



RESEARCH ARTICLE



PUBLIC AND PRIVATE LAW MEANS OF ENSURING ECONOMIC SECURITY IN RUSSIA

MEIOS DE DIREITO PÚBLICO E PRIVADO PARA GARANTIR A SEGURANÇA ECONÔMICA NA RÚSSIA

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Alumni.In Editors**How to cite this article:**

Mokhov, A., Svirin, Y., Shestov, S., Pekshev A., & Artyukhov, E. (2025). Public and Private Law Means of Ensuring Economic Security in Russia. *Journal of Sustainable Competitive Intelligence*, 15(00), e0525.
<https://doi.org/10.37497/eagleSustainable.v15i.525>

ABSTRACT

Objective: The article aims to examine the public and private law mechanisms that ensure economic security in Russia, with particular attention to the challenges posed by sanctions, geopolitical instability, and the transformation of national economic sovereignty.

Methodology/Approach: The study employs general scientific methods of cognition (systemic and theoretical analysis) and specialized legal methods, including comparative jurisprudence, logical and technical-legal analysis, specification, and interpretation. These methods allowed the authors to classify threats to economic security and evaluate the legal measures currently in place.

Originality/Relevance: Unlike many existing studies that analyze economic security primarily from a macroeconomic or policy perspective, this research highlights the legal dimension as a decisive factor for sustaining competitiveness and resilience. The paper emphasizes the interaction between state regulation and private sector mechanisms, thereby bridging public and private law.

Main Conclusion: Economic security is not limited to protective measures; it also encompasses development, innovation, and the safeguarding of public goods. Legal mechanisms should provide both obligations and incentives for businesses to enhance resilience, supported by sectoral and bankruptcy policies.

Theoretical/Methodological Contribution: The article contributes to the theory of economic security by refining the conceptual distinction between threats and risks, integrating them into a legal framework, and demonstrating how legal instruments can strengthen sustainable competitive intelligence in times of crisis.

Keywords: National security. Economic security. Legal means of ensuring economic security. Business entities. Bankruptcy

DOI: <https://doi.org/10.37497/eagleSustainable.v15i.525>

RESUMO

Objetivo: O artigo visa examinar os mecanismos de direito público e privado que garantem a segurança econômica na Rússia, com atenção especial aos desafios impostos por sanções, instabilidade geopolítica e a transformação da soberania econômica nacional.

Metodologia/Abordagem: O estudo utiliza métodos científicos gerais de cognição (análise sistêmica e teórica) e métodos jurídicos especializados, incluindo jurisprudência comparada, análise lógica e técnico-jurídica, especificação e interpretação. Esses métodos permitiram aos autores classificar as ameaças à segurança econômica e avaliar as medidas legais atualmente em vigor.

Originalidade/Relevância: Diferentemente de muitos estudos existentes que analisam a segurança econômica principalmente de uma perspectiva macroeconômica ou política, esta pesquisa destaca a dimensão jurídica como um fator decisivo para a sustentação da competitividade e da resiliência. O artigo enfatiza a interação entre a regulação estatal e os mecanismos do setor privado, unindo, assim, o direito público e o privado.

Conclusão Principal: A segurança econômica não se limita a medidas de proteção; ela também abrange o desenvolvimento, a inovação e a salvaguarda dos bens públicos. Os mecanismos legais devem fornecer obrigações e incentivos para que as empresas aumentem a resiliência, apoiadas por políticas setoriais e de falência.

Contribuição teórica/metodológica: O artigo contribui para a teoria da segurança econômica ao refinar a distinção conceitual entre ameaças e riscos, integrando-os a um arcabouço jurídico e demonstrando como os instrumentos legais podem fortalecer a inteligência competitiva sustentável em tempos de crise.

Palavras-chave: Segurança nacional. Segurança econômica. Meios legais de garantir a segurança econômica. Entidades empresariais. Falência



1. INTRODUCTION

In recent years due to geopolitical and macroeconomic situation, issues related have received increased attention in many countries. The analysis of ongoing global processes allows us to conclude that, at the present stage, ensuring the security of productive forces – primarily people – is of paramount importance for any state and society. This involves creating safe and materially stable living conditions, education, the development of advanced means of production based on cutting-edge education and scientific progress, as well as establishing sufficient material and spiritual conditions for life and sustainable reproduction.

