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Zaynutdinov Dinar Rafailovich

«Regulation on the temporary arrangement of state power» of November 18, 1918 as part of the unwritten constitution of «white» Russia

Abstract

The “Regulation on the temporary arrangement of state power” of November 18, 1918, as an important part of the unwritten constitution of the “white” Russia of 1919, is analyzed. In the process of research, attention is drawn to the nature of the unwritten constitution, a comparative analysis of the formation of unwritten constitutionalism in the UK and “white” Russia is carried out. The list of acts that played an important role in filling the unwritten constitution of the “white” statehood is established. The main part of the work is an analysis of the provisions of the “Constitution of November 18, 1918” and the prospect of developing a form of government on its basis in post-bolshevik Russia. The tendency of anti-Bolshevik liberal-democratic circles to form a presidential republic was also revealed. Conclusions are drawn that various normative higher legal force and declarative-constituent acts of a constitutional nature together created the legal framework of an unwritten constitution of “white” Russia. In turn, the adopted “Regulation on the temporary arrangement of state power” of November 18, 1918, filled the gap in the unwritten constitution of “white” Russia, regarding the image of the highest executive body, namely, securing this status for the Russian government, consisting of the Supreme Ruler of Russia and the Council ministers.

Keywords

unwritten constitution constitutionalism, “white” Russia, presidential republic

Ivanov Alexander Aleksandrovich

Departmental legal acts of the General Prison Department of the 1880s and their role in improving the system of transferring political exiles to Siberia

Abstract

The activities of the General Prison Department of the Russian Federation to streamline the system of transferring political exiles to Siberia to the place of serving their sentence are considered, and the effectiveness and timeliness of the legal initiatives of the Office are assessed. In the early 1880s, with the rise of the left-wing radical political movement in the country, the scale of punishment by exile and hard labour increased significantly. The increase in the number of exiles required significant improvement of the entire prison system, and first of all, the order of transfer of prisoners to Siberia. In these years, on the basis of the existing legislative framework regulating the system of reference - the Charter on Reference, the Regulations on Penalties and others adopted as early as the mid-19th century, specialists of the Office developed a number of departmental legal acts designed to improve the practice of transmission. The analysis of these materials makes it possible to conclude that these documents were aimed at alleviating the situation of the prisoner on the long journey on the one hand, and at improving the transfer system, as well as the accounting of transfers on the other. As a result, it is concluded that the internal legal acts of the Office played a positive role in streamlining the legislative framework for accompanying political exiles, but the whole legal framework of the protection and penitentiary system of imperial Russia has been modernized too slowly, and the changes made have lagged behind the real needs of time. The main source for writing the article was circulars from the head of the Department and his deputies, as well as from ministers (comrades of ministers) of the relevant ministries throughout the 1880s.

Keywords

political reference and hard labour, Siberia, prison administration, forced escort of prisoners

Kuzmin Igor Aleksandrovich

Relization of legal liability for the offense

Abstract

Phenomenon of the implementation of legal liability for an offense (unlawful behavior) and actual problems associated with its understanding are investigated. The place of the problems of the implementation of legal liability in the structure of the general theory of legal liability is characterized. The dual «objective-subjective» nature of the realization of legal liability through its main incarnations at the level of objective and subjective law is determined. The definition of the implementation of legal liability for unlawful behavior is formulated, its purpose and legal means of implementation are named. The stages and main forms of the general theoretical model for the implementation of legal liability are considered. The debatable problems of the theory of the implementation of legal liability are thoroughly presented and analyzed from the point of view of their formulation and the author’s approach. In order to ensure the principles of comprehensiveness, objectivity and completeness of the research in addition to general methods, also involved private law methods (formal legal, structural legal, comparative legal and legal modeling), which made it possible to compare and establish the features of interaction between various legal phenomena and processes, involved in the implementation of liability. As sources uses the provisions of the current domestic and foreign legislation, acts of the Constitutional Court of the Russian Federation and the Supreme Court of the Russian Federation also doctrinal works on topics, including foreign ones. The novelty of the study is the presentation

of a comprehensive vision of the specifics and problems of the implementation of legal liability, which have methodological significance for the legal science. The conclusion about the need to form a common understanding of the legal liability system and its conceptualization in industry and applied legal research, and to adapt the process of implementing liability taking into account the development of digital technologies.
Keywords
legal liability in an objective sense, legal liability in a subjective sense, realization of law, realization of legal liability, problems of realization of legal liability, system of legal liability

