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**STATE AND LAW. LEGAL SCIENCE**

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**THEORY AND HISTORY OF STATE AND LAW;  
HISTORY OF DOCTRINES ABOUT LAW AND STATE**

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**PROBLEMS OF REMOTE PROFESSIONAL SERVICE ACTIVITIES OF STATE CIVIL  
EMPLOYEES OF THE RUSSIAN FEDERATION IN THE CONDITIONS  
OF THE DISTRIBUTION OF NEW CORONAVIRUS INFECTION**

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This scientific study reveals the topic of remote professional service activities of public civil servants, in the context of the spread of a new coronavirus infection (2019-nCoV).

In the substantive part of the scientific research, the fundamental conditions of distance professional service activity are regulated, with the disclosure of the fundamental properties of each condition.

In the final part of the scientific study, the conclusion is regulated on the need to amend the federal legislation on the state civil service of the Russian Federation, in terms of supplementing the regulatory part with the institute of remote professional service, as well as on the need for additional budgetary allocations to state bodies aimed at organizational and technical measures to transfer employees to remote professional service.

*Keywords: distance professional service activity, federal legislation, institute, personnel measures, legal measures, organizational and technical measures.*

**SOME ASPECTS OF ROSSOTRUDNICHESTVO'S PARTICIPATION  
IN THE EXPORT OF RUSSIAN EDUCATION**

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The article considers some aspects of Rossotrudnichestvo's participation in the process of exporting Russian education. As a result, it is stated that this activity is carried out primarily within the framework of the national project «Digital Economy of the Russian Federation». The provisions of the federal project «Export of Education» play a less significant role. In addition, the loss of relevance of the Concept of promoting Russian education on the basis of Rossotrudnichestvo representative offices abroad is noted and a proposal is formulated to develop a new document on this issue. The results of the study can be used in practical activities on the export of education, as well as to improve the regulatory and organizational support of such activities.

*Keywords: foreign student, education, teacher, representation, Rossotrudnichestvo, website, digital economy, export of education.*

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## QUESTIONS OF FACT AND LAW: THE NEED FOR THEORETICAL RESEARCH

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Russian law, court decisions, domestic legal science often operate with a dichotomy between questions of fact and questions of law. At the same time, the named pair is rather abstract for Russian legal practitioners and is invisible in Russian scientific circles. This work aims to reveal the significance of the phenomena under study for domestic jurisprudence in general and the theory of law in particular.

*Keywords: issues of fact and law, enforcement, implementation of law, rule of law, legal fact, prejudice, prejudice, cassation process, jury.*

## INSTITUTIONAL METHOD IN STATE LEGAL STUDIES

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The article proposes a new method of scientific knowledge in state knowledge as a legal science — the institutional method. The institutional method of state legal science is a special, real, complementary, synthetic, structural and functional method of legal science, which serves to determine the normative and actual scope of powers of the state apparatus and its individual parts, branches of government, individual institutions and personalities exposed by power (positions) and connections between them. The goal of the research is to substantiate and define a new method based on the achievements of institutional theory in the sciences adjacent to jurisprudence — economics, political science, sociology.

On the basis of the proposed institutional method in state-legal science or state knowledge, an evolutionary model of changing the forms of the state is proposed from the position of the structural-functional approach.

*Keywords: institutional method, state studies, evolution of state forms*

## **ACTUAL PROBLEMS OF THE ECONOMIC BASIS OF THE CONSTITUTIONAL SYSTEM OF THE RUSSIAN FEDERATION UNDER THE CONDITIONS OF LIBERAL DEMOCRACY**