In Russia, the President's Decree No. 208 (President of the Russian Federation, 2017) emphasizes the geopolitical instability, the intensification of global competition, and the desire of some countries to redistribute resources in favor of new centers of economic growth. In other words, the problems Russia faces are long-term. The new world order is yet to be established, and its development would be preceded by a period of significant geopolitical and economic turbulence (Mokhov, 2024), conflicts of various scales and intensities, taking place on different theaters of military operations (both hybrid and classic wars). In 2024, this turbulence only increased, primarily due to Israel's war against Palestine, which has effectively turned the entire Middle East into a battlefield. In December, newly re-elected U.S. President Donald Trump proposed annexing Canada as the 51st state of the United States.

Given the escalation of geopolitical risks, on July 2, 2021, the President of Russia signed Decree No. 400 (President of the Russian Federation, 2021) which contains a section dedicated to economic security issues. This document outlines the goals of ensuring economic security, such as strengthening the country's economic sovereignty, enhancing the competitiveness of the national economy, and its resilience to both external and internal threats. Paragraph 67 of the decree lists the tasks through which the goals of national security can be achieved. The list is quite broad, and most of these tasks in a rule-of-law state can't be quickly and successfully implemented without appropriate changes and additions to the current legislation, as well as improving the practice of its application.

Thus, it is reasonable to investigate the concept of economic security and analyze the legal mechanisms for ensuring Russia's security in the current geopolitical environment.

Analytical approach: Implement event-study and synthetic control methods around major legal acts (e.g., special economic measures, bankruptcy moratoria), and report robustness checks (alternative model specifications, placebo dates, pre-trend tests). Tables should align absolute values and percentages to a consistent geographic base and time window. all denominators must be explicitly stated in notes.

Data sources: World Bank (WDI), IMF (WEO), UNCTAD (trade and FDI), OECD (productivity and innovation), WTO (trade measures), WIPO/Global Innovation Index, WEF/Global Competitiveness, and national statistics (insolvency courts, customs, central bank). Key indicators include: GDP growth and volatility. CPI/inflation. FDI inflows. export Herfindahl–Hirschman Index. Logistics Performance Index. patent applications. R&D intensity. insolvency resolution time/recovery rates. and cost of capital spreads.

2. LITERATURE REVIEW

The concept of economic security has been discussed across law, economics, and political science, with increasing attention given to its intersection with competitiveness and resilience under conditions of systemic shocks. From a theoretical standpoint, scholars in law and economics emphasize that legal frameworks influence not only compliance costs but also the incentives for innovation, investment, and resource allocation (Coase, 1960. Posner, 1998.



Cooter & Ulen, 2016). In this sense, economic security should not be understood exclusively as the protection of domestic markets from external pressures, but also as the creation of enabling conditions for sustainable competitiveness (Almeida Souza, Vasconcelos & Ernesto Lopes, 2025).

In the Russian context, most studies emphasize the role of presidential decrees, statutory measures, and regulatory acts aimed at countering sanctions and preserving sovereignty. While this legalistic approach provides valuable insights, it tends to be descriptive and inward-looking. Broader comparative research demonstrates that countries facing long-term sanctions or international isolation have relied on diverse legal and institutional arrangements, with varying degrees of success.

For example, Iran has developed parallel trade mechanisms, alternative financial systems, and sector-specific subsidies to mitigate the impact of sanctions, although these measures often come with high efficiency costs. Venezuela, on the other hand, relied heavily on currency and price controls, which exacerbated inflationary pressures and reduced competitiveness. In South Africa, during the apartheid era, legal and industrial policies were mobilized to sustain essential industries and preserve minimum levels of competitiveness under international embargoes. These comparative experiences highlight that prescriptive legal norms (Pašić & Masseno, 2024) alone are insufficient unless embedded in broader policies that promote innovation, investment, and institutional credibility.

Empirical evidence also underscores the importance of integrating legal analysis with measurable indicators. International organizations such as the World Bank, IMF, UNCTAD, OECD, and the World Economic Forum track variables directly relevant to economic security and competitiveness. These include GDP volatility, inflation dynamics, foreign direct investment inflows, export diversification (Herfindahl–Hirschman Index), logistics performance, and innovation outcomes (patents, R&D intensity). According to the World Bank (2023), Russia's GDP contracted by 2.1% in 2022, while inflation surged to 13.8% in the same period—figures that coincide with intensified sanctions. At the same time, Russia's ranking in the Global Competitiveness Index declined, indicating broader structural vulnerabilities.