Siliveev Ilya Mikhailovich

To the problem of duality as a property of decisions of constitutional (charter) courts of the constituent entities of the Russian Federation

Abstract
This paper raises the problem of duality of decisions of constitutional (charter) courts of constituent entities of the Russian Federation. It is noted that the duality of decisions of the constitutional (charter) court of a subject of the Russian Federation should be understood as the presence of two principles: decisions of the constitutional (charter) court of a subject of the Russian Federation as a judicial act and as a legal document with regulatory features. It is indicated that the determination of the correlation of these court decisions with other legal structures is important and fundamental for subsequent implementation in their practical activities. Understanding the properties of duality will allow positioning the decisions of the constitutional (charter) court of the constituent entities of the Russian Federation in the aggregate of other legal documents and shows the unique nature of the decisions of the constitutional (charter) courts of the constituent entities of the Russian Federation. The role and significance of decisions of constitutional justice bodies in the process of forming a constitutional law and order, compliance with constitutional legality are analyzed, individual manifestations of the legal significance of the enforcement of decisions of constitutional courts of constituent entities of the Russian Federation are demonstrated. An analysis is made of two approaches to the question of the normality of decisions of courts of constitutional justice, where the first approach assumes that decisions of courts of constitutional review do not have normativity, because they do not act as subjects of law-making, and the second approach assumes that constitutional justice is closer to normative and legal practice and with lawmaking. It is noted that the normative nature of decisions of constitutional (charter) courts is manifested in the form of cancellation and amendment of legal norms. An adequate reflection of these properties is proposed in regional regulatory acts governing the activities of these courts. The necessity of adequate reflection in the legal matter of the two principles of the decisions of the constitutional (charter) courts of the constituent entities of the Russian Federation is indicated. Attention is drawn to the absence of the revealed and described properties of the decisions of the constitutional (charter) court, both a judicial decision and a document with the property of normativity in regional regulatory legal acts. It is concluded that it is necessary to fix the relevant properties in regional regulatory legal acts regulating the activities of the court up to the creation of laws on the constitutional (constitutional) process at the regional level.
Keywords
decisions of the constitutional (charter) court of a subject of the Russian Federation, duality, constitutional (charter) legal proceedings, regional constitutionalism, constitutional justice

CHuksina Valentina Valer'evna, SHastina Anzhelika Razmikovna

Ethno-confessional factor and organization of local self-government (by the example of replacement of the chapter position local administration)

Abstract
It is noted that one of the directions of state policy is the strengthening of inter-ethnic unity and inter-ethnic consolidation of society. Attention is drawn to the special importance of relations between society and the State in the ethno-confessional sphere in the Federation with the historical traditions of national, cultural and linguistic diversity. The statutory increase in the responsibility of local authorities, including the head of local administration, for the emergence of inter-ethnic and inter-ethnic conflicts in the territory of the municipality is justified. This paper considers the admissibility of including in the list of requirements for candidates for the post of head of local administration under a contract of knowledge of ethno-confessional characteristics of the local population of the municipality, as each subject of the Russian Federation has its own historical, cultural, ethno-confessional and socio-political peculiarities. It has been established that such requirements cannot be classified as qualifications that a municipal employee must meet. A proposal has been formulated that, within the framework of the current legislation, will allow to take into account the ethno-confessional factor in the competitive selection of candidates for the post of head of local administration, which will contribute to the prevention and prevention of social and ethno-religious conflicts, diagnosis and prevention of destructive manifestations on an ethno-confessional basis.
Keywords
Head of Administration, job placement, qualification requirements, ethno-confessional, local self-government

Yurkovsky Alexey Vladimirovich

Analogies in the natural sciences and the humanities, in understanding the concept of power (state power) and its mechanism: the genesis of constitutional legal epistemology

Abstract
Modern constitutional and legal science, feeling the lack of a special study of the main features of the concepts of power (state power) and its mechanism, uses analogies borrowed from the natural sciences. The proposed publication addresses borrowings by the humanities, suggesting the formation of new connotations that interpret power as a biological instinct; power as an intellectual phenomenon; state power as an information system that determines the communicative being of society; mechanistic features of state power; state power as a philological category, power as a legal construct and other approaches.
Keywords
power, state power, mechanism of state power, epistemology, ontology, axiology, estology, genesis, law, legal regulation mechanism, impact, dynamic chaos, legal order

