

• **An officer of a public international organization as a special subject of corruption crimes: concept, legal regulation blanks, law enforcement problems and ways to overcome them.**

Aleksandr G. Volevodz – Doctor of Laws, Professor in the Department of Criminal Law, Criminal Procedure and Criminalistics at Moscow State Institute of International Relations (University) of the MFA of Russia.

The article analyses the place of an official of a public international organisation as a special subject of corruption crimes. On the basis of international anticorruption treaties and national law of the Russian Federation, the article explains the concepts of a public international organisation, its officers, an international civil employee and some others defined in the Criminal Code of the Russian Federation. The author analyses drawbacks of definition of attributes of an official of a public international organisation given in the Criminal Code of the Russian Federation, and suggests - based on conducted research - improvements of the criminal legislation of the Russian Federation.

Keywords: commercial bribery; passive bribery; special subject of a crime; an official of an international public organisation; international treaties; an international civil employee; profit-making and non-profit organisations; international intergovernmental organisations; the European Bank for Reconstruction and Development; systematic law interpretation; legal error; law gap; improvement of the Criminal Code of the Russian Federation.

• **Regarding areas and quality of implementation of the principle of legality at imposition of the punishment.**

Irina V. Zhidkiyh – PhD in Law, Associate Professor in the Department of Criminal Law and Criminology at Adyghe State University.

The article exposes the author's vision of the prospects of improvement of the punishment imposition institute. Consideration of provisions of Chapter 10 of the Criminal Code of the Russian Federation through the prism of implementation of the principle of legality leads to the discussion on the issues of legitimacy of criminal law prohibitions, makes it possible to reveal contradictions arising in the course of individualization of a punishment, and to formulate suggestions as to the improvement of the Criminal Code of the Russian Federation.

Keywords: criminal law principle; legality; imposition of a punishment.

• **Mental disturbances of persons committing violent crimes: some criminal law aspects.**

Elena V. Ilyuk – PhD in Law, Associate Professor in the Department of Criminal Law of the Second faculty for Professional Development of the Institute for Professional Development of the Academy of the Investigative Committee of the Russian Federation (Yekaterinburg branch).

The study of the conclusions of psychological and psychiatric examinations showed that real practice is much more complex, variable, and not always fits within the traditional scheme of classification of mental disturbances in the criminal law: sanity – diminished sanity – insanity. Despite criminogenic role of mental disturbances at commitment of violent crimes, court practice tends to consider them as mitigating circumstances. The author points out to drawbacks of the legal regulation of imposition of forced medical measures to persons with paraphilias, repetition of crime from the side of which is caused by availability of mental disturbances. Besides, the article considers matters of psychiatric examination of the risk of repetition of crime stipulated by article 102 of the Criminal Code of the Russian Federation, as well as of other measures of prevention of repetition of crime by persons with mental disturbances.

Keywords: paraphilias; diminished sanity; mitigating circumstances; psychiatric examination of the risk of repetition of crime.

• **Particularities of individualization of punishment for crimes made with the use of weapons.**

Murat I. Katbambetov – PhD in Law, Associate Professor in the Department of Criminal Law and Criminology at Adyghe State University.

The article analyses the practice of imposition of punishment for crimes made with the use of weapons. The author focuses on criteria of estimation of public danger of acts and person of an armed criminal, formulates scientifically proved recommendations on application of subsection «k» of part 1 of article 63

of the Criminal Code of the Russian Federation, reveals the laws of individualization of the punishment for armed encroachments.

Keywords: imposition of a punishment; use of weapons; circumstances aggravating punishment; public danger of an act; person of a criminal.

• **Priority areas of ensuring public safety in the field of struggle against illegal weapon turnover.**

Tatyana S. Kovalenko – Senior Lecturer at the Petropavlovsk-Kamchatsky branch of the of the Far Eastern Federal University.

The article studies priority areas of ensuring national safety in the field of struggle against illegal weapon turnover. The author challenges the legislator's approach to differentiation of criminal and administrative responsibility for illegal sale of limited-damage fire-arms. The article focuses on the issue of application of the note to article 222 of the Criminal Code of the Russian Federation providing relief from criminal responsibility in case of voluntary hand-over of weapons. Besides, the author pays attention to quite a pressing issue relating to particularities of termination of criminal proceedings on the case due to voluntary hand-over of the weapon. Taking into account analysis of the court practice, the author suggests optimal ways of solution of problems in the field of struggle against illegal weapon turnover.