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The article describes the current problems of the economic foundations of the constitutional system, reveals their basic principles and foundations, talks about their legal consolidation, discusses the issue of planning the economic development of the country, at any stage of state development, this issue does not lose its relevance, since the economic development of any state is an integral element of a stable market economy without a hint of any kind of monopolies, contributing to the healthy development of democracy and maintaining public relations, all of the above issues and problems are reflected in modern legal science, which contributes to the regulation of public relations in the territory of the Russian Federation. The article focuses on the economic foundations of the constitutional system, such initial provisions are enshrined in the basic law of the country – the Constitution of the Russian Federation, it is worth noting that these foundations carry the principles of economic management. Specifically, the principles of economic foundations include: unity of the economic space, free movement of financial resources, goods, services, support for healthy competition, and freedom. There is no way to do without penalties, so the article will indicate the authorities and sanctions applied to violators of the rules established by law. Let's pay attention to the fact that in this article we refer to a well-known jurist, namely, when writing the article, attention was paid to the works of V.A. Grigorieva, since She was one of the few who spoke about the relationship between state planning and the institution of constitutional law.

*Keywords: economic foundations, constitutional order, democracy, liberal democracy, market economy, principles, citizens, unity of the economic space.*

## **THE ESSENCE OF LEGAL PROCEEDINGS IN THE FOCUS OF THE CONCEPT OF JUDICIAL LAW**

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The revival of the Concept of Judicial Law at present poses the task of the sectoral sciences to harmonize their theoretical approaches to solving basic issues. The article presents an approach based on the Concept of Judicial Law to disclose the essence of Legal Proceedings as a mechanism for the implementation of Judicial Power, subject to certain requirements to ensure the fairness of the trial.

*Keywords: judicial power; justice; legal proceedings; judicial control; judicial law; judicial law concept.*

## PARTNERSHIP OF UNIVERSITIES IN THE RUSSIAN FEDERATION: LEGAL REGULATION, TYPOLOGY AND CHALLENGES OF THE TIME

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The subject of this article is the study of theoretical and practical ideas about the partnership of universities as one of the forms contributing to the development of export of higher education abroad; consideration of new trends in the creation of partnerships between universities in the context of the strategic development of the Russian Federation. The topic of the article reflects the characteristics of the attitude of the internal environment to the export of education, to university consortia. The purpose of this article is to develop and substantiate a typology of university partnerships, the specifics of their creation and functioning, and to identify the specifics of uniting universities with non-profit organizations and business partners. The methodology of this work was made up of comparative, formal legal, analytical methods. The results of the work are the formulation of the characteristics of university partnerships in the context of a decrease in the rate of export of Russian higher education abroad. The scope of application of the results of work includes the higher education management system. The findings of the study can be used to further improve the legal regulation and practice of organizing international cooperation in the field of higher education.

*Keywords: higher education export, higher education export regulations, university partnerships.*

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## INTERNATIONAL SUMMER SCHOOLS IN THE HIGHER EDUCATION EXPORT SYSTEM

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This article reveals the understanding of the term «summer schools» abroad and in Russia, the signs, goals and objectives of summer schools, the prospects for their development in the context of instability and changes in the structure of global educational services markets. The methodology of this work was made up of interdisciplinary methods, such as concrete-sociological, formal-logical, system-structural, formal-legal, comparative-legal. In addition, general scientific methods of research activity were used: functional method, method of generalization, abstraction, methods of formalization, observation, comparison. To assess the prospects for holding international summer schools, the perception of this process by advanced scientists and students of leading Russian universities, from November 13, 2019 to December 13, 2019, a survey was conducted on the topic “Export of higher education” by Tatyana Shchukina and Andrey Zabaykalov. The work presents the formulation of problems of their organization and implementation, the significance of the transformation of summer international schools and the trends of this process in the future. The features of the practice of international summer schools in the context of the implementation of the national project «Export of Education» are studied in detail. As a result, it was found that there are characteristic features of Russian international summer and winter schools (creativity, vocational guidance, research component), as well as a high willingness of teachers and students to participate in their organization.