Rovniy Valeriy Vladimirovich

Thesises of the delivering thing (continuation). About the delivering bar-gain's causalness

Abstract
The article continues a series of articles about the delivering thing (traditio). It is dedicated to the question of causalness the delivering thing as a disposal bargain. A number of general and special conclusions is made. There are a few ones among them:a) in the Civil Law of RF admission of the principle distinguishing (bargains into two parts obligatory and disposal) doesn't connect with the other known principle abstractness, inherent to some foreign states' right and doesn't mean automatic recognition the disposal bargains' abstract character; b) of two principles distinguishing and abstractness the primary principle is the principle of distinguishing, the secondary one is the principle of abstractness; c) the problem of delivering bargain's causalness or abstractness has it's deep historical roots and is solved differently in the contemporary legislation of different states;the feature of bargain's abstractness is always the exception from the general rule of the bargain's causalness, which in this way should come out of the law, so in the conditions the lack of sufficient and legal based proves of the bargain's abstractness, this bargain must be recognised as the causal one; e) delivering bargain's causalness in the conditions the lack of the quality of it's ground the obligatory bargain's (it's imperfection or invalidity) allows to return the thing back as itself (so called in nature) to the alienator, on the contrary, the delivering bargain's abstractness in similar conditions allows to the alienator to get money-compensation; consequently, the idea of the delivering bargain's causalness is profitable for the alienator, while the idea of it's abstractness for the acquirer (promotes the dinamics of public relations and civil circulation's stability). The attempts of some authors to prove the abstract character of delivering thing by the reference to the acting law (for instance, the attempt to get the feature of bargain's abstractness from the fact, that the law doesn't mention the bargain's ground as the necessary condition of it's validity, and also to prove the delivering bargain's abstractness by the reference to the rule of art. 1106 Civil Code) are refuted and categorically rejected. The commentary of the art. 1106 Civil Code's rule is offered. Finally there are two examples, when the subject's defect of the obligatory bargain falls off by the monent of it's fulfilment, so the practical meaning of the delivering bargain's causalness is illustrated.
Keywords
obligatory bargain, disposal bargain, delivering thing bargain, causalness, abstractness, causal bargain, abstract bargain

Sinkevich Zhanna Viktorovna

The legal nature of social services: options for combining private and public law

Abstract
In order to analyze different industry categories, a combination of private and public principles is considered within the framework of legal regulation. The sphere of providing services and social protection of citizens, who needs to aidd is analyzed. The article presents the problem of applying civil law to public relations, namely to social services contracts for needy citizens. The author analyzes the signs of a civil-law contract for the provision of services. The position on the possibility of subsidiary application of civil law to an agreement on the provision of social services is presented. The author considers the freedom of the parties in the private and public sphere of contracts. The requirements for the execution of the contract for the provision of social services, its details, rights and obligations of the parties are considered. It is concluded that the structure of the legal relationship is the same as that of private contract. It is concluded that assistance to needy citizens can be provided by both state organizations and private organizations. Problems of socially unprotected categories can be solved by business entities. The article presents the opinion about the need for the formation of new standards within the framework of the institution of a contract for the provision of services.
Keywords
service contract, social services, social entrepreneurship

Anisimov Andrey Gennadjevich, Nikerov Dmitry Michailovich

Directions for improving public administration in matters of combating crime in the «forest» sphere (on Irkutsk oblast example)

Abstract
The article discusses the problems of combating crime in the forestsector, associatedwithdeficienciesinpublicadministration at the federal and regional levels. First of all, it is about making concrete decisions within the framework of social policy in the region and optimizing the interaction of law enforcement agencies, as well as subjects of prevention. Consistently, taking into account statistical information on specific examples, the authors substantiate two key thoughts. The first of them is that in the region for a long time there are conditions conducive to the commission of crimes in the field of illegal logging. For example, the number of woodworking enterprises over a long period of time was reduced until complete liquidation, while the number of logging enterprises, on the contrary, increased even in comparison with the most prosperous periods of the existence of the USSR, against the background of the fact that the considered logging regions as a whole remain depressed today. The second key idea is that combating crime in the forest industry and, above all, illegal logging is the task not only of the internal affairs agencies, but also of all forest prevention entities, subject to constant monitoring by state bodies. A number of specific solutions are proposed aimed at improving public administration in the field of combating illegal wood circulation. Among them, we should highlight such areas as support for “forest” areas of the Irkutsk region with a low standard of living for citizens, reviewing the responsibility of officials of the territorial divisions of the forestry agency, optimizing the data transfer chain as part of space monitoring of forest resources, reviewing storage issues removed from illegal circulation wood and more.