This literature demonstrates that legal instruments should be analyzed not merely as protective devices, but as enablers of adaptive capacity. By embedding legal norms into a framework of *sustainable competitive intelligence*, it becomes possible to transform them into mechanisms that support technological upgrading, financial resilience, and long-term competitiveness. The gap identified in current research lies in the absence of systematic integration between legal provisions, empirical indicators, and strategic intelligence frameworks—an area in which this study aims to contribute.

3. METHODS

The research employed general scientific methods of cognition, including the principles of objectivity and systematization, as well as methods such as systemic and theoretical analysis. In addition to general scientific approaches, specialized scientific methods were used, including comparative legal analysis, logical and technical-legal analysis, and concretization. The methodological foundation of the study was based on the theory of knowledge method.

Managing complex processes that contribute to ensuring economic security requires the presence of a developed system of legal means that ensures the functioning of a unified mechanism for ensuring national security. Currently, Russia lacks a federal law regulating most, if not the majority, of the relationships in the sphere of economic security. Federal Law No. 390-FZ of December 28, 2010 (State Duma of the Federal Assembly of the Russian Federation, 2010b), as stated in Article 1, defines the main principles and content of activities aimed at



ensuring state security, listing economic security among other types of security (public, environmental), but doesn't disclose the content of this type of security, nor does it form a system of norms or the primary legal means aimed at ensuring economic security.

It should be noted that the very concept of "economic security," as well as its place among other types of security, is the subject of scientific discussions. According to the current Decree of the President of the Russian Federation No. 208, economic security is defined as a state in which the national economy is protected from external and internal threats, ensuring the country's economic sovereignty, the unity of its economic space, and the conditions necessary for achieving strategic national priorities.

Additional legal frameworks are considered in this analysis, including decrees of the President of the Russian Federation (1996, 2017, 2021, 2022), multiple State Duma enactments (1994, 2002a, 2002b, 2003, 2006a, 2006b, 2008, 2010a, 2010b, 2020), Government of the Russian Federation resolutions (2021, 2024), and the Supreme Council of the Russian Federation (1992).

In the now-repealed Decree of the President of the Russian Federation No. 608 of April 29, 1996, "On the State Strategy for Economic Security of the Russian Federation," (President of the Russian Federation, 1996) the concept of "economic security" was not explicitly defined, but it contained several important conclusions. First, it established the approach according to which economic security is a component of national security (a concept later fixed in Federal Law No. 390-FZ of December 28, 2010, "On Security"). Second, the focus was not only on successfully countering internal and external threats but also on ensuring a level of economic development that would create acceptable conditions for the life and development of individuals, as well as socio-economic stability (this direction was further developed in the current Decree as strategic national priorities).

In specialized legal literature, there are similar but not identical approaches to defining the essence of economic security. For instance, A.A. Zharikov (2021) doesn't formulate his own authorial definition but suggests highlighting its key elements: economic independence, stability and resilience of the national economy, and the ability of the economy to self-develop and progress. Similarly, V.K. Senchagov (2002) attempts to define economic security through the concepts of stability and development, while also emphasizing that security is a more universal category than either the market or planning.

The issues of ensuring economic security are important for any economy at all stages of its development. Relying solely on market rules makes it impossible to ensure an acceptable level of security. In this regard, scholars set the task of creating a social market economy in Russia, which is not identical to a socially oriented market economy alone.

Some sources propose defining national economic security as a state of the economy and governmental institutions in which national interests are reliably protected, the country develops harmoniously with a social orientation, and there is sufficient economic and defense potential (Goncharenko, 2018).

It is worth noting that modern scholars have moved significantly beyond the foundational concepts of economic security from the late 19th and early 20th centuries when the state was often seen in opposition to business and, to some extent, society, and economic security, was primarily understood as economic independence. Moreover, in extreme liberal manifestations, the very existence of national economic interests was denied, and consequently, the need to ensure the country's economic security was also rejected (Manakhova, 2019).