Keywords: illegal weapon turnover; ensuring public safety; differentiation of criminal and administrative responsibility.

• **Expediency of the project of integration of the «sexual harassment» concept into the legislation of the Russian Federation (on the example of the russian and foreign law).**

Yaroslava O. Kuchina – PhD in Law, Associate Professor in the Department of Criminal Law and Criminology at the Far Eastern Federal University Law School.

In March of this year a move was made to introduce in the Administrative Offences Code of the Russian Federation of an article providing for responsibility for sexual harassment against a woman. On the example of some achievements of foreign experience of implementation of this provision into the national law, the author suggests considering internal conditions and factors the availability of which is required to adapt the said concept to the Russian legal system. The author analyses international and foreign legislation, considers the structure and the contents of the suggested initiative, and, on the example of criminological and criminalistic analysis of such a phenomenon as sexual offences and crimes, makes a number of conclusions on expediency of this innovation.

Keywords: sexual harassment; sex offences; sexual immunity; gender rights; crime; administrative offences; criminal law; administrative law.

• **Reconciliation with the victim and active repentance as institutes wrongly referred to the manifestation of private in the criminal law.**

Daria V. Lopashenko – PhD Student in the Department of Criminal Law and Criminology at Lomonosov Moscow State University.

The article is devoted to the analysis of the legal nature of the institutes of active repentance and reconciliation with the victim through the prism of the theory of private and public in the criminal law. It is proved that in spite of the fact that many scientists refer these institutes to the manifestation of private in the criminal law, they are not such due to the procedure of their application provided for by the criminal law. The author proves public nature of active repentance and reconciliation with the victim by the fact that the decision on application of the said institutes may be taken only by the state, rather than by the victim. In doing so, the author comes to the conclusion that the established order of implementation of these institutes is the only right one from the point of view of satisfaction of public interest infringed as a result of commitment of crimes.

Keywords: active repentance; reconciliation with the victim; private in criminal law; circumstances releasing from criminal responsibility.

• **Revisiting continued rape.**

Inga V. Pantyuhina – PhD in Law, Associate Professor, Head of the Department of Criminal Law and Procedure at Ryazan State University.

The article rises the issue of estimation of numerous rape of the victim during her continuous retention in the presence of an undoubted intention of the guilty to make such actions as a single continued act. The author carries out a comparative analysis of attributes of a rape with attributes of a general structure of a

continued crime on the basis of which the author makes a conclusion on inexpediency of such an approach and suggests its reviewing.

Keywords: rape; continued crime; crime qualification; cumulative offences.

• **Criminal-law estimation of a crime perpetration feign.**

Sergey V. Smolin – PhD in Law, Head of Investigation Department, MI Chief Police Department (Kirov).

The article deals with the issue of qualification of a crime perpetration feign under the Russian criminal law. With that end in view the author considers points of view on feign existing in the national legal doctrine. Using historical and comparative legal methods of research, the author substantiates the necessity of criminalisation of a crime perpetration feign. On the basis of the analysis of the effective criminal legislation, the author identifies provisions which stipulate to some extent responsibility for a crime perpetration feign, drawbacks of their structure, as well as the issue of application of the said provisions to the regulation of public relations under consideration. Based on results of the research, the author substantiates the thesis about possibility of qualification of a crime perpetration feign under part 2 of article 294 of the Criminal Code of the Russian Federation and suggests supplementing the said criminal law provision.

Keywords: feign; slander; denunciation; falsification; fraud behaviour; lie; artificial creation of evidence for the prosecution.

• **Criminal-law provision of safety of turnover of drug-containing pharmaceuticals.**

Aleksandr V. Fedorov – PhD in Law, Professor, Honoured Lawyer of the Russian Federation, Editor-In-Chief of the «Drug Control» journal.

The article considers some debatable issues of criminal-law provision of safety of turnover of food products and pharmaceuticals having psychoactive effect: nutritional and biologically active supplements, smoking mixes, drug-containing medical products. The author reveals criminological conditionality of establishing criminal responsibility for illegal turnover and infringement of regulations on turnover of respective goods; points out at the necessity of establishment of criminal responsibility for illegal turnover of substances featuring psychoactive properties, which have an adverse effect on human's health, but due to their novelty are not included in the lists of narcotics, psychotropic, strong or poisonous substances; considers the issues relating to the establishment of administrative and criminal responsibility for illegal (not medical) consumption of narcotics and psychotropic substances; emphasises the topicality of introduction of criminal responsibility of legal entities for acts undermining safety of turnover of food products and pharmaceuticals including drug-containing medical products.