Keywords
countering crime in the forest sector; interaction of subjects of prevention; state power and the fight against crime in the forest sector; illegal logging

Garmyshev Yaroslav Vladimirovich, Puzikova Anastasya Vitalevna

Criminological characteristics of the object of legal protection of the atmosphere from pollution by forest fires

Abstract
On the basis of system of branch criminal and administrative legislation and law enforcement practice the object of legal protection of atmospheric air on the example of Irkutsk region from polluting toxic substances of products of combustion by forest fires is separated. It is specified that the characteristic of public relations in the field of atmosphere protection is their high degree of uncertainty predetermined by conditions of objective character, underestimation of consequences of implementation of economic activity for the atmosphere and the person. This article describes the main approaches to the establishment of objective features of the composition of environmental offenses from forest fires in order to further improve the sectoral legislation in the field of environmental protection, taking into account the criminological factors; the main legal acts underlying the fight against the analyzed acts. The paper notes that the formation of the legal framework for combating environmental offenses in the field of environmental protection is still significantly behind the elaboration of these tasks at the regional and Federal levels, identified and proposed the appropriate criteria for assessing public danger in establishing at the law enforcement level signs of environmental offenses in the legal assessment of the polluting effects of forest fires. It is established that at the legislative level, no attention is paid to the issues of responsibility for the environmental consequences of technosphere forest fires in terms of gross emissions of pollutants. It is proposed, taking into account the category of danger to the public to determine these impacts, the environmental legislation of Russia, setting them uniform criteria taking into account the developed technique for the assessment of air pollution forest fires and to review at the enforcement level approaches the responsibility for the relevant harm environmental security.

Keywords
environmental offense, qualification, fires, air pollution

Romanova Anastasia Sergeevna

Delimitation of bullying from related compounds

Abstract
The article raises questions about the characteristics of the qualification of hooliganism based on the subjective side of the crime, as well as based on the alternative mandatory feature of hooliganism, provided for in part 1 of article 213 of the criminal code of the Russian Federation. It is noted that the criteria for distinguishing hooliganism from related compositions are the content of the motive and purpose of the actions performed by the person and the direction of intent. Based on the doctrinal provisions of experts in the field of criminal law and materials of the judicial practice of the Russian Federation in cases of hooliganism for 2018 and 2019, the author analyzes the issues of distinguishing the hooligan motive from hooligan motives. The need to distinguish hooliganism committed on public transport (p“in” part 1 of article 213 of the criminal code) from actions that threaten the safe operation of vehicles (article 267.1 of the criminal code) is indicated. The issue of separating the p “ C “of part 1 of article 213 of the criminal code from

the terrorist act (article 205 of the criminal code) and p" b " of part 1 of article 203 of the criminal code of the Russian Federation from violation of the right to freedom of conscience and religion (article 148 of the criminal code). The author comes to conclusions that confirm the need for the Supreme court to explain what is meant by the hooligan motive (hooliganism motive) and how to distinguish it from other motives, given that it is not specified. Attention is focused on the question of whether such a feature as "publicity" can be considered as a mandatory feature of the composition of hooliganism. Mentioned the question of the relationship and distinguishing disorderly conduct, perfect for transport from article 213 of the criminal code and from article 267.1 of the criminal code. In conclusion, the author concludes that it is permissible to partially decriminalize hooliganism in order to improve judicial practice.
Keywords
hooliganism; hooligan motives; extremist motive; terrorist act, operation of vehicles; hooliganism in transport

