Education and Science, falsification of education in "Western" schools, colleges, universities	5	national special monitoring the work of NPOs, initiating the creation of an international code of history, science, education and the mass media
14	Contractual annihilation	ignoring conditions, breaking international agreements and treaties in one's sole discretion	6	initiating the creation of an international treaty code, insurance agreements
15	Political provocations	falsification of Russian politics in the world; discrediting diplomacy and sport; allegations of militarism; threats by an instant global blow; sanctions; Russophobia	4	development of a foreign media network; coverage of the culture and peaceful position of the Russian Federation in all world languages; counter-sanctional symmetry; strengthening defense
16	Political corruption of the authorities	bribery of mayors, governors and / or the Government of the region, the Government of the Russian Federation, the Ministry of Internal Affairs, the State Duma, Federal Assembly, the Investigative Committee of the RF, FSS, the Ministry of Defense, President of the Russian Federation, C. Court	9	life sentence with confiscation of property without the right of pardon and parole of both parties, severance of diplomatic relationships, imposing sanctions and embargoes
17	Physical and chemical-biological deterioration of the ecosystem	local and global impact on the atmosphere, weather, water space, forest and field soils; chemical and toxic waste pollution of the earth, oceans; nuclear tests; GMO threat	7	initiating international technical supervision of the deterioration of the global ecosystem and the widespread rejection of GMOs; moratorium on nuclear testing; SHW and toxic waste eco-engineering
18	Military punitive actions	contract political murder, financing of the revolution, local international war, continental war, world nuclear war, artificial pandemic	10	strengthening defense, intelligence and countering threats, open media coverage of the historical genocide of the peoples of Russia, cleaning the ranks of the state authorities

In relation to the state system, significant harm is caused by (Table 02): virtual information campaigns and systemic misinformation (6), historical and educational inversions (13), legal annihilation (14), political provocations (15), political corruption of authorities (16), military punitive actions (18). In relation to the citizens of Russia and its regions, the most harmful are: illegal price manipulations (1), commodity and service forgery (2), criminalization (7), criminal repressive blackmail (8) cybernetic totalization (12), physical and chemical-biological deterioration of food, medicine (9) and ecosystem (17).

The developed tools, taking into account the discussion of ranking and the estimated assessments of the level of possible harm, is applicable in predicting long-term socio-economic development in terms of taking into account threats and possibilities for overcoming them, as well as for the purposes of strategic planning and financial and budgetary design of specific events, their regularity and intensity, to increase the effectiveness of the results achieved.

7. Conclusion

In our opinion, the socio-economic development of Russia and its regions, the prosperity and well-being of citizens, the state of natural habitats on land and water directly and indirectly depend on the success of confronting internal and external risks and unfair competition factors.

A detailed interdisciplinary comprehensive study of the problems of protection and counteraction against internal and external unfair competition can open new horizons for economic scientific ideas and practice of managing the national economy, taking into account the cyberization of the methodology of the analytical and forecasting process and the methodological adaptation of the process of updating strategic measures, relative to industry and regional specifics, on the principles of sustainable balanced social, ecological, economic development and innovative technological breakthrough growth of Russia and its regions on the world stage.

The results of the study will serve as the basis for continuing research in the field of long-term forecasting methodology of the socio-economic development of the regions and, in our view, will enrich the educational process in training programs for professional specialists, young scientists and in the training and retraining of managerial personnel.

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