Keywords: food products; biologically active and nutritional supplements; smoking mixes (spices); drug-containing medical products; illegal turnover of narcotics and psychotropic substances; infringement of regulations on turnover of narcotics and psychotropic substances; illegal consumption of drugs; administrative and criminal responsibility.

CRIMINAL PROCEDURE

• **Some issues of optimization of the criminal-procedure and operational investigation legislation of the Russian Federation with a view of increasing efficiency of revealing and uncovering crimes.**

Stanislav V. Bazhanov – Doctor of Laws, Professor, Leading Researcher in the Department of problems prosecutorial oversight and the rule of law in the economic sphere at the Research Institute of the Academy of the Prosecutor General's Office of Russian Federation, Academician of Petrovsky Academy of Arts and Sciences.

The article is devoted to the analysis of the criminal procedure and operational investigation legislation of the Russian Federation to the extent relating to the legal regime of legalisation of the results of operational investigation activity while revealing, disclosing and investigating crimes.

Keywords: operational investigation activity; criminal procedure; inquiry bodies; operational investigation bodies; proofs.

• **Concept and essence of criminal procedure preventative measures.**

Svetlana I. Danilova – PhD in Law, Associate Professor, Higher Doctorate Candidate in the Department for Research Personnel Training at the All-Russian Research Institute of the MIA of Russia.

The article envisages issues relating to the definition of the concept of criminal procedure preventive measures, as well as their constitutive elements. On the basis of the analysis of the national legislation and law enforcement activity of preliminary investigation bodies and the courts, the author comes to the conclusion that identification of circumstances facilitating commission of a crime, as well as taking measures to eliminate them is not the only preventive component. According to the author, criminal procedure preventive measures also include such elements as application of preventive measures against the suspect (accused, defendant), preventive work with the aggrieved person, promulgation of law-abiding behaviour and legal education of the population.

Keywords: criminal procedure; crime prevention; criminal procedure preventive measures.

• **Object of revision of judgements on criminal cases under cassational and supervision procedure.**

Iliya S. Dikarev – PhD in Law, Associate Professor, Director of the Institute of Law at Volgograd State University.

The article analyses proceedings in cassation and supervision courts. The author addresses historical background, finding out sources and bases of limitation in the pre-revolutionary legislation of the object of investigation of cassation courts exclusively to the matters of law. Specific attention is given to the evolution of cassation and formation of judicial supervision in the Soviet criminal procedure: the author explores the reasons which motivated the legislator to assign to the court reviewing final judgements the task of research of the facts of the case. The author comes to the conclusion that the reason of limitation in the current legislation of the judicial matter in cassation and supervision courts to the monitoring of legality of judgements which took legal effect was the necessity to ensure the principle of legal certainty realised by the legislator.

Keywords: cassation; supervision; legality; validity; consistency of court practice; appeal; legal certainty principle.

• **Proving limits: in search of reliability.**

Denis V. Zotov – PhD in Law, Associate Professor in the Department of the organization of judicial authority and law enforcement activity at Voronezh State University.

The article considers the issue of reliability of the proving system with reference to such its element as proving limits. The author suggests his own concept of “proving limits”; substantiates understanding of proving limits reliability through such methods of its increase as making up (reconstitutability), stability and resistibility; investigates reliability of proving limits through objectivation and optimisation categories.

Keywords: proofs; proving limits; proving; reliability; objectivation; optimisation

• **Ensurance by the public prosecutor of the suspect’s rights at performance of an inquiry in a reduced form.**

Anton D. Pestov – PhD Student in the Department of Criminalistics at Kuban State University.

The article proves that procedural powers of a public prosecutor in ensuring suspect’s rights in case of an inquiry in a reduced form are insufficient. The author suggests improving the procedure of consideration of the suspect’s petition for performance of an inquiry in a reduced form by amending part 5 of article 226.4 of the Criminal Procedure Code of the Russian Federation and supplementing article 226.4 of the Criminal Procedure Code of the Russian Federation with part 6.

Keywords: suspect; rights; inquiry in a reduced form; public prosecutor.

• **Regarding the basic function of the criminal procedure and criminal procedure regulation method.**

Aleksandr V. Pobedkin – Doctor of Laws, Professor, Deputy Head of the Department of Professional Training at the Directorate of Public Service and Personnel of the MIA of Russia.

The article investigates essential differences of criminal and civil legal proceedings. The author makes a conclusion that the only significant objective distinction is the legal regulation method, and suggests a new approach to its understanding. The legal regulation method is defined by means of particularities of most legal relationships through which law branch provisions are implemented. The author introduces into scientific use the concept of publicity as a criminal procedure function determining the criminal procedure regulation method and substantiates as a final conclusion the thesis of originality of the criminal procedure law, inadmissibility of its merger with other procedural law branches.

Keywords: criminal procedure law; criminal procedure regulation method; criminal procedure function; publicity; imperativeness; dispositivity.

● **Regarding admissibility of using polygraph in criminal procedure.**

Vladimir A. Sementsov – Doctor of Laws, Professor in the Department of Criminal Procedure at Kuban State University.

The author substantiates that an increase in efficiency of a criminal procedure largely depends upon introduction in its practice of technical facilities, the concept of which and general requirements for conditions and procedure of use of which should be enshrined in the Criminal Procedure Code of the Russian Federation. According to the author, technical facilities admissible for use in a criminal procedure include polygraph the rules of use of which shall be approved by a decree of the Government of the Russian Federation. Prohibition of use of polygraph in a criminal procedure is considered to be erroneous and illogical.

Keywords: criminal procedure; technical facilities; polygraph; rules of use; admissibility.

CRIMINAL EXECUTIVE LAW. PENITENTIARY

● **Regarding implementation of the principle of legality in the criminal and penal law.**

Olga A. Adoyevskaya – PhD in Law, Associate Professor in the Department of Criminal Law and Criminology at Samara State University.

The article considers the issue of implementation of the principle of legality in the criminal and penal law, shows negative consequences of non-compliance with the principle of legality in activity of penal institutions and bodies, and suggests some ways of their elimination.

Keywords: principle of legality; criminal responsibility; penal institutions and bodies.

● **Specific features of the legal status of subjects of criminal and penal legal relationship of information nature.**

Vladimir V. Surin – PhD in Law, Head of the Department of Criminal Procedure and Criminalistics at Perm Institute of the Russian Federal Penitentiary Service.

The article is dedicated to studying information aspects of criminal and penal legal relationship. Subjects of penitentiary legal relationship as components of these relations are chosen as the main object of the research. Our hypothesis is that participants of penitentiary legal relationship built up in the process of solution of information issues have their specific features, and the purpose of the research was to reveal these specific features. The article identifies the most typical signs of subjects of legal relationship. The legal status of subjects under consideration is analysed both from the point of view of their appurtenance to criminal and penal legal relationship, and from the point of view of their special informational characteristics. As a result of the research, the author has come to the conclusion that information-related tasks resolved by this subject are the main characterising attributes of the subjects of the said legal relationship.

Keywords: criminal and penal legal relationship; subjects of legal relationship; attributes; penitentiary information; information tasks.

CRIMINOLOGY

● **Criminological characteristic of criminal encroachments on fire safety and their prevention: regional aspect.**

Elena V. Popadenko – PhD in Law, Associate Professor in the Department of Criminal Law at Vologda State University.

Yuliya A. Maltseva – Student of Law Faculty at Vologda State University.

This publication provides criminological analysis of criminal encroachments on fire safety. Dynamics of fires is considered with reference to the statistical data from 2009 to 2014. The work also considers basic measures of prevention of respective crimes in the territory of the Vologda region.

Keywords: fire; fire safety; crime prevention.

● **Criminal fires as an object of criminological research.**

Anna L. Repetskaya – Doctor of Laws, Professor, Head of the Department of Criminal Law and Criminology at Baikal State University of Economics and Law, Honoured Lawyer of the Russian Federation.

Valentina N. Shutova – PhD in Law, Head of the Department of State Law at Irkutsk Law Institute (branch) of the Russian Law Academy of the Ministry of Justice of the Russian Federation.

The article substantiates the necessity of a complex criminological research of criminal fires as a dangerous negative phenomenon, causing considerable material and ecological damage entailing death of people. The authors cite statistical data characterising current status of the problem, determine key concepts used in this area: fire, criminal fire, arson. The authors suggest classification of criminal fires depending on their purposes and motives and from the object of the encroachment. In particular, the following types of fires are identified: those creating a favourable situation for commitment of another crime; hiding another crime; committed to create conditions for redistribution of property, abstraction of land lots, reception of various payments, including insurance payments; as well as for the purpose of satisfaction of personal motives (jealousy, revenge, etc.). The article analyses specificity of studying of each research object.

Keywords: criminal fires; arsons; criminological analysis.

● **Armed violence in Russia: basic criminological trends.**

Elina L. Sidorenko – Doctor of Laws, Associate Professor in the Department of Criminal Law, Criminal Procedure and Criminalistics at Moscow State Institute of International Relations (University) of the MFA of Russia.

The article suggests criminological characteristic of the status, structure and dynamics of armed crimes in Russia. A special attention is given to functional dependence of armed violence on the levels of alcoholism, mental disturbances and indices of social well-being of the population. This enabled the author to prove household nature of most Russian armed crimes and to determine basic areas of improvement of the criminal and administrative legislation.

Keywords: armed criminality; fire-arms; legalisation; correlation; armed violence; use of weapons; murder; banditism.

● **Information and propaganda activity of terrorist organisation «Islamic state of Iraq and the Levant».**

Igor Yu. Sundiev – Doctor of Philosophy, Professor, Leading Researcher at the Research Center № 2 at the All-Russian Research Institute of the MIA of Russia.

Alexander A. Smirnov – PhD in Law, Associate Professor at the All-Russian Research Institute of the Ministry of Internal Affairs of the Russian Federation, Senior Researcher of Research Centre № 4.

Vladimir N. Kostin – PhD in Pedagogics, Lecturer in the Department «Military acmeology and cybernetics» at Peter the Great Military Academy of Strategic Missile Forces.

This article justifies the thesis that the terrorist organisation Islamic State of Iraq and the Levant (ISIL) demonstrates a new quality of terrorist propaganda. The authors show that ISIL possesses a developed media infrastructure and a high level of knowledge of advanced information and communication technologies, including marketing in social media. In conclusion the authors formulate the concept of counteraction to terrorist propaganda in today's conditions.

Keywords: ISIL; terrorism; propaganda; jihad; media; Internet; social networks.

● **Status and dynamics of victimisation of minors.**

Elena M. Timoshina – PhD in Law, Senior Researcher at the Research Center № 1 of criminological problems research, crime forecasting, public opinion studies in the field of the law enforcement system at the All-Russian Research Institute of the MIA of Russia.

Using methods of mathematical computations, analysis and comparison, the article investigates dynamics of the number of minor victims of crimes in Russia during the period from 2009 to 2013 as a whole and by separate kinds of crimes, the coefficient of their victimisation per 100 thousand of minors of each segregated group; the coefficient of victimisation of minors and adults, as well as by types of criminal violence in comparison.

Keywords: minor victims of crimes; victimisation of minors; child abuse; family violence; non-family violence.

CRIMINALISTICS

• **Criminalistic registration: current state and improvement issues.**

Oleg Yu. Antonov – Doctor of Laws, Associate Professor, Professor in the Department of Law at Eastern-European Institute, Honoured Lawyer of the Udmurt Republic.

The author analysed interdepartmental order of 12 February, 2014, which approved Guidelines on keeping and using centralised operational, informational, criminalistic and investigative records maintained by law-enforcement bodies of the Russian Federation. The author considers specific positive features of this order and possibility of their use in law-enforcement activity, as well as criminalistic record issues requiring resolution both at departmental, and interdepartmental level; and identifies specific ways of their resolution. He also substantiates a conclusion that legal and organizational bases of criminalistic registration need further improvement.

Keywords: information support of crime investigation; criminalistic registration; criminalistic records.

• **Some tactics for checking evidence of suspected and accused persons at interrogation in situations of their counteraction to the investigation.**

Tarlan M. Vagabov – Deputy Head of the Investigation Department of the CAO Chief Investigative Department of the Investigative Committee of the Russian Federation (Moscow).

The article considers particularities of some tactics for checking evidence of suspected and accused persons in the course of their interrogation under conditions of their counteraction both to the check, and to the investigation as a whole.

Keywords: criminalistics; tactics; counteraction to the investigation; checking evidence; suspect; accused.

• **Regarding some possibilities of extraction of navigation information when investigating and uncovering crimes. Technical and criminalistic aspect.**

Anna Yu. Zabavina – PhD Student in the Department of Criminalistics at the Far Eastern Institute of Law of Ministry of Internal Affairs of Russia.

The article considers possibility of use of navigation system data in investigating crimes, particularities of application of modern technical devices for extraction of navigation information. The author suggests her recommendations on tactics of retrieval of objects containing navigation information.

Keywords: navigation information; mobile phone; location of the criminal; movement route.

• **About some elements of criminalistic characteristic of sale of narcotics, psychotropic substances and their analogues performed with the use of electronic or information and telecommunication networks (including Internet).**

Svetlana I. Zemtsova – Lecturer in the Department of Criminalistics at the Siberian Law Institute of the Federal Drug Control Service of the Russian Federation.

On the basis of the analysis of judicial and investigatory practice, the author studies some elements of criminalistic characteristic of crimes involving sale of narcotics, psychotropic substances and their analogues performed with the use of electronic or information and telecommunication networks (including Internet). The author focuses on such element as the method of perpetration of such crimes. It is noted that its specificity consists in the use of the said networks for: 1) advertising of drugs (by means of creation of a specialised page and/or group in social networks, as well as an Internet shop of smoking mixes); 2) communication with potential buyers; 3) reception of payment details; 4) information on location of the plant.

Keywords: narcotics; sale; information and telecommunication network; plants; electronic wallet; criminalistic characteristic.

• **Criminalistics on guard of constitutional legality: some implementation issues in the criminal procedure.**

Vladislav L. Kudryavtsev – Doctor of Laws, Leading Researcher at the Research Center, Moscow Academy of Economics and Law.

The article demonstrates – through separate issues of implementation in the criminal procedure – how criminalistics stays on guard of constitutional legality. In the context of considered issues a special attention is given to studying the court activity.

Keywords: criminalistics; general theory of criminalistics; criminalistic tactics; proof; criminal procedure; constitutional legality; presumption of constitutionality of the law; lawyer/defender; court; public prosecutor.

• **Traces of a person who committed the crime: debatable concept and classification issues.**

Natalya I. Malykhina – PhD in Law, Associate Professor in the Department of Criminalistics at Saratov State Law Academy.

Traces of a person who committed the crime are the main kind of traces studied in criminalistics. However till now the definition of this term, as well as classification of the said traces have not been sufficiently developed. The article considers the above issues in interrelation with the questions of genesis and current state of the criminalistic doctrine about traces, including their influence on development of viewpoints on understanding of traces of a person who committed the crime.

On the basis of the analysis of scientific and educational publications in this field the following issues come to light: 1) absence of a uniform understanding of the term «trace», as well as differentiation with other terms used in most cases as synonyms (traces of the crime, traces of the criminal); 2) despite acknowledgement of ideal traces as an independent kind of visualization, crudity – within the limits of the criminalistic doctrine on traces – of theoretical provisions about laws of their origination, preservation and use in investigation of crimes; 3) scientific bases of trace evidence analysis; 4) limitation of understanding of traces of the person who committed the crime to traces of biological origin (dominating position), etc. The author substantiates the necessity to revise conceptual provisions of the criminalistic doctrine about traces.

Keywords: trace; traces of a person; person who committed the crime; material and ideal traces; criminalistic doctrine about traces; trace evidence analysis; criminalistic studying of a human; biological, psychological, social properties of a person.

• **Innovative technologies in criminalistic investigation of appearance of a person.**

Sergey A. Pichugin – PhD in Law, Lecturer in the Department of Expert and Criminalistic Activity at Moscow University of the Ministry of Internal Affairs of Russia.

The article considers new innovative technologies which may be used within the framework of a criminalistic investigation of attributes of appearance of a person.

Keywords: criminalistic habituscopy; information on attributes of appearance; a generalised portrait; DNA-phenotypic test.

FORENSIC EXAMINATIONS

• **Some aspects of legal and criminalistic estimation of weapons and cartridges thereto as objects of judicial ballistic expert examinations.**

Igor V. Latyshov – PhD in Law, Associate Professor, Head of the Chair of trasology and ballistics of the academic and scientific complex of expert criminalistic activity at Volgograd academy of the Ministry of Internal Affairs of the Russian Federation.

Based on analysis of the legislation, statutory legal acts in the field of counteraction of armed criminality, regulation of turnover of weapons and cartridges thereto, as well as materials of expert practice, the author considers some aspects of their legal and criminalistic estimation as objects of judicial ballistic expert examinations. It is noted that the sphere of legal regulation of weapons and cartridges requires improvement of legislation provisions used in the regulation, including correction of the conceptual system, legal and criminalistic approaches to the estimation of weapons, cartridges, special means, as well as household and production items manufactured using weapon structural base.

Keywords: objects of judicial ballistic examination; weapons; cartridges; main parts of fire-arms.

INTERNATIONAL CRIMINAL LAW AND JUSTICE

• **Contractual and legal aspects of international cooperation of the investigation committee of the Russian Federation.**

Sergey A. Gromov – Senior Inspector of the Division of International Co-operation in the Department of International Legal Co-operation of the Investigative Committee of the Russian Federation, Lieutenant-Colonel of Justice.

The article describes all basic aspects of contractual activity of the Investigation Committee of Russia carried out since 2008 till present and relating to suggestions on modification of the federal legislation, interaction of federal state bodies, cooperation with competent authorities of foreign states and prospects of development of international cooperation in the field of criminal procedure and crime control.

Keywords: Investigation Committee of the Russian Federation; international treaty; international cooperation in the field of criminal procedure; international cooperation of police bodies; collection of evidence abroad.

• **The concept of legalization (laundering) of incomes received in a criminal way, and terrorism financing in the international law and the Russian legislation.**

Yulya S. Nepomnyashchikh – Master Student at Moscow State Institute of International Relations (University) of the MFA of Russia.

The article analyses the concepts of legalisation of criminal incomes and terrorism financing from the point of view of international law and the criminal law of the Russian Federation. Besides, attention is given to some elements of legalisation of criminal income and terrorism financing.

Keywords: legalisation of criminal income; terrorism financing; direct and indirect financing of terrorism; transnational crimes.

COMPARATIVE LAW

• **Structure of the criminal procedure institute of deposition of evidence, purpose and bases of its application (a comparativistic approach).**

Igor A. Zinchenko – PhD in Law, Associate Professor in the Department of Legal Disciplines at the Kaliningrad branch of the International University (in Moscow).

Artem A. Popov – PhD Student at A.S. Griboedov International Law and Economy Institute.

In 2002 rules regulating the procedure of pre-judicial deposition of evidence were included in the new Criminal Procedure Code of Lithuania. In 2011 they were incorporated by the Criminal Procedure Code of Estonia. In the positive law, deposition of evidence is presented also in the Criminal Procedure Code of Georgia, Kazakhstan, Moldova, Ukraine (it is also included in the draft project of the new Criminal Procedure Code of Armenia).. The comparative legal analysis of the said regulatory acts allows to reveal the purpose of creation of the institute of deposition of evidence, to establish its optimum structure, to specify the circle of persons, whose evidence may be deposited, and to develop on this basis suggestions on improvement of the Criminal Procedure Code of the Russian Federation.

Keywords: comparative jurisprudence; law of evidence; competitiveness; deposition of evidence.

• **Immediate principal offender with a special subject: experience of theoretical research of the legislation of the Russian Federation and the Belarus.**

Aleksei I. Lukashov – PhD in Law, Associate Professor, Professor in the Department of Criminal Law and Criminology at the Academy of the MIA of the Republic of Belarus.

Ella A. Sarkisova – PhD in Law, Professor in the Department of Criminal Law and Criminology at the Academy of the MIA of the Republic of Belarus, Honoured Lawyer of the Republic of Belarus.

The article considers the concept and the essence of the immediate crime perpetration being the universal institute of the General Part of the Criminal Law, as well as the issues of its application for cases of crimes with a special subject.

Keywords: crime; special subject of a crime; complicity in crime; indirect perpetration of a crime.

LEGAL SCIENCE METHODOLOGY

• **Competence of a legal knowledge subject.**

Yury P. Borulenkov – PhD in Law, Associate Professor, Prorector at the Academy of the Investigative Committee of the Russian Federation.

The article focuses on professional competence of a lawyer as a set of competences – knowledge, skills, abilities that determine potential readiness to solve a task in a professional manner. The author notes that the scale of tasks facing the modern society sharply raises the urgency of the issue of the competence of professional activity of the lawyers – subjects of legal knowledge. The author emphasises that formation of a professional is not only and not so much creation of favourable internal and external conditions of activity as education of a lawyer as a person.

Keywords: legal knowledge; legal activity; competence of a lawyer; professional skills of a lawyer.

• **Model of the crime prevention and criminal justice commission and other United Nations Bodies as a form of preparation of highly competent specialists in the field of international criminal law and criminal procedure.**

Vladimir V. Dubrovin – PhD in Law, Senior Lecturer in the Department of Criminal Law, Criminal Procedure and Criminalistics of the International Law Faculty at Moscow State Institute of International Relations (University).

The article considers a relatively new form of carrying out scientific events – modelling and specifies its purposes and tasks. The author describes the experience of implementation in Moscow State Institute (University) for International Relations (MGIMO) of the Ministry of Foreign Affairs of Russia of the Model of the United Nations Crime Prevention and Criminal Justice Commission and other business games within the framework of the United Nations Model.

Keywords: business game; modelling; model legal procedure; United Nations Model; Model of the United Nations Crime Prevention and Criminal Justice Commission; criminal law; criminal procedure; training.

• **Professional deformation of the sense of justice of scientists-lawyers.**

Sergey I. Zakhartsev – Doctor of Laws, Assistant Director General Joint-stock company «Russian machines».

The article considers professional deformation of the sense of justice of scientists-lawyers. On the basis of conducted researches, the author identifies types of professional deformation in the scientific and pedagogical legal environment, suggests ways of overcoming consciousness deformations.

Keywords: sense of justice; professional deformation of the sense of justice.

• **Criminal procedure law manual: the past, the present, the future.**

Nikita A. Kolokolov – Doctor of Laws, Professor in the Department of Judiciary and Organization of Justice at the Higher School of Economics – National Research University.

The role of a manual in an educational process may be hardly overestimated. A good manual + elementary self-education skills is a foundation of a successful externship known for a long time. The analysis of the modern criminal procedure law (criminal procedure) manuals shows that as a rule their contents is an arbitrary and fragmentary retelling of the Criminal Procedure Code of the Russian Federation. The author shares his reflexions concerning the past, the present and the future of the Criminal Procedure Law manual.

Keywords: criminal procedure law; criminal procedure; manual; the Criminal Procedure Code of the Russian Federation.

LEGAL SCIENCE IN PRACTICE

• **Sentence taking into account circumstances mitigating and aggravating the punishment.**

Sergey G. Oljkov – Doctor of Laws, Professor, Head of the Department of Theory and History of State and Law at Surgut State University.

The article gives a theoretical substantiation of the full set of mathematical functions of a criminal sanction, taking into account circumstances aggravating and mitigating the punishment. The author provides theoretical definition of the full set of original and derivative, linear and nonlinear functions of a criminal sanction with their parametrization; parametrization of linear functions of a criminal sanction; parametrization of nonlinear functions of a criminal sanction; parametrization and analysis of criminal sanction functions in the legislation and the court practice of the USA; a method for determination of the final amount of the punishment taking into account punishment correction coefficient obtained without taking into account circumstances mitigating and aggravating the punishment. The author furnishes proofs confirming that the legislation and the court practice in the USA use exclusively nonlinear (cubic, exponential and power) criminal sanction functions depending on the extent of public danger of the criminal conduct and public danger of the person who committed the crime, and provides the result of the analysis of merits and demerits of punishment functions in the USA. On the basis of the conducted research, the author suggests ways of improvement of the criminal sanctions system in Russia in order to increase the level of justice when delivering sentences.

Keywords: criminal sanction; justice; criminal law; categories of criminals; categories of crimes; mathematical analysis; approximation; functions.

REVIEWS

- **Concerning monography of V.V. Lunev «Sources and drawbacks of the russian criminal lawmaking» (Moscow, Yurlitinform publishing house, 2014. – 320 pages).**

Sergey G. Oljkov – Doctor of Laws, Professor, Head of the Department of Theory and History of State and Law at Surgut State University.

The review is dedicated to V.V. Lunev's monography in which he provides the results of a long-term research of Russian criminal lawmaking issues conducted by the author.

Keywords: criminality; criminal law; criminology; lawmaking.