Suturin Mikhail Aleksandrovich

The category "age" in the criminal law of Russia

Abstract
This article discusses issues related to the current problems of establishing the age of criminal responsibility in Russian legislation. Using the provisions of the criminal law doctrine for the research, the author considers debatable issues related to the concept, content and goals of the criminal policy of the state as a whole and criminal policy in relation to minors. It is determined that the criminal policy implemented in recent years in relation to minors is characterized by inconsistency, inconsistency and often ignoring the basic principles of social interaction and law. In particular, this is related to the establishment of a lower limit on the age of criminal responsibility. Having analyzed the acts of international law, the provisions of national legislation, the provisions of criminal law and criminological doctrine, the author comes to the conclusion that the approaches to the category considered in the article are ambiguous. Based on the consideration of the provisions of the psychological doctrine, the age characteristics of secondary school or adolescent (11-14 years) and senior school age (15-17 years) are determined. The problem of not fully taking them into account by the legislator and law enforcement officer, in the process of normative consolidation and implementation of criminal responsibility in relation to minors who commit crimes, is identified. The author, using the results of his own research and research of specialists in the field of juvenile delinquency, is critical of the need to reduce the lower threshold for establishing criminal responsibility to 12 years. Since there are no social or economic prerequisites for this, such proposals do not correlate at all with the provisions of the Russian criminological doctrine. The paper also concludes that the main components of the determinative complex of juvenile delinquency remain unchanged and this should be taken into account by the state (represented by its legislative and law enforcement agencies) when solving issues related to the implementation of criminal responsibility against minors.
Keywords
juvenile, age, responsibility, criminality, determination

Gavrilin Yuri Viktorovich, Balashova Anna Alexandrovna

Procedural procedure for collecting evidence on non-volatile local electronic media

Abstract
The criminal procedural aspects of collecting evidence on non-volatile local electronic information carriers, including the issues of attracting a specialist to participate in an investigative action, are examined, the practice of applying Art. 164.1 Code of Criminal Procedure. Emphasis is placed on the issue of procedural consolidation of evidence on electronic media. The requirements to the procedure for collecting such evidence in the framework of not only search and seizure, but also during other investigative actions are considered. The essence of the changes that appeared in the new Art. 164.1 Code of Criminal Procedure. The issue of legal grounds necessary for the seizure of electronic media information on criminal cases of economic crimes. The investigative practice is analyzed, indicating the absence of its uniformity. The author analyzes the opinions of various authors regarding the requirements of the criminal procedure legislation related to the seizure of a specialist's indifference during the search of electronic media. It was revealed that at the same time, the issue of recognizing copying information with ENI as an independent investigative action is currently being discussed in the literature. It is concluded that there is a need to amend the Code of Criminal Procedure in terms of allowing the investigator to independently decide on the need to involve a specialist in the removal of electronic storage media, depending on the real need to use special knowledge.
Keywords
electronic data carrier, search, seizure, seizure, proof, copying, specialist, forensic examination, inspection of items, local media, network media

Zhambalov Dmitry Bairovich

Peculiarities of criminalistic characteristics of legalization (laundering) of incomes received by criminal way

Abstract

Among the measures to counter the legalization of criminal proceeds taken by the state, the key place is occupied by the activities of the investigating authorities and operational units aimed at identifying and investigating money laundering and other property acquired as a result of various predicate crimes. The effectiveness of this activity is largely due to the presence of practically sought-after investigative techniques. One of the stages of the development of such methods is the definition of the criminalistic characteristics of the crime. The purpose of the study is to identify and review the main elements of the forensic characterization of the legalization (laundering) of proceeds from crime. The article is based on the application of methods of analysis and synthesis of scientific literature, reveals such elements of forensic characteristics as information about the subject and place of the crime, the main methods and mechanism of laundering criminal proceeds, as well as typical traces resulting from money laundering or other property. Based on the analysis of investigative practices and materials of Rosfinmonitoring, it was concluded that all schemes for legalizing criminal proceeds consist of two or more elements. The first and mandatory element of all methods of legalization are fictitious financial transactions and other transactions with criminal proceeds in all their diversity. The second and subsequent elements of any legalization scheme are the use of - dummy individuals and“one-day firms”; money transfer systems in financial sector organizations; fictitious foreign economic activity, etc. The results of the study due to the insufficient elaboration of the problem under consideration can be used in the development of an effective method for investigating the legalization (laundering) of criminally obtained incomes.
Keywords
legalization of criminal proceeds, way to commit a crime, typical traces of crime

Tayurskaya Elena Anatolievna, Shishmareva Ekaterina Vladimirovna

Forensic characteristics of road traffic crimes

Abstract
The article is devoted to the consideration of the criminalistic characteristics of road traffic crimes. Features of this type of crime at the present stage are revealed, quantitative indicators of this type of crime in Russia and the Irkutsk region are given. The authors present a forensic characteristic of road traffic crimes, determine its structure and content of the most significant elements. The article provides a typology of road traffic crimes in accordance with the causes of their causes. The main provisions concerning the personal characteristics of participants in a criminal act are formed, their social and moral characteristics are considered. The authors consider the mechanism of trace formation as a result of this act, the typology of the main traces is given and their characteristics are given. The role and significance of certain types of traces in the investigation of road traffic crimes is considered. Special attention is paid to the significance of the key elements of the forensic characteristics of a road traffic crime for the process of its investigation.
Keywords
Special attention is paid to the significance of the key elements of the forensic characteristics of a road traffic crime for the process of its investigation