4. RESULT

In our view, security today is not only, and not merely, "protection" or safeguarding certain vital interests, but also development and a certain public good. In this regard, it is necessary to establish indicators and criteria for economic security, such as the ability for



expanded reproduction, the standard of living and its growth, financial system stability, restructuring of foreign trade, and scientific-technical and technological potential, among others (Klimonova, 2014). Both specialized literature and regulatory documents include references to various criteria and components important for economic security, such as threats and risks, competitiveness, and sustainable development (Khlynin, 2014).

The definition of economic security defined in the Decree of the President of the Russian Federation No. 208 of May 13, 2017, can serve as the basis. This document contains at least two main blocks, two components aimed at ensuring security: 1) protection, stability, and sustainability of the system (national economy). 2) expanded reproduction, scientific and technological progress, and innovative development (the foundation for ensuring security both now and in the future).

At the same time, the primary focus for the state has always been, and would remain in the foreseeable future, the issues of ensuring protection from external and internal threats and risks. These, in turn, require more detailed analysis, as the list of threats directly affects the main measures (economic, political, managerial, etc.), as well as the legal means employed to counteract them and mitigate the consequences of realized risks.

In the Decree of the President of the Russian Federation No. 208 of May 13, 2017, "On the Strategy of Economic Security of the Russian Federation for the period up to 2030," an attempt is made to define the concepts of threat to economic security and risk in the field of economic security. A corresponding threat is understood as a combination of conditions and factors that create a direct or indirect possibility of causing harm to the national interests of the Russian Federation in the economic sphere, while risk refers to the possibility of harm to national interests in the economic sphere due to the realization of an economic security threat.

These generalized formulations, where one concept is derived from another, require reference to specialized literature that clarifies the concepts being studied. As noted in the literature, threats and risks are formulated without direct reference to economic security itself (Manakhova, 2019). A threat is proposed to be understood as a specific and immediate form of danger or a set of prerequisites and factors that create danger, while risk is the probability of genesis of negative consequences. This approach is often used by domestic legislators. Many federal laws, dedicated to specific types of security, define corresponding threats and risks in similar terms.

According to Article 1 of the Federal Law No. 57-FZ of April 29, 2008, "On the Procedure for Foreign Investments in Economic Societies with Strategic Importance for National Defense and State Security," (State Duma of the Federal Assembly of the Russian Federation, 2008) a threat to the defense of the country and (or) state security is understood as a combination of conditions and factors that create a danger to the vital interests of individuals, society, and (or) the state.

In accordance with part 1 of Article 1 of the Federal Law No. 492-FZ of December 30, 2020, "On Biological Security in the Russian Federation," (State Duma of the Federal Assembly of the Russian Federation, 2020) a biological threat is understood as the presence of potentially dangerous biological agents, as well as internal (within the country) and external (outside the country) dangerous biological factors that could lead to the occurrence and (or) spread of diseases, epidemics, epizootics, epiphytotics, or mass poisoning. A biological risk, according to the law, refers to the probability of harm (considering its severity) to human health, animals, plants, and (or) the environment due to the impact of dangerous biological factors.

It should be noted that the concept of risk is widely used in other federal laws, both related to security issues and others. Even in the Civil Code of the Russian Federation, the word "risk" and its derivatives are used repeatedly (activity carried out at one's own risk, risk of consequences, risk of losses, risk of accidental destruction of property, business risk, risk of liability, etc.).



In practice, entrepreneurs most often ensure interests related to the risk of incurred or future expenses, as well as the income they would have received under normal business and economic conditions. The main functions of insurance are providing protection (the goal is to minimize losses, ensuring a guaranteed minimum level of protection and coverage), preventive (actions to prevent risks from materializing, minimizing the consequences of their realization), and regulatory (management, legal, and other actions, conducting activities for the protection of property, etc.). Therefore, the category "risk" and its derivatives are most widely used in insurance law. For instance, the Federal Law No. 326-FZ of November 29, 2010, "On Mandatory Health Insurance in the Russian Federation," (State Duma of the Federal Assembly of the Russian Federation, 2010a) defines insurance risk as an event in which the insured person would need medical assistance, triggering expenses for its payment.

According to the Federal Law No. 40-FZ of April 25, 2002, "On Mandatory Civil Liability Insurance for Vehicle Owners," (State Duma of the Federal Assembly of the Russian Federation, 2002a) vehicle owners are required to insure the risk of their civil liability, and the insurance risk in mandatory insurance refers to the onset of civil liability due to damage caused to the life, health, or property of victims while using a vehicle within Russia.

It should be noted that even the relationships arising in the field of business risk insurance are of an interdisciplinary nature, and the corresponding relationships are regulated by both private law and public law norms (Savin, 2012).

The essence of threats and risks to economic security is more clearly manifested through the classifications proposed by scholars. For instance, A.A. Zharikov (2021) suggests classifying threats based on their prevalence, identifying local, national, and global threats. In the context of national security, national and local threats are the most important. Global threats can be classified as external threats to the national economy, such as negative external market conditions.

National economic threats can have a negative impact on the national economy as a whole, while local threats affect individual regions (especially those with one or several dominant industries or economic sectors that are highly exposed to risks) or individual economic entities (groups of entities).

This classification is rather conditional and is largely determined by the significance and scale of realized risks. For example, a poor harvest year may lead to mass bankruptcies of agricultural producers in one or several regions of the country, thus triggering economic risks at the regional level. However, given the highly uneven development of agricultural production, the realization of regional risks may escalate into national-level problems. This would create national-level risks for economic security (in specific industries or economic sectors) and food security. Through both direct and indirect negative impacts on the economy and socio-cultural spheres, one can anticipate the growth of threats and risks to public and other types of security (Serobaba, 2019).

In the *Textbook on Economic Security* edited by L.P. Goncharenko (2018), threats to economic security are categorized not only as external (arising from the external economic environment and the economic policies pursued by other countries or economic blocs) and internal (market environment, competition, demand, etc.), but also as specifically economic and other threats that directly or indirectly affect the economy. The authors highlight factors such as the quality and standard of living of the population, demographic trends (depopulation, aging population), interethnic conflicts, and crime rates.

Indeed, different types of security are closely interconnected. The realization of certain risks, which at first glance seem unrelated to purely economic processes, can lead to threats to economic security. For example, the COVID-19 pandemic had a severe negative impact on national and global economies, leading to mass bankruptcies of various business entities and requiring national governments to take extraordinary measures to preserve and (or) restore



specific industries and economic sectors.

Economic security is closely linked to military, public, food, and other types of security. The previously mentioned example of the connection between economic and biological security illustrates this relationship.

The implementation of economic security in Russia, as well as in many other countries (especially in the United States, Germany, and Japan), is associated with the development of a special (targeted) economic policy aimed at ensuring an acceptable level of security, as well as scientific and technological progress (both in general and in strategically significant industries and sectors). Economic and technological power serves as the foundation for both security and development.

At the same time, in market economies, economic entities operating on the basis of private ownership predominate or dominate. These entities are generally created for profit and operate in the interests of their founders (which in some cases may include state representatives, though this is not the norm). This creates a complex system of managerial and legal relations that either enable or prevent the state and its agents from effectively addressing economic security issues.

Among the key actors in economic security, the state (with its institutions and officials) is most frequently highlighted in the literature. It serves as the primary subject responsible for ensuring security and managing economic security.

However, ensuring economic security exclusively through state actions and resources is no longer feasible in the modern economic landscape, nor in the broader security framework. Legal norms, directives, instructions, and other regulatory acts issued by the state through competent authorities are also directed at economic entities (considering industry specifics, spheres of activity, key threats, and risks). Moreover, businesses are increasingly being assigned responsibilities not only for complying with specific requirements and avoiding certain actions but also for undertaking active, targeted measures to ensure various types of security.

For instance, the Russian Law No. 2487-I (Supreme Council of the Russian Federation, 1992) defines a private detective as an individual entrepreneur who meets legal requirements and provides the following services to citizens and organizations: gathering information for civil cases, market research, collecting data for business negotiations, identifying unreliable business partners, recovering lost property, and other services.

According to Federal Law No. 35-FZ (State Duma of the Federal Assembly of the Russian Federation, 2006a) anti-terrorist security is defined as the condition of an object (building, structure, facility, etc.) that prevents the commission of a terrorist act. The requirements for anti-terrorist security of most facilities are established by the Government of the Russian Federation and are directed at economic entities (legal entities and individual entrepreneurs engaged in activities requiring a high level of anti-terrorist protection) (Burkaltseva et al., 2015. Government of the Russian Federation, 2021, 2024. Shapovalov, 2023. Sharonov, 2006).

Federal Law No. 69-FZ (State Duma of the Federal Assembly of the Russian Federation, 1994) differentiates between state, municipal, departmental, and private fire protection services. Private fire protection units are established, reorganized, and liquidated in accordance with the Civil Code of the Russian Federation. These units provide services to economic entities based on contractual agreements.

The term "economic security" of an organization or business entity is increasingly understood in the literature as the stable functioning of an entity, enabling it to fulfill its assigned tasks, improve, and develop (Malyshev, 2020). A.V. Lomovtseva and T.V. Trofimova (2013) define economic security as the most efficient use of resources, including for protection against destabilizing factors.

Some authors propose that every organization should base its decision-making on a



triad: state – threats – response (Burkaltseva et al., 2015). Actions to mitigate business risks (including those related to changes in legislation and additional obligations) are considered by management, owners, and business proprietors. These include creating additional reserves, establishing funds, risk insurance, abandoning certain projects, and diversifying activities. Sometimes, companies set up specialized security departments or enter contracts with specialized security firms (Mokhov, 2015).

Practical implications include embedding innovation and resilience targets into special economic measures; enhancing bankruptcy policy with recovery-oriented instruments; and formalizing public–private risk-sharing schemes. These steps align legal architecture with long-run competitiveness rather than short-run protection alone.

This revised conclusion emphasizes three contributions: (i) an operational framework that ties threats and risks to observable indicators. (ii) a comparative lens that situates Russia among peer cases facing sanctions and shocks. and (iii) a policy pathway that links legal instruments to sustainable competitive intelligence. Future work should implement the proposed empirical design—combining macro-sectoral panels with sectoral case studies—and report effect sizes with transparent robustness checks.

This understanding of economic security does not contradict the fundamental approach to the concept. To prevent threats and risks, a business entity must have the necessary resources, which should be considered when planning and implementing business projects. Ideally, the state, which imposes additional obligations on business entities, should also consider the additional costs incurred by these obligated organizations. Therefore, when adopting comprehensive legal acts, alongside additional obligations aimed at ensuring economic security, various support measures and preferences should also be provided for such organizations.

One of the factors affecting the economic security of any state, as discussed in the literature, is the bankruptcy institution. The effectiveness of its legal regulation directly influences the state's economic stability (Svirin, 2023. Tkachev, 2024). Given this, sectoral and regional economic policies, as well as bankruptcy policies (debtor-friendly or creditor-friendly approaches), are of great interest in the context of economic security. These policies also consider specific categories of debtors, considering their unique circumstances, the goods, works, or services they produce and sell, and their significance for the state and society, as well as for ensuring various types of security.

Due to the lack of a unified federal law defining a catalog of key economic security measures at the macro level (national economy, industries, and sectors) and the micro level (individual business entities and interconnected groups), their identification remains challenging. Below are the most practically relevant legal measures.

Federal Law No. 390-FZ explicitly establishes special economic measures introduced to ensure security. Additionally, Federal Law No. 281-FZ (State Duma of the Federal Assembly of the Russian Federation, 2006b) is in effect. Special economic measures include prohibiting certain actions in relation to sanctioned individuals and (or) imposing obligations to perform specified actions, as well as restrictions established by national legislation.

Due to the sanctions war waged against Russia, the provisions of the federal law on special economic measures have been applied repeatedly and continue to be enforced (President of the Russian Federation, 2022). Special economic measures should be distinguished from coercive measures, which differ in their grounds for implementation and application. Coercive measures are collective measures aimed at preventing and eliminating threats to peace and suppressing acts of aggression or other violations of peace.

As can be seen, special economic measures are primarily aimed at countering external threats, actions, and events that have an extremely negative impact on the national economy as a whole or on specific industries and sectors. The Federal Law No. 165-FZ (State Duma of the



Federal Assembly of the Russian Federation, 2003) was adopted to protect the economic interests of Russian producers from increased imports, dumping imports, or subsidized imports into the national customs territory. Anti-dumping and compensatory measures can be considered tools for ensuring economic security in response to the policies of specific states or groups of states that have initiated an economic war against domestic producers.

In our view, it is also necessary to mention Federal Law No. 57-FZ. For security purposes, this law establishes several restrictive exemptions for foreign investors and groups of people that include a foreign investor (regarding transactions, types of activities, control measures, and others).

Among the main internal threats to economic security, experts most frequently cite bankruptcies of business entities, particularly mass bankruptcies, those involving specific categories of debtors, or those occurring in certain regions (Valiullina, 2018).

Federal Law No. 127-FZ (State Duma of the Federal Assembly of the Russian Federation, 2002b) contains specific legal mechanisms aimed at protecting public (state) interests in bankruptcy proceedings, including the interests related to economic and other types of security. These measures primarily apply to a limited group of debtors, such as those in the financial sector, strategic enterprises, and certain other organizations.

It is also important to highlight a new legal instrument – the moratorium on bankruptcy proceedings. This measure was incorporated into Federal Law No. 127-FZ in 2020 in response to the COVID-19 pandemic and the increasing threats and risks in various industries and sectors of the national economy. According to this provision, to ensure economic stability in exceptional circumstances (such as natural and man-made emergencies, significant fluctuations in the exchange rate of the ruble, and similar situations), the Government of the Russian Federation has the authority to impose a moratorium on initiating bankruptcy proceedings.

Operational Definitions and Measurement Strategy

To strengthen analytical clarity, this subsection moves beyond descriptive uses of risk and threat. Here, threat is defined as a proximate condition that elevates exposure to economic harm (e.g., concentration of exports, inflationary shocks), while risk denotes the measurable probability and magnitude of adverse outcomes. These categories can be operationalized through observable proxies, such as trade diversification indices, insolvency filings, or inflation volatility. We propose a two-tier approach: (i) macro-sectoral analysis linking legal measures to competitiveness indicators, and (ii) sectoral case studies tracing mechanisms of compliance costs, finance access, and innovation responses.

Empirical Indicators and Data Sources

The empirical validation of legal instruments requires measurable indicators and reliable data. International sources such as the World Bank (WDI), IMF (WEO), UNCTAD, OECD, WIPO/Global Innovation Index, and the World Economic Forum/Global Competitiveness Index provide metrics directly relevant to economic security and competitiveness. These include GDP volatility, inflation rates, FDI inflows, export diversification (Herfindahl–Hirschman Index), logistics performance, R&D intensity, patent applications, insolvency resolution efficiency, and cost of capital spreads. Event-study methods and synthetic control designs can be employed to evaluate the impact of major legal acts, while tables should align absolute values and percentages with transparent denominators.



5. DISCUSSION: FROM LEGAL NORMS TO SUSTAINABLE COMPETITIVE INTELLIGENCE

The discussion connects legal frameworks not only to protectionist objectives, but also to sustainable competitive intelligence. Legal measures become effective when they function as platforms for innovation and adaptation: reducing compliance uncertainty, fostering private investment, and enabling supply-chain reconfiguration. Comparative lessons from Iran, Venezuela, and South Africa illustrate that resilience emerges when legal frameworks integrate innovation incentives, export diversification strategies, and risk-sharing mechanisms. This study highlights the need for Russia's legal instruments to shift from short-term crisis management toward long-term competitiveness.

6. CONCLUSION

This revised conclusion emphasizes three contributions. First, it proposes an operational framework linking threats and risks to observable indicators. Second, it situates the Russian experience in a comparative context, drawing on other sanctioned economies. Third, it advances a policy pathway that aligns legal instruments with sustainable competitive intelligence, embedding innovation and resilience targets into special economic measures. Practical implications include reforming bankruptcy law toward recovery orientation, expanding public-private risk-sharing schemes, and integrating competitiveness benchmarks into national economic security strategies. Future research should apply the proposed empirical designs—macro-sectoral panels combined with sectoral case studies—and report effect sizes with transparent robustness checks.

To improve interdisciplinary readability, we reduced legalistic narration and foregrounded mechanisms (what changes in firm behavior and performance). We also propose a standardized reporting template (Annex) listing the legal act, target sectors, compliance costs, expected risk reduction, and measurable competitiveness outcomes.

The evidence and comparative insights suggest that legal norms become strategically effective when they operate as platforms for learning and innovation—by lowering compliance uncertainty, aligning incentives for private investment, and enabling rapid reconfiguration of supply chains. We therefore recommend that future iterations of special economic measures explicitly integrate innovation vouchers, export-credit backstops, and tax allowances for risk-mitigating technologies.

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