*Keywords: summer international schools, experience, creative space, transformation and characteristics of Russian international summer and winter schools.*

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## SELF-EDUCATION OF YOUTH IN MOSCOW AND THE MOSCOW REGION IN THE CONDITIONS OF SELF-ISOLATION AND DISTANCE LEARNING: FEATURES AND TRENDS CAUSED BY THE COVID-19 PANDEMIC

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The subject of this article is the analysis of self-education of students in the conditions of distance learning during the COVID-19 pandemic by examining the manifestation of students' desire to independently acquire new knowledge by reading literary works of various genres. The methodology of this work was made up of interdisciplinary methods, such as specific sociological, formal logical, systemic structural, comparative legal. In addition, general scientific methods of research activities were used: functional method, method of generalization, abstraction, methods of formalization, observation, comparison. To assess the prospects for self-education of student youth, the perception of this process by students of leading universities and secondary vocational schools in Moscow and the Moscow region, in July 2020, a survey was conducted on the topic "Self-education of young people in Moscow and the Moscow region in conditions of self-isolation and distance learning" by Anastasia Borisova and Diana Popova. The paper presents a structural analysis of the situation with self-education of student youth in conditions of self-isolation, especially reading literary and scientific sources, organizing young people's own time for self-development. As a result, it was found that 1/3 of students began to read more while in self-isolation. The direction of the studied literature changed and preference was given to classical literary prose and poetry, as well as a high readiness of students for self-education and development.

*Keywords: self-education, COVID-19, literary works, motivation, initiative, students, self-isolation*

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## INTERNATIONAL LAW; EUROPEAN LAW

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### LEGAL ANALYSIS OF THE MULTILATERAL CONVENTION ON THE IMPLEMENTATION OF MEASURES RELATING TO TAX TREATIES 2016

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This article provides a legal analysis of the 2016 OECD-sponsored Multilateral Convention on the Implementation of Measures Relating to Tax Agreements. Having received the short name «Paris Convention», this international treaty becomes a truly «multilateral international legal instrument», which has been adopted by more than 94 states and tax jurisdictions. The convention is intended to implement the Organization for Economic Cooperation and Development (OECD) and the G-20 and the Organization for Economic Co-operation and Development Action Plan to Combat Tax Minimization and Profit Removal. The provisions of the convention are aimed at solving the complex problems of MNVP in accordance with three areas: countering hybrid schemes to reduce the tax burden (elimination of «hybrid inconsistencies»), combating the abuse of provisions of tax agreements and countering artificial avoidance of permanent establishment status. The conclusion reflects the main approaches that the convention uses in accordance with the tasks assigned to it.

*Keywords: tax minimization, profit withdrawal, OECD, hybrid inconsistencies, tax treaties, permanent establishment*

## **ADMINISTRATIVE AND LEGAL REGULATION OF PRIVATE DETECTIVE ACTIVITY IN THE USA (ON THE EXAMPLE OF INDIVIDUAL US STATES)**

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This paper analyzes the legislation on private detective activities of individual states of the United States. The author selected the legislation of the states of Louisiana, Nevada, New Jersey and Minnesota in connection with the greatest development of the institution of private detective activity in these states.

Within the framework of this work, the concept of private detective activity and the features of its administrative regulation were investigated. The author notes that in all US states, a license is required to carry out private detective activities.

*Keywords: private detective activity, private detective, private investigator, administrative regulation, licensing, charter, administrative rules, investigation.*

## **AMENDMENT AND TERMINATION OF CONTRACTS DUE TO A SIGNIFICANT CHANGE IN CIRCUMSTANCES IN ACCORDANCE WITH THE RULES CONTAINED IN THE UNIFICATION ACTS**

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This article examines the features of the amendment and termination of the contract in connection with significantly changed circumstances in accordance with the rules contained in the unification acts on the example of Principles of European Contract Law (PECL), Unidroit Principles of International Commercial Contracts, Definitions and Model Rules of European Private Law, Draft Common Frame of Reference (DCFR) and European Contract Code.

*Keywords: contract, responsibility, amendment of the contract, termination of the contract, impossibility of performance, losses, significant change in circumstances.*