Ditsevich Yaroslava Borisovna

Implementation of the 1992 Convention on the conservation of biological diversity in environmental protection activities in the Baikal region (part 2)

Abstract
This article is a continuation of the publication of the same name published in the previous issue of this journal, which contains an analysis of the state and some problems of biological diversity conservation in the Baikal region. Some aspects of the organization and development of the network of specially protected areas of the Baikal region as one of the key elements of the mechanism for preserving biodiversity are considered, noting their significant role in the development of the protected areas system in Russia. Some provisions of the strategy for preserving the biodiversity of the lake Baikal ecosystem approved for the implementation of international norms at the interregional level are reflected, while the fact of non-implementation of many organizational and legal measures listed in this document and subject to implementation (including the formation of the Baikal ecological network, the creation of an interdepartmental interregional inspection for the protection of lake Baikal, etc.) is noted. It is concluded that it is necessary to further improve the conservation and restoration of biological resources in the Baikal natural territory within the framework of the development of the relevant legislation and practice of its application.
Keywords
environmental protection; biodiversity; environmental monitoring; specially protected natural territories; environmental offenses; environmental control; biological resources

Kolobov Roman Yurievich

The Potential of the Convention concerning the protection of the world cultural and natural heritage for the socio-economic development of Baikal natural territory

Abstract
The Convention concerining the Protection of World Cultural and Natural Heritage is the basis of international protection regime of the Lake Baikal. Within the framework of the project on constructing a

conception of international legal protection (funded by Russian Fund of Fundamental Research № 20-011-00618 A) it is crucial not only to identify the benefits reached by using the rules of Convention, but to search those perspective instruments that might strengthen the regime of Baikal`s legal protection. The current investigation attempts to identify the unused potential of the Convention in the issues of socio-economic development. The first direction examined in this regard is the regulation of tourism on Baikal natural territory. The bodies of the world heritage protection system pay considerable attention to the development of tourism, that is why these positions may be used when regulating tourism within the world heritage site«Lake Baikal». One of the most important issues in the prossess of normative regulation is the engagement of local communities. The article reveals the existing approaches of the world heritage system to the institutionalization of the engagement of local communities into the site`s management. The provisions of the Convention, the Operational Guidelines, and the decisions of the world heritage Committee are analyzed. The specific attention is paid to the thematic programmes, implemented by the structures of the world heritage protection. The results of the investigation are related to the relevant socio-economic and environmental problems of the lake Baikal. Among the most important findings of the investigation are the usage of sustainable tourism toolkit, developed under the world heritage tourism programme; the application of the world heritage Committee`s legal positions on the development of tourism; the establishment of the local consultative body, representing the position of the the communities on environmental and socio-economic issues of the world heritage site “Lake Baikal”.
Keywords
Lake Baikal, World Heritage, International Law

Meshcherikov Victor Aleksandrovich

Protectionism Policy in Interstate Relations (USMCA as an Example)

Abstract
Economic integration processes between states at the international and regional levels are considered. The importance of the choice of customs policy by the state for establishing interstate economic relations is indicated. Separate types of integration associations of states are distinguished: customs union, free trade zone. North American Free Trade Area (NAFTA) analyzed. As part of the NAFTA Agreement, the goals of its conclusion, the principles of state cooperation, the timing of the application of restrictive measures in relation to each other are considered. The importance of the dispute resolution mechanism under the NAFTA Agreement is considered. The reasons for the termination of the NAFTA Agreement and the conclusion of the new USMCA Agreement are considered, although there were not any of the economic prerequisites for this since in 2008 all trade restrictions were lifted between the USA, Canada and Mexico. The analysis of the USMCA Agreement allows us to look through the participants building relations between themselves in accordance with the World Trade Organization Agreements, and establish customs and tariff regulation rules. Under the USMCA Agreement, participants had agreed on the procedure for admitting goods to the market of their countries, requirements for the average salary of workers in the auto industry, and more. The analysis of the USMCA Agreement statements allows us to conclude that the major part of benefits was taken by the USA.
Keywords
globalization, trade war, tariff preferences, NAFTA, USMCA