

On improving the system of identification of foreign citizens and stateless persons — natives of the countries of the African continent – when bringing the latter to administrative responsibility for violations of migration legislation

A. A. Vikhlyayev , S. V. Kalinina

Abstract. In this article, the authors touch upon topical issues of identifying the identity of offenders and the application of procedural coercion measures against foreign citizens and stateless persons who arrived in the Russian Federation from African countries; ways are proposed for the administrative and legal regulation of the procedural activities of law enforcement agencies in the proceedings on cases of administrative offenses against foreign citizens and stateless persons from these countries.

Keywords: foreign citizen, migrant, administrative offense, offender, administrative control.

Illegal logging of forest plantations: criminalistic characteristics of the criminal's personality

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Abstract. In this article, the use of a universal dialectical method of cognition based on the identification of patterns of mutual influence of criminalistics and public relations regarding the use and protection of forests allowed us to outline the criminalistic characteristics of the personality of the criminal who committed illegal logging of forest plantations. The historical method was used to study the development of environmental crime from domestic harvesting of wood as fuel to illegal transnational transportation of illegally harvested forest. Sociological and statistical methods were used in the formation and processing of the empirical base of the study. Formal-logical methods were used in the analysis, synthesis, induction and deduction of information essential for the compilation of the criminalistic characteristics of the criminal.

Keywords: environmental crimes, illegal logging of forest plantations, criminalistic characteristics, the identity of the criminal, legal responsibility.

Value structure of law in conditions of digitalization

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Abstract. The modern type of social structure inevitably has an influence on the basic social institutions to which law belongs. At the same time, the changes concern not only the foreign side of law, in particular, its form, but also its internal content. The specifics of the changes take place actualizes the role of the value system as a possible shield that preserves the regulatory and protective potential of law. The possibility of destructive changes in law should be leveled by a combination of private-legal and public-legal principles of legal regulation.

Keywords: digitalization, legal values, law, public interest, justice, law.

Main directions of development of information and analytical support of administrative activity of internal affairs bodies

I. V. Potapenkova , E. N. Yarmonova

Abstract. In this article, the authors consider the main directions of the development of information and analytical support for the administrative activities of internal affairs bodies.

Keywords: information and analytical support, personal data, principles of development and functioning of the system of information and analytical support of administrative activities of internal affairs bodies.

On the question of information as an element of the composition of administrative offenses

S. P. Staschenko , A. V. Konstantinov

Abstract. The article considers information as a whole as a legal phenomenon, which is mainly the object of illegal encroachments, or its use in the commission of certain administrative offenses. The latest changes in modern legislation in the field under consideration are given. The authors propose a unique classification of information in terms of its role in an administrative offense.

Keywords: information, administrative offenses, the Code of the Russian Federation on Administrative Offenses, the object of an administrative offense, legislation.

Deviation of adolescents and the role of the PDN employee in the prevention and suppression of deviant behavior

I. V. Fedorova , V. V. Kardashevsky

Abstract. The article discusses the problems of adolescent deviation, as well as ways and means of educational and preventive influence on the personality of a minor by a juvenile affairs officer, as well as suppression of the deviant behavior of adolescents.

Keywords: minors, adolescents, PDN employee, deviant behavior, urgent problems, educational nature, preventive work, solutions.

Basic principles of information security

A. A. Filonova

Abstract. The article is devoted to the principles of ensuring information security as models of ensuring information security in the conditions of informatization and high dynamics of public relations. The author notes that these processes determine the expediency of using the principles of law as the basis for building a system of law, as well as in the field of the implementation of law. In comparison with the norms – rules of conduct, the principles of law prescribe less stringent rules of conduct, but at the same time they allow to preserve the implementation of the general plan of the legislator. The author also identifies various classification options for the principles of information security.

Keywords: information security, information security of the individual, information security of the state, principles of law, principles of information security.

Strengthening the United Nations as a positive legal action of the entire world community as a whole

N. D. Eriashvili , V. V. Bogatyrev , R. A. Kalamkarian

Abstract. The work reveals the process of strengthening the United Nations as a positive legal action of the entire world community as a whole. The international legal significance of the contribution of the Russian Federation to the construction

of a modern world order based on the rule of law has been established in a holistic manner.

Keywords: Russian Federation, modern world order, rule of law.

The problem of determining the essence of punishment as a philosophical and penological category in relation to modern penal policy

P. A. Akimenko

Abstract. Punishment as a philosophical and penological category is a complex and contradictory phenomenon, since throughout the history of the existence of a civilized human society, various philosophers and jurists in their theoretical research have tried to establish its essential characteristics. However, none of the theories known to us gives a coherent and logical explanation for this phenomenon, therefore it cannot be of a universal nature, although it brings something new to the understanding of its nature. Turning to the study of the institute of criminal punishment at the present stage of the development of Russian statehood from the point of view of its philosophical and penological meaning, it can be stated with regret that not enough attention is paid to it in scientific works. The modern institute of criminal punishment is located at the junction of criminal, criminal procedure and penal enforcement law. Currently, the understanding of the institution of criminal punishment is sometimes ambiguous.

Keywords: institute of criminal punishment, concept of punishment, nature of punishment, essence of punishment, evolution of punishment.

Features of the study of forensic objects on digital media in the production of portrait and other forensic examinations

Yu. N. Aleksandrov

Abstract. The article discusses the stages of digital image formation in the context of photo registration of traces during the examination of the crime scene. Possible distortions of the photo image, the features of the compression algorithms in the most popular JPEG digital image format and the dangers of its use are considered. The question is raised about the degree of conformity of the obtained digital image of the footprint to the photographed object, the possibility and accuracy of measurements made within the framework of expert criminological research. In conclusion, proposals are formulated to change the tactics of expert research in

order to reduce the negative impact of distortions introduced into a digital image while saving it in JPEG format, as well as to improve the forensic activities of the Ministry of Internal Affairs of Russia in the conditions of digitalization.

Keywords: digital photography, Bayer filter, RAW and JPEG formats, photofixation of traces, digitalization of forensic activities.

Prevention by the internal affairs bodies of economic crimes committed with the use of information and telecommunication technologies

A. A. Baranov , E. A. Solomatina

Abstract. The article examines and analyzes the indicators of modern crime related to the topic of the article, reveals the main ways of committing economic crimes committed using information and telecommunication technologies, and provides recommendations for the prevention of these crimes.

Keywords: crime prevention, methods of committing crimes, economic crimes, crime indicators, information and telecommunication technologies.

About some problems of fraud qualification

L. A. Barokko

Abstract. The article discusses the features of fraud as premature predators, analyzes some of the problematic aspects of fraud, in particular the demarcation of fraud from other types of predators, as well as the delimitation of rare types of fraud. The conclusion is made about the need for a comprehensive application of the legal regulation of criminal prosecution for fraud and the creation of a unified law enforcement approach to the delimitation of fraud and theft.

Keywords: fraud, theft, types of fraud, theft, criminal liability, theft of property.

Results of operational and service activities of economic security and anti-corruption units with crimes in the field of agriculture (with examples of investigative and judicial practice)

M. Kh. Boranukov

Abstract. The article analyzes the operational and official activities of employees of economic security and anti– corruption of the territorial bodies of the Ministry of Internal Affairs of Russia for combating crimes in the field of budget funds allocated for the development of agriculture, based on the results of official activities and judicial and investigative practice. The priority directions of operational and service activities of economic security and anti-corruption units of the territorial bodies of the Ministry of Internal Affairs of Russia are considered. The state of economic and corruption crime in the sphere of the development of budgetary funds allocated for the development of agriculture is analyzed. The relevant examples of crimes from the plots of criminal cases provided by the economic security and anti-corruption units of the Ministry of Internal Affairs of the Russian Federation of the subjects of the Russian Federation are given.

Keywords: operational and service activities, agriculture, budget, budgetary funds, state program, agricultural producers, organization of the activities of internal affairs bodies, investigative and judicial practice.

Special types of crimes related to injury to health or death due to improper performance of professional duties in certain areas of activity

Yu. O. Gorobtsova

Abstract. The scientific article analyzes acts involving injury to health or death committed by persons as a result of improper performance of their professional duties. It is emphasized that in the Criminal Code of the Russian Federation, in addition to the crime reflected in Part 2 of Article 109 (causing death by negligence due to improper performance by a person of their professional duties) and Part 2 of Article 118 (causing serious harm to health by negligence committed due to improper performance by a person of their professional duties) The Criminal Code of the Russian Federation contains a number of related compounds. It is worth highlighting that the domestic legislator has clearly constructed the distinction between them, especially taking into account the object of criminal law protection. However, in law enforcement practice, there are still problems with the qualification of the act committed by the guilty person. It is emphasized that in some norms of the Criminal Code of the Russian Federation, the harm caused is singled out as an additional object. It is stated that the increase in the composition of crimes is characteristic of criminal legislation, taking into account its criminal policy. Such a circumstance often leads to competition between general and special norms, violation of the principle of consistency, and, consequently, to a decrease in the effectiveness of the protection of life and health of people in general.

Keywords: qualification, special types of crimes, causing harm to health, causing death, improper performance of professional duties.

Classification of causes and analysis of criminogenic factors of withdrawal of agricultural land from the intended use

M. M. Dayshutov , Z. A. Boytsova

Abstract. The article examines the criminogenic causes and analyzes the factors contributing to the withdrawal of agricultural lands from their direct purpose. The authors also analyze the theoretical provisions of the current legislation in the field of agricultural land protection.

Keywords: land, agricultural, causes, factors, purpose, land withdrawal.

On the issue of criminal liability for actions, that break up established order for counteracting the spread of a new coronavirus infection (COVID-19)

I. E. Demyanov

Abstract. This article discusses current problems associated with the introduction of criminal law prohibitions that are part of a set of legal measures aimed at countering the spread of a new coronavirus infection in Russia (COVID-19), formulates proposals for the further development of criminal legislation in this area and its application in practice.

Keywords: new coronavirus infection (COVID-19), crimes against human health, criminal liability.

Judicial “view” on the legality of procedural detention

A. S. Yesina , O. E. Zhamkova

Abstract. The article analyzes the norms of the criminal procedure law of the Russian Federation on the legal regulation of procedural detention, discusses problematic issues of law enforcement of the norms of Chapter 12 of the Code of Criminal Procedure of the Russian Federation, analyzes judicial practice, the official position of the Supreme Court of the Russian Federation on the legality of detention, formulated in the Supreme Court Resolution of June 2022.

Keywords: procedural detention, actual detention, protocol of detention, grounds and procedure of detention, terms of detention.

Elements of the traffic system «driver – car – road – environment – passenger – pedestrian» in the investigation of traffic crimes

E. V. Zhidkova , D. D. Nosova

Abstract. The article is devoted to the consideration of the elements of the traffic system as objects of inspection of the scene in order to obtain fundamental information about a traffic accident. It is concluded that the study of the noted elements, taking into account their relationship and interdependence, will have a positive impact on the investigation of traffic crimes and the establishment of the causes of an emergency.

Keywords: driver, car, road, pedestrian, passenger, environment, inspection of the scene, traffic, investigation of traffic crimes.

On the issue of the legal culture of violence

A. B. Kiryukhin

Abstract. The article presents the author's view on the legal culture of structured state violence. The necessity of specific models of violence within society and beyond in social and legal dimensions is considered. In particular, the legal culture of structured state violence makes it possible to explain how society authorizes and legalizes coercive influence on the subjects of relations in order to prevent and reduce violent crime. In general, the legal culture of structured state violence is an important part of the legal culture of society, since it explains why it is permissible to use force for the purposes established by law, and in which cases the use of force is provided by law. The author concludes that the legal culture of structured state violence allows extreme forms of its manifestation as a reaction to the most dangerous internal and external challenges to the security of the individual, society and the state.

Keywords: violence and nonviolence, structured state violence, law, criminological prevention and prevention, coercion to “good” will.

Statistical assessment of the consequences of committing crimes in the sphere of economic activity

T. V. Molchanova

Abstract. The article is devoted to the study of statistical information about the consequences of crimes in the sphere of economic activity (Chapter 22 of the Criminal Code of the Russian Federation). Statistical measurements of the damage caused on the grounds of crimes in the sphere of economic activity are considered, the average amount of damage per person who committed a crime in the sphere of economic activity is calculated. The measurements are made taking into account dynamic trends. The article contains a description of compensation for damage as a mechanism that will ensure the protection of the rights of victims in the criminal law sphere. The study describes the quantitative and qualitative characteristics of the victims on the grounds of crimes in the sphere of economic activity. As an empirical base, the forms of statistical observation of the SIAC of the Ministry of Internal Affairs of Russia were used.

Keywords: crimes in the sphere of economic activity, consequences, damage, size, average amount of damage, compensation for damage, victims, individuals and legal entities, victimization.

Features of the expert definition actual volume of completed work when carrying out a judicial construction and technical examination

P. M. Murashev , A. V. Nikishin , M. A. Smirnov , I. K. Yamshchikov , Dmitry M. Murashev

Abstract. The features of the expert approach in the methodology for conducting a judicial construction and technical expertise to determine the actual amount of work performed are considered.

Keywords: Russian Federation; legislation, Federal Law of the Russian Federation «On State Forensic Activities in the Russian Federation» dated April 05, 2001, expert research, forensic examination, initial data, construction and technical expertise, determination of the actual volume of work performed, expert methodology for determining the volume and cost of work performed, expert opinion, specialist.

The development of criminal legislation on liability for crimes in the sphere of entrepreneurial activity committed by deception, without signs of theft, during the Soviet period

D. V. Nemtinov

Abstract. The article analyzes the formation and development of domestic criminal legislation of the Soviet period in the field of entrepreneurial activity, the distinctive feature of committing which is the use of deception, without signs of theft. The characteristic of the modern state of economic crime is given, and also the forecast of a way of its further development is given. An analysis of types of fraud in accordance with the criminal law norms of the Soviet period is made.

Keywords: business, embezzlement, fraud, signs of embezzlement, criminal law, crimes, breach of trust, economic crimes, property damage.

To the question of the social and legal conditionality of criminal liability for illegal banking activities

K. A. Novikov

Abstract. The article explores the socio-legal conditionality of criminal liability for illegal banking based on knowledge of the reasons for criminalization developed by criminal law science (public danger, prevalence, significant change in the basis and superstructure in Russia at the end of the 20th century, the emergence of a new group of public relations arising from the development of economic relations in Russia). As a result of the analysis of these reasons, a conclusion was made about the high socio-legal conditionality of criminal liability for illegal banking activities.

Keywords: illegal banking, social and legal conditionality; crime; criminalization; criminal liability.

Firearms of limited destruction — pistol MP-79-9 TM caliber 9 mm R.A. and traces of its use

A. A. Nurushev , Yu.A. Kurylenko , A. A. Nikonorov

Abstract. The expert divisions of the Ministry of Internal Affairs of Russia periodically receive a considerable number of firearms for research. Among the incoming samples there is a factory-made small arms, namely firearms of limited

destruction. When conducting ballistic research, forensic experts have to answer the questions posed about the method of manufacturing firearms of limited destruction, about the design features of its main parts and details. And most importantly, criminalists also need to be able to professionally identify traces of its use on objects left at the scene. At the moment, special scientific literature requires replenishment and expansion of information on the characteristics of traces of the use of firearms of limited destruction. The article discusses the design features of the main parts of the pistol MP-79-9 TM caliber 9 mm R.A. Illustrations and a description of the location and design features of this weapon are given. And also, as a result of the experimental firing, the traces of the MP-79-9 TM pistol shot into the «Coarse calico» fabric were investigated and the characteristics of gunshot injuries formed at close distances were given.

Keywords: firearms of limited destruction, shutter, distance, trigger mechanism, barrel, fabric fibers.

The use of the results of a routine search in preparation for the interrogation of suspects in the commission of telephone fraud from the territory of correctional institutions

V. N. Ostapenko

Abstract. The article provides a structural analysis of the results of a routine search of communication facilities, reveals the content of the investigator's activities for their seizure, analysis and use in preparation for the interrogation of a suspect in the commission of mobile fraud from the territory of a correctional institution. Specific tactical recommendations are given.

Keywords: fraud, investigation, regime measures, interrogation, tactics.

Formation and development of the institution of criminal responsibility for knowingly false testimony in pre-revolutionary Russia

A. S. Panenko

Abstract. In the scientific article, the author studies the history of the formation and development of the institute of criminal responsibility for giving false testimony, which in the doctrine of criminal law was called the institute of criminal responsibility for perjury. The criminal legislation of pre-revolutionary Russia was chosen as the historical period under study due to the fact that it fully reveals the

evolution of the formation of the institution in question in the domestic legal system. Russian criminal law sources of the pre-revolutionary period of the development of the state, such as the Russo-Byzantine Treaty of 911, the Lengthy edition of the Russian Pravda, the Judicial Code of 1497, the Judicial Code of 1550, the Cathedral Code and others, are consistently considered in the scientific article. In the course of the research, the author comes to the conclusion that for the first time criminal liability for perjury was provided for by the norm of the Russian-Byzantine treaty of 911, and throughout the subsequent history of the development of domestic criminal legislation, the institution in question has passed a long and complex evolutionary path of its development.

Keywords: perjury, testimony, criminal liability, victim, witness, legislation, punishment.

Features of criminal liability for arbitrariness in some european countries

D. R. Primov

Abstract. The scientific article analyzes the peculiarities of the regulation of criminal liability for arbitrariness under the legislation of Bulgaria and Austria. In the criminal legislation of Bulgaria there is a corpus delicti involving arbitrariness, while in Austria there are two corpus delicti regulating criminal liability for the appropriation of power, as well as for the appropriation of the powers of an official, which can partly be attributed to arbitrariness. It is concluded that the development of the criminal legislation of Bulgaria (unlike Austria), in particular, the reflection of arbitrariness, was influenced to a considerable extent by the USSR. It is stated that as an important sign of the objective side of arbitrariness, is the fact of its commission, contrary to the alleged or actual law.

Keywords: management procedure, use of violence, arbitrariness, corpus delicti, criminal liability.

To the question of social and legal security of criminal liability for non-payment of wages, pensions, scholarships, benefits and other payments

J. K. Rakhimov

Abstract. This article discusses issues that are quite important today, relating to the social and legal conditionality of criminal liability for non-payment of wages, pensions, scholarships, allowances and other payments; theoretical and practical problems associated with the application of this criminal law norm are identified; proposals and recommendations are formulated for improving the studied norm of criminal law and the practice of its application.

Keywords: legality, social and legal conditionality, non-payment, criminalization, criminal liability.

The object and subject matter of incitement to suicide

R. K. Seyfedinov

Abstract. The article examines the main approaches to understanding the object and subject matter of the unlawful act of inciting to suicide. The characteristic of the direct object of criminal encroachment is given. Particular attention is paid to additional objects of incitement to suicide.

Keywords: life, health, person, honour, object of the crime, object of the crime, incitement to suicide.

The state, development trends and counteraction to crimes in the field of illicit trafficking of narcotic drugs, psychotropic substances and their precursors in some European countries

Yu. A. Strauning, O. G. Selikhova

Abstract. The article examines and analyzes some indicators of crime in the field of illicit trafficking of narcotic drugs, psychotropic substances and their precursors in some European countries, identifies trends in their development and measures to counteract them.

Keywords: crime prevention, methods of committing crimes, illicit trafficking in narcotic drugs, psychotropic substances and their precursors, crime indicators, countering crimes.

Qualification of concealment of funds or property of an organisation or individual entrepreneur, at the expense of which taxes, fees, insurance premiums should be recovered on the grounds of the subject of the crime

A. S. Ushakov

Abstract. The article analyses such a criminal offence as concealment of funds or property of an organisation or individual entrepreneur, at the expense of which taxes, fees, insurance premiums should be recovered. It characterises the qualification of the deed in question according to the characteristics of the subject of the crime.

Keywords: money, subject of crime, tax crimes, taxpayer, professional income.

Status of human trafficking from Vietnam to Cambodia: preventive measure Ha Quang Thai

Abstract. Trafficking in human beings is a serious crime that negatively affects public life. In recent years, these crimes have been on the rise in many localities in Vietnam, especially human trafficking to Cambodia. However, since human trafficking in Cambodia is a new phenomenon, it makes people let their guard down and at the same time makes the fight against this crime still difficult.

Keywords: criminal, crime, human trafficking, security, detention.

Responsibility for land damage: a comparative analysis of the criminal legislation of Russia and some foreign countries

A. A. Chugunov, Z. A. Boytsova

Abstract. In order to find a solution to the existing practical issues of applying the norms of the domestic criminal law in the field of land damage, the analysis of foreign legislation related to criminal pollution and land damage is carried out. Comparative analysis allows us to identify the directions of development of law in the field under study in different cultural environments.

Keywords: land, damage, criminal liability, pollution, poisoning.

Prevention of unauthorized access to computer information

G. F. Shipulin

Abstract. The article examines the degree of influence of computer information on modern society. The paper shows statistics indicating a significant increase in the role of computer information in the life of society over the past ten years, and conducted data showing the prospects for its further strengthening. The danger of unauthorized access to computer information described in the disposition of Article 272 of the Criminal Code of the Russian Federation is analyzed in detail. The importance of timely prevention of such offenses is shown. The author suggests three ways that have prospects for preventing such offenses.

Keywords: criminal law, computer information, unauthorized access to computer information, information and telecommunication technologies, prevention.

Exceptions to the law of diminishing marginal utility

A. V. Grachev , A. N. Litvinenko , L. V. Sikorskaya

Abstract. The article considers the benefits, the consumption of which goes beyond the scope of the law of decreasing marginal utility. Examples of such exceptions are presented. Attention is paid to addictive benefits. The negative effect of the law of decreasing marginal utility on security has been determined.

Keywords: marginal utility, decreasing, exclusion, law, security.

Modern problems of economic security of the regions of the Russian Federation in the conditions of digitalization of the economy

Vladimir E. Derevyanko

Abstract. The scientific article presents the results of the analysis of modern problems of economic security of the regions of the Russian Federation that arise during the digitalization of the economy. The relevance of the study is due to the current conditions, due to which barriers to the socio-economic development of regional subjects of the Russian Federation are formed. The paper analyzes the trends in the development of the digital economy. The theoretical aspects of ensuring the economic security of the regions are considered. The perspective directions of ensuring the economic security of the regions of the Russian Federation in the conditions of digitalization of the economy are determined.

Keywords: economic security of regions, digitalization of economy, regional economy, socio-economic development of regions.

Errors in corporate mergers and absorptions

D. K. Sanakoeva, A. A. Ulanova, M. I. Basnukaev

Abstract. The article discusses that in modern conditions, some enterprises use mergers and acquisitions as a mechanism that creates additional prospects for growth, consolidation and stabilization of positions in the segment. Careful planning of these processes allows you to take advantage of the current financial situation.

Keywords: merger, takeover, strategy, consequences, integration.

Commodity and financial support of scientific and technological development in the economy of Russia and the EAEU as a whole in conditions with a large component of uncertainty

P. A. Boyko , V. U. Chinaliev , V. E. Loginova

Abstract. The study is devoted to the problems of using new digital tools, tools and technologies to manage the processes of commodity and financial support with a view to meeting the scientific and technical demand in Russia and the EAEU as a whole.

Keywords: scientific and technological development, Russia, EAEU, planning, modeling, information system.

Criteria for human resource management of police departments in modern conditions of criminogenic situation

V. A. Minaev

Abstract. Using the example of the criminal investigation departments (CID) activities for the disclosure of crimes, the task of adaptive management of the internal affairs authorities (IAA) personnel resources in a changing criminal situation is considered. The process of the IAA activities is presented in terms of “input – resources – output”. In relation to the activity of disclosure crimes by CID, the concept of a production function has been introduced, based on a statistical description of the dependence of the unit disclosure on the unit load on the employees of CID. The coefficient of explainability of the proposed exponential model is in the range of 95–98 %. The task of human resources

optimal allocation between the territorial divisions of the CID is solved. The complex criteria for evaluating their activities on disclosure of crimes are considered. The comparison of optimal and proportional principles of human resources allocation is made. Based on the results obtained, the conclusion is made about the effectiveness of the implemented approach to human resources management in the context of society information transformation.

Keywords: adaptive management, human resources, police units, disclosure of crimes, optimal allocation, allocation principles, information